

**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. As of the publication of this staff report, the applicant has not provided verification from an engineer that the minimum sight distance can be obtained at the proposed driveway location, however, this study is currently being undertaken.

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.

#### 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)

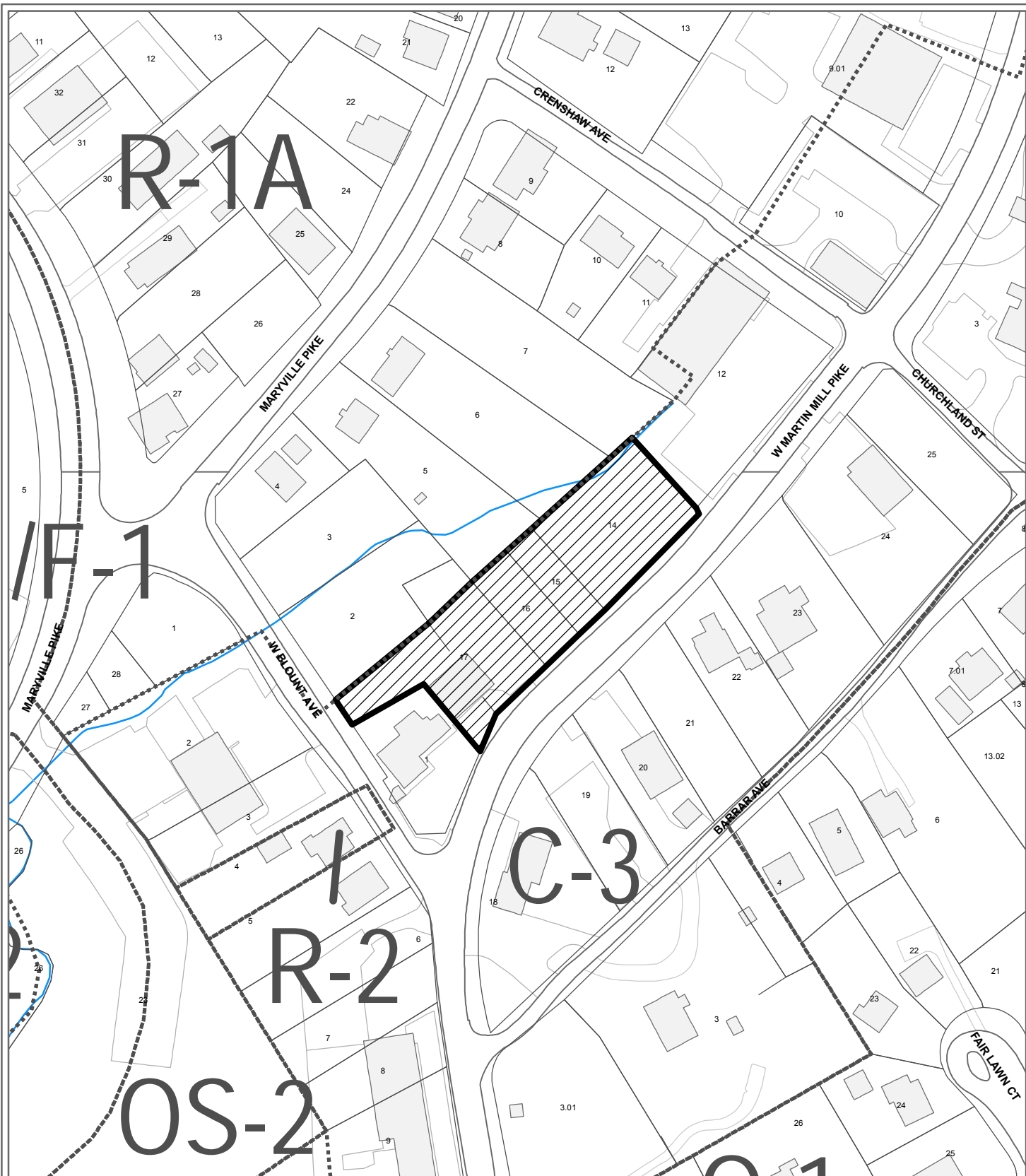
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



**12-F-17-UR  
USE ON REVIEW**



Multi-dwelling residential building with 2 dwelling units with 5 bedrooms each. in C-3 (General Commercial)

Petitioner: Pennington, Aaron

Map No: 109

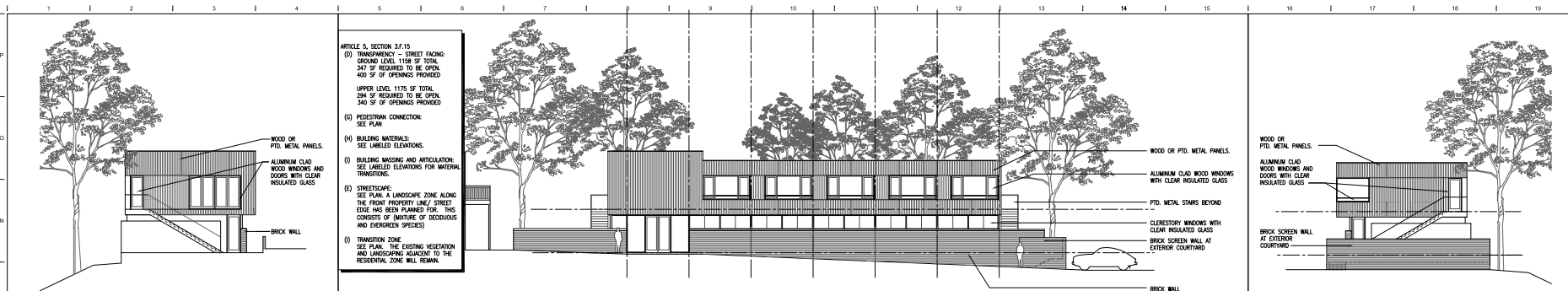
Jurisdiction: City



Original Print Date: 11/13/2017

Revised:

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



**M1 ELEVATION**  
1740\_XELEV 3/32"=1'-0"

**M5 ELEVATION**  
1740\_XELEV 3/32"=1'-0"

**M16 ELEVATION**  
1740\_XELEV 3/32"=1'-0"

**J1 LANDSCAPE REQUIREMENTS**  
1740\_A01 N.T.S.

NEW PARKING LOT AREA IS LESS THAN 10,000 SF AT 43,200 SF ALLOWING EXEMPTION FROM THE INTERIOR LANDSCAPING REQUIREMENTS OF SUBSECTION 4.3 AND PERIMETER SCREENING REQUIREMENTS IN SUBSECTION 4.2.C.3 OF ARTICLE V, SECTION 7. OFF-STREET PARKING, ACCESS, DRIVEWAY & LANDSCAPING REQUIREMENTS BY MPC

PRESERVE TREES ALONG MARTIN MILL PIKE AND PROPERTY EDGES WHERE POSSIBLE. OWNER TO CONSULT WITH C.O.K. URBAN FORESTER.

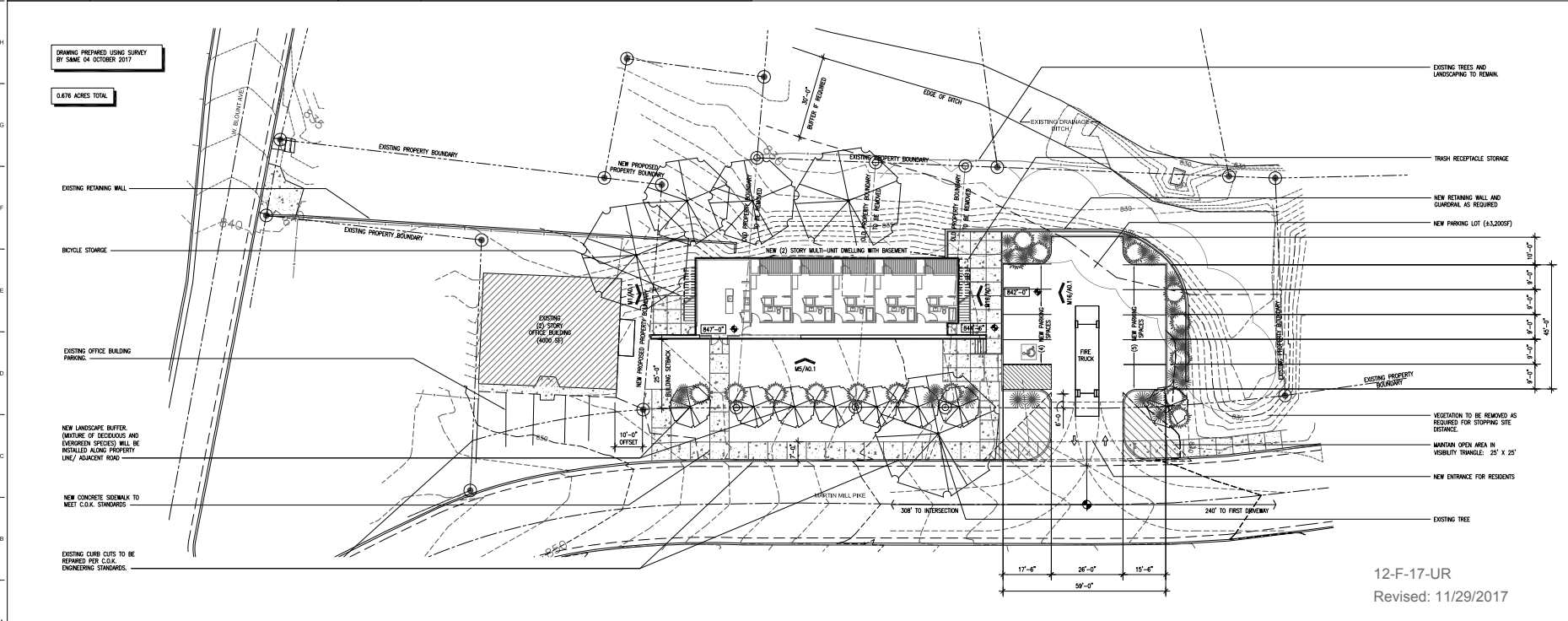
PROVIDE NEW TREES WITHIN TWELVE (12) MONTHS OF CONSTRUCTION COMPLETION, AT THE RATE OF EIGHT (8) TREES PER ACRE, WITH AT LEAST ONE-HALF OF THE REQUIRED NUMBER BEING SPECIES CAPABLE OF ATTAINING A HEIGHT OF FIFTY (50) FEET OR MORE AT MATURITY. SUCH TREES SHALL HAVE A MINIMUM TRUNK DIAMETER OF TWO (2) INCHES AT SIX (6) INCHES ABOVE GROUND AT PLANTING, UNLESS OF AN ORNAMENTAL VARIETY, WHICH SHALL HAVE A MINIMUM TRUNK DIAMETER OF ONE AND ONE-FOURTH (1 1/4) INCHES AT SIX (6) INCHES ABOVE GROUND AT PLANTING.

**J5 PARKING REQUIREMENTS**  
1740\_A01 N.T.S.

| PARKING REQUIREMENTS FOR MULTI DWELLING STRUCTURES                |  |                    |  |
|---|--|--------------------|--|
| DEVELOPMENT RENTING BY BEDROOMS                                   | 0.67 PER BEDROOM (MIN) 1.2 PER BEDROOM (MAX)         |                    |  |
| PROJECT TOTALS  |  |                    |  |
| 2 DWELLING UNITS W/ (5) ROOMS PER DWELLING (GROUND & UPPER LEVEL) | 10 X 0.67  | 6.7 PARKING SPACES |  |
| 1 DWELLING UNIT W/ (1) BEDROOM (LOWER LEVEL)                      | 1 X 0.67   | 0.67               |  |
| TOTAL REQUIRED PARKING SPACES                                     | 8 PARKING SPACES                                     |                    |  |
| TOTAL AREA OF NEW PARKING LOT IS 43,200 SF.                       | 9 TOTAL PARKING SPACES PROVIDED (1) ACCESSIBLE SPACE |                    |  |

**J1 LANDSCAPE REQUIREMENTS**  
1740\_A01 N.T.S.

**J5 PARKING REQUIREMENTS**  
1740\_A01 N.T.S.



**A1 SITE PLAN**  
1740\_xps1 1/16"=1'-0"

**MULTI-UNIT DWELLING PROJECT**

3839 MARTIN MILL PIKE  
KNOXVILLE, TENNESSEE 37920  
SPA PROJECT #: 1740

**NOT FOR CONSTRUCTION**  
ON REVIEW SET DOCUMENTS

THESE DOCUMENTS ARE PROVIDED WITHOUT A BOUNDARY SURVEY ARCHITECT

OWNER:  
**CCAHT (OPTION HOLDER)**  
2095 LAKESIDE CENTRE WAY,  
SUITE 101  
KNOXVILLE, TENNESSEE 37922  
T: 865.236.1048  
CONTACT: KATE TRUELLE

ARCHITECT:  
**SANDERS PACE ARCHITECTURE**  
514 W. JACKSON AVE, SUITE 102  
KNOXVILLE, TENNESSEE 37902  
T: 865.529.0316  
F: 865.548.2348  
CONTACT: JOHN SANDERS, AIA

USE ON REVIEW 30 OCTOBER 2017  
ZONING APPEALS 20 NOVEMBER 2017

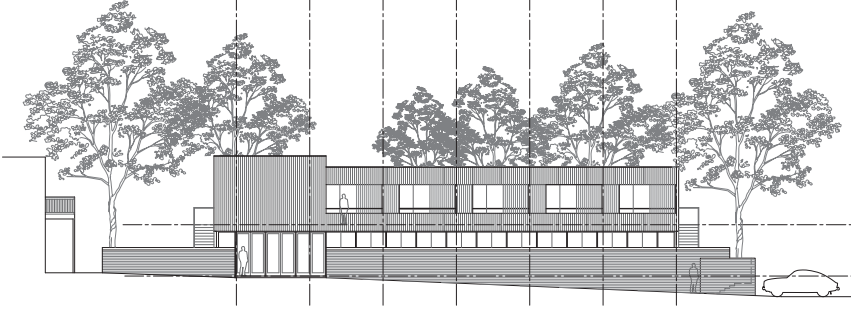
12-F-17-UR  
Revised: 11/29/2017

SITE PLAN (FOR USE ON REVIEW)

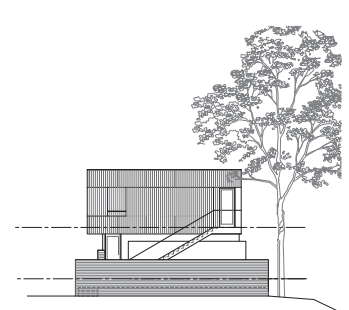
**A0.1**  
1725\_A01.DWG



M1 ELEVATION  
1740\_XELEV 3/32"=1'-0"



M5 ELEVATION  
1740\_XELEV 3/32"=1'-0"



M16 ELEVATION  
1740\_XELEV 3/32"=1'-0"

**J1 LANDSCAPE REQUIREMENTS**  
1740\_A01 N.T.S.

NEW PARKING LOT AREA IS LESS THAN 10,000SF ALLOWING EXEMPTION FROM THE INTERIOR LANDSCAPING REQUIREMENTS OF SUBSECTION 1.3.3 AND PERIMETER SCREENING REQUIREMENTS IN SUBSECTION 2.2.3.3 OF ARTICLE V, SECTION 17 - OFF-STREET PARKING, ACCESS, CIRCULARITY & LANDSCAPING REQUIREMENTS BY MPC.

PRESERVE TREES ALONG MARTIN MILL PIKE AND PROPERTY EDGES WHERE POSSIBLE. OWNER TO CONSULT WITH C.O.K. URBAN FORESTER.

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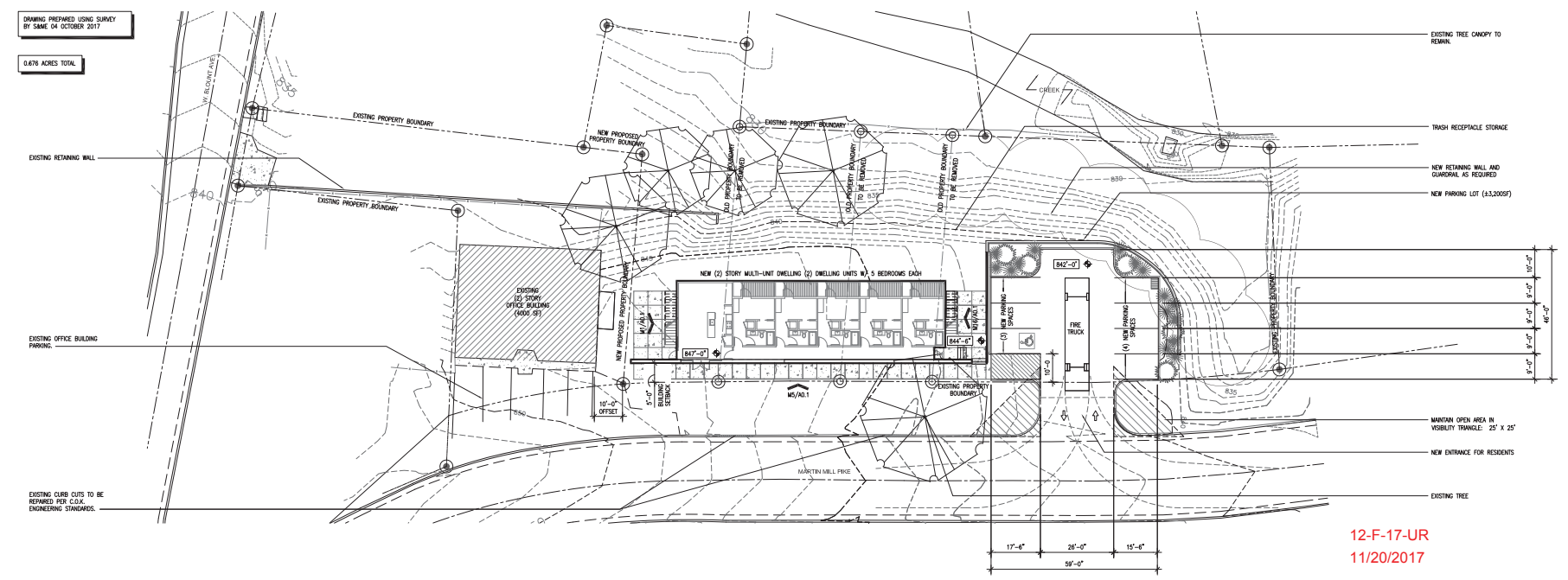
**J5 PARKING REQUIREMENTS**  
1740\_A01 N.T.S.

| PARKING REQUIREMENTS FOR MULTI DWELLING STRUCTURES |  |                  |
|--|--|------------------|
| 4 OR MORE BEDROOM DWELLING UNITS                   | 0.67 PER BEDROOM (MIN) 1.2 PER BEDROOM (MAX) |                  |
| PROJECT TOTALS                                     |  |                  |
| 2 DWELLING UNITS W/ (6) ROOMS PER DWELLING         | 10 X 0.67                                    | 7 PARKING SPACES |
| TOTAL REQUIRED PARKING SPACES                      | 7 PARKING SPACES REQUIRED                    |                  |
| TOTAL AREA OF NEW PARKING LOT IS 43,740SF.         |  |                  |
| TOTAL PARKING SPACES PROVIDED (1) ACCESSIBLE SPACE |  |                  |

**EXHIBIT A**  
The applicant is seeking a front yard setback variance from the Board of Zoning Appeals to allow the proposed building and parking to be closer to the front lot line. This site plan is only to show what is intended to be constructed if the variances are approved by BZA and is not to be approved as part of this application.

J1 LANDSCAPE REQUIREMENTS  
1740\_A01 N.T.S.

J5 PARKING REQUIREMENTS  
1740\_A01 N.T.S.



A1 SITE PLAN  
1740\_xp1 1/16"=1'-0"

**MULTIUNIT DWELLING PROJECT**  
3838 MARTIN MILL PIKE  
KNOXVILLE, TENNESSEE 37920  
SPA PROJECT #: 1740



THESE DOCUMENTS ARE INVALID WITHOUT A SIGNED STAMP BY ARCHITECT

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2085 LAKESIDE CENTRE WAY,  
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CONTACT: JOHN SANDERS, AIA

USE ON REVIEW 30 OCTOBER 2017  
ZONING APPEALS 14 NOVEMBER 2017

12-F-17-UR  
11/20/2017

SITE PLAN (FOR USE ON REVIEW)  
**A0.1**  
1723\_A01.DWG  
© 2017 SANDERS PACE ARCHITECTURE

**Use on Review**     **Development Plan**

Name of Applicant: Aaron Pennington  
 Date Filed: 10/30/2017    Meeting Date: Dec. 14, 2017  
 Application Accepted by: Mike Reynolds  
 Fee Amount: \_\_\_\_\_ File Number: Development Plan \_\_\_\_\_  
 Fee Amount: \$250    File Number: Use on Review 12-F-17-UR



**PROPERTY INFORMATION**

Address: 3839, 3831, 3929, & 3825 Martin Mill Pike  
 General Location: NW side Martin Mill Pike, E of W. Blount Ave.  
 Tract Size: Total of .676 acres    No. of Units: \_\_\_\_\_  
 Zoning District: C-3  
 Existing Land Use: Office & vacant land  
 Planning Sector: South City  
 Sector Plan Proposed Land Use Classification: MU-SD → SC-4  
 Growth Policy Plan Designation: Inside City  
 Census Tract: 24  
 Traffic Zone: 64  
 Parcel ID Number(s): 109PL017, 109PL016, 109PL015, 109PL014  
 Jurisdiction:  City Council 1 District  
 County Commission \_\_\_\_\_ District

**PROPERTY OWNER/OPTION HOLDER**

PLEASE PRINT  
 Name: Kate Trudell  
 Company: CCAHT  
 Address: 2095 Lakeside Centre Way Suite 101  
 City: Knoxville    State: TN    Zip: 37922  
 Telephone: 865-236-1046  
 Fax: \_\_\_\_\_  
 E-mail: kate@ccaht.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:  
 PLEASE PRINT  
 Name: Aaron Pennington  
 Company: Sanders Pace Architecture  
 Address: 514 West Jackson Ave. Suite 102  
 City: Knoxville    State: TN    Zip: 37902  
 Telephone: 865-329-0316  
 Fax: \_\_\_\_\_  
 E-mail: apennington@sanderspace.com

**APPROVAL REQUESTED**

Development Plan: 1 Residential     Non-Residential  
 Home Occupation (Specify Occupation) \_\_\_\_\_  
 Other (Be Specific)  
 Requesting permission to have a multi-dwelling unit residential building in a C-3 zone. The development will have 2 dwelling units (with 5 bedrooms each) for a total of 10 rooms.

**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: Aaron Pennington  
 PLEASE PRINT  
 Name: Aaron Pennington  
 Company: Sanders Pace Architecture  
 Address: 514 W. Jackson Ave. Suite 102  
 City: Knoxville    State: TN    Zip: 37902  
 Telephone: 865-329-0316  
 E-mail: apennington@sanderspace.com

