

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

▶ **FILE #:** 12-E-16-UR **AGENDA ITEM #:** 59
 POSTPONEMENT(S): 12/8/2016 **AGENDA DATE:** 1/12/2017

▶ **APPLICANT:** KNOXVILLE MONTESSORI ASSOCIATION
 OWNER(S): Knoxville Montessori Association

TAX ID NUMBER: 107 L A 017 AND PART OF 01801 [View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 4301 Kingston Pike

▶ **LOCATION:** North side of Kingston Pike, north side of the intersection of Towanda Trail and Kingston Pike

▶ **APPX. SIZE OF TRACT:** 0.9 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Kingston Pike, a major arterial street with a four lane section at a transition to four lanes with additional turn lanes within a required right-of-way of 88'.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River & Third Creek

▶ **ZONING:** R-1 (Low Density Residential)

▶ **EXISTING LAND USE:** Residence and school

▶ **PROPOSED USE:** Expansion of Existing School

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residences - R-1 (Low Density Residential)

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

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

West: Shopping center - C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: The site is located at a transition point on Kingston Pike between residential development to the east and commercial development to the west.

STAFF RECOMMENDATION:

▶ **APPROVE** the development plan for the expansion of the existing Montessori School subject to 8 conditions.

1. Connecting to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Transportation for the revised access driveways for the site.
4. Obtaining approval and recording a plat for the combination of the two parcels or a plat that establishes the

- permanent access easements that are needed for the one-way traffic flow across the two parcels.
5. Meeting all applicable requirements of the Knoxville Fire Marshal's Office.
 6. Installation of all landscaping as shown on the landscape plan within six months of the issuance of occupancy permit for this project.
 7. Meeting all applicable requirements of the Knoxville Urban Forester.
 8. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted above, this request meets all requirements for approval in the R-1 zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

The applicant is requesting a use on review approval in order to expand the existing Montessori School located on Kingston Pike just east of The Shops at Western Plaza. The parcel directly east of the existing school will be the site of the building expansion. A two story addition is proposed on back of the existing residence.

The proposed development plan shows access to the site to include a one-way circulation layout that will enter on the eastern side of the site and exit on the western side. The center access driveway will be eliminated. The proposed driveway changes will require approval from the Tennessee Department of Transportation. A sidewalk connection will be provided between the two facilities with a connection out to the existing sidewalk along Kingston Pike.

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

1. The proposed school expansion will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed one-way circulation of traffic through the site should help to improve traffic safety at this location.
3. The proposed expansion of the Montessori School should have minimal impact on the residential neighborhood in this area.

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

1. With the recommended conditions, the proposed use is consistent with all requirements for the R-1 zoning district, as well as other criteria for approval of a use on review.
2. With the recommended conditions, the proposed use is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and the One Year 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 substantial additional traffic through residential areas since the site has access to a major arterial street.

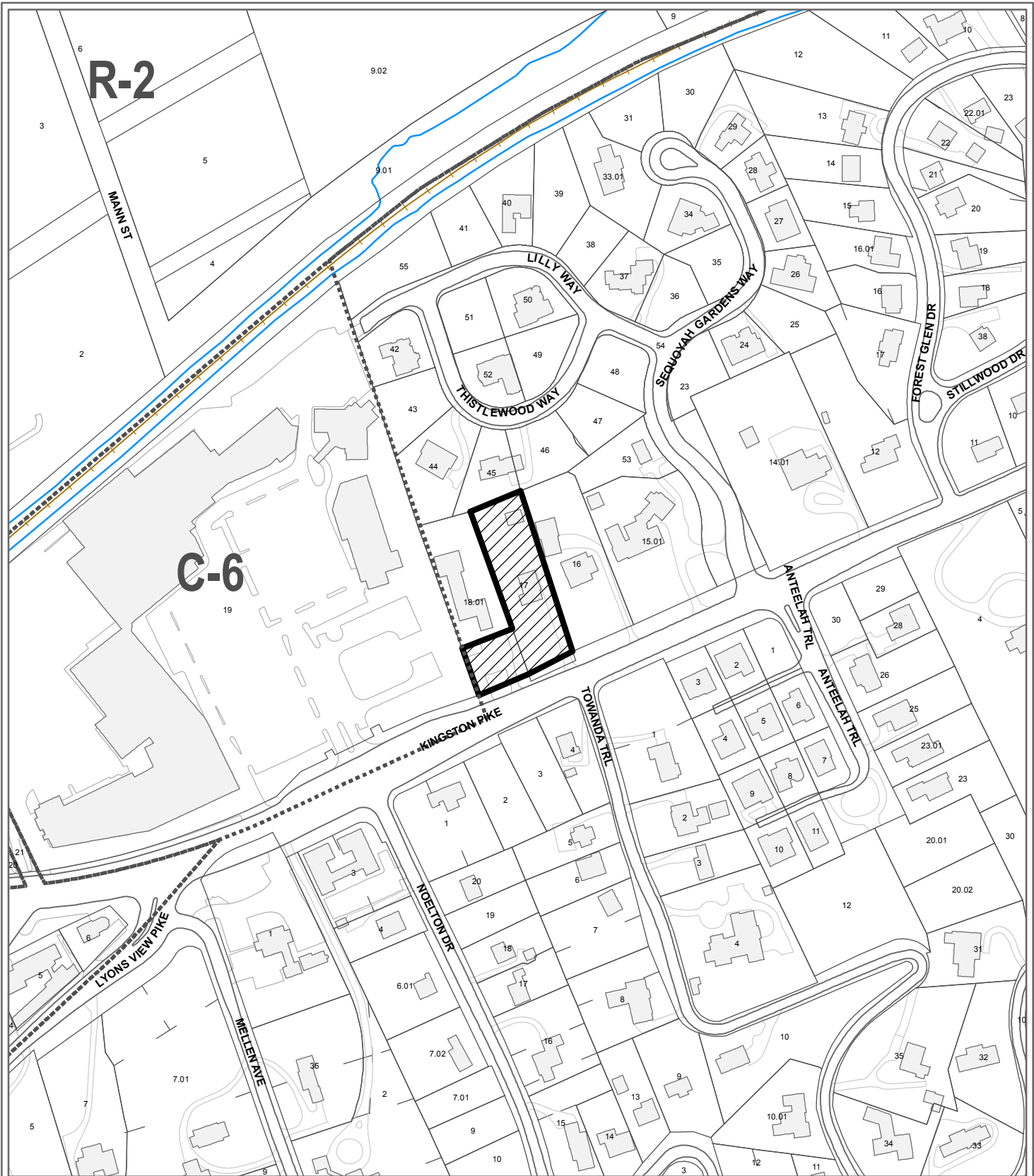
CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The West City Sector Plan and One Year Plan identify this property as low density residential use. The R-1 (Low Density Residential) zoning of the property permits consideration of the proposed use as a use on review.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

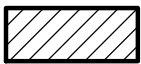
ESTIMATED TRAFFIC IMPACT: Not required.

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.



**12-E-16-UR
USE ON REVIEW**



Expansion of Existing School in R-1 (Low Density Residential)

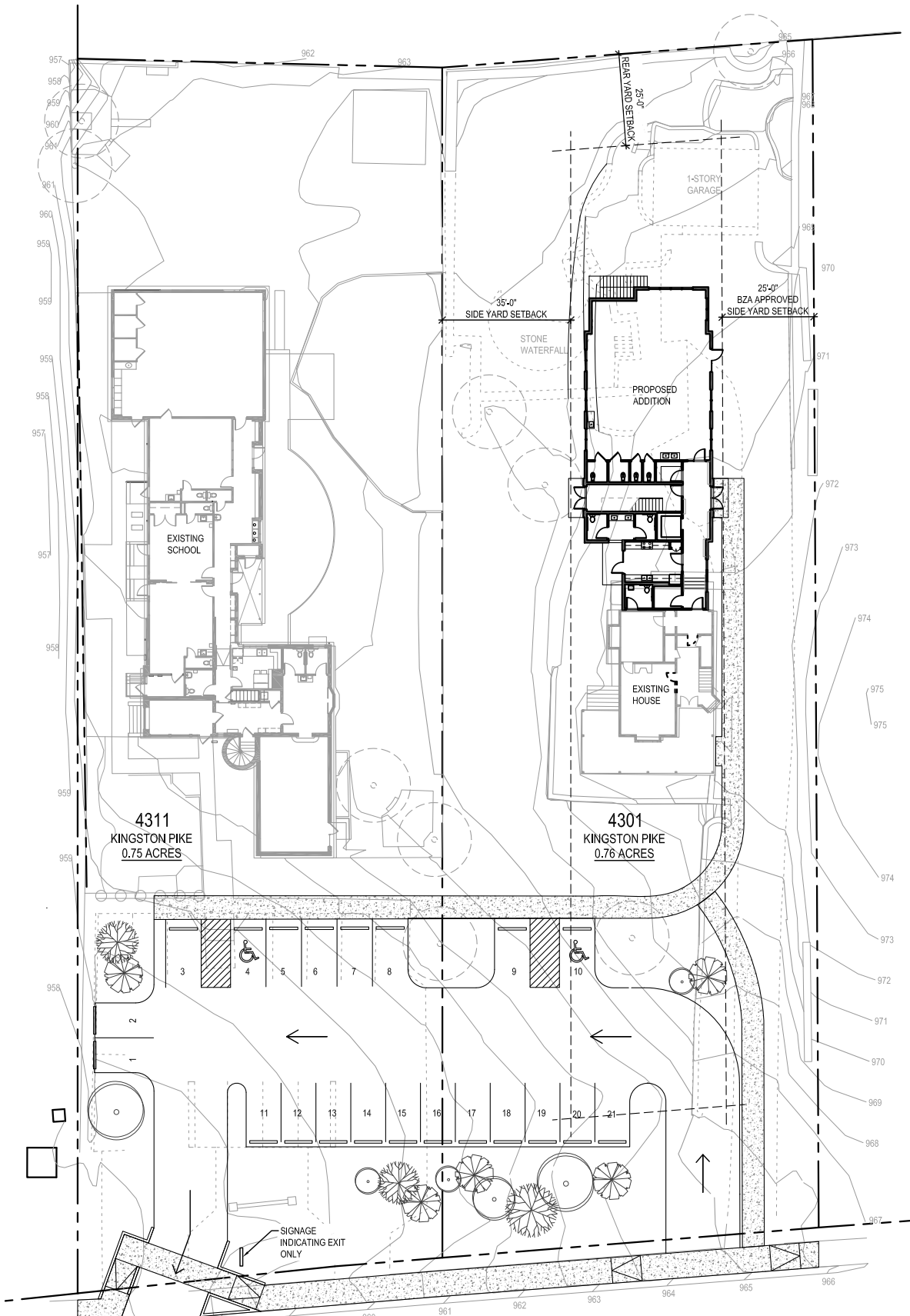
Petitioner: Knoxville Montessori Association

Map No: 107

Jurisdiction: City



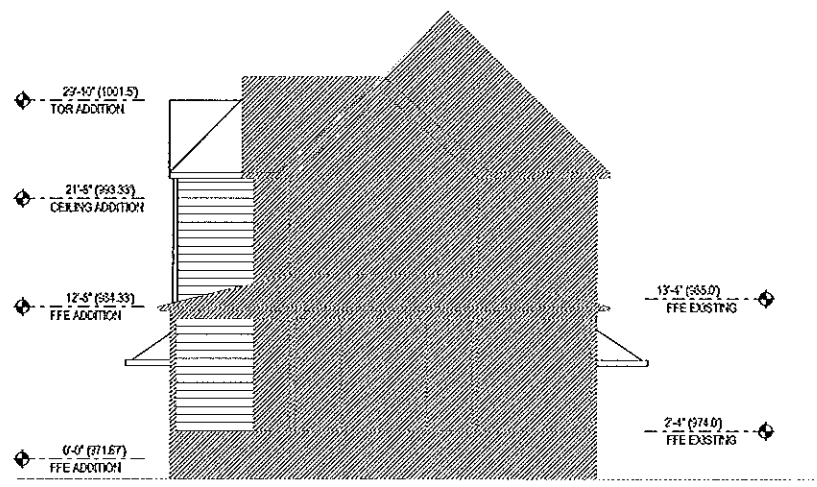
Original Print Date: 11/17/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



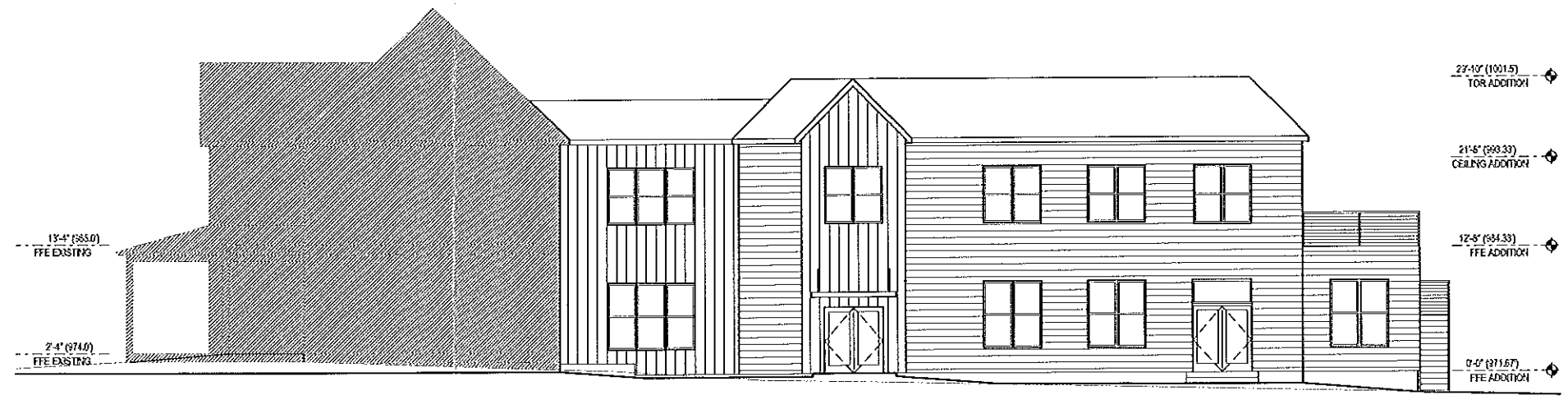
KNOXVILLE MONTESSORI EXPANSION
 SITE PLAN SCALE 1"=30' - UPDATED DRIVEWAY LAYOUT
 11/22/2016



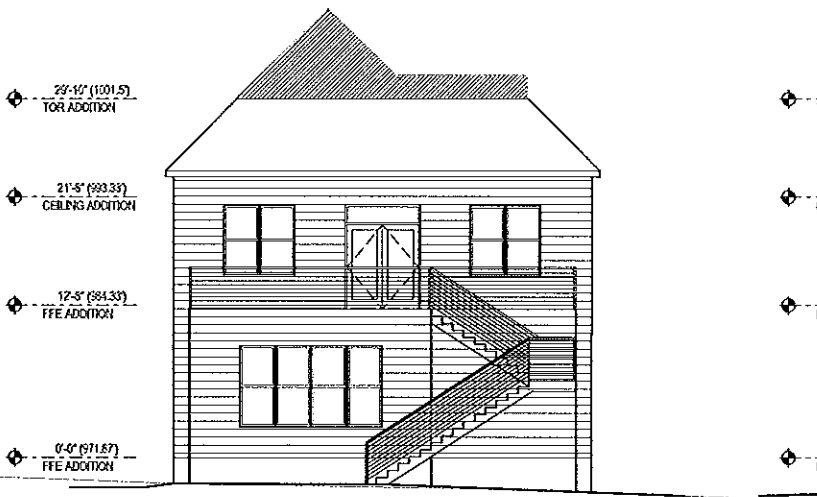
12-E-16-UR
 Revised: 11-22-16



1 SOUTH (FRONT) ELEVATION
SCALE: 1/16" = 1'-0"



2 EAST ELEVATION
SCALE: 1/16" = 1'-0"



3 NORTH (REAR) ELEVATION
SCALE: 1/16" = 1'-0"



4 WEST ELEVATION
SCALE: 1/16" = 1'-0"

KNOXVILLE MONTESSORI EXPANSION
4301 KINGSTON PIKE
ELEVATIONS 10/24/2016

12-E-16-UR



rendering

side yard trees and shrubs not shown for clarity



site plan

12-E-16-UR
Revised: 12-6-16





view from driveway of 4311 Kingston Pike. Existing sign omitted for clarity.



view from sidewalk south west corner of 4301 Kingston Pike



view from sidewalk south east corner of 4301 Kingston Pike

12-E-16-UR
Revised: 12-6-16



Existing Conditions



12-E-16-UR

view from SE corner of neighboring property (4253 Kingston Pike) showing existing dense tree and shrub buffer



view from Western Plaza shopping center showing limited view of the addition



aerial view from south east showing location and scale of the addition in relationship to the neighboring houses, and the 1.5 story garage at 4253 Kingston Pike



Use on Review Development Plan

Name of Applicant: Knoxville Montessori Association

Date Filed: 10/24/2016 Meeting Date: 12/8/2016

Application Accepted by: Mike Reynolds

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: \$450.00 File Number: Use on Review 12-E-16-UR



PROPERTY INFORMATION

Address: 4301 Kingston Pike
General Location: North side Kingston Pike, North of Towanda Trl intersection
Tract Size: .9 acres No. of Units: _____
Zoning District: R-1
Existing Land Use: single family residential

Planning Sector: West City
Sector Plan Proposed Land Use Classification: LDR & HP
Growth Policy Plan Designation: Inside city
Census Tract: 37
Traffic Zone: 109
Parcel ID Number(s): 107LA017 & part of 018.01
Jurisdiction: City Council 2 District
 County Commission 4 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: Charlie Biggs
Company: Knoxville Montessori Association
Address: 4311 Kingston Pike
City: Knoxville State: TN Zip: 37919
Telephone: (865) 310-2356
Fax: _____
E-mail: cbiggs@knoxvillemontessori.org

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: Charlie Biggs
Company: Knoxville Montessori Association
Address: 4311 Kingston Pike
City: Knoxville State: TN Zip: 37919
Telephone: (865) 310-2356
Fax: (865) 525-2277
E-mail: cbiggs@knoxvillemontessori.org

APPROVAL REQUESTED

Development Plan: Residential Non-Residential
 Home Occupation (Specify Occupation)

 Other (Be Specific)
Expansion of existing school

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: Elizabeth Eason
Company: Knoxville Montessori Association
Address: 4311 Kingston Pike
City: Knoxville State: TN Zip: 37919
Telephone: (865) 310-2356
E-mail: cbiggs@knoxvillemontessori.org

Acceptance of offer to pay option on house for one year to keep owner from selling it to others.

This agreement is between Nancy E. Haun, owner of 4301 Kingston Pike house and grounds, and Knoxville Montessori Association, Inc. a Tennessee corporation, whose address is 4311 Kingston Pike. Knoxville, TN 37919, which is next door from the Haun property at 4301 Kingston Pike, Knoxville, TN 37919 and represented by its director Mr. Charlie Biggs.

I, Nancy E. Haun, agree to sell my property at 4301 Kingston Pike for the price of \$500,000 to Montessori Association, Inc., with \$500,000 in cash to Mrs. Haun by a March 1, 2017 closing or earlier, which allows time for buyer to make sure the property can be rezoned and whatever other things they need time to do before the actual sale.

The building shall be dedicated, with a ceremony, speaker, and plaque on the building, to a great Tennessean and statesman, Estes Kefauver, who served 24 years in congress, was the chairman of the crime investigation committee, champion for TVA, and earlier, a fine teacher, who often spoke of the value of education for all individuals, which promotes freedom for our country.

Option payments of \$500.00 per month shall be made to Mrs. Haun beginning in March 1, 2016 to March 1, 2017, a total of \$6,000 for 12 months, plus \$1,000 for Mrs. Haun's closing costs.

If Montessori Association, Inc. does not close by March 1, 2017, Mrs. Haun shall be allowed to keep the option money, but if she backs out of selling the house to Montessori School, by or before the March 1, 2017 deadline, she will repay the option money. The option money is separate and not part of the purchase money, and will not be deducted from the purchase proceeds. Mrs. Haun will pay for the taxes during the time of her ownership. She will not be paying anymore closing costs than the \$1,000 for which she will be paid in this agreement.

The house is sold AS IS. Mr. Charlie Biggs, agreed Mrs. Haun could keep the French back doors, her furniture, and possibly the front doors, but only if Montessori cannot use them, but if the school can use them, the remains of the beveled glass that was saved will be given to Montessori to use to have repaired to match the other front door. Mrs. Haun has replaced the roof twice, both hot water heaters, the electrical circuit board, pipes, and both heating and air conditioning units, had several days of carpentry done, so the house is in good shape, and Mrs. Haun will not be spending any more in it after closing, so Montessori agrees to accept it AS IS.

Both parties agree to this above option to purchase agreement:

Seller:

Buyer:

Nancy Elizabeth Haun
Nancy Elizabeth Haun

Charlie Biggs
Charlie Biggs, representing Knoxville Montessori Association, Inc.

Witnessed by me on 6/1/2016
Andrea J Baker

My Commission Expires:
4/4/2020

