

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

▶ **FILE #:** 1-A-18-UR **AGENDA ITEM #:** 58
 POSTPONEMENT(S): 1/11/18-3/8/18 **AGENDA DATE:** 4/12/2018
 ▶ **APPLICANT:** HARBWHITE PROPERTIES
 OWNER(S): Harbwhite Properties, LLC

TAX ID NUMBER: 119 L A 01601 [View map on KGIS](#)
 JURISDICTION: City Council District 2
 STREET ADDRESS: 205 Bridgewater Rd
 ▶ **LOCATION:** Southwest side of Bridgewater Rd., north side of I40/I75.
 ▶ **APPX. SIZE OF TRACT:** 6.75 acres
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Bridgewater Rd., a major collector street with a four lane divided median street section within a required right-of-way of 60 feet.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Ten Mile Creek

▶ **ZONING:** PC-1 (Retail and Office Park)
 ▶ **EXISTING LAND USE:** Event Center
 ▶ **PROPOSED USE:** Amend the previously granted Use on Review Condition #2. (3-J-15-UR / 3-12-2015)

HISTORY OF ZONING: Property rezoned to PC-1 by Knoxville City Council on September 3, 2013.
 SURROUNDING LAND USE AND ZONING: North: Vacant land and residences - C-6 (General Commercial Park) and RA (Low Density Residential)
 South: I-40 / I-75 - C-3 (General Commercial)
 East: Residence and vacant land - R-1 (Low Density Residential)
 West: Office - C-6 (General Commercial Park)
 NEIGHBORHOOD CONTEXT: This site is located on the north side of I-40/75 and the southeast side of Ten Mile Creek. Residential uses are located to the north and east of the site, zoned RP-1, RA and RB. Mostly commercial uses are located on the south side of the Interstate and to the west, zoned C-3, C-4, C-6 and CA.

STAFF RECOMMENDATION:

▶ **POSTPONE until the July 12, 2018 MPC meeting as requested by the applicant.**
 The applicant is submitting a revised sidewalk layout to the Knoxville Department of Engineering for review and approval.

COMMENTS:

The applicant is requesting that the Planning Commission remove a condition of approval (condition #2) from their use on review approval (3-J-15-UR) granted on March 12, 2015 for the parking lot expansion for the Bridgewater Place Event Center. A use on review approval (9-J-13-UR) was granted for the conversion of this former church facility into a multi-purpose event facility on September 12, 2013.

The condition of approval reads as follows: "2. Adding a sidewalk and driveway pedestrian crossings that will provide a connection from the sidewalks around the building out to Bridgewater Rd., paralleling the street and extending northwest to the intersection of Bridgewater Rd. and Comstock Rd. This will allow for a future connection to the greenway that is located along the creek. The sidewalk and crossings shall be in compliance with the requirements of the City of Knoxville."

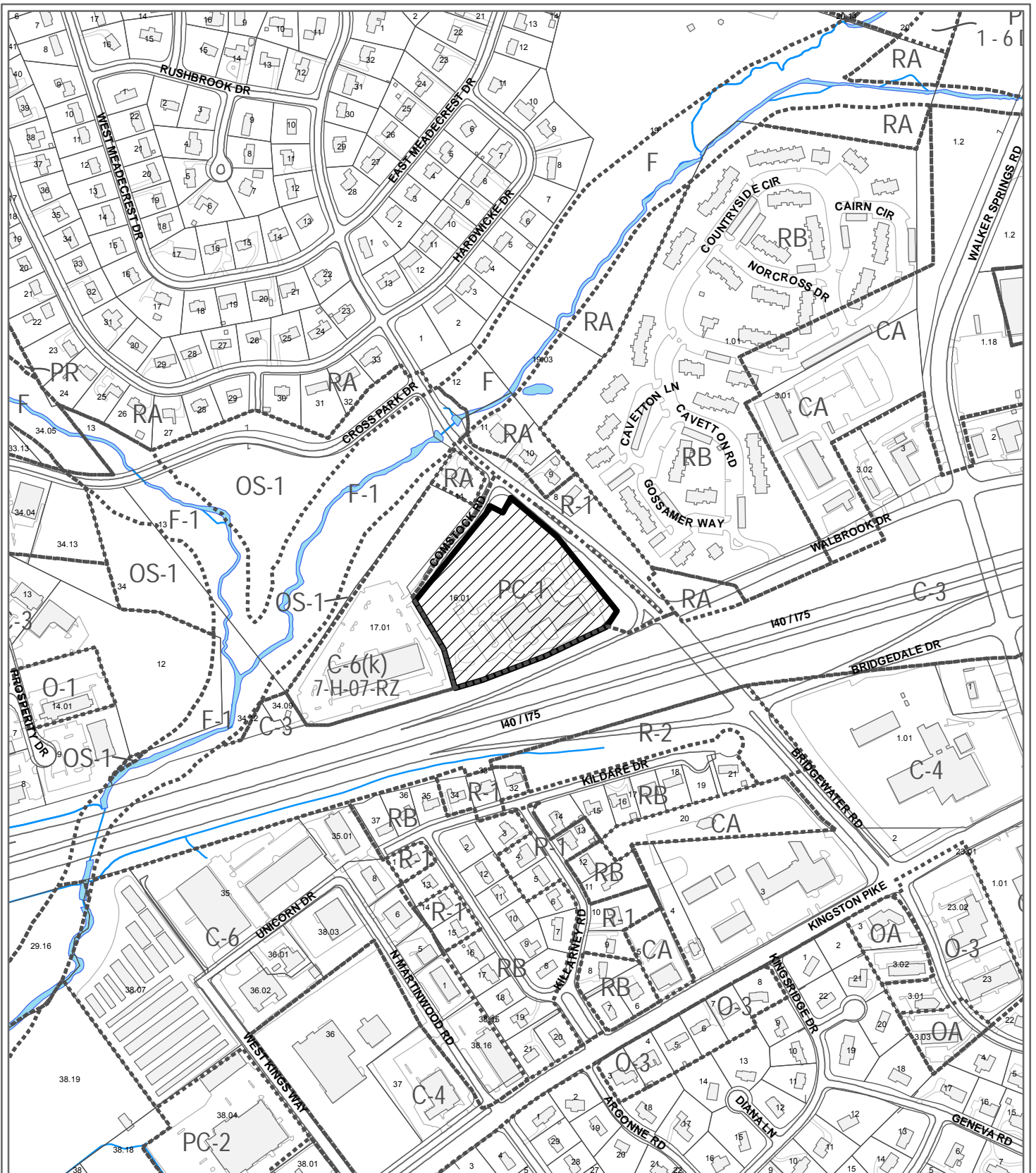
Staff has reviewed the request to remove the condition for the sidewalk connection from the building entrance for Bridgewater Place out to the sidewalk that has been installed out along Bridgewater Rd., at the driveway entrance for the facility, and sees no justification for supporting this request. Planning Commission staff has discussed this issue with City Engineering staff and we do not see any hardship in complying with the condition. No documentation has been provided to show that a sidewalk connection meeting the Americans with Disabilities Act (ADA) standards cannot be made.

Except for a small 200' section of street frontage along Bridgewater Rd. on the north side of Comstock Rd., this connection will provide access to the Ten Mile Creek Greenway Park (located just north of the site) and approximately 5.8 miles of connected greenways. The driveway entrance for the Bridgewater Place facility is approximately 600' from the existing greenway.

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.



**1-A-18-UR
USE ON REVIEW**



Amend the previously granted Use on Review Condition #2. (3-J-15-UR / 3-12-2015) in PC-1 (Retail and Office Park)

Petitioner: Harbwhite Properties

Map No: 119

Jurisdiction: City



Original Print Date: 12/18/2017
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

1-A-18-UR - PP - 3-8-18

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: Harkwhite Properties
AS IT APPEARS ON THE CURRENT MPC AGENDA

Original File Number(s): 1-A-18-UR

Date Scheduled for MPC Review: March 8, 2018

Date Request Filed: 2-28-2018 Request Accepted by: Thomas Buehler



REQUEST

Postpone

Please postpone the above application(s) until:

April 12, 2018

DATE OF FUTURE MPC PUBLIC MEETING

Table

Please table the above application(s).

Withdraw

Please withdraw the above application(s).

State reason for request:

Applicant working with Knoxville Department of Engineering

Eligible for Fee Refund? Yes No

Amount: _____

Approved by: _____

Date: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: [Signature]

PLEASE PRINT

Name: Arthur G. Seymour, Jr.

Address: 550 W Main St. Suite 500

City: Knoxville State: TN Zip: 37901

Telephone: 546-9321

Fax: _____

E-mail: ajseymour@fmsllp.com

PLEASE NOTE

Consistent with the guidelines set forth in MPC's *Administrative Rules and Procedures*:

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.

TABLINGS

Any item requested for tabling must be acted upon by MPC before it can be officially tabled.

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.

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.



1-A-18-UR - PP - 2-8-18

Tom Brechko <tom.brechko@knoxmpc.org>

harb white

3 messages

Arthur G. Seymour, Jr. <ajseymour@fmsllp.com>
To: Tom Brechko <tom.brechko@knoxmpc.org>

Fri, Jan 26, 2018 at 10:32 AM



Please postpone

Arthur G. Seymour, Jr. Attorney



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37901
phone: 865.546.9321 | fax: 865.637.5249 | email: ajseymour@fmsllp.com



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For additional information about Frantz, McConnell & Seymour, LLP, including a list of attorneys, please visit our website at www.fmsllp.com

Tom Brechko <tom.brechko@knoxmpc.org>
To: "Arthur G. Seymour, Jr." <ajseymour@fmsllp.com>

Fri, Jan 26, 2018 at 10:52 AM

Arthur,

Are you requesting that Harbwhite Properties, file number 1-A-18-UR be postponed until the March 8, 2018 MPC meeting?

Tom
[Quoted text hidden]

Arthur G. Seymour, Jr. <ajseymour@fmsllp.com>
To: Tom Brechko <tom.brechko@knoxmpc.org>

Fri, Jan 26, 2018 at 10:56 AM

yes

Arthur G. Seymour, Jr. Attorney



1-A-18-UR_PP_1-11-18

Tom Brechko <tom.brechko@knoxmpc.org>

42 Bridgewater Rd

1-A-18-UR

1 message

Arthur G. Seymour, Jr. <ajseymour@fmsllp.com>

Wed, Jan 10, 2018 at 3:03 PM

To: Tom Brechko <tom.brechko@knoxmpc.org>

Please postpone to Feb meeting

Arthur G. Seymour, Jr. Attorney



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37902
phone: 865.546.9321 | fax: 865.637.5249 | email: ajseymour@fmsllp.com



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For additional information about Frantz, McConnell & Seymour, LLP, including a list of attorneys, please visit our website at www.fmsllp.com

Use on Review Development Plan

Name of Applicant: HARRIS COSHITA PROPERTIES

Date Filed: 11/17/17 Meeting Date: 1/11/2018

Application Accepted by: James Reed

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: \$450.00 File Number: Use on Review ~~12 K 17 UR~~ 1-A-18-UR



PROPERTY INFORMATION

Address: 205 BRADSHAW BLVD

General Location: NORTH OF I-40/US-75

Tract Size: 6.75 ACRES No. of Units: _____

Zoning District: PC-1

Existing Land Use: EVENT CENTER

Planning Sector: Northwest County

Sector Plan Proposed Land Use Classification: GC

Growth Policy Plan Designation: _____

Census Tract: 46.10

Traffic Zone: 252

Parcel ID Number(s): 119 AS 01601

Jurisdiction: City Council 2 District
 County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT Name: HARRIS COSHITA PROPERTIES

Company: _____

Address: 1045 PARKSIDE DR NW

City: KNOXVILLE State: TN Zip: 37928

Telephone: 218-3300

Fax: 218-3325

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: HAROLD G. SKYRMON

Company: SMITH UNION REAL. SERV

Address: P.O. BOX 39

City: KNOXVILLE State: TN Zip: 37901

Telephone: 546-9321

Fax: 637-5249

E-mail: AJSKYRMON@ASKUP.CO

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation) _____

Other (Be Specific)

AWARDED PREVIOUSLY
QUANTIFIED LOSS ON ACQUISITION
TO DEMONSTRATE CONVICTION

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: same as above

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 3-J-15-UR Related File Number:
Application Filed: 1/27/2015 Date of Revision:
Applicant: HARBWHITE PROPERTIES

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

PROPERTY INFORMATION

General Location: Southwest side of Bridgewater Rd, north side of Walbrook Dr and I-40/I-75.
Other Parcel Info.:
Tax ID Number: 119 L A 01601 Jurisdiction: City
Size of Tract: 6.75 acres
Accessibility: Access is via Bridgewater Rd., a major collector street with a required right-of-way of 60 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Event facility
Surrounding Land Use:
Proposed Use: Parking lot expansion Density:
Sector Plan: Northwest County Sector Plan Designation: Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located on the north side of I-40/75 and the southeast side of Ten Mile Creek. Residential uses are located to the north and east of the site, zoned RP-1, RA and RB. Mostly commercial uses are located on the south side of the Interstate and to the west, zoned C-3, C-4, C-6 and CA.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 205 Bridgewater Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC-1 (Retail and Office Park)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The Planning Commission recommended approval of the rezoning to PC-1 (Retail and Office Park) on 7/11/2013. The Knoxville City Council approved the rezoning on 9/3/2013.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the development plan for a parking lot expansion at this existing event facility, subject to 7 conditions

Staff Recomm. (Full):

1. Use of the facility shall be restricted to the uses identified on PC-1 Proposed Uses list (dated July 31, 2013) provided by the applicant, with the exclusion of the daycare use. Since the daycare use has specific requirements that cannot be met by the existing facilities, a separate use on review approval is required.
2. Adding a sidewalk and driveway pedestrian crossings that will provide a connection from the sidewalks around the building out to Bridgewater Rd., paralleling the street and extending northwest to the intersection of Bridgewater Rd. and Comstock Rd. This will allow for a future connection to the greenway that is located along the creek. The sidewalk and crossings shall be in compliance with the requirements of the City of Knoxville.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Submitting an updated landscape plan that will be subject to Planning Commission staff approval.
5. Installation of landscaping as shown on the updated landscape plan within six months of completion of the parking lot or phase of the parking lot. The landscaping may be phased in conjunction with phasing of the parking lot.
6. Meeting all applicable requirements of the Knoxville City Arborist
7. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted above, this request meets the requirements for approval in the PC-1 (Retail and Office Park) zoning district, as well as other criteria for approval of a use on review.

Comments: A use on review approval (9-J-13-UR) was granted for the conversion of this former church facility into a multi-purpose event facility on September 12, 2013. When that development plan was approved, no additional parking was required. During the recent review of a change in occupancy for an assembly use, the City of Knoxville Building Official made the determination that additional parking would be required.

The applicant has submitted a new development plan that includes 191 additional parking spaces for a total of 342 spaces. The applicant is proposing to phase the parking with a total of 270 spaces in the first phase to provide for the proposed assembly use.

Staff is recommending a condition that a sidewalk connection be provided from the building to the intersection of Bridgewater Rd. and Comstock Rd. This will allow for a future connection to the greenway that is located along the creek.

EFFECT OF THE 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 all utilities are in place to serve this development.
2. The proposed parking addition will have a minimal impact on adjacent properties.

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

1. The proposed parking lot meets the standards for development within the PC-1 (Retail and Office Park) zoning district and all other relevant requirements of the Zoning Ordinance with the proposed conditions.
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 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 additional traffic through residential areas since the site has direct access to a major collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan and the Knoxville One Year Plan allow commercial uses on this site. The proposed parking lot is consistent with the Sector and One Year Plans.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 3/12/2015

- Details of Action:**
1. Use of the facility shall be restricted to the uses identified on PC-1 Proposed Uses list (dated July 31, 2013) provided by the applicant, with the exclusion of the daycare use. Since the daycare use has specific requirements that cannot be met by the existing facilities, a separate use on review approval is required.
 2. Adding a sidewalk and driveway pedestrian crossings that will provide a connection from the sidewalks around the building out to Bridgewater Rd., paralleling the street and extending northwest to the intersection of Bridgewater Rd. and Comstock Rd. This will allow for a future connection to the greenway that is located along the creek. The sidewalk and crossings shall be in compliance with the requirements of the City of Knoxville.
 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
 4. Submitting an updated landscape plan that will be subject to Planning Commission staff approval.
 5. Installation of landscaping as shown on the updated landscape plan within six months of completion of the parking lot or phase of the parking lot. The landscaping may be phased in conjunction with phasing of the parking lot.
 6. Meeting all applicable requirements of the Knoxville City Arborist
 7. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted above, this request meets the requirements for approval in the PC-1 (Retail and Office Park) zoning district, as well as other criteria for approval of a use on review.

Summary of Action: APPROVE the development plan for a parking lot expansion at this existing event facility, subject to 7 conditions

Date of Approval: 3/12/2015 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

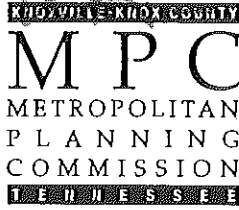
Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**

1-A-18-UR signature



REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide a sign to post on the property at the time of application.

The sign must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign to be posted at the time of application.

The sign must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for the second sign consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign provided on the subject property on or before Dec 27, 2017 consistent with the guidelines provided above; and remove the sign within one week after the MPC/BZA decision.

Signature: [Handwritten Signature]

Printed name: ARFUR JEFFERSON

MPC/BZA File #: 1-A-18-UR
Harb-White Properties

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
B 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
www.knoxmpc.org