



USE ON REVIEW REPORT

▶ **FILE #:** 3-D-19-UR

AGENDA ITEM #: 38

AGENDA DATE: 3/14/2019

▶ **APPLICANT:** PYA WALTMAN CAPITAL
OWNER(S): Bill Waltman / PYA Waltman Capital

TAX ID NUMBER: 144 088 [View map on KGIS](#)

JURISDICTION: County Commission District 4

STREET ADDRESS: 1402 Ebenezer Rd

▶ **LOCATION:** East side of Ebenezer Rd., East of Highbridge Dr.

▶ **APPX. SIZE OF TRACT:** 0.82 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Ebenezer Rd., a minor arterial street, with a five lane configuration within a 70-80' right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

▶ **ZONING:** T (Transition) (k)

▶ **EXISTING LAND USE:** Landscaping business office

▶ **PROPOSED USE:** Professional Office, approx. 6,100 sq.ft.

HISTORY OF ZONING: Property was rezoned from A (Agricultural) to T (Transition) in February 2019 (1-G-19-RZ). The T zone has a condition that requires the existing house to be maintained.

SURROUNDING LAND USE AND ZONING:
North: Houses / RA (Low Density Residential)
South: House, vacant land / A (Agriculture) & RA (Low Density Residential)
East: Houses / RA (Low Density Residential)
West: Ebenezer Rd., houses, daycare / RA (Low Density Residential) & PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area consists primarily of single family detached houses developed in the A, RA and PR zones. There is a daycare facility to the southwest that is in the RA zone. Blue Grass Elementary is approximately .35 miles to the south.

STAFF RECOMMENDATION:

▶ **APPROVE the Development Plan for a professional office of approximately 6,100 square feet, subject to 7 conditions.**

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

2. Obtaining a variance from the Board of Zoning Appeals to reduce the parking lot side setback or purchases sufficient land from the adjacent property owner to satisfy the minimum parking lot setback.
3. If a parking lot setback variance is required, the applicant must submit a screening plan to Planning Commission staff for review and comment before action by the Board of Zoning Appeals.
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. Installing all landscaping as identified on the site plan (sheet UOR300) within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation. The "new evergreen landscaping" that is installed must be from the "Trees for Screening Purposes" list that is attached (see Exhibit A).
6. Meeting all applicable requirements of Knox County sign regulations (Article 3, Section 3.90) subject to approval by Knox County Codes Administration and Planning Commission staff.
7. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted above, this request meets the requirements for approval in the T (Transition) zoning district, as well as other criteria for approval of a use on review.

COMMENTS:

This proposal is to renovate an existing building (2,700 sqft) that was a house converted to an office for a landscape contractor, and is proposed as an office for a financial planning firm. A new 1-story building is also proposed behind the existing building that will have a similar scale and roof design (3,400 sqft). The new building will be partially built into the hill on the south side and rear of the property to reduce the amount of grading or retaining walls. The new building will be approximately 20' tall to the top of the roof and the residential properties to the rear are approximately 10' higher than the floor elevation of the new building, so only the roof line will be visible (excluding other visual barriers such as fencing and landscaping).

The driveway access Ebenezer Rd. will need to be improved and moved slightly to the south to accommodate the new parking lot, which will be side and rear of the existing building. The parking lot setback is 10' when adjacent to residential properties and the parking lot, as proposed, is built up to the property line. The applicant is in discussion to purchase the necessary amount of land from the adjacent property owner to obtain the required setback. If the land cannot be purchased, a variance must be approved by the Board of Zoning Appeals or the parking spaces must be moved out of the 10' setback. If a variance is considered by the Board of Zoning Appeals, the applicant should demonstrate how they intend to mitigate the buffer that the setback would provide, such as by adding a decorative fence or wall that will screen the parking lot, or if the parking lot can be shifted a few feet away from the property line, evergreen shrubs and/or trees.

Landscape screening is proposed on the south side and rear property lines to replace existing evergreen trees that cannot be retained. Staff is recommending the trees planted to be chosen from the list of trees presented in Exhibit A, which are native or otherwise appropriate for East Tennessee.

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

1. All public utilities are available to serve the site.
2. The proposed commercial center is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The proposed landscape screening will replace trees that must be removed and provide privacy for adjacent residential properties.

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

1. With the recommended conditions, the proposal meets all requirements of the T zoning as well as the general criteria for approval of a use on review.
2. The proposed professional office building with the recommended conditions 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 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 development is located off of an arterial street. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

3. The intent of the T (Transition) zone is to insure the development of land adjacent to residential areas, between other types of commercial and residential classifications, promotes the public health, safety, morals, and general welfare of the citizens of the county. The purpose of the T zone is to allow non-residential uses that are not major traffic generators and compatible with adjacent residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANNING COMMISSION PLANS

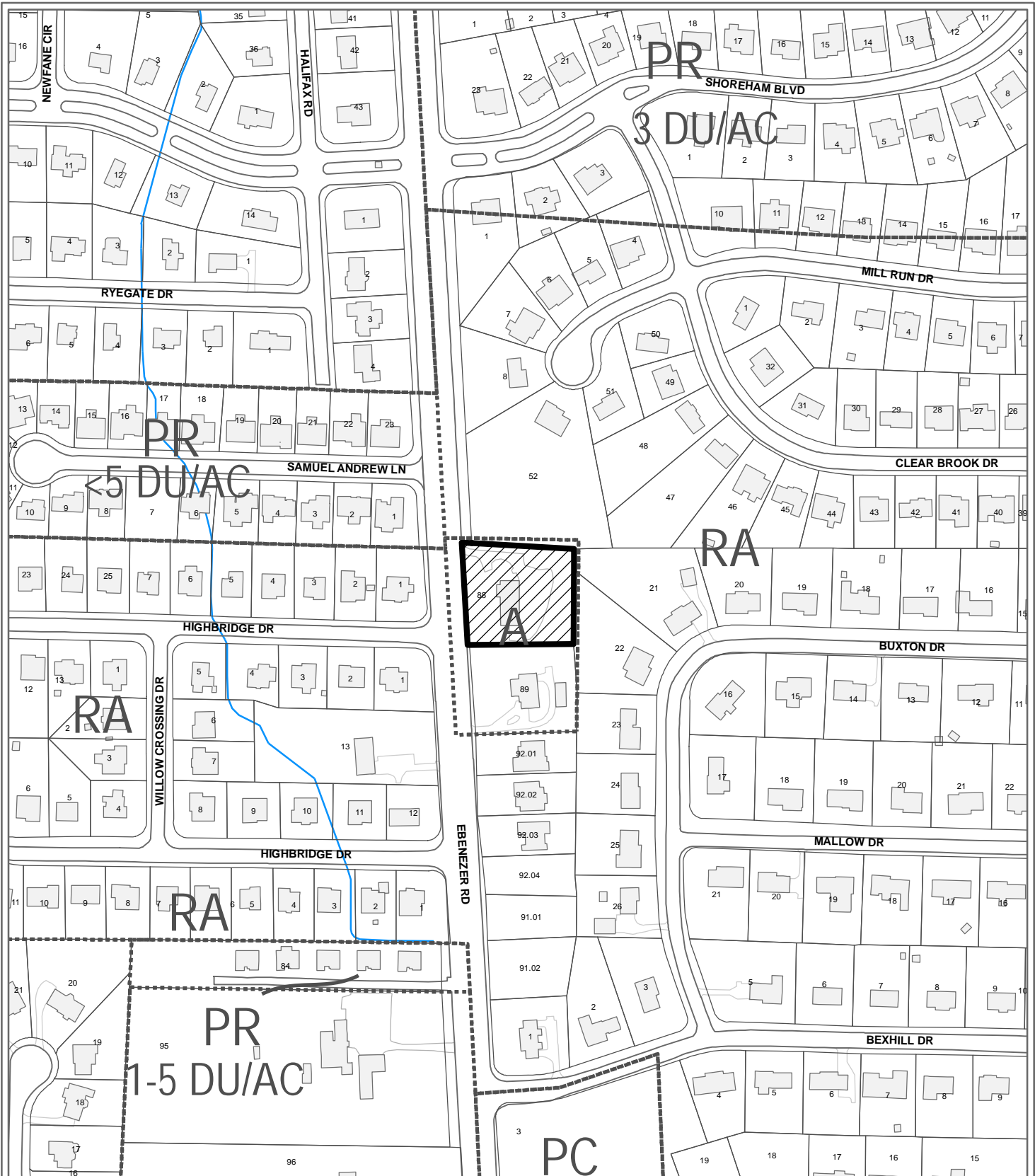
1. The Southwest County Sector Plan proposes residential uses for this site. The proposed office use is permitted within the T (Transition) zone, which has been determined to be an appropriate zone for the Low Density Residential land use classification when the property meets the intent and purpose of the T zone.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 99 (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: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**3-D-19-UR
USE ON REVIEW**



Professional Office, approx. 6,100 sq.ft. in T (Transition) pending

Petitioner: PYA Waltman Capital

Map No: 144

Jurisdiction: County



Original Print Date: 2/20/2019

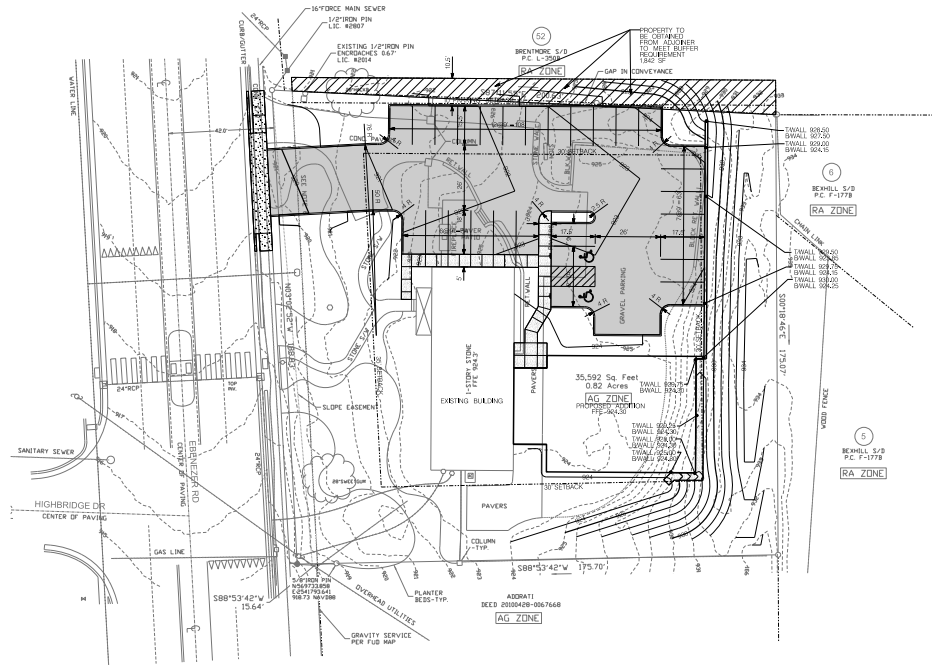
Revised:

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

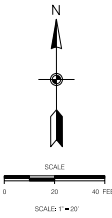
BINDING EDGE

BINDING EDGE

BINDING EDGE



LEGEND		
EXISTING	PROPOSED	
5% -	5% -	GROUND CONTOUR ELEVATION
335.20'	335.20'	SPOT ELEVATION
⬠	⬠	STRUCTURE
- - -	- - -	PROPERTY LINE
- - -	- - -	EASEMENT
—	—	EDGE OF PAVEMENT
SD	SD	STORM DRAIN
SS	SS	SANITARY SEWER
PW	PW	POTABLE WATER
NG	NG	NATURAL GAS
OE	OE	OVERHEAD ELECTRICAL
⊙	⊙	WATER METER
⊙	⊙	FIRE HYDRANT
NA	→	SURFACE FLOW
NA	⬠	SILT FENCING
NA	⬠	CURB
⬠	⬠	CATCH BASIN
NA	⬠	CONCRETE PAVEMENT
NA	⬠	ASPHALT PAVEMENT
NA	⬠	P/P RAP



MCCARTY
HOLSAPLE
MCCARTY
ARCHITECT
& INTERIOR
DESIGNERS

19004

OWNER: UNIVERSITY OF CALIFORNIA	DATE: 03/14/2019
PROJECT: 215-1025	DRAWN BY: JACOB WATSON
CHECKED BY: MICHAEL WATSON	SCALE: 1"=20'
PROJECT LOCATION: 215-1025	

OFFICE RENOVATION AND EXPANSION PYA - WALTMAN

1000000	1000000
1000000	1000000
1000000	1000000
1000000	1000000



PROJECT INFORMATION
 215-1025
 215-1025

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

SITE PLAN

PROJECT DATA
USE: INVESTMENT ADVISER OFFICE
ZONING: TRANSITION 'T'
PARCEL: 144 088
PARKING SUMMARY:
PARKING REQUIREMENTS: 24 SPACES
PARKING PROVIDED: 24 SPACES
CALCULATION:
OFFICE FEE: 250 SF = 24.6 SPACES
SCREENING:
FRONT: 30'
REAR: 30'
DEVELOPMENT AREA: 6,100 SF 1 STORY
PARCEL AREA: 42,000 AC
IMPERVIOUS AREA: 17,041 SF
FLOOR AREA RATIO: 17%
IMPERVIOUS AREA FIVE: 4% &
GROSS AREA COVERAGE: 17%

3-D-19-UR
Revised: 2/25/2019



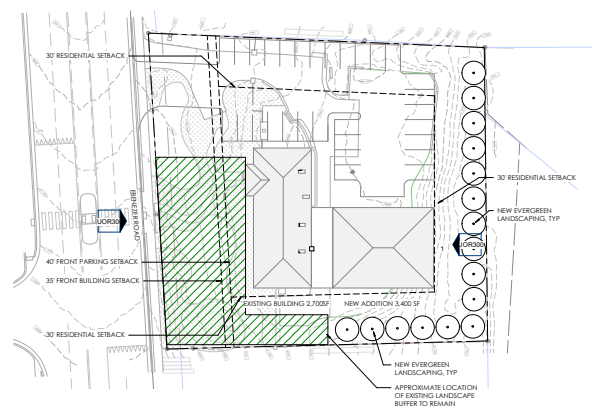
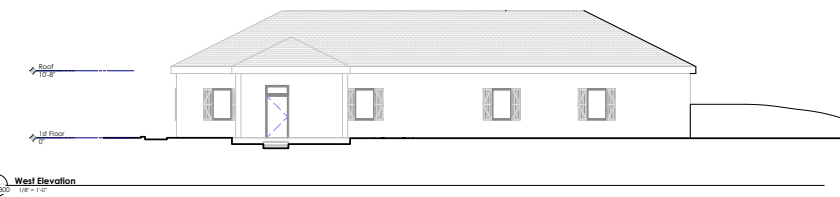
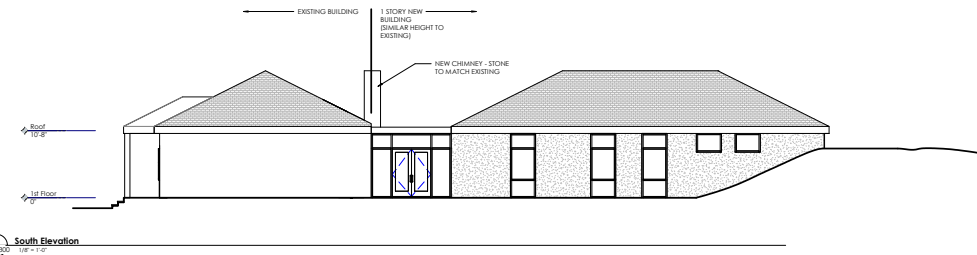
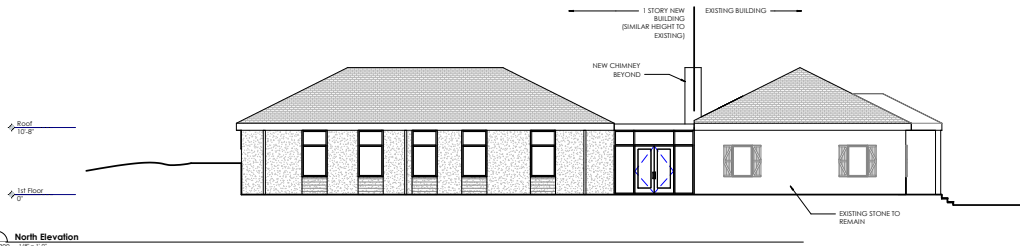
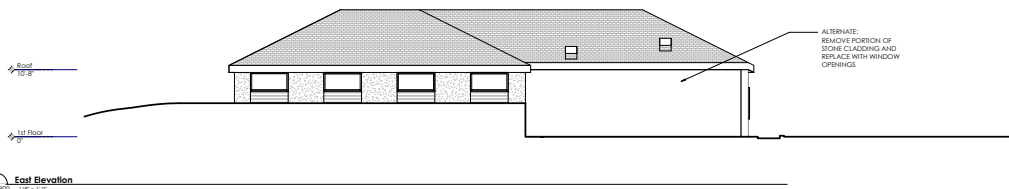
PROJECT LOCATION MAP - NOT TO SCALE

DRAWING NO. C000

BINDING EDGE

BINDING EDGE

BINDING EDGE



3-D-19-UR
Revised: 2/25/2019

MCCARTY
HOLSAPPLE
MCCARTY
MHM
ARCHITECTS
& INTERIOR
DESIGNERS

19006

ADDRESS	335 W. HAWK STREET, SUITE 300
CITY	KNOXVILLE, TENNESSEE 37902
PHONE	(615) 544-2000
FAX	(615) 544-2000
WEBSITE	www.mhmc.com

PROJECT INFORMATION

PROJECT NO. 3-D-19-UR

OFFICE RENOVATION AND EXPANSION PVA - WALTMAN

1422 Elmwood Rd
KNOXVILLE, TENNESSEE 37902-0001

ACTIVE DESIGN PHASE	00 SCHEMATIC DESIGN
01 PRELIMINARY	
02 CONCEPTUAL DEVELOPMENT	
03 PRELIMINARY DESIGN	
04 CONCEPTUAL DEVELOPMENT	

PRELIMINARY PACKAGE NOT FOR CONSTRUCTION

REVISION INFORMATION

NO. DATE DESCRIPTION

CONTRACT INFORMATION

CODES OFFICIAL REVIEW

REVISION INFORMATION

NO.	DATE	DESCRIPTION

REVISION INFORMATION

NO.	DATE	DESCRIPTION

DRAWING INFORMATION

SCALE	As Indicated
SCALE CODE	
DWG. SHEETS	XXXX OF 3014
DATE	02/25/2019
PROJECT NO.	3-D-19-UR
CREATED BY	Autumn
CHECKED BY	Project Checked By
DRAWING NO.	

USE ON REVIEW - CONCEPTUAL ELEVATION

DRAWING NO. UOR300

Trees for Screening Purposes Notes

EXHIBIT A

- A. Several of these trees have many cultivars that may not be suitable for screening purposes, suggested cultivars are included
 B. Spacing and other characteristics are based on recommended cultivars
 C. Additional material should be reviewed through your local agricultural extension agency and utility provider

TREES for SCREENING PURPOSES: Trees that can be planted for sound, wind, or sight barriers in East Tennessee

Species	Cultivars	Form	Growth Rate	Height	Spacing for Screen	Deciduous/ Evergreen	Recommended for Under Utilities	Wet Tolerant	Drought Tolerant	Shade Tolerant
Japanese Maple (<i>Acer palmatum</i>)	Several cultivars	Variable	Slow to Moderate	Less than 30 ft	8-10 Feet	Deciduous	Yes	No	No	Yes
European hornbeam (<i>Carpinus betulus</i>)	Frans Fontaine, Fastigiata	Columnar	Slow to Moderate	30 to 50 ft	6-8 Feet	Deciduous	No	No	Yes	Intermediate
Hinoki Falsecypress (<i>Chamaecyparis obtusa</i>)	Several cultivars	Narrow or Pyramidal	Moderate	30 to 50 ft	5-10 Feet	Evergreen	Some varieties	No	No	No
Alaska-cedar (<i>Chamaecyparis nootkatensis</i>)	Several cultivars	Narrow or Pyramidal	Moderate	30 to 50 ft	5-10 Feet	Evergreen	No	No	No	No
Sawara falsecypress (<i>Chamaecyparis pisifera</i>)	Several cultivars	Narrow or Pyramidal	Moderate	Over 50 ft	10 Feet	Evergreen	Some varieties	No	No	No
Alantic whitecedar (<i>Chamaecyparis thyoides</i>)	Several cultivars	Narrow or Pyramidal	Moderate	Over 50 ft	10 Feet	Evergreen	No	No	No	No
Kousa Dogwood (<i>Cornus kousa</i>)	Several cultivars	Rounded	Slow to Moderate	Less than 30 ft	8-10 Feet	Deciduous	Yes	No	Yes	Yes
Pagoda Dogwood (<i>Cornus alternifolia</i>)	Dense compact varieties	Rounded	Slow to Moderate	Less than 30 ft	8-10 Feet	Deciduous	Yes	No	No	Yes
European Smoketree (<i>Cotinus coggygria</i>)	Dense compact varieties	Open to Irregular	Moderate	Less than 30 ft	5-8 Feet	Deciduous	Yes	No	No	No
American Smoketree (<i>Cotinus obovatus</i>)	Dense compact varieties	Open to Irregular	Moderate	Less than 30 ft	5-8 Feet	Deciduous	Yes	No	No	No
Cryptomeria (<i>Cryptomeria japonica</i>)	Radicans,	Upright to Pyramidal	Moderate	30 to 50 ft	5-10 Feet	Evergreen	No	Minimal	No	Intermediate
Leyland cypress (x <i>Cupressocyparis leylandii</i>)	Several cultivars	Upright to Pyramidal	Fast	Over 50 ft	5-10 Feet	Evergreen	No	No	Yes	No
Foster Holly (<i>Ilex x attenuate 'Fosteri'</i>)	Several cultivars	Upright to Pyramidal	Slow	Less than 30 ft	4-8 Feet	Evergreen	No	Minimal	No	Intermediate
Nellie Stevens Holly (<i>Ilex x'Nellie R Stevens</i>)	Several cultivars	Upright to Conical	Moderate	Less than 30 ft	4-8 Feet	Evergreen	Yes	No	No	Intermediate
American Holly (<i>Ilex opaca</i>)	Greenleaf	Upright to Pyramidal	Slow to Moderate	30 to 50 ft	5-10 Feet	Evergreen	No	Minimal	No	Yes
Witch-hazel* (<i>Hamamelis virginiana</i>)	Dense compact varieties	Round to Open	Moderate	Less than 30 ft	5-10 Feet	Deciduous	Yes	No	No	Intermediate
Chinese Juniper (<i>Juniperus chinensis</i>)	Keteleeri	Upright to Conical	Moderate to Fast	30 to 50 ft	5-10 Feet	Evergreen	Some varieties	No	Yes	No
Rocky Mountain Juniper (<i>Juniperus scopulorum</i>)	Spartan	Upright to Conical	Moderate	30 to 50 ft	5-10 Feet	Evergreen	Some varieties	No	Yes	No
Eastern Red Cedar (<i>Juniper virginiana</i>)	Brodie, Berkie, Canaertii	Upright to Conical	Moderate	30 to 50 ft	5-10 Feet	Evergreen	No	No	Yes	No
Crapemyrtle (<i>Lagerstroemia indica</i>)	Tuscarora, Muskogee, Natchez, Tonto	Vase to Rounded	Fast	Less than 30 ft	5-10 Feet	Deciduous	Some varieties	No	Yes	No
American Sweetgum (<i>Liquidambar styraciflua</i>)	Slender silhouette	Columnar	Moderate	30 to 50 ft	6 Feet	Deciduous	No	Yes	No	No
Southern Magnolia (<i>Magnolia grandiflora</i>)	Little Gem, Alta	Upright to Oval	Slow to Moderate	30 to 50 ft	Variable	Evergreen	Some varieties	Minimal	Yes	Intermediate
Sweetbay magnolia (<i>Magnolia virginiana</i>)	Dense compact varieties	Upright to Spreading	Moderate	30 to 50 ft	5-8 Feet	Deciduous	No	Yes	No	Yes
Norway spruce (<i>Picea abies</i>)	Many cultivars	Pyramidal	Moderate	Over 50 ft	10 Feet	Evergreen	No	No	No	No
Eastern white pine (<i>Pinus strobus</i>)	Many cultivars	Pyramidal	Moderate to Fast	Over 50 ft	10 Feet	Evergreen	No	No	No	Intermediate
Weeping Cherry (<i>Prunus subhirtella</i>)	Dense compact varieties	Weeping	Moderate	Less than 30 ft	5-10 Feet	Deciduous	Some varieties	No	No	No
Cherry Laurel (<i>Prunus caroliniana</i>)	Bright N Tight, Cherry Ruffles	Open to Irregular	Fast	Less than 30 ft	5-10 Feet	Deciduous	Some varieties	No	Yes	Yes
English Oak (<i>Quercus robur</i>)	Regal Prince, Skyrocket	Columnar	Slow to Moderate	30 to 50 ft	6 Feet	Deciduous	No	No	No	No
Pin Oak (<i>Quercus palustris</i>)	Green Pillar	Columnar	Moderate	30 to 50 ft	6 Feet	Deciduous	No	Yes	No	No
Eastern arborvitae (<i>Thuja occidentalis</i>)	Emerald, Green Giant, Nigra, Techny	Upright to Conical	Moderate	Less than 30 ft	5-8 Feet	Evergreen	No	Minimal	Yes	No
Eastern hemlock (<i>Tsuga canadensis</i>)	Many cultivars	Upright to Pyramidal	Moderate	Over 50 ft	5-10 Feet	Evergreen	No	No	No	Yes
Viburnum spp. (<i>Viburnum spp.</i>)	Dense compact varieties	Open to Irregular	Fast	Less than 30 ft	4-6 Feet	Deciduous	Yes	Yes	Yes	Yes

Use on Review **Development Plan**

Name of Applicant: PyA Waltman Capital

Date Filed: 1/28/19

Meeting Date: 3/14/19

Application Accepted by: Mike Reynolds

Fee Amount: _____ File Number: Development Plan

Fee Amount: 1500.⁰⁰ File Number: Use on Review S-D-19-UR



PROPERTY INFORMATION

Address: 1402 Ebenezer Road

General Location: West Knox County
 E/S Ebenezer Rd, E of Highbridge Dr.

Tract Size: .82 acres No. of Units: _____

Zoning District: T (Transitional) pending

Existing Land Use: Landscape business

Planning Sector: SW County

Sector Plan Proposed Land Use Classification:
LDR

Growth Policy Plan Designation: Planned Growth

Census Tract: 57.12

Traffic Zone: 169

Parcel ID Number(s): 144 088

Jurisdiction: City Council _____ District
 County Commission 4 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: Bill Waltman

Company: PyA Waltman Capital

Address: 2076 Lakeside Centre Way

City: Knoxville State: TN Zip: 37922

Telephone: 865-693-6301

Fax: _____

E-mail: wwaltman@pyawaltman.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Mark Miller

Company: Realty Trust Group

Address: 2220 Sutherland Ave

City: Knoxville State: TN Zip: 37919

Telephone: 865-521-0630

Fax: _____

E-mail: mmiller@realtytrustgroup.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

Professional office, approx. 6,100 sq ft

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: Bill Waltman

PLEASE PRINT

Name: Bill Waltman

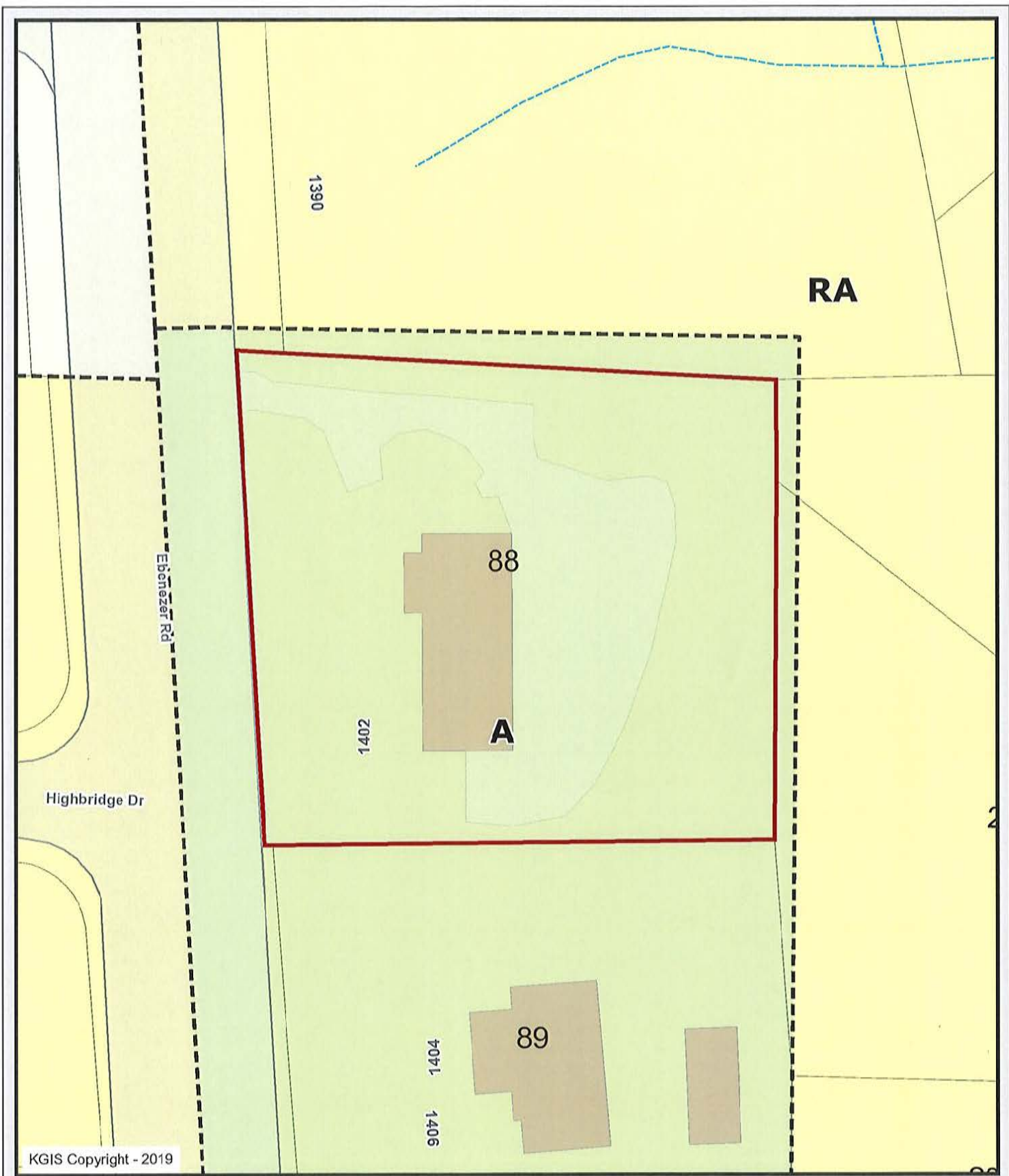
Company: PyA Waltman Capital

Address: 2076 Lakeside Centre Way

City: Knoxville State: TN Zip: 37922

Telephone: 865-693-6301

E-mail: wwaltman@pyawaltman.com



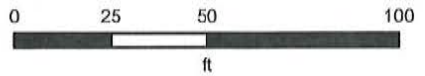
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 1/29/2019 at 10:00:35 AM



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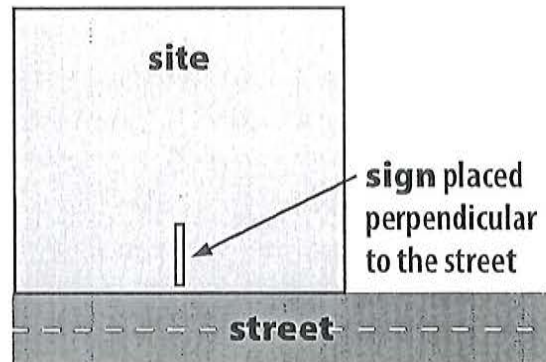
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

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



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

2/27/2019 and 3/15/2019
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: WILL ROBINSON FOR MARK MILLER

Printed Name: WILLIAM H. ROBINSON

Phone: 865 673-0844 Email: MMILLER@REALTYTRUSTGROUP.COM

Date: 1-28-2019

MPC File Number: 3-D-19-UR