## SPECIAL USE REPORT

- FILE \#: 8-C-23-SU

POSTPONEMENT(S):
APPLICANT:
OWNER(S):

8/10/2023, 10/5/2023

## DANNY HEIDLE

Charles Wilder Third Order, LLC

AGENDA ITEM \#:
AGENDA DATE: 11/9/2023

TAX ID NUMBER:
JURISDICTION:
STREET ADDRESS:

- LOCATION:
- APPX. SIZE OF TRACT:

SECTOR PLAN:
GROWTH POLICY PLAN:
ACCESSIBILITY:

UTILITIES:

WATERSHED:

4909208
City Council District 4
5852 WASHINGTON PIKE
South side of Washington Pike, across from its intersection with Murphy Road

### 8.41 acres

Northeast County
Urban Growth Area (Inside City Limits)
Access is via Washington Pike, a minor arterial street with a 40 -ft pavement width within an 80 -ft right-of-way.
Water Source: Northeast Knox Utility District
Sewer Source: Knoxville Utilities Board
Love Creek \& Whites Creek

## ZONING:

- EXISTING LAND USE:
- PROPOSED USE:

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING:

## C-G-1 (General Commercial)

## Agriculture/Forestry/Vacant Land

Four self-service outdoor storage buildings

Rezoned from RA (Low Density Residential) to PR (Planned Residential) up to 5 du/ac in 2022 (6-E-02-RZ). Rezoned from PR to CA (General Business), subject to the condition that development be limited to CN uses/standards and a self-service storage facility as a use on review ( $7-\mathrm{F}-07-\mathrm{RZ}$ ). Rezoned by the City to C-4 (Highway and Arterial Commercial) in 2007 (11-N-07-RZ). In 2010, the property was included in a rezoning request for PC-1 (Retail and Office Park), which was denied by City Council (1-F-10-RZ).
North: Commercial, office, agriculture/forestry/vacant - C-G-1 (General Commercial) in the City, CN (Neighborhood Commercial) \& A (Agricultural) in the County

South: Single family residential - RA (Low Density Residential) in the County
East: Agriculture/forestry/vacant, single family residential - A (Agricultural) in the County
West: Multifamily, single family residential - RA (Low Density Residential) in the County, RN-3 (General Residential Neighborhood) in the City

This area surrounding the intersection of Washington Pike and Murphy Road has a mix of uses including commercial, office, multifamily and single family
residential developments among agricultural and forested properties.

## STAFF RECOMMENDATION:

## - Approve the request for an outdoor self-storage facility expansion by 52,650 square feet of floor area, subject to 3 conditions.

1) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance. This includes the principal use standards for self-storage facilities in Article 9.3.AA, which provide driveway width requirements, as well as the requirements in Article 17.1.A.1.a-h for expanding a nonconforming building, structure or use, which include screening criteria for off-street parking.
2) Meeting all applicable requirements of the City of Knoxville Engineering Department, including stormwater best management practices.
3) Extending the Class $B$ landscape buffer yard along the southeast side of the property that abuts the singlefamily property at 5903 Edmondson Lane. A final landscaping plan should be provided to Planning staff for review and approval before permits are issued.

With the conditions noted, this plan meets the requirements for approval in the C-G-1 zoning district and the criteria for approval of a special use.

## COMMENTS:

## STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)

## 1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The One Year Plan's land use classification for this property is GC (General Commercial), which is intended to provide locations for retail, service-oriented commercial, and a limited range of wholesale and warehousing activities. Its general purpose is to provide a full range of goods and services at the community or regional scale. The proposed expansion of a self-service storage facility at this location is consistent with the One Year Plan's intent.
B. The Northeast County Sector Plan's land use classification for the property is NC (Neighborhood Commercial). Typically, the NC designation would not support a storage facility. It is not a permitted use in the C-N (Neighborhood Commercial) zoning district, which is the only zoning district considered in the NC classification. However, when this property was rezoned for commercial uses in 2007, it was subject to the condition that development be limited to NC uses with the exception that a self-service storage facility may be permitted through a use on review (i.e., special use). In this way, the proposed storage facility expansion does not conflict with the sector plan.
C. The General Plan's development policy 8.12 asserts that when commercial uses abut residential property, ordinance provisions or use-on-review conditions requiring fencing, landscaping screens, earth berms, height restrictions, and/or deeper than usual building setback can improve land use transitions. The provided plans along with noted special use conditions regarding landscaping and screening are consistent with this policy.
2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE. A. The property's zoning district is C-G-1 (General Commercial), which is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along commercial nodes and corridors. This zone is intended primarily for indoor commercial uses with limited exceptions per special use approval.
B. The C-G-1 district permits special use review of an enclosed self-storage facility, but does not permit an outdoor self-storage facility. Although the proposed storage units are within a building envelope, they are accessed by exterior doors rather than from an interior hallway. This outdoor-access configuration is defined in the zoning ordinance as outdoor self-storage, and therefore not permitted. However, this proposal is an expansion of an outdoor self-storage facility that was approved by the Planning Commission in 2018 before the City zoning ordinance was updated in 2020. The applicant requested an extension of a non-conforming use, per Article 17.1.A.1.a-h. The Board of Zoning Appeals (BZA) approved this request on October 17, 2023 because the applicant agreed to meet all of the requirements in the code. Those requirements are incorporated into this special use review, and are represented through the listed conditions for approval. C. The provided plans in combination with the noted conditions comply with the Principal Use Standards for self-storage facilities listed in Article 9.3.AA.
D. With the approval of BZA and the recommendations in this special use review, the proposed self-storage development is in harmony with the intent of the zoning ordinance.
3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS

| AGENDA ITEM \#: 15 | FILE \#: $8-C-23-S U$ | $10 / 30 / 202310: 20$ AM | JESSIE HILLMAN | PAGE \#: | 15-2 |
| :--- | :--- | :--- | :--- | :--- | :--- |

PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.
A. The use, scale and appearance of the proposed self-storage facility expansion is consistent with what was previously developed on the property in 2020.
B. The property is part of a developing commercial node at the intersection of Washington Pike and Murphy Road. The use is compatible with the character of surrounding commercial establishments, which include a gas station and convenience store, dollar store, pizza restaurant and pharmacy.
4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.
A. There are single-family and multi-family neighborhoods adjacent to the subject property, which will be visually shielded from this property with setbacks, fencing and landscaping.
B. The provided photometric study and lighting fixture details indicate that the project's lighting should not have injurious impact on adjacent residences.
5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.
A. The self-storage facility should have a negligible traffic impact, as patrons typically arrive and depart at infrequent intervals with this use.
B. Improvements were made to Washington Pike, a minor arterial street, as well as Murphy Road, a major collector, in 2003 to increase traffic capacity. There are also additional capital improvements planned further south on Washington Pike.
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.
A. There are no known conditions on the property that would hinder the proposed use.

## ESTIMATED TRAFFIC IMPACT: 76 (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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.







975 total units at 0.02 parking spaces per unit $=19.5$ parking spaces
8 parking space and 5 spaces at office provided
12 additional space required







Typical Elevation



BUILDING 2


BUILDING 3


BUILDING 4


| BUILDING |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 1-TOP | 1-BOTTOM | $\underline{2}$ | $\underline{3}$ | 4 | TOTAL |
| $5 \times 5$ |  |  | 6 |  |  | 6 |
| $5 \times 10$ |  |  | 6 | 16 | 20 | 42 |
| 10X10 |  |  | 23 |  |  | 23 |
| 10X20 |  |  | 23 | 46 |  | 69 |
| $10 \times 25$ | 30 | 30 |  |  | 48 | 108 |
| 10X30 |  |  | 5 |  |  | 5 |
| $10 \times 40$ |  |  |  | 7 |  | 7 |
| 10X50 |  |  |  |  | 7 | 7 |
|  |  |  |  |  |  | 267 |

Figure 1. Floor Plan \& Unit Mix



POSTPONE

- POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30 -day automatic postponement. If payment is not received by the deadline, the item will be tabled.


# SELECT ONE: $\square 30$ days $\quad 60$ days $\square 90$ days 

Postpone the above application(s) until the October 5th Planning Commission Meeting.

## WITHDRAW

$\square$ WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

## TABLE

*The refund check will be mailed to the original payee.

TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION By signing below, I certify I am the property owner, and/or the owners authorized representative.

|  | Danny Heidle |
| :--- | :--- |
| Applicant Signature | Please Print |
| $865-755-5447$ | 865storage@gmail.com |
| Phone Number | Email |

## STAFF ONLY

| Qescie Alillman | Jessie Hillman |  |
| :--- | :--- | :--- |
| Slaft Signature | Please Print | Date Paid |
| Eligible for Fee Refund? $\square$ Yes $\square$ No | Amount: | $\square$ |

Approved by:
Date:


## DEVELOPMENT REQUEST

| $\square$ Development Plan $\square$ Planned Development | $\square$ Use on Review / Special Use | Related City Permit Number(s) |  |
| :--- | :--- | :--- | :--- |
| $\square$ Hillside Protection COA | $\square$ Residential $\quad \square$ Non-residential |  |  |
| Home Occupation (specify) |  |  |  |

Other (specify) Special use request for the addition of four indoor self-service storage buildin

## SUBDIVSION REQUEST

| Proposed Subdivision Name | Related Rezoning File Number |  |
| :--- | :--- | :--- |
|  |  |  |
| Unit / Phase Number | Total Number of Lots Created |  |
| Additional Information |  |  |

$\square$ Attachments / Additional Requirements

## ZONING REQUEST

| $\square$ Zoning Change |  | Pending Plat File Number |
| :--- | :--- | :--- |
|  | Proposed Zoning |  |
| $\square$ Plan |  |  |
| Amendment | Proposed Plan Designation(s) |  |

Proposed Density (units/acre) Previous Zoning Requests
Additional Information

## STAFF USE ONLY

| PLAT TYPE | Fee 1 | Total |
| :---: | :---: | :---: |
| $\square$ Staff Review $\quad \square$ Planning Commission | $\$ 1,600.00$ |  |
| ATTACHMENTS |  |  |
| $\square$ Property Owners / Option Holders $\square$ Variance Request | Fee 2 |  |
| ADDITIONAL REQUIREMENTS |  |  |
| $\square$ COA Checklist (Hillside Protection) |  |  |
| $\square$ Design Plan Certification (Final Plat) | Fee 3 |  |
| $\checkmark$ Site Plan (Development Request) |  |  |
| $\square$ Traffic Impact Study |  |  |
| $\square$ Use on Review / Special Use (Concept Plan) |  |  |

## AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

|  | Danny Heidle | 6/26/2023 |
| :--- | :--- | :--- |
| Applicant Signature | Please Print | Date |

## Phone / Email

|  | Charles Wilder Third Order, LLC | 6/26/2023 |
| :--- | :--- | :--- |
| Property Owner Signature | Please Print | Date |
| $8-C-23-S U$ |  | Printed 7/20/2023 9:08:36 AM |Planned Development

$\square$ Use on Review / Special UseHillside Protection COAFinal Plat

ZONING
$\square$ Plan AmendmentSPOYP Rezoning

Danny Heidle


| General Location |  | Tract Size |
| :--- | :--- | :--- |
| $\square$ City $\square$ County |  |  |
|  | District | Zoning District |
| Planning Sector | Sector Plan Land Use Classification | Existing Land Use |

DEVELOPMENT REQUEST

| $\square$ Development Plan $\quad \square$ Use on Review / Special Use $\quad \square$ Hillside Protection COA | Related City Permit Number(s) |
| :--- | :--- |
| $\square$ Residential $\square$ Non-Residential |  |
| Home Occupation (specify) | Phase 3, Add 4 Self Storage Buildings |
| Other (specify) |  |

## SUBDIVISION REQUEST

| Proposed Subdivision Name |  |  |
| :--- | :--- | :--- |
| Unit / Phase Number $\quad \square$ Combine Parcels $\quad \square$ Divide Parcel $\quad$ Total Number of Lots Created |  |  |
| $\square$ Other (specify) $\quad \square$ |  |  |
| $\square$ Attachments / Additional Requirements |  |  |

## ZONING REQUEST



| Proposed Density (units/acre) | Previous Rezoning Requests |
| :--- | :--- |
| $\square$ Other (specify) |  |

## STAFF USE ONLY

| PLAT TYPE | Fee 1 |  | Total |
| :--- | :--- | :--- | :--- |
| $\square$ Staff Review $\square$ Planning Commission <br> ATTACHMENTS |  |  |  |
| $\square$ Property Owners / Option Holders $\square$ Variance Request | Fee 2 |  |  |
| ADDITIONAL REQUIREMENTS |  |  |  |
| $\square$ Design Plan Certification (Final Plat) | Fee 3 |  |  |
| $\square$ Use on Review / Special Use (Concept Plan) |  |  |  |
| $\square$ Traffic Impact Study |  |  |  |
| $\square$ COA Checklist (Hillside Protection) |  |  |  |

## AUTHORIZATION

$\square$ I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

| DocuSigned by: <br> Danny Heidle | Danny Heidle | 6/22/23 |
| :---: | :---: | :---: |
| Apptizanaz350ignaydre | Please Print | Date |
| (865) 755-5447 | Danny@gprKnoxville.com |  |
| Phone Number | Email |  |
| DocuSigned by: | Charles Wilder |  |
|  | Please Print | Date Paid |

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-ofway closure, and name change.


The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged $\$ 10$ for each replacement.

## LOCATION AND VISIBILITY

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

## TIMING

The sign(s) must be posted not less than 12 days prior to the scheduled Planning Commission 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

July 28, 2023
(applicant or staff to post sign)
and

## August 11, 2023

(applicant to remove sign)

Applicant Name: Danny Heidle
Date: 6/26/2023
File Number: 8-C-23-SU


Sign posted by Staff
$\square$ Sign posted by Applicant

