

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 2-B-16-UR **Related File Number:**
Application Filed: 12/23/2015 **Date of Revision:**
Applicant: STUART ANDERSON GEORGE EWART ARCHITECT

PROPERTY INFORMATION

General Location: South side of Charlie Haun Dr., West of Washington Pike.
Other Parcel Info.:
Tax ID Number: 59 N C 008.02, 008.03, 001.01 **OTHER:** 059NC002.02, 00 **Jurisdiction:** City
Size of Tract: 1.83 acres
Accessibility: Access is via Charlie Haun Dr., a local street with a pavement width of 37' within a 65' wide right-of-way. The site is serviced by two transit routes.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Retail **Density:**
Sector Plan: East City **Sector Plan Designation:** MU-SD, EC-4 (East Town Center Mall Area)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located in an area south of the I-640 and Washington Pike interchange that includes a mix of single-family, multi-family residential, office and commercial development. Zoning in the area include O-1 (Office, Medical, and Related Services), R-1 (Low Density Residential), C-6 (General Commercial Park), and PC-1 (Retail and Office Park).

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

Street: 0 Charlie Haun Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC-1(k) (Retail and Office Park)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from TC-1 to PC-1(k) in 2006.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved:

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the request to develop a 11,880 square-foot multi-tenant commercial building subject to 8 conditions, and APPROVE the conceptual site plan for the overall development subject to 7 conditions.

Staff Recomm. (Full):

Conditions for the multi-tenant commercial building (Parcel 059NC00803):

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
3. Connection to sanitary sewer and meeting all requirements of the Knox County Health Department.
4. Installing all landscaping, as shown on the development plan, within six month of issuance of an occupancy permit.
5. Meeting all applicable requirements of the zoning conditions per ordinance O-259-06.
6. The driveway connection to Charlie Haun Drive is temporary only. Once the new internal road is developed adjacent to the site, vehicular access shall be provided to the site solely from the new road and the temporary access to Charlie Haun Drive shall be removed and repaired in-keeping with the existing curb, sidewalk, and front yard landscaping. A new driveway shall be extended and connected to the new road; and if applicable, aligned with the driveway across the new internal road.
7. Meeting the requirements of City Engineering regarding the on site circulation of large vehicles, such as delivery trucks and garbage trucks.
8. Meeting all applicable parking lot design and landscaping standards of the PC-1 district and Article 5, Section 7 (Minimum off-street parking, access and driveway requirements).

Conditions of the Conceptual Site Plan (all referenced parcels):

1. Meeting all applicable requirements of the zoning conditions per ordinance O-259-06.
2. For properties within the boundary of the overall developer, interparcel access to adjoining property shall be utilized to facilitate movement of customers and their vehicles from establishment to establishment (lot to lot) without generating additional turning movements on a public street.
3. A "Concept Subdivision Plan" must be approved by the Planning Commission before public improvements are constructed (such as roads and utilities) and before a "Final Plat" can be considered for approval for the site. Approval of the Conceptual Site Plan does not constitute approval of the lot layout and road design.
4. Street trees shall be located in the planting strip between the curb and the sidewalk. The width of the planting strip, tree species and other specifications regarding the installation of trees shall comply with the requirements of the City Urban Forester and the Tree Protection Ordinance for the City of Knoxville.
5. Access to all lots shall be from internal roads only, with the exception of temporary driveway connections approved by the Planning Commission and City Engineering.
6. The location of buildings and parking shall be in-keeping with design presented on the Conceptual Site Plan.
7. Lots with frontage along Washington Pike are to be limited to office uses only.

With the conditions noted above, this request meets all the requirements for approval in the PC-1 zone and associated zoning conditions (Ordinance O-259-06), as well as other criteria for use on review approval.

Comments:

In 2006, the subject properties were rezoned from TC-1 (Town Center District) to O-1 and PC-1 with conditions that limit the uses and establishes requirements for how they are to be developed (see the attached ordinance O-259-06). Before any buildings can be approved for construction, a development plan (herein known as the "Conceptual Site Plan") for the entire area must be approved by the Planning Commission.

There are two components to this request: 1) Conceptual Site Plan for the overall development, and 2) a development plan for the proposed commercial building along Charlie Haun Drive. The Conceptual Site Plan incorporates the requirements of the conditional zoning and uses the conceptual master plan attached the rezoning as a basis for the site layout (see the attached ordinance O-259-06). The proposed commercial building is to be designed to be compatible with the Conceptual Site Plan and incorporate the proposed development standards.

While all the parcels subject to the zoning conditions are part of this proposal, the primary focus of the Conceptual Site Plan are the lots associated with the new commercial building (parcel 059NC00803) and the large tract surrounding it (parcel 059NC00802). The design presented for the other parcels intentionally resembles that of the conceptual master plan attached to ordinance O-259-06 because those properties are not actively seeking a change of use at this time. In order for those properties to be developed in the future, their portion of the Conceptual Site Plan will need to be amended to reflect the desired use and incorporate the development standards of this Conceptual Site Plan, or similar development standards that meet the zoning conditions and are approved by the Planning Commission.

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

1. The west side of Washington Pike, north of Pinehurst Drive, has been limited to office uses and zoning in the past, with the exception of the PC-1 zoning on the subject property. It has been the long standing position of the Alice Bell Springhill Neighborhood Association that non-residential uses fronting on the west side of Washington Pike should be limited to office uses because this is more consistent and compatible with the residential uses south of Pinehurst Drive. A note has been added to the Conceptual Site Plan to this effect and is recommended condition.
2. The conditions attached to the zoning were coordinated with and agreed upon by the surrounding property owners in 2006. It is the position of staff that with the recommended conditions, the proposed Conceptual Site Plan and new multi-tenant commercial building are compatible with the surrounding development.
2. Sanitary sewer and public water are available to this site.

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

1. The proposed Conceptual Site Plan and commercial building are 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 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 additional traffic through residential areas.
2. The proposal meets all relevant requirements of the PC-1 zoning district, as well as other criteria for approval of a use-on-review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The use is in conformity with the One Year Plan and the East City Sector Plan, which propose a mix of uses including residential, office, institutional, and commercial development.

Action: Approved with Conditions **Meeting Date:** 3/10/2016

- Details of Action:** Conditions for the multi-tenant commercial building (Parcel 059NC00803):
1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
 2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
 3. Connection to sanitary sewer and meeting all requirements of the Knox County Health Department.
 4. Installing all landscaping, as shown on the development plan, within six month of issuance of an occupancy permit.
 5. Meeting all applicable requirements of the zoning conditions per ordinance O-259-06.
 6. The driveway connection to Charlie Haun Drive is temporary only. Once the new internal road is developed adjacent to the site, vehicular access shall be provided to the site solely from the new road and the temporary access to Charlie Haun Drive shall be removed and repaired in-keeping with the existing curb, sidewalk, and front yard landscaping. A new driveway shall be extended and connected to the new road; and if applicable, aligned with the driveway across the new internal road.
 7. Meeting the requirements of City Engineering regarding the on site circulation of large vehicles, such as delivery trucks and garbage trucks.
 8. Meeting all applicable parking lot design and landscaping standards of the PC-1 district and Article 5, Section 7 (Minimum off-street parking, access and driveway requirements).

Conditions of the Conceptual Site Plan (all referenced parcels):

1. Meeting all applicable requirements of the zoning conditions per ordinance O-259-06.
2. For properties within the boundary of the overall developer, interparcel access to adjoining property shall be utilized to facilitate movement of customers and their vehicles from establishment to establishment (lot to lot) without generating additional turning movements on a public street.

3. A "Concept Subdivision Plan" must be approved by the Planning Commission before public improvements are constructed (such as roads and utilities) and before a "Final Plat" can be considered for approval for the site. Approval of the Conceptual Site Plan does not constitute approval of the lot layout and road design.
4. Street trees shall be located in the planting strip between the curb and the sidewalk. The width of the planting strip, tree species and other specifications regarding the installation of trees shall comply with the requirements of the City Urban Forester and the Tree Protection Ordinance for the City of Knoxville.
5. Access to all lots shall be from internal roads only, with the exception of temporary driveway connections approved by the Planning Commission and City Engineering.
6. The location of buildings and parking shall be in-keeping with design presented on the Conceptual Site Plan.
7. Lots with frontage along Washington Pike are to be limited to office uses only.

Summary of Action:

APPROVE the request to develop a 11,880 square-foot multi-tenant commercial building subject to 8 conditions, and APPROVE the conceptual site plan for the overall development subject to 7 conditions.

Date of Approval:

3/10/2016

Date of Denial:

Postponements: 2/11/2016

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: