

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

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Knoxville, Tennessee 37902
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File Number: 4-G-03-UR **Related File Number:**
Application Filed: 3/10/2003 **Date of Revision:**
Applicant: DEVELOPMENT SERVICES GROUP, INC.
Owner:

PROPERTY INFORMATION

General Location: West side of Eleventh St., north side of White Ave., east side of Twelfth St., south side of alley.
Other Parcel Info.:
Tax ID Number: 94 M G PARCELS 17-24 **Jurisdiction:** City
Size of Tract: 0.78 acres
Accessibility: Access is via Eleventh St., a minor collector street, and White Ave. and Twelfth St., both local streets, with 28' pavement widths.

GENERAL LAND USE INFORMATION

Existing Land Use: Rental houses and parking lots
Surrounding Land Use:
Proposed Use: 136 Room Hotel **Density:**
Sector Plan: Central City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is within the Fort Sanders neighborhood, in an area which includes older housing, apartments, offices and the University of Tennessee Knoxville campus.

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

Street: White Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: O-1 (Office, Medical, and Related Services)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: O-1 (Office, Medical, and Related Services) rezoning request recommended for approval by the Planning Commission on March 13, 2003.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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.): DENY the request for a 136 room hotel at this location in the O-1 (Office, Medical, and Related Services) Pending District because it does not comply with the Use-on-Review development standards (Article 5, Section 3 of the Knoxville Zoning Ordinance)

Staff Recomm. (Full): The key issues on which Staff's recommendation of denial is based include:

1. The proposed hotel is not consistent with the development standards for uses permitted on review. As proposed, the scale and intensity of the project far exceed the area and height standards permitted in the O-1 District. It is not the intent of the district to allow development as intensive as found in the downtown area.
2. The number and degree of variances from the Zoning Ordinance are based upon a project that is too intense for this half-block site.
3. As proposed, the development would not be compatible with the historic character and scale of the existing neighborhood located to the north and west. The development should act as a transition in scale and intensity of development between the garage facility to the south, and the office and residential located to the north and west.
4. The City of Knoxville Department of Engineering Staff has indicated that they will not support any variances from the intersection radius requirements of the Minimum Subdivision Regulations (for replatting of the eight parcels) which will impact the proposed design for the site.

It should be noted that Staff is not opposed to the development of a hotel on this site, but we are opposed to the scale and intensity of the proposed development. The applicant has met with Staff a couple of times and has made some changes to address our concerns.

Comments: The applicant is proposing a 136 room hotel on this 0.78 acre parcel. The development will have access to Eleventh St., a minor collector street, and White Ave. and Twelfth St., both local streets. The applicant had originally requested approval for a 150 room hotel. Recent changes have reduced the number of rooms but have not resulted in a reduction of floor area or mass of the building. The building area previously occupied by rooms has been converted to meeting space and accessory services. A small restaurant is also being provided. The applicant is proposing to work with the University of Tennessee on utilizing the hotel as a training facility for students at the School of Tourism and Hospitality at the University (See attached letter from John Salazar, Ph.D.).

The property which is presently zoned O-2 (Civic and Institutional) was recommended for a rezoning to O-1 (Office, Medical, and Related Services) by the Planning Commission on March 13, 2003. While the O-1 District allows consideration of a hotel use as a use permitted on review, the applicant is requesting significant variances from all area and height regulations for the District. Variances are being requested from the front yard setbacks for three sides of the project from 25' to 0'; rear setback along the alley from 30' to 0'; maximum lot coverage of 35% to 95%; and maximum height of four stories or 45' to seven stories (plus one story of parking) and a height of 90 plus feet A variance has also been requested for the size of the wall signs proposed on the hotel. The Zoning Ordinance does allow for an increase in the height of a structure, subject to a reduction in the lot coverage (not an increase). The applicant is basically asking for the application of C-2 (Central Business District) standards found in downtown Knoxville for this area of Fort Sanders.

In a letter from the applicant to MPC Staff dated April 1, 2003 (copy attached), the applicant has pointed out that this site is adjacent to the University of Tennessee's parking garage that is presently under construction in the block directly south of the proposed hotel. This project was not subject to review by

the Planning Commission under State law since it was development by a State institution. While Staff agrees that this facility has an impact on their site, it should not be used as a justification more high intensity development. The hotel development should act as a transition to the office and residential development to the north and west.

A Traffic Impact Study was required and submitted for this project. The study recommends that White Ave. be changed from one-way (east bound) to two-way traffic between Eleventh St. and Twelfth St. with no other improvements to adjacent streets being recommended. While sight distance to the south along Eleventh St. is limited, the elimination of the southern of the two entrances/exits from the parking garage along with the existing center turn lane on Eleventh St. should improve the safety for motorists.

The site under consideration consists of eight parcels that will have to be combined into a single lot. This subdivision will require the dedication of right-of-way for compliance with the Minimum Subdivision Regulations. Of specific concern is the requirement to provide the intersection radius at all street corners (75' in nonresidential districts). As designed the subdivision for the hotel would require variances to 0. We have received an e-mail for the City of Knoxville Department of Engineering Staff (copy attached) stating that they will not support any variances from the intersection radius requirement.

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

- 1) Public water and sanitary sewer utilities are available to the serve the development.
- 2) As proposed, the development would not be compatible with the historic character and scale of the existing neighborhood located to the north and west. The development should act as a transition in scale and intensity of development between the garage facility to the south, and the office and residential located to the north and west.
- 3) As designed, the hotel which extends for almost the entire length of the block, acts as a 90' x 208' wall to the adjoining development and will impact light penetration to adjoining properties. While the building is located along the alley which crosses the center of the block, the building will be very visible to Clinch Ave. due to the smaller structures and parking lots located between the hotel and street.
- 4) As identified in the Traffic study, the applicant is requesting that the City change the traffic flow on White Ave. between Eleventh St. and Twelfth St. from one way east bound to two way. This change is needed to allow access to the hotel from Eleventh St. While the City has indicated to the applicant that this change may be acceptable, MPC Staff is concerned about the confusion this may create for motorists. While signage will be placed to identify the change, it will be confusing to motorists that have been traveling for several blocks as a one way street to suddenly find opposing traffic for the last block of the street.

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

- 1) The O-1 District general description section states that the "district is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas". The hotel as proposed with 95% site coverage clearly does not meet the intent of the district to surround buildings with "landscaped yards and open areas". It is not the intent of the district to allow development as intensive as found in the downtown area.
- 2) While variances can be granted to modify the strict application of specific requirements of the Zoning Ordinance where site conditions create an unnecessary hardship which would deprive an owner of the reasonable use of the property, variances shall only be used where necessary to overcome some obstacle which is preventing an owner from using his property as the Zoning Ordinance intended (See attachment - Article 7, Section 2, Variances of the Knoxville Zoning Ordinance). It is clear that it is not the intent of the Ordinance to allow significant variances from all area and height regulations for the O-1 District. The standards for variances also state that any variance granted "shall be the minimum adjustment necessary for the reasonable use of the land". The applicant is requesting the maximum adjustment for all variances.
- 3) As identified in the comments concerning the replatting of this property, the City of Knoxville Department of Engineering Staff will not support any variances from the intersection radius requirements of the Minimum Subdivision Regulations.
- 4) There are no specific use-on-review standards in the Ordinance for a hotel.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1) The Central City Sector Plan identifies this property as Public Institutional. The Fort Sanders Neighborhood Plan calls for a mix of uses emphasizing office and residential uses along the White Avenue to Clinch Avenue corridor. While hotels are not specifically identified, they are allowed in the O-1 District subject to meeting the use-on-review development standards. This development as proposed, however, with its parking structure and 7-story building is not in keeping with the ground-level

pedestrian scale (including sidewalk and yard spaces, and street/yard trees) that has been sought through the Fort Sanders Neighborhood Plan and recent Fort Sanders development, both within and outside of the Neighborhood Conservation District.

2) The Fort Sanders Neighborhood Plan's Open Space and Park Plan identifies the three streets that the hotel site fronts on as being areas where additional street or yard trees should be planted. While the applicant has made some effort in providing additional plantings along the eastern half of White Ave., the parking structure and building having a 0' setback along the majority of the frontages which restricts compliance with this plan recommendation.

3) Refer to the attached memorandum from Mike Carberry concerning the impact of this development on the Fort Sanders Neighborhood.

4) While the site is not within the NC-1 (Neighborhood Conservation Overlay District), it is located within the National Register Historic District Boundary. The applicant has indicated a willingness to work with local organizations on relocating the existing historic buildings on the site.

MPC Action:

Approved

MPC Meeting Date: 4/10/2003

Details of MPC action:

The key issues on which Staff's recommendation of denial is based include:

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2. The number and degree of variances from the Zoning Ordinance are based upon a project that is too intense for this half-block site.
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4. The City of Knoxville Department of Engineering Staff has indicated that they will not support any variances from the intersection radius requirements of the Minimum Subdivision Regulations (for replatting of the eight parcels) which will impact the proposed design for the site.

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Summary of MPC action:

Approve the development plan for a 136 room hotel

Date of MPC Approval:

4/10/2003

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 4/24/2003

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

City Council

Date of Legislative Action:

5/27/2003

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Denied Appeal. Approval stands

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: