

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
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 4-G-07-UR **Related File Number:**
Application Filed: 3/5/2007 **Date of Revision:**
Applicant: DESIGN INNOVATIONS ARCHITECTS

PROPERTY INFORMATION

General Location: Northeast side of Eighteenth St., northwest side of Lake Ave.
Other Parcel Info.:
Tax ID Number: 108 C E 016 **Jurisdiction:** City
Size of Tract: 0.6 acres
Accessibility: Access is via Eighteenth Street, a local street with a 60' right of way and 30' pavement width and Lake Avenue, a local street with a 45' right of way and 20' pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: Dwelling units and parking on the ground floor **Density:**
Sector Plan: Central City **Sector Plan Designation:** GC
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The property in this area is zoned C-7 and O-2, both of which cater to the needs of the University of Tennessee.

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

Street: 1731 Lake Ave.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-7 (Pedestrian Commercial)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the request for 6 dwelling units on the first floor and garage parking on the ground floor in the C-7 zoning district subject to the following 8 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Submitting a landscape plan for MPC staff review and approval.
4. Installing landscaping as shown on the landscape plan within six months of the issuance of occupancy permits for this project.
5. Obtaining the required variances from the Knoxville Board of Zoning Appeals (see below).
6. Adhering to comments from the C-7 Design Review Board.
7. Installation of natural breaks along the walls of the entrance to the parking garage.
8. Adherence to attached plans as submitted by applicant.

With the conditions noted, this plan meets the requirements for approval of a use-on-review in the C-7 zoning district.

Comments:

The applicant is proposing to demolish the existing Lake Court Apartments and construct a 62 unit condominium development with 6 of those units and tenant parking located on the ground floor. In the C-7 zoning district, use on review approval is required when dwelling units are located on the first floor and garage parking is located on the ground floor. In addition to 30 standard parking spaces and 5 handicapped parking spaces, the applicant is also proposing to construct a lobby on the ground floor. Additional parking will be located on floors 2-3 and additional condominium units will be located on floors 2-9.

A previous development plan was approved for this property in April of 2006 (4-J-06-UR). That request was for a 72 unit condominium development with the entire ground floor being dedicated to parking. Since the applicant has changed the previously approved development plan, an additional use on review was required.

On March 13, 2007, the Knoxville City Council enacted a 90 day moratorium on all new building permits for projects located in the C-7 zoning district. The moratorium was enacted to allow time for MPC to finalize the Cumberland Avenue Corridor Plan and bring it before City Council. City Council has since amended the moratorium to authorize the issuance of building permits under exceptional and limited circumstances. Staff is considering this request to be one of those circumstances since this is a revision to a previously approved development plan.

The applicant will need to obtain 4 variances from the Knoxville Board of Zoning Appeals (BZA) to 1) reduce the required landscaped area from 5 % of the gross leaseable area of the building to 4 %, 2) increase the maximum building height from 90 ft. to 106 ft., and increase the number of building stories from 8 to 10, 3) decrease the minimum module width in a parking garage from 60' to 55' at columns (30 spaces) and 60 ft. to 59 ft. elsewhere, for 90 degree parking on both sides of the aisle, and 4) decrease the minimum parking aisle width from 15' to 14' for one-way parallel parking. The BZA is scheduled to hear these variance requests on April 19, 2007. If these variances are granted, the applicant will still be required to obtain approval from the C-7 Design Review Board, which is scheduled to review this item on April 4, 2007.

Access to the parking garage will be from Eighteenth St. The C-7 guidelines and the Cumberland Ave. Corridor Plan encourages that no blank walls greater than 20' in length be created along any street within the district. In order to address this, the applicant has agreed to install natural breaks along the façade of the parking garage.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUDING 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 site.
2. The proposed parking garage will place minimal additional demand on schools and streets.
3. The proposed development is consistent with the existing use of the site and other uses in the area.

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

1. The proposed condominium development and parking garage is consistent with all requirements of the C-7 zoning, as well as other criteria for approval of a use on review.
2. The development 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 proposed use is permitted by the C-7 district and will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The City of Knoxville One Year Plan proposes general commercial for this property whereas the Central City Sector Plan proposes mixed use for this property.
2. The current C-7 zoning of the property permits consideration of dwelling units on the first floor and ground floor parking.

MPC Action: Approved **MPC Meeting Date:** 4/12/2007

- Details of MPC action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Meeting all applicable requirements of the Knoxville Department of Engineering.
 3. Submitting a landscape plan for MPC staff review and approval.
 4. Installing landscaping as shown on the landscape plan within six months of the issuance of occupancy permits for this project.
 5. Obtaining the required variances from the Knoxville Board of Zoning Appeals (see below).
 6. Adhering to comments from the C-7 Design Review Board.
 7. Installation of natural breaks along the walls of the entrance to the parking garage.
 8. Adherence to attached plans as submitted by applicant.

With the conditions noted, this plan meets the requirements for approval of a use-on-review in the C-7 zoning district.

Summary of MPC action: APPROVE the request for 6 dwelling units on the first floor and garage parking on the ground floor in the C-7 zoning district subject to the following 8 conditions:

Date of MPC Approval: 4/12/2007 **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:**