## **CASE SUMMARY**

APPLICATION TYPE: USE ON REVIEW

File Number: 5-J-17-UR Related File Number:

Application Filed: 3/27/2017 Date of Revision:

Applicant: DIXON GREENWOOD



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

### PROPERTY INFORMATION

**General Location:** North side of Lyons View Pike, east of Lyons Head Dr.

Other Parcel Info.:

Tax ID Number: 107 N E 012 Jurisdiction: City

Size of Tract: 0.5 acres

Accessibility: Access is via Lyons View Pike, a minor arterial street with 23' of pavement width within 45-50' of right-

of-way.

### GENERAL LAND USE INFORMATION

Existing Land Use: Vacant church

**Surrounding Land Use:** 

Proposed Use: Professional offices Density:

Sector Plan: West City Sector Plan Designation: O (office) pending

Growth Policy Plan: Urban Growth Area (Inside City Limits)

**Neighborhood Context:** The properties fronting along this section of Lyons View Pike are developed with low and medium

density residential uses, zoned R-1 and R-2. To the north are some office uses, accessed by different

streets. Cherokee Country Club is to the west along Lyons View Pike, zoned OS-1.

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

Street: 4811 Lyons View Pike

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:** Property was rezoned from R-2 to O-1(k) in early 2017 (1-O-17-RZ)

## PLAN INFORMATION (where applicable)

**Current Plan Category:** 

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**Requested Plan Category:** 

## SUBDIVISION INFORMATION (where applicable)

**Subdivision Name:** 

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

Comments:

## OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

## MPC ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the Development Plan for a professional office building in a 4,711 sqft existing building,

subject to the following 3 conditions.

Staff Recomm. (Full):

1) Installing evergreen shrubs that will have a minimum height of 24" at maturity along the southeastern edge of the proposed handicap accessible parking space.

2) Meeting the conditions of the rezoning (O-49-2017), or any subsequent conditions of zoning.

3) Meeting all other applicable requirements of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the O-1(k) zoning district

and the other criteria for approval of a use-on-review.

This proposal is to reuse the existing church as a professional office. In March 2017, City Council approved rezoning this property from R-2 to O-1 subject to use on review approval by MPC prior to office occupancy and that the existing building must remain intact. In addition to the requirements of the rezoning, in order to obtain any permits for the property the owner will need to provide necessary handicap accommodations, which the site currently lacks. The applicant is proposing to locate the handicap (ADA) parking space in the front yard space between Lyons View Pike and the building. This location is preferable to the applicant because it is already relatively flat and does not require other substantial changes to the site.

Parking is not permitted in the 25' front yard setback if adjacent to a residential zone, which this project is. The Board of Zoning Appeals approved a variance to allow the parking in the front yard as shown on the attached plans. In order to minimize the impact of the parking in the front yard, staff is recommending that evergreen shrubs be installed with a minimum height of 24" at maturity along the southeastern edge of the proposed handicap accessible parking space.

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

- 1. Because of the size the building, the proposed office use does not require a Traffic Impact Study so no modifications to the roadway or vehicular entrances are required.
- 2. The proposed ADA parking space in the front yard is not ideal and will change intended residential style landscaped setting. Staff is recommending that shrubs be installed on the southeastern edge of the parking stall so as to provide screening to the new paved area. Since this is an ADA space, it should be used less frequently than the parking spaces to the rear of the property.
- 3. The adjacent multi-dwelling development to the northeast has parking in the front of the building that is approximately 10 feet from the front lot line along Lyons View Pike, however, it is visually screened well with fencing and landscaping.
- 4. The residential development to the west has an opaque wall and the subject site has mature landscaping that will remain.

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

- 1. With the recommended conditions, the proposed office use for the existing building are consistent with all relevant requirements of the O-1(k) 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, One Year Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic

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through residential areas.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The One Year Plan and West City Sector Plan propose Office uses for this site. The proposed

development is consistent with these plans.

2. This site is located inside the City of Knoxville limits on the Knoxville-Knox County-Farragut Growth

Policy Plan map.

Action: Approved Meeting Date: 7/13/2017

**Details of Action:** 

Summary of Action: APPROVE the Development Plan for a professional office building in a 4,711 sqft existing building,

subject to the following 3 conditions.

Date of Approval: 7/13/2017 Date of Denial: Postponements: 5/11/2017

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":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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