

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

File Number: 6-G-09-UR **Related File Number:**
Application Filed: 4/27/2009 **Date of Revision:**
Applicant: FLENNIKEN HOUSING, LP

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
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FAX • 215 • 2068
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PROPERTY INFORMATION

General Location: East side of Maryville Pike, north side of Flenniken Ave.
Other Parcel Info.:
Tax ID Number: 109 I F 013 **Jurisdiction:** City
Size of Tract: 2.38 acres
Accessibility: Access is via Maryville Pike, a major collector street with a 20' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant school building
Surrounding Land Use:
Proposed Use: Apartments **Density:** 20.17 du/ac
Sector Plan: South City **Sector Plan Designation:** Office (One-Year Plan), Commercial (Sector Plan)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This former public school site is at the edge of residential and commercial development that has occurred under R-2, R-1A, O-1, C-3 and C-4 zones

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

Street: 115 Flenniken 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: Property was rezoned O-1 and C-3 in 1998. (3-H-98-RZ). Knoxville City Council approved the rezoning of the C-3 portion to O-1 on May 19, 2009.

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:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the request for up 48 apartment dwelling units as shown on the development plan subject to 8 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
2. Obtaining a variance from the Knoxville Board of Zoning Appeals for the proposed reduction in required parking spaces.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
4. Construction of the sidewalks as shown on the development plan.
5. Meeting all applicable requirements of the Knoxville Department of Engineering.
6. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for the facility.
7. Meeting all applicable requirements of the Knoxville City Arborist
8. Revising the site plan to include the applicant's written narrative concerning the operation of the facility and identifying any variances that may be approved by the Knoxville Board of Zoning Appeals. The revised site plan must be submitted to MPC staff for certification prior to obtaining any building permits.

With the conditions noted, this plan meets the requirements for approval within an O-1 (Office, Medical, and Related Services) district and the criteria for approval of a use on review.

Comments:

The applicant is proposing to redevelop the former Flenniken School site into an apartment building with a total of 48 residential units. The main portion of the three story school building that fronts along Flenniken Avenue will remain with the wing that extends along the eastern property line being replaced with a one story addition. The new one story addition will have a total of 10 one bedroom apartments. The original three story school building will include 19 one bedroom units, 19 efficiency units, office and community space. The overall unit count includes 19 efficiency units and 29 one bedroom units.

The property was rezoned O-1 and C-3 in 1998. (3-H-98-RZ). The Knoxville City Council approved the rezoning of the C-3 portion to O-1 on May 19, 2009 (7-L-08-RZ) following a Planning Commission recommendation of approval on April 9, 2009. The O-1 zoning district allows consideration of multi-dwelling development through the use on review process. With a land area of 2.38 acres, the "Intensity of use" section of the Knoxville Zoning Ordinance will allow up to 65 dwelling units on this site. As previously stated, the applicant is proposing a total of 48 units.

While this use on review request is being evaluated for compliance with the zoning ordinance as a multi-dwelling unit development, the applicant has not hidden the fact that the facility will be utilized as permanent supportive housing for chronically homeless individuals. The proposed facility will not be a homeless shelter. It is permanent housing (apartment living) that requires the resident to have a verifiable source of income, sign a lease and pay rent. There will be case managers at the facility to help the residents make the transition to be a productive member of the community. A narrative from the applicant has been attached that provides answers to many of the questions and concerns raised by the neighborhood.

Based on the Knoxville Zoning Ordinance, the 48 proposed dwelling units would require at total of 65 on-site parking spaces. In the proposed plan, the applicant is only providing 24 spaces which will require a variance from the Knoxville Board of Zoning Appeals. The applicant's request for a reduction in required parking is based on the position that the majority of tenants will not have their own vehicle. There is room on the site to add additional parking if needed.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND

THE COMMUNITY AS A WHOLE

- 1. Public water and sewer utilities are available to serve the site.
- 2. As proposed the development will have minimal impact on the public school system.
- 3. The proposed reuse of this former school site serves as a transition between the commercial development to the east and the existing low density residential neighborhood to the west and south. The site is located adjacent to an existing multi-dwelling unit development.
- 4. The attached narrative from the applicant provides answers to many of the questions and concerns raised by the neighborhood on the potential impact of this facility on the neighborhood and community as a whole.

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

- 1. With the recommended conditions, the proposal meets all requirements of the O-1 zoning as well as the general criteria for approval of a use-on-review.
- 2. The proposed 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, Sector Plan and One Year Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. As a transitional use property, the proposal is compatible with the character of the neighborhood where it is proposed. The use should not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas since the development is located on a collector street. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The O-1 zoning is consistent with the office designation of the adopted One Year Plan and the commercial designation proposed by the South City Sector Plan. The O-1 zoning allows consideration of multi-dwelling housing developments.
- 2. The proposed development is consistent with the recommendations of Knoxville's Ten-Year Plan to End Chronic Homelessness.
- 3. The site is located within the Urban Growth Area (Inside the City Limits) of the Knoxville-Knox County-Farragut Growth Policy Plan.

Action: Denied **Meeting Date:** 6/11/2009

Details of Action:

Summary of Action: Deny the request for up to 48 apartment dwelling units

Date of Approval: **Date of Denial:** 6/11/2009 **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 6/24/2009

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	Date of Legislative Action, Second Reading:	8/25/2009
Date of Legislative Action:	7/14/2009	Other Ordinance Number References:	
Ordinance Number:		Disposition of Case, Second Reading:	Approved
Disposition of Case:	Postponed	If "Other":	
If "Other":		Amendments:	MPC decision overturned.
Amendments:		Effective Date of Ordinance:	
Date of Legislative Appeal:			