

# 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:** 8-G-10-UR                      **Related File Number:**  
**Application Filed:** 7/6/2010              **Date of Revision:**  
**Applicant:** FLENNIKEN HOUSING, LP

## PROPERTY INFORMATION

**General Location:** North side of Flenniken Ave., east side of Maryville Pike.  
**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:** Multi-dwelling Development (Permanent Supportive Housing)              **Density:** 20.17 du/ac  
**Sector Plan:** South County              **Sector Plan Designation:** Commercial  
**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 multi-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. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Construction of the sidewalks as shown on the development plan.
4. Prior to beginning any site construction, remove any vegetation along Maryville Pike that may interfere with sight distance along Maryville Pike from the access drive for the parking lot.
5. Revise the proposed fencing at the intersection of Maryville Pike and Flenniken Ave. so that the setback requirements for the visibility triangle are met.
6. Meeting all applicable requirements of the Knoxville Department of Engineering.
7. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for the facility.
8. Meeting all applicable requirements of the Knoxville City Arborist

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 located at the intersection of Flenniken Ave. and Maryville Pike into a multi-dwelling development with a total of 48 residential units.

On June 11, 2009, the Planning Commission considered the initial use-on-review request for this development and denied the request. The applicant appealed the action of the Planning Commission to Knoxville City Council, and on August 25, 2009, City Council upheld the appeal and approved the proposed development.

The original proposal for this development included a request to reduce the required parking from 58 spaces to 24 spaces. This reduction in parking spaces required approval from the Knoxville Board of Zoning Appeals (BZA). While the BZA approved the variance, the action of the BZA was appealed to City Council. The applicant met with residents of the surrounding neighborhood and members of City Council and after hearing concerns raised on potential traffic problems due to insufficient parking, the applicant decided to amend the approved development plan to include all of the required parking. The applicant's parking variance was withdrawn.

The revised development plan that is before the Planning Commission is unchanged in the total number of residential units. The two primary changes to the site plan include the expansion of the parking lot from 24 to 59 spaces, and a change to the building addition from a one to two story building. 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 the two story addition. The new two story addition will have a total of 16 one bedroom apartments. The original three story school building will include 16 one bedroom units, 16 efficiency units, office and community space. The overall unit count includes 16 efficiency units and 32 one bedroom units.

This 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.

**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.

**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 an 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:** Approved **Meeting Date:** 8/12/2010

**Details of Action:**

**Summary of Action:** APPROVE the request for up to 48 multi-dwelling units as shown on the development plan subject to 8 conditions.

**Date of Approval:** 8/12/2010 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:** 8/27/2010

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 9/21/2010

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Other

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

Motion Failed for Lack of Second - Approval Stands

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**