

# CASE SUMMARY

APPLICATION TYPE: TTCDA

BUILDING PERMIT



File Number: 10-A-23-TOG                      Related File Number:  
Application Filed: 8/25/2023                      Date of Revision:  
Applicant: SCOTT SMITH GREEN RIVER HOLDINGS

## PROPERTY INFORMATION

General Location: Northeast terminus of Data Ln, north of Corridor Park Blvd  
Other Parcel Info.:  
Tax ID Number: 118 17327                      Jurisdiction: County  
Size of Tract: 3.96 acres  
Accessibility: Data Ln is a local road with a 26-ft pavement width inside a 70-ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forestry/vacant  
Surrounding Land Use:  
Proposed Use: Rough grading                      Density:  
Sector Plan: Northwest County                      Sector Plan Designation: TP (Technology Park)  
Growth Policy Plan:  
Neighborhood Context:

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

Street: 0 Data Ln.  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: BP (Business and Technology), TO (Technology Overlay)  
Former Zoning:  
Requested Zoning: N/A  
Previous Requests:  
Extension of Zone:  
History of Zoning:

## PLAN INFORMATION (where applicable)

Current Plan Category:  
Requested Plan Category:

## WAIVERS AND VARIANCES REQUESTED

Variances Requested: N/A

## OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

## TTCDA ACTION AND DISPOSITION

**Planner In Charge:** Whitney Warner

**Staff Recomm. (Abbr.):**

**Staff Recomm. (Full):** Staff recommends approval of this request for a Certificate of Appropriateness for a grading permit, subject to three conditions:

- 1) Preservation of or installation of a vegetated landscape buffer strip 25 ft in width along the rear portion of the property adjacent to residences.
- 2) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 3) Meeting all applicable requirements of the Knox County Zoning Ordinance.

**Comments:**

This is a request for a grading plan for a 4-acre parcel at the northeast terminus of Data Lane. The property is off the southwestern end of Corridor Park Boulevard, which consists mostly of office-warehouse developments, and it abuts single-family residential lots in a subdivision to the rear. The project has received a Notice of Violation from Knox County Codes for grading without a permit. The County has said they will remain under this notice until they obtain all applicable approvals.

PURSUANT TO ARTICLE V, SECTION 2 OF THE TTCDA ADMINISTRATIVE RULES AND PROCEDURES, THE DECISION OF THE TTCDA TO APPROVE REQUESTS FOR GRADING PERMIT CERTIFICATES OF APPROPRIATENESS MUST BE BASED ON THE FOLLOWING CRITERIA:

### A. CONFORMITY OF THE PROPOSAL WITH THE TENNESSEE TECHNOLOGY CORRIDOR DESIGN GUIDELINES.

1. The limits of disturbance are not marked on the plan.
2. As mentioned previously, the site was issued a notice of violation for grading without a permit. This practice does not conform with the TTCDA guidelines:
  - a. Section 1.2.3 of the TTCDA Guidelines states that, "Except for purposes of surveying and core drilling to gather geologic and soil data, and to allow for minimum road access, property in the Technology Overlay shall not be disturbed prior to the issuance of a Certificate of Appropriateness (for grading or building) and any other permit that may be required by the city or the county regarding the disturbance and/or restoration of land. Land disturbance shall include any grading or vegetation removal."
  - b. Section 1.2.1 states that grading and site preparation should be kept to a minimum during the development process.
3. Section 1.5.5.A states that new landscaping should be used in addition to any preserved vegetation to buffer residential development from new non-residential development. The existing dense vegetation along the northern property line should be preserved as much as possible. Planning recommends a 25-ft non-disturb area, or other dense landscaping in lieu of preservation in specific areas if landscaping cannot be preserved.
4. TTCDA Guidelines require a 100-ft setback when properties abut residential uses, so future structures will need to be located a minimum of 100 ft from the rear property line.

### B. CONFORMITY OF THE PROPOSAL WITH THE KNOXVILLE-KNOX COUNTY MINIMUM SUBDIVISION REGULATIONS AND EITHER THE KNOXVILLE ZONING ORDINANCE, OR THE KNOX COUNTY ZONING ORDINANCE, AS APPROPRIATE.

1. This property is zoned BP (Business and Technology Park) / TO (Technology Overlay). There is a 75' peripheral setback for buildings in in the BP zone, which is clearly marked. Along the rear property line, however, the TTCDA setback of 100 ft will apply since the property abuts residential properties.
2. The Knox County Zoning Code 4.10.11, Supplementary Regulations - Landscaping, requires a landscape buffer on commercial or industrial properties adjacent to residential properties with a "Type A - Dense" landscape screen a minimum of 15 ft in width (See Exhibit A).
3. The applicant does not wish to replat the property, so the Subdivision Regulations are not applicable.

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

1. Staff recommends a 25-ft vegetated buffer along the rear portion of the property that is adjacent to

residences. This recommendation is wider than the 15 ft minimum in the Knox County Zoning Code because the BP zone allows more intense uses and heavier truck traffic. Staff believes a wider buffer than the standard 15 ft would be appropriate given the nature of the uses along Corridor Park Boulevard. If this is to be an office-warehouse, which is typical of this area, the facility would be served by large trucks. The buffer would provide a visual buffer and would help mitigate fumes and sound to some degree.

**D. CONSISTENCY OF THE PROPOSAL WITH THE REQUIREMENTS OF KNOX COUNTY DEPARTMENTS, AS APPROPRIATE.**

1. The project has received a Notice of Violation from Knox County Codes for grading without a permit. The County has said they will remain under this NOV until they obtain all applicable approvals.

**Action:** Approved as Modified **Meeting Date:** 10/2/2023

**Details of Action:** Staff recommends approval of this request for a Certificate of Appropriateness for a grading permit, subject to three conditions:

- 1) Preservation of or installation of a vegetated landscape buffer strip 15 ft in width, "Type A" landscape screen per the Knox County Zoning Ordinance, along the rear portion of the property adjacent to residences.
- 2) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 3) Meeting all applicable requirements of the Knox County Zoning Ordinance.

**Summary of Action:**

**Date of Approval:** 10/2/2023 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**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:**