

CASE SUMMARY

APPLICATION TYPE: TTCDA

BUILDING PERMIT



File Number: 11-A-23-TOB Related File Number:
Application Filed: 10/10/2023 Date of Revision:
Applicant: JASON HUNT CANNON & CANNON

PROPERTY INFORMATION

General Location: South of Hardin Valley Rd, south and east sides of Schaeffer Rd
Other Parcel Info.:
Tax ID Number: 104 093 Jurisdiction: County
Size of Tract: 27.1 acres
Accessibility: Access is via Schaeffer Rd, a major collector with a pavement width of 37 ft within a 57 ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forestry/vacant
Surrounding Land Use:
Proposed Use: New multifamily development Density:
Sector Plan: Northwest County Sector Plan Designation: MDR/O (Medium Density Residential/Office)
Growth Policy Plan:
Neighborhood Context:

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

Street: 2122 Schaeffer Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: OB(k) (Office, Medical, and Related Services), PC (Planned Commercial), PR (k) (Planned Residential) up to 6.5 du/ac, & 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: 1) Increase the maximum Floor Area Ratio from 30% to 36%.

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 building permit, subject to five conditions:

- 1) Obtaining Planning Commission approval of the development plan case associated with this request prior to applying for permits. A request for development plan approval is on the November 9, 2023 Planning Commission agenda (Case 11-E-23-DP).
- 2) The applicant shall enter into a Memorandum of Understanding with Knox County Engineering and Public Works, which is required for all road improvements per Chapter 54, Article V of the Knox County Code (Ord. O-23-4-102).
- 3) Installation of all landscaping as shown on development plan within six months of the issuance of an occupancy permit, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 4) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 5) Meeting all applicable requirements of the Knox County Zoning Ordinance.

Comments: This proposal is for a new, 196-unit multi-family development and 2 duplexes (4 units) in Hardin Valley. The 27.1-acre site is at the intersection of Hardin Valley Rd and Schaeffer Rd. There will be one driveway access point, which is on Schaeffer Rd.

PURSUANT TO ARTICLE V, SECTION 2 OF THE TTCDA ADMINISTRATIVE RULES AND PROCEDURES, THE DECISION OF THE TTCDA TO APPROVE REQUESTS FOR BUILDING 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 property has 3 different zones, PC (Planned Commercial), OB (Office, Medical, and Related Services), and PR (Planned Residential) up to 6.5 du/ac and is in the TO (Technology Overlay) zone. All structures will be in the OB or PR zone. The building setbacks adhere to either the zoning district or the TTCDA guidelines, whichever is more stringent. TTCDA requires a 100-ft setback when abutting residential, a 30-ft front setback, and a 20 ft side setback. The peripheral boundary in the PC zone is 50 ft, while the peripheral boundary in the PR zone is 35-ft. The proposed site plan meets these requirements.
2. The proposed parking lot has 436 parking spaces, including 12 garage spaces. This meets the minimum requirement, which is 312 spaces and is under the maximum, which is 546 spaces.
3. This property is partially forested with some previous grading. The landscape plan is extensive and adheres to all landscape requirements of TTCDA. There is a 40 ft no disturb buffer along the southern and southwestern lot lines where the subject property abuts the residential subdivision to the south, which was a condition of the rezoning in 2014 (5-C-14-RZ).
4. The lighting plan meets all TTCDA guidelines for lighting intensity. Light poles are full cut off with dark finishes.
5. The applicant is requesting one waiver to increase the Floor Area Ratio (FAR) from 30% maximum to 36%. The proposed plan has a floor area ratio of 34.8%. The applicant is requesting an additional 1.2% to accommodate any potential changes in the site plan or building plans during permit review and to limit the need to request a modification to the waiver if required. Staff supports the waiver because the Ground Area Coverage and Impervious Area Ratio are well within the limits, so there is no impact on the land resulting from the overage and it does not impact stormwater mitigation. The increase in the FAR is a result of a taller building than what is typically seen of industrial, commercial, or office/warehouse uses prevalent in this area. Additionally, this site sits below the abutting subdivision and there is already a 40-ft non disturbance buffer than includes tall mature trees.
6. The monument sign is 98-sqft, which is based on the Tennessee State Scenic Highway Act, which limits signs to 100-sqft within 1,000 ft of designated scenic highways. The base masonry will match the apartments and clubhouse.

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.

PC (Planned Commercial), OB (Office, Medical, and Related Services), PR (Planned Residential) up to 6.5 du/ac, and TO (Technology Overlay):

1. The PR and OB zones allow multi-family dwellings and duplexes as permitted uses. The administrative procedures for the PR and PC zones require the Planning Commission to approve the development plan before permits can be issued. Therefore, this request is being reviewed concurrently with this application for the PR and PC portions of the property (Case 11-E-23-DP).
2. This PR zone district is approved for a maximum of 6.5 du/ac. The proposed density within the PR zoned portion is 6.33 du/ac. The OB zone allows multi-family dwellings with densities up to 12 du/ac, and the proposed density in the OB zone is 9.54 du/ac. The density over the entire 27.1 acres is 8.11 du/ac.
3. The proposed buildings are 3 stories and 38 ft tall. The OB zone has a maximum height of 45 ft. The Planning Commission determines the maximum height for any use other than houses and duplexes in the PR zone. Staff recommends a maximum height of 40 ft for the multi-dwelling structures for the PR zone. Additionally, this site sits below the abutting subdivision and there is already a 40 ft non disturbance buffer than includes tall mature trees.
4. There were conditions placed during the rezoning of the PR (Planned Residential) portion (5-C-14-RZ). There shall be no clearing or grading until a development plan is approved, 100-ft setback along the peripheral boundary, and a 40-ft no disturb buffer along the peripheral boundary abutting the residential subdivision to the south.
5. The property is in the Hillside and Ridgetop Protection Area (HP), which has stricter standards for development than the rest of the TO zones. However, this property has been previously disturbed, first with the road improvements on Schaeffer Road, then on the subject property in 2013. Some of the steep slopes at the front of the property are a result of the grading that was done with the Schaeffer Road improvements. Therefore, this property is exempt from the HP section of the TTCDA Guidelines.
6. 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. Schaffer Rd is a major collector road that was realigned in 2018. At this time, sidewalks were added along the frontage of this property extending to Hardin Valley Rd.
2. As stated previously, staff has reviewed the landscaping plans and supports the landscaping plan as proposed because it meets the TTCDA standards.
3. As mentioned previously, this property is exempt from TTCDA Hillside Protection guideline review because it has been previously disturbed. The conditions of the rezoning will keep a 40-ft non disturbance buffer along the property line with the subdivision to the south, per conditions of the Planned Residential rezoning (5-C-14-RZ).

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

1. The traffic study recommends extending the storage length of the westbound left turn lane at the intersection of Hardin Valley Road at Schaeffer Road / Cherahala Boulevard. The storage should be extended by 100-ft and should include a bay taper with a length of 160-ft. A Memorandum of Understanding with Knox County Engineering and Public Works is required for all road improvements per Chapter 54, Article V of the Knox County Code (Ord. O-23-4-102).

Action: Approved

Meeting Date: 11/6/2023

Details of Action:

Summary of Action:

Date of Approval: 11/6/2023

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: