

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 12-A-22-UR                      Related File Number:  
Application Filed: 10/21/2022              Date of Revision:  
Applicant: GARY BEST

## PROPERTY INFORMATION

General Location: NE of Thunder Ln, northwest of E Emory Rd  
Other Parcel Info.:  
Tax ID Number: 47 J A 003                      Jurisdiction: County  
Size of Tract: 1.88 acres  
Accessibility: Access is via Thunder Lane, a local road with a 30-ft pavement width within a 50-ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land  
Surrounding Land Use:  
Proposed Use: Allowance to exceed the maximum height standard in the OB zone      Density:  
Sector Plan: North County                      Sector Plan Designation: GC (General Commercial)  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context: This area is largely office and commercial. There are some residential properties to the north and east.

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

Street: 7521 THUNDER LN  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: OB (Office, Medical, and Related Services)  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning: This property was rezoned from CA (General Business) to OB (Office, Medical, and Related Services) in November 2018 (11-A-18-RZ).

## PLAN INFORMATION (where applicable)

Current Plan Category: GC (General Commercial)  
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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Whitney Warner

Staff Recomm. (Abbr.):

Approve the request to increase the maximum height standard in the OB zone from 4 stories or 45-ft to 5 stories or 60-ft to the top of parapet wall and 71-ft to the top of the architectural element as proposed in the attached plans, subject to 3 conditions.

Staff Recomm. (Full):

Approve the request to increase the maximum height standard in the OB zone from 4 stories or 45-ft to 5 stories or 60-ft to the top of parapet wall and 71-ft to the top of the architectural element as proposed in the attached plans, subject to 3 conditions.

1. Provide landscape screening/privacy fencing on the east side of the parking lot adjacent to residential uses.
2. Providing a landscape screening and/or privacy fence plan during permitting for review and approval by Planning Commission staff.
3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
4. Meeting all applicable requirements of Knox County Engineering and Public Works.

Comments:

This property is in the OB (Office, Medical, and Related Services) zone. The request for a 61,975 sq-ft hotel to exceed the maximum height standard of 4 stories or 45-ft to 5 stories or 60-ft to the top of parapet wall and 71-ft to the top of the architectural element. Per section 5.41.09. Height Regulations of the Knox County Zoning Ordinance, the planning commission may approve, as a use permitted on review, an increase in height above 45-ft.

Section 3.20.03 exempts certain structures or parts thereof from the maximum height limitation, including stair and elevator penthouses. The 71-ft tall architectural element requires Planning Commission approval because it is taller than required for the penthouses.

The parking is in compliance with the Knox County Zoning ordinance, which requires 94 spaces for a hotel of 90 suites and 2 spaces per 3 employees. The proposed parking is for 96 spaces and 5 handicapped spaces. Parking is along all sides of the building. The development meets all setback requirements.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2). The Planning Commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

- 1) THE USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.
  - A. The North County Sector Plan designates this property for GC (General Commercial) uses. This includes previously developed strip commercial corridors providing a wide range of retail and service-oriented uses.
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE
  - A. The OB (Office, Medical, and Related Services) zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.
  - B. The OB zone permits hotels by right, though height regulation increases require approval by the Planning Commission through the use on review process.
- 3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.
  - A. The proposed hotel is compatible with the surrounding commercial area. Additionally, the hospital

nearby is 5 stories, there are 3 neighboring hotels to the hospital which are all multi-story buildings, and there is a large industrial warehouse that uses Thunder Lane for access.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed use should have little impact on the adjacent property because of the required setbacks. The hotel has a 123.5-ft setback from the abutting single-family homes and 50-ft setbacks from abutting commercial uses.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The development is just off E Emory Rd, a major arterial. No traffic through residential subdivisions is required to access this property.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed use.

**Action:** Approved

**Meeting Date:** 12/8/2022

**Details of Action:**

**Summary of Action:** Approve the request to increase the maximum height standard in the OB zone from 4 stories or 45-ft to 5 stories or 60-ft to the top of parapet wall and 71-ft to the top of the architectural element as proposed in the attached plans, subject to 3 conditions.

**Date of Approval:** 12/8/2022

**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:**