

# CASE SUMMARY

APPLICATION TYPE: PLANNED DEVELOPMENT



**File Number:** 2-A-23-PD                      **Related File Number:**  
**Application Filed:** 12/28/2022              **Date of Revision:**  
**Applicant:** LOGAN HIGGINS

## PROPERTY INFORMATION

**General Location:** Northeast side of Galbraith School Rd, south side of Decatur Dr  
**Other Parcel Info.:**  
**Tax ID Number:** 109 K G 023                      **Jurisdiction:** City  
**Size of Tract:** 2.61 acres  
**Accessibility:** Access is via Galbraith School Rd., a local street with a 25-ft pavement width within a 50-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant Galbraith School building  
**Surrounding Land Use:**  
**Proposed Use:** Multifamily development                      **Density:**  
**Sector Plan:** South City                      **Sector Plan Designation:** CI (Civic and Institutional)  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:** This area is predominantly developed with single-family houses, though there are condo developments nearby off of Woodlawn Pike. The site is adjacent to South-Doyle Middle School and is near Baker Creek Preserve.

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

**Street:** 4333 GALBRAITH SCHOOL RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RN-1 (Single-Family Residential Neighborhood)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** None noted. A rezoning request in 2019 was withdrawn prior to the Planning Commission meeting.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** CI (Civic and Institutional)

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:

Michelle Portier

Staff Recomm. (Abbr.):

Approve the preliminary plan for the Galbraith School Adaptive Reuse planned development, including approval of the requested exceptions to the underlying zoning's dimensional and use standards, subject to 6 conditions.

Staff Recomm. (Full):

1. Upon approval of the preliminary plan by City Council, a final plan shall be submitted for review and approval by the Planning Commission. The final plan shall be in substantial compliance with the approved preliminary plan as established in Article 16.7.3.E.
2. Meeting all aspects of the City of Knoxville Zoning Ordinance, including the Principal Use Standards of section 9.3, unless an exception has been approved through the planned development process outlined in Article 16.7.
3. Limiting the use of steel, aluminum and metal sidings (per Article 9.3.I.5.b.ii) to 25%.
4. Confirming sight distance at the driveway access points during the final plan phase.
5. Meeting all other requirements of the City of Knoxville Engineering Department.
6. Meeting all applicable requirements of the City of Knoxville Fire Prevention Bureau.

Comments:

**PROJECT DESCRIPTION**

This proposal is for an adaptive reuse of the former Galbraith School building converting it to a multifamily use. The former elementary school was built in 1930. This proposal would convert the existing building into multifamily dwelling units and would add an additional building to the southeast portion of the site (near the existing driveway) for additional dwelling units. A total of 75 dwellings are proposed.

The school has been sitting vacant for some time. It was closed in 1977, then was deeded to Knox County (from the City of Knoxville) in 1993, and then sold to a private entity in 2008 before changing hands again in 2022. The new owner is requesting this planned development. A previous preliminary plan for a PD was approved in 2020 (Case 5-A-20-PD) under the previous owner.

In order to allow the proposed use of the site, the applicant is requesting exceptions to the zoning ordinance regulations, including those of the site's RN-1 (Single-Family Residential Neighborhood) district, as outlined in detail in the attached Galbraith School Adaptive Reuse document. The proposed development plans are conceptual and will be presented in more detail during the Final Plan review process. These plans must show that the development meets the standards of the Planned Development and other applicable City zoning and land development regulations.

**SITE DESCRIPTION**

The site sits to the southwest of South-Doyle Middle School and is approximately ½ mile south of E. Moody Avenue/Sevierville Pike. The area is mostly single family detached dwellings but there are 2 condo developments just to the north off of Woodlawn Pike. There are sidewalks on the northeast side of Galbraith School Road and the northwest side of Taylor Road. The sidewalks on Taylor Road extend to Tilson Street. There is a pedestrian entry to Baker Creek Preserve and a few street parking spaces approximately ½ mile from the Galbraith School site. The site slopes down from the northwest to the southeast, so the portion of the site where the addition is proposed is at a lower floor elevation than the existing building.

**ZONING EXCEPTIONS CRITERIA**

Exceptions to the underlying zoning's dimensional and use standards may be recommended by the Planning Commission and approved by the City Council as part of the Planned Development approval process.

According to Section 16.7.D of the City of Knoxville Zoning Ordinance, exceptions can be granted from the underlying district dimensional, design, and use regulations if the exceptions:

1. Enhance the overall merit of the planned development

2. Promote the objectives of the City and the development
3. Enhance the quality of the design of the structures and the site plan
4. Will not cause excessive adverse impact on neighboring properties
5. Are compatible with the adopted Knoxville-Knox County General Plan and its component parts, including adopted sector plans, corridor, plans, and related documents
6. Provide a public benefit (examples of which are provided in the zoning ordinance)

#### ZONING EXCEPTIONS REQUESTED

The applicant has requested the following exceptions from the section of the City of Knoxville Zoning Code (see p. 6 of the project document):

1. Article 4.3, Dimensional standards, Table 4-1 pertaining to the RN-1 (Single Family Residential Neighborhood) zone:

a. Minimum Lot Area: Introduction of a minimum lot area for calculating multifamily uses as seen in other

residential zones that allow this use; the plan proposes a minimum of 1,450 sf/du. At 2.61 acres (113,691 sq ft), calculated with the proposed minimum lot area required for MF uses, the site

could

accommodate up to 75 dwelling units.

b. Maximum Building Height: Increase from 35 ft to 45 ft.

c. Maximum Building Coverage: Increase from 30% to 50%

d. Maximum Impervious Surface: Increase from 40% to 70%

2. Article 9, Uses, Table 9-1, Addition of the uses below that are not allowed in the RN-1 zone. These uses would still be subject to Article 9.3, Principal Use Standards, where applicable, unless an exception from those standards has been granted.

a. Multifamily dwellings as a permitted use by right (P)

b. Independent living facility as a permitted use by right (P)

c. Live/work as a permitted use by right (P)

d. Office as a special use (S)

e. Residential care facility as a permitted use by right (P)

f. For ease of reference, the uses proposed above are defined in the City of Knoxville Zoning Ordinance

(Article 2.3) as follows:

i. Dwelling-Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy. A multi-family dwelling does not include a townhouse dwelling.

ii. Independent Living Facility. A residential development which typically includes common areas for

meals and socializing and may offer convenience services, but does not provide health care or assistance with activities of daily living. Units may include cooking facilities. Independent living facilities are subject to the dimensional and design standards for a multi-family dwelling in the district in which they are located. When a district permits dwellings above the ground floor, independent living facilities may also be developed and designed as such, subject to the

design

standards of the district for the structure.

iii. Live/Work. A structure where residential and commercial uses are integrated, that permits businesses,

professions, occupations, or trades within a residential dwelling that requires employees, customers,

clients, and/or patrons to visit the unit.

iv. Office. An establishment that engages in the processing, manipulation, or application of business

information or professional expertise. Such an office may or may not offer services to the public. An

office is not materially involved in fabricating, assembling, warehousing, or on-site sales of physical

products for the retail or wholesale market, nor engaged in the repair of products. An office does

not include financial institution, alternative financial service, government office/facility, or industrial

design.

v. Residential Care Facility. A licensed group care facility that provides medical or non-medical care of

persons in need of personal services, supervision, or assistance essential for sustaining the activities

of daily living. A residential care facility includes nursing homes, assisted living, hospice care, and

continuum of care facilities. Continuum of care facilities may also include independent living facilities

as part of the continuum. Residential care facilities must meet all district design and dimensional

- standards for multi-family dwellings unless specific standards are cited for such housing. When a district permits dwellings above the ground floor, residential care facilities may also be developed and designed as such, subject to the design standards of the district for the structure.
3. Article 9, Principle Use Standards:
    - a. Allow aluminum, steel, or other metal siding to consist of more than 15% of the facade (9.3.1.5.b.iii).
  4. Article 10, Site Development Standards: Allow more than one primary structure on the site, prohibited in RN-1 under Article 10.1.A.
  5. Article 11, Parking: Reduce the off-street parking requirements by 15% since the site is within 1/3 mile of a transit route.

#### COMMUNITY BENEFITS

The community benefits identified by the applicant (see p. 5 of the project document) to justify the requested exceptions from the City's Zoning Code are:

1. Preservation and adaptive re-use of a historic building.
2. Creation of a community garden accessible to the surrounding South Woodlawn neighborhood with visitor car and bike parking.
3. Conservation of trees and other non-invasive plants and the relocation of vehicle parking to a less prominent location.
4. Regrading of the site at the corner of Decatur Drive and Galbraith School Road to allow greater visibility for cars turning onto Galbraith School Road.
5. Improved stormwater management through water retention and permeable pavers, yielding better stormwater runoff control.
6. Sustainable building techniques retrofitted into the old structure where possible and used throughout the addition.
7. Preservation of site features and greenspace on the site, including trees and other natural features.
8. Provision of additional accessible dwelling units beyond the code-required minimum.
9. Provision of amenities on site that can be used by both residents and neighbors, allowing for community interaction with new neighbors.
10. Construction of an addition to the historic building to block sound transfer from the courtyard to the surrounding neighborhood, hide and buffer parking from street view, and cover the abrupt end of the 1960's addition that left a large, blank block wall facing the neighborhood.

#### STAFF ANALYSIS OF REQUESTED EXCEPTIONS & PUBLIC BENEFITS

1. Dimensional Standards:
  - a. Minimum lot area: Staff supports the addition of a minimum lot area per dwelling unit for the proposed multifamily use. The scale and massing of the proposed structure is complementary to the existing structure. The number of dwelling units proposed is not expected to cause adverse impacts on the surrounding area as it is not a large-scale development and it is encompassed between two collector streets.
  - b. Building height: Staff supports the increase in building height due to the lower floor elevation on the portion of the site where the new building is proposed. The top of the structure would be similar to that of the existing school building.
  - c. Maximum building coverage: The proposed increase to 50% allows for the new building to fold into the existing building, creating a courtyard space and screening the parking lot along the rear of the site. Due to the site's proximity to South-Doyle Middle School and the other properties owned by Knox County along Galbraith School Road and Taylor Road, it is not on the side of the road with an established pattern of detached single-family residential dwellings.
  - d. Maximum impervious surface: The majority of the parking will be screened by the buildings, and the project is adding public gardens and additional landscaping to offset the amount of impervious surface on the site.
2. Proposed Uses: Staff supports the addition of the proposed uses, as most are transitional in nature and are not anticipated to be disruptive or cause adverse impacts for surrounding properties.
3. Principle Use Standards:
  - a. Aluminum, steel and other metal sidings are currently allowed as a secondary or decorative

material but

are capped at 15% of the facade. These metal panels are more attractive than standard or corrugated

metal sidings. For these reasons, Planning supports an increase in the use of aluminum or steel or other

metal sidings to provide more flexibility to the applicant in exchange for the public benefits of the project,

but we recommend capping this at a maximum of 25% of the facade. To not set a precedent in waiving

this section entirely, we believe a maximum is still appropriate. The intent of this section is to allow these

metals as a secondary or decorative option, and to waive the maximum entirely would allow a metal

building. This may not be the applicant's intent, but it would be allowed with approval of this section as

proposed.

4. Site Development Standards: Planning supports an additional primary structure on the property. The surrounding development is smaller lots, so the proposal is similar to the setbacks and distance between structures currently in the general area.

5. Parking:

a. The zoning ordinance allows a 30% reduction in required parking spaces for sites within 1/4 mile of a

transit line. This project proposes a more modest 15% reduction due to the slight increase in distance

from a transit route over what would typically trigger the allowance of a reduction.

i. 1/3 of a mile is still a walkable distance, so staff supports the proposed reduction in required parking spaces. This reduction provides flexibility in the event that the number of spaces

required

changes due to plan revisions or if unforeseen circumstances.

ii. Additionally, the applicant has provided more accessible parking spaces than what would ordinarily be

required due to the additional accessible dwelling units they are constructing beyond the minimum

required. ADA parking spaces require more land area due to the loading areas to the side of the

vehicle where another, standard-sized parking space could be located.

PURSUANT TO ARTICLE 16.7.E.3.e, THE RECOMMENDATION OF THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION AND DECISION OF THE CITY COUNCIL MUST MAKE A FINDING THAT THE FOLLOWING STANDARDS FOR A PLANNED DEVELOPMENT HAVE BEEN MET:

A. THE PROPOSED PLANNED DEVELOPMENT MEETS THE PURPOSE OF A PLANNED DEVELOPMENT (Article 16.7.A).

1. Per Article 16.7.A, Planned Developments are intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and should only be applied to further those applications that provide compensating amenities and benefits to the City and neighborhood.

2. The adaptive re-use of this building improves the site and keeps the building from falling into neglect. The project directly correlates to many of the public benefit examples within the ordinance (Article 16.7.D). It improves on-site infrastructure, uses sustainable design, preserves the historic structure, and provides community gardens and fitness equipment for use by the community.

B. THE PROPOSED PLANNED DEVELOPMENT WILL NOT BE INJURIOUS TO THE USE AND ENJOYMENT OF OTHER PROPERTY IN THE VICINITY.

1. Galbraith School Road acts as a collector even though it is not classified as such. The entry to the site is 500 ft from Taylor Rd, and 1000 ft from Woodlawn Pk, both of which are minor collectors. Therefore, traffic would not be required through local residential streets.

2. A multifamily development is not anticipated to be injurious to the use and enjoyment of other properties.

C. THE PROPOSED PLANNED DEVELOPMENT WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF SURROUNDING PROPERTY.

1. There is no development expected elsewhere in the community, as the surrounding community is mostly built out. The only vacant properties in the near vicinity are owned by Knox County and are adjacent to the middle school.

2. The Galbraith School has sat empty for some time. Adaptive reuse of old, vacant buildings and other large-scale site improvements tend to encourage other enhancements on nearby properties, so this project is not anticipated to impede such activity elsewhere in the community.

D. THERE IS PROVISION FOR ADEQUATE UTILITIES AND INFRASTRUCTURE, DRAINAGE, OFF-STREET PARKING AND LOADING, PEDESTRIAN ACCESS, AND ALL OTHER NECESSARY FACILITIES.

1. The proposed development must comply with all of the City of Knoxville Engineering Department's requirements, as well as those requirements of the City's zoning ordinance, except where an exception has been approved.
2. The project proposes improved stormwater infrastructure over what is currently provided.

E. THERE IS PROVISION FOR ADEQUATE VEHICULAR INGRESS AND EGRESS DESIGNED TO MINIMIZE TRAFFIC CONGESTION UPON PUBLIC STREETS. THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION AND/OR CITY COUNCIL MAY REQUIRE A TRAFFIC STUDY TO PROVIDE EVIDENCE THAT THE CIRCULATION SYSTEM IS ADEQUATE.

1. For a project to require a traffic impact analysis, it must generate 750 trips per day. The calculations for a multifamily development with 75 attached dwellings yield a trip generation of 737 trips per day based on our local apartment rate. Therefore, the development is below the 750 trips per day threshold and does not require a traffic impact analysis.
2. Sight distance must be certified during the Final Plan phase. The location of the driveway may shift in the final plan to accommodate the needed site distance. Planning supports flexibility in the final location of the driveway to ensure safety standards are met. A shift in the driveway location can be accommodated without the need for a revised preliminary plan provided the remainder of the site plan is largely consistent with the approved preliminary plan.

F. THE LOCATION AND ARRANGEMENT OF STRUCTURES, PARKING AREAS, WALKS, LANDSCAPE, LIGHTING, AND OTHER SITE DESIGN ELEMENTS, AND THE USES ARE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD AND ADJACENT LAND USES.

1. The Galbraith School is existing and the proposed structure is compatible with the existing building on the site. Both structures meet the setback requirements of the RN-1 zone.
2. As mentioned previously, there are sidewalks on the north side of Galbraith School Road and the west side of Taylor Road. These connect the development to public parks and main thoroughfares since the site is situated between two collector streets (Woodlawn Pike and Taylor Road).
3. Lighting & Landscaping: Exterior lighting and landscaping will be submitted for review with the final plan. Because no exceptions have been requested from these sections, the site landscaping and lighting will need to be in compliance with the City of Knoxville Zoning Ordinance.

G. OTHER CONSIDERATIONS:

1. 16.7.D.2 of the City's zoning ordinance describes what exceptions to the zoning regulations should achieve. Staff believes the requested exceptions meet the intent of this section. The exceptions provide design flexibility within acceptable parameters for the site and the proposed uses.
2. 16.2.D.3 of the zoning ordinance discusses design intent and provides examples of public benefits and/or amenities that would meet the intent of the Planned Development. Staff finds the proposed development meets the intent of this statement. Several of the proposed amenities are on the provided list.

If approved, this item will be forwarded to Knoxville City Council for action on 3/7/2023. If denied, Knoxville- Knox County Planning Commission's action is final unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.

**Action:** Approved as Modified **Meeting Date:** 2/9/2023

**Details of Action:** Approve the preliminary plan for the Galbraith School Adaptive Reuse planned development, including approval of the requested exceptions to the underlying zoning's dimensional and use standards, subject to 6 conditions, with modifications to Condition #3.

**Summary of Action:** Approve the preliminary plan for the Galbraith School Adaptive Reuse planned development, including approval of the requested exceptions to the underlying zoning's dimensional and use standards, subject to 6 conditions, with modifications to Condition #3.

**Date of Approval:** 2/9/2023 **Date of Denial:** **Postponements:**

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

### LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 3/7/2023

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

**Ordinance Number:** R-76-2023

**Other Ordinance Number References:**

**Disposition of Case:** Approved as Modified

**If "Other":**

**Amendments:**

added 7th condition: Including an offsite parking prevention policy in the property operating agreement with the tenants.

**Date of Legislative Appeal:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**