

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 3-A-24-SU **Related File Number:**
Application Filed: 1/19/2024 **Date of Revision:**
Applicant: BUFFALO CONSTRUCTION CO

PROPERTY INFORMATION

General Location: West side of S Northshore Dr, north of Lyons Bend Rd
Other Parcel Info.:
Tax ID Number: 121 O A 010 (PART OF) **Jurisdiction:** City
Size of Tract: 2.29 acres
Accessibility: Access is via South Northshore Drive, a major arterial street with a 28-ft pavement width within a 100 to 120-ft right-of-way. Access is also via Beechcreek Way, a private drive with an 18-ft pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Multifamily Residential
Surrounding Land Use:
Proposed Use: Multi-dwelling development **Density:**
Sector Plan: West City **Sector Plan Designation:** LDR (Low Density Residential), SP (Stream Protec
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context: This is a residential area comprised of single-family and townhouse subdivisions. Fourth Creek Runs from the northern side of the subject property to the Tennessee River to the east. Lakeshore Park is across S Northshore Drive to the east.

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

Street: 6395 S NORTHSHORE DR
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2(C) (Single-Family Residential Neighborhood), F (Floodplain Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Rezoning from R-1 (Low Density Residential) to RP-1 (Planned Residential) up to 5 du/ac approved in 1986 (1-G-86-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), SP (Stream Protection)

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: Jessie Hillman

Staff Recomm. (Abbr.): Approve the request for a multi-dwelling development, subject to 5 conditions.

Staff Recomm. (Full): 1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. All grading for this development shall be maintained on the site. There shall be no grading or fill within the Floodway or Stream Protection area.
4. Consulting with the Tennessee Department of Environment and Conservation Division of Water Resources Manager at the Knoxville Field Office about the proposed development, and implementing their recommendations on watershed stewardship measures.
5. Preserving existing vegetation within the 25-ft periphery boundary to maintain a vegetative buffer between the development and the Westlands community to the west and Westchase community to the south. If vegetation cannot be preserved, a Class B buffer yard landscaping plan shall applied to the maximum extent practicable and submitted to Planning for review prior to permitting.

With conditions noted above, this request meets the requirements of the former RP-1 zoning district (current RN-2(C)/F zoning) and the criteria for approval of a special use for modifications to previously approved planned districts per Article 1.4.G.

Comments: In 2000, a Use on Review approval was granted by the Planning Commission for a development of up to 29 attached residential condominiums on parcel 121OA010, which at that time was 6.98-acre lot with RP-1 zoning and a permitted density of up to 5 du/ac. The approval was subject to 11 conditions, which are as follows:

1. Meeting all applicable requirements of the Knox County Health Department; 2. Obtaining the driveway connection permits from the Tennessee Department of Transportation; 3. Meeting all applicable requirements of the Tennessee Department of Environment and Conservation, Tennessee Valley Authority and Army Corp of Engineers; 4. Provision of street names which are consistent with the requirements of the Knoxville Uniform Street Naming and Numbering Ordinance.; 5. Providing the landscaped screen shown on the plan along the entire common boundary shared with the West Chase Condominiums and the landscaping as shown along the boundary of this project with Craigland.; 6. All grading for this development to be maintained on this site. No grading or fill within the Floodway without obtaining the required permits; 7. No structures being built within 25 ft of the F-1 Floodway Zone boundary; 8. Meeting all applicable requirements of the Knoxville Department of Engineering; 9. Meeting all applicable requirements of the Knoxville Zoning Ordinance; 10. Installation of landscaping as shown on the development plan within one year of the issuance of occupancy permits for this project; 11. A revised site plan reflecting the conditions of approval must be submitted to MPC (Knoxville-Knox County Planning) prior to issuance of any building permits

In 2002, the development plan changed from 29 attached condominiums to 16 single-family dwellings on shared lots. This change was approved administratively by Planning and permitted by the City. The permitted plan (Exhibit A) shows 6 single-family dwellings, which were never developed, located on the portion of the parcel that is the subject of this Special Use request.

The site plan for the current Special Use request has a similar layout to what was approved in 2002, except it reduces the number of dwellings from 6 to 5.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

1)THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A.The proposed development is being reviewed in accordance with its previously approved RP-1 (Planned Residential) district. The zoning district and 3, 4, and 5 are consistent with the General Plan's

development policy 6.1 to encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors.

B. The One Year Plan land use classification for this property is LDR (Low Density Residential), SP (Stream Protection) and W (Water). The housing development is compatible with the provisions of the LDR classification, and it is confined to the area of the lot that is outside the SP and W classifications, where development is discouraged or prohibited.

C. The West City Sector Plan has the same land use classifications for the property as the One Year Plan. The Hydrology section of the sector plan specifically calls out Fourth Creek, which runs from the north to the southwest end of the subject property, as the most subject to flooding. This property accesses S Northshore Drive, a major arterial street, which is in the FEMA 500 year floodplain and bordered by 100 year floodplains on both sides. Conditions 3 & 4 regarding grading, fill and water quality management are responsive to this Fourth Creek issue described in the sector plan.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The previously approved RP-1 (Planned Residential) zoning district is the operative zoning for the property and it is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.

B. The proposed single-family development on a shared lot and meets the applicable RP-1 district area regulation of a 25-ft periphery boundary. The clustering of the development away from the Stream Protection area is also consistent with the intent of the RP-1 zone to consider and react to environmental design issues on a property.

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 dwelling layout is virtually identical to what was developed on the rest of the parcel to the north and the Westminster Green neighborhood north of that, which were both completed around 2007.

B. The size of the proposed dwellings is compatible with surrounding residences. However, the adjacent residences to the south and west sit lower than the subject property, making the proposed development a prominent sight in the general area. Condition 5 regarding vegetation in the periphery boundary is intended to preserve the natural aesthetic and character of the surrounding area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. Fourth Creek runs along the northern side of the subject parcel, and it is classified by the EPA as a 303(d) impaired (polluted) waterway. Conditions 3 & 4 regarding water quality, in combination with City Stormwater Engineering's review at the time of permitting will ensure that the development does not detract from the surrounding environment.

B. The addition of 5 single-family dwellings to this area should not have a significant impact on traffic or a noxious impact on surrounding properties.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The proposed housing already has its own local cul-de-sac developed and it does not connect to or impact other residential streets.

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. Fourth Creek and the surrounding floodplain will receive additional consideration during permitting through Conditions 3 & 4 to ensure that the location does not pose a threat to the proposed dwelling units.

B. There are no other aspects of this property that pose a potential hazard to the proposed use.

Action: Approved as Modified **Meeting Date:** 3/7/2024

Details of Action: Approve the request for a multi-dwelling development per staff recommendation, with the exception of conditions #3, #4, and #5.

Summary of Action: Approve the request for a multi-dwelling development per staff recommendation, with the exception of conditions #3, #4, and #5.

Date of Approval: 3/7/2024 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Ordinance Number:

Disposition of Case:

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: