

CASE SUMMARY

APPLICATION TYPE: TTCDA

BUILDING PERMIT



File Number: 8-A-21-TOB **Related File Number:**
Application Filed: 6/28/2021 **Date of Revision:**
Applicant: BEN MULLINS OBO / EUROPEAN AUTO GARAGE

PROPERTY INFORMATION

General Location: West side of Lovell Road north of its intersection with Blanket Bay Way
Other Parcel Info.:
Tax ID Number: 118 H A 3502 **Jurisdiction:** County
Size of Tract: 5.03 acres
Accessibility: Access is via Lovell Road, a 5-lane minor arterial with a 60-ft pavement width inside a 100-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Auto repair facility
Surrounding Land Use:
Proposed Use: New storage building for facility (secondary use to the vehicle repair facility) **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan:
Neighborhood Context:

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

Street: 1229 Lovell Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business) / TO (Technology Overlay) and A (Agricultural) / 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) Waiver to reduce the required setback for the shared residential property line on the north from 100 ft to 20 ft.
 - 2) Waiver to increase the maximum disturbance area from 3.8 acres to 4.15 acres.
 - 3) Waiver to increase the maximum GAC allowed from 12,575 sq ft (5.7% ratio) to 24,985 sq ft (11.4% ratio) in the HP area.
 - 4) Waiver to eliminate the requirement of plantings around the perimeter of the building.

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

TTEDA ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.):

Staff Recomm. (Full): Based on the application and plans as submitted and revised, staff recommends the following actions on the required waivers from the Design Guidelines:

- 1) APPROVE the waiver to reduce the setback for the shared residential property line on the north to 20 ft. due to site constraints and because the area proposed for the new building does contain any significant slope.
- 2) APPROVE the waiver to increase the maximum disturbance area to 4.15 acres due to the location of the sloped areas and the relative flat topography on the portion of the site where the proposed building is located downslope from the higher areas.
- 3) APPROVE the waiver to increase the GAC by 11,410 sq ft to allow the proposed 24,985 sq ft GAC due to site constraints and because the majority of the site does not contain significant slope. The proposed site plan meets the standard GAC requirement for properties not in an HP area.
- 4) APPROVE the waiver to eliminate the requirement of plantings around the perimeter of the building since the building is not visible from the right-of-way and is screened from adjacent residential properties.

Based on the application and plans as submitted and revised, staff recommends APPROVAL of this request for a Certificate of Appropriateness for a building permit, subject to waivers 1 through 4 and the following conditions:

- 1) Meeting all relevant requirements of the Knox County Zoning Ordinance, as appropriate.
- 2) Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.
- 3) Installing all landscaping as identified on the revised landscape plan within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 4) Site lighting must comply with the Design Guidelines (Section 1.8). A lighting/photometric plan shall be provided, to be reviewed and approved by staff.
- 5) Obtaining a use on review approval from the Planning Commission (8-B-21-UR).

Comments:

- 1) This is a request for a new accessory structure for an auto repair facility. The proposed structure would store cars waiting to be serviced in addition to cars stored for a fee. The structure is located within the portion of the parcel zoned A (Agricultural), and Knox County has determined this would be allowed as a use on review in the Agricultural zone. The remainder of the parcel is zoned CA (General Business) with a condition attached to the zone (designated with a "k" on the map) that any development plan be reviewed by the Planning Commission as a use on review. The use on review application (8-B-21-UR) for the proposed auto storage building is scheduled for review by the Planning Commission on August 12, 2021.
- 2) The 5.03-acre site is located on the west side of Lovell Road, just north of Snyder Road. 4.14 acres of the site is located in the Hillside and Ridgetop Protection Area (HP). The slope analysis, performed for sites in the HP area, recommends a maximum disturbance area of 3.8 acres. The proposed disturbance area is 4.15 acres. A waiver would be required to increase the maximum disturbance area allowed since the Guidelines require sites to comply with the HP plan. The areas with significant slope (over 25%) are mostly contained in front of the existing residence on the northeast side of the site and to the rear of the site in the northwest corner behind the proposed building. These areas are not proposed for disturbance, and the remainder of the site has slopes less than 15%. Given the location of the sloped areas and relatively flat topography on the portion of the site where the proposed building is located downslope from the higher areas, staff recommends approval of this waiver request.
- 3) The proposed new building is approximately 9,000 sq ft in area. Combined with the square footage of the other buildings, the total building footprint on the site is 24,985 sq ft.

- 4) The auto repair garage was approved by the TTCDA in 2016 (Case 8-B-16-TOB). The staff report cited the standard measures under Section 1.3, Development Intensity. However, because the site is in the Hillside and Ridgetop Protection Area (HP), it must utilize the standards in the HP section of the Guidelines. The site currently exceeds the ground area coverage (GAC) allowed in HP areas, so the proposed new addition would exceed it further. The plans approved in 2016 cited the development intensity metrics as noted below:
 - a. Ground area coverage (GAC): 6.8% GAC (standard maximum allowed = 25%)
 - b. Floor area ratio (FAR): 6.8% FAR (standard maximum allowed = 30%)
 - c. Impervious area ratio (IAR): 21.5% (standard maximum allowed = 70%)
- 5) There are more stringent criteria for sites in HP areas with regard to the GAC, FAR, and IAR.
 - a. The maximum GAC allowed in HP areas is 5,000 sq ft of building footprint per 2 acres (a ratio of 5.7%). At 5.03 acres, the site would allow a total building footprint of up to 12,575 sq ft. The proposed building footprint is 24,985 sq ft (a ratio of 11.4%). The proposed GAC exceeds that allowed within the HP area; however, it falls within the standard maximum GAC ratio of 25%. A waiver would be required to increase the proposed GAC by 12,410 sq ft.
 - b. The FAR requirement in the HP area is the ratio between the building footprint and the maximum land disturbance allowed per a slope analysis based on the HP plan for Knox County. For this site, the maximum disturbed area acreage is 3.8 acres, or 126,324 sq ft, which yields an FAR of 18.99%. This is within the amount allowed by the TTCDA Guidelines.
 - c. The IAR in HP areas is limited to 50% within slopes ranging from 15% to 25%. The proposal shows the building outside of this slope range, so the standard maximum 70% IAR allowance can apply. The proposal yields an IAR of 29%.
- 6) Access to the site is via the existing driveway on Lovell Road that would be shared with the other three structures on the site. The complex currently consists of a house that has been adapted into an office for the facility, the auto repair garage, and a small house used to retain an employee on site for security purposes. The existing gravel driveway and the extension of that driveway to the proposed new structure would be paved.
- 7) Due to site constraints, the new building would be located closer to the northern property line than the setback requirements would allow. As proposed, the new building is proposed 20 ft from the northern property line instead of the 100 ft that is required when adjoining a residential zoning district. A waiver is required to reduce the required setback to 20 ft, which is the standard side yard lot line setback for TTCDA. Since the applicant is proposing the "Type A - Dense" landscaping buffer (required in the County when commercial businesses abut residential districts) along the northern lot line adjacent to residential lots, the building will be screened from view and staff recommends approval of the setback waiver.
- 8) The landscaping for the existing site was approved in 2016 (see Exhibit A) and is not part of this review. The landscaping plan for the additional building proposes no new landscaping beyond the Type A buffer. The proposed building requires no new parking, and parking lot landscaping has already been installed per the 2016 approval. The only landscaping required for this project is around the perimeter of the building, covering an area equal to 50% of the area of each elevation. A waiver would be required to allow the site to feature no plantings around the perimeter of the building. Since the building is not visible from the right-of-way and is to be screened from residential lots, staff has no issue with the requested waiver from the landscaping design section of the Guidelines.
- 9) The proposed building would feature metal panels above painted split face masonry block on the walls and a standing seam metal roof. Both the front and rear facades consist of a long, unbroken wall. Metal panels and long, unbroken façades are discouraged within the TO zones, but not prohibited. The building would not be visible from the street, and would be screened with a landscape buffer from adjoining residential properties. The proposed building color matches that of the existing auto garage.
- 10) Mechanical equipment is proposed in front of the southern and eastern facades. It would not be visible from the adjoining residential lots or the right-of-way. Landscaping is proposed around the HVAC units to screen them from the internal development and the requested waiver is no longer needed.
- 11) The proposed building is for vehicle storage, or prolonged parking, and does not require any additional parking spaces on the site. Parking for the existing repair facility meets the requirements of the Design Guidelines and was approved in 2016.
- 12) The proposed light fixtures meet the TTCDA Guidelines. A photometric plan is required showing that light levels along the shared residential lot line are less than 0.2 footcandles (fc). This can be submitted for administrative review by staff as a condition of approval.

Action: Approved with Conditions **Meeting Date:** 8/9/2021

Details of Action: Approval of the requested waivers from the Design Guidelines:

- 1) APPROVE the waiver to reduce the setback for the shared residential property line on the north to 20 ft. due to site constraints and because the area proposed for the new building does contain any significant slope.
- 2) APPROVE the waiver to increase the maximum disturbance area to 4.15 acres due to the location of the sloped areas and the relative flat topography on the portion of the site where the proposed building is located downslope from the higher areas.

- 3) APPROVE the waiver to increase the GAC by 11,410 sq ft to allow the proposed 24,985 sq ft GAC due to site constraints and because the majority of the site does not contain significant slope. The proposed site plan meets the standard GAC requirement for properties not in an HP area.
- 4) APPROVE a waiver to eliminate plantings around the perimeter of the building since the building is not visible from the right-of-way and is screened from adjacent residential properties.

Approval of this request for a Certificate of Appropriateness for a building permit, subject to the following conditions:

- 1) Meeting all relevant requirements of the Knox County Zoning Ordinance, as appropriate.
- 2) Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.
- 3) Installing all landscaping as identified on the revised landscape plan within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 4) Site lighting must comply with the Design Guidelines (Section 1.8). A lighting/photometric plan shall be provided, to be reviewed and approved by staff.
- 5) Obtaining a use on review approval from the Planning Commission (8-B-21-UR).
- 6) Landscaping equivalent to what was required along the building perimeter be reallocated elsewhere on the site in a location of the applicant's discretion. Revised landscaping plans are to be revised and resubmitted for administrative review by staff.

Summary of Action:

Date of Approval: 8/9/2021 **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: