

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 8-B-21-UR **Related File Number:**
Application Filed: 6/28/2021 **Date of Revision:**
Applicant: BENJAMIN C. MULLINS O/B/O PASCO, LLC

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 03502 **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 within a 100-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Auto repair (in CA zone), residence (in A zone)
Surrounding Land Use:
Proposed Use: Indoor storage of vehicles accessory to existing commercial operation **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR (Low Density Residential) & HP (Hillside Prote
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The properties fronting along this section of Lovell Rd. between Yarnell Rd. and Snyder Rd. are zoned and developed with residential, commercial and office uses, under the CA, PC, A, PR and OB zoning, all within the TO overlay.

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) (k) & A (Agricultural) / TO (Technology Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Portion of property rezoned to CA (General Business) / TO (Technology Overlay) (k) by Knox County Commission on April 25, 2016 with the condition that any proposed development shall be subject to Planning Commission approval as a use on review.

PLAN INFORMATION (where applicable)

Current Plan Category:

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:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the request for an indoor storage building with approximately 9,000 sqft of floor area as an accessory use, subject to 5 conditions.

Staff Recomm. (Full):

1. Issuance of a Certificate of Appropriateness for the proposed auto repair facility by the Tennessee Technology Corridor Development Authority (TTCDA) and compliance with any conditions of that certificate (8-A-21-TOB).
2. Installing all landscaping as shown on the landscape plan, within six months of issuance of an occupancy permit for the project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
3. The indoor storage building must be used as an accessory to a primary use on the parcel and shall only be used for storage. No auto repair is to be done in the storage building or the A (Agricultural) zoned portion of the property, and the storage building cannot be operated as an independent commercial operation or as a self-storage facility. Long term vehicle storage for clients of the auto repair business is permissible as long as the vehicles are also receiving regular maintenance by the business.
4. Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.
5. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the noted conditions, this plan meets the requirements for approval in the CA (General Business) district and the criteria for approval of a use on review.

Comments:

This is a request for a 9,000 sqft indoor storage building in the A (Agricultural) zone, which is permissible as a use permitted on review. The indoor storage building will be an accessory to the auto repair facility located in the CA(k) zone, which was approved by the Planning Commission in 2016 (8-G-16-UR). According to the applicant, "The use will be only for vehicular parking. There will be no maintenance or service of any vehicle stored in the garage and the purpose is to offer protection from third-parties, the elements, and to provide additional visual screening while the vehicles are stored and present on the property." The business owner would also like to offer long term storage of vehicles to clients. The clients would have access to drive the vehicles on an as-needed basis and the auto repair facility will perform regular maintenance. Because of this added service to maintain the vehicles, this use is not considered a self-storage facility. The structure is located within the portion of the parcel zoned A (Agricultural), and Knox County and Planning staff have determined this would be allowed as a use on review in the Agricultural zone.

Access to the building will be via an extension of the existing driveway for the auto repair business and the residential structure located on the site. The building will have a similar barn-like design as the new auto repair building and will be constructed of metal panels above painted split face masonry block on the walls and a standing seam metal roof. The building will not be visible from the street and will be screened with a Type 'A' landscape buffer from the adjoining residential properties to the north (see Sheet C3.0). The HVAC mechanical equipment will be located adjacent to the southwest and northeast corners of the building. They will not be visible from the adjoining residential properties or the right-of-way because of the proposed landscape screening and site topography.

The proposed lighting will only include wall mounted site lighting with motion sensors and will only be on temporarily if the motion sensors are triggered. The proposed light fixtures are full-cutoff and feature "zero uplight" shields which will help reduce the impact on the adjacent residential uses to the north when the lights are temporarily on.

The parcel is 5.03-acre and 4.14 acres is located in the Hillside Protection (HP) area. The slope

analysis recommends a maximum disturbance area of 3.8 acres and the proposed disturbance area is 4.15 acres, including the portion of the site that has already been developed. 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%.

The property is in the TO (Technology Overlay) zone and must obtain a certificate of appropriateness from the Tennessee Technology Corridor Development Authority (TTCDA). The proposal must meet the TTCDA Design Guidelines or obtain waivers from the TTCDA board for the guidelines that are not met. The applicant is requesting several waivers and if any of them are not approved as requested, the development plan may need to be revised. The TTCDA application is scheduled for review on August 9, 2021 (8-A-21-TOB).

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 PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The Northwest County Sector Plan recommends LDR (Low Density Residential) uses for this site. The A (Agricultural) zone is allowed in the LDR land use classification and the proposed indoor storage use is a use permitted on review in the A zone.

B. When the portion of the property zoned CA(k) (General Business) was approved in April 2016, there was an associated sector plan amendment (3-D-16-SP) for that portion of the property that changed the sector plan from LDR (Low Density Residential) to C (Commercial). The current sector plan designation for the entire site is LDR, however, it appears the C designation was inadvertently changed to LDR instead of the equivalent GC (General Commercial) designation when the comprehensive update to the Northwest County Sector Plan was adopted a few months later in August 2016. Planning staff is reviewing this discrepancy to determine if the sector plan can be administratively corrected so the portion of the property zoned CA(k) will have the GC (General Commercial) designation. This administrative review does not impact this request for indoor storage because the LDR sector plan designation on the A (Agricultural) zoned portion of the property is correct and will not change.

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

A. The A (Agricultural) zone is intended to provide a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.

B. The proposed indoor storage use is allowed in the A zone as a use permitted on review. The storage building is considered an accessory to the auto repair business and cannot be used as an independent commercial operation.

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 one-story building has a larger footprint than other types of large agricultural accessory structures, such as barns, but the height is less than a typical two-story barn.

B. Since the building is considered an accessory structure, it does not need to meet the 35-ft rear setback for primary structures. The required rear setback is 8-ft and the proposed rear setback is 20-ft.

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

A. A dense Type 'A' landscape screen will be installed along the north property line which will help buffer the building from the adjacent residential uses.

B. The structure is to be used for indoor storage only and other commercial operations are not to take place inside the storage building, such as the repair of vehicles.

C. The site lighting will only be on at night temporarily when a motion sensor is triggered and the lights will automatically turn off after a short period of time.

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

A. The development will have direct access to Lovell Road which is a minor arterial street.

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 indoor storage use.

Action: Approved

Meeting Date: 8/12/2021

Details of Action:

Summary of Action: Approve the request for an indoor storage building with approximately 9,000 sqft of floor area as an accessory use, subject to 5 conditions.

Date of Approval: 8/12/2021

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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: