



SPECIAL USE REPORT

▶ **FILE #:** 4-F-21-SU

AGENDA ITEM #: 41

AGENDA DATE: 4/8/2021

▶ **APPLICANT:** CHRIS SHARP, P.E. /URBAN ENGINEERING

OWNER(S): BLD Properties, LLC

TAX ID NUMBER: 79 E B 005

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 0 Nickle Rd.

▶ **LOCATION:** South side of Nickle Rd., east side of Flint Rd.

▶ **APPX. SIZE OF TRACT:** 9.19 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Nickle Rd, a minor collector street with 14-18 ft of pavement width within 50 ft of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **ZONING:** RN-2 (Single-Family Residential Neighborhood) (C) / HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Removal of the previously approved planned district (C) designation from the property.

HISTORY OF ZONING: The property was zoned RP-1 < 5 du/ac prior to 1980. In September 2020, the property was rezoned from RN-1/HP to RN-2/HP.

SURROUNDING LAND USE AND ZONING: North: Single detached dwellings - RN-1 (Single family residential neighborhood zoning district)

South: Single detached dwellings - RN-1 (Single family residential neighborhood zoning district)

East: Agricultural land and dwelling - AG (Agricultural zoning district)

West: Single detached dwellings - RN-1 (Single family residential neighborhood zoning district)

NEIGHBORHOOD CONTEXT: The subject property is located adjacent to single detached dwellings and agricultural uses in the RN-1 and AG zones.

STAFF RECOMMENDATION:

▶ **APPROVE** the request to remove the previously approved planned district (C) designation from this parcel.

COMMENTS:

Prior to adoption of the new zoning ordinance, this parcel was zoned RP-1 (Planned Residential) up to 5 du/ac. Per Article 1.4.G. (Previously Approved Planned Districts) of the City of Knoxville Zoning Ordinance, all previously approved planned districts remain in effect and are subject to all plans, regulations, and/or conditions of their approval.

The property was zoned RP-1 prior to 1980 and staff could not find any previous applications for development plan approval on this site. The former RP-1 zoning allows flexibility in the types of residential uses that can be considered (attached and detached houses and multi-family) and allows clustering of density. If the former RP-1 zoning is removed from the site, the new RN-2/HP zoning will apply to the property it allows single family houses on 5,000 sqft lots as a permitted use and two-family (duplex) dwellings on 10,000 sqft lots with Special Use approval. The HP (Hillside Protection Overlay) is a standard that must be met in the new zoning which will limit the amount of disturbance on the site but does not reduce the number of lots can be created.

For this property, the development potential for single family house lots very similar under the former RP-1 zoning and the current RN-2 zoning. The main difference is the HP overlay in the new zoning ordinance is a requirement and it is only a recommendation of a plan document when reviewing a development under the RP-1 zoning.

It is staff's opinion that by removing the previous planned district zoning, the HP overlay district will provide more protection to the steep slope on the site and will require residential types that are more consistent with the existing development on Nickle Road.

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

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

A. The One Year Plan and Northwest City Sector Plan designation for this site are LDR (Low Density Residential) and HP (Hillside Protection).

B. The RN-2/HP zoning that the applicant is requesting to develop under is consistent with the plans.

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

A. Any proposed development will be required to be consistent the general purpose and intent of the zoning code.

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 permitted uses in the RN-2 zone are compatible with the character of the neighborhood.

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. The permitted uses in the RN-2 zone should not injure the value of adjacent property.

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

A. The site is located on a collector street so it will not draw substantial additional traffic through residential streets.

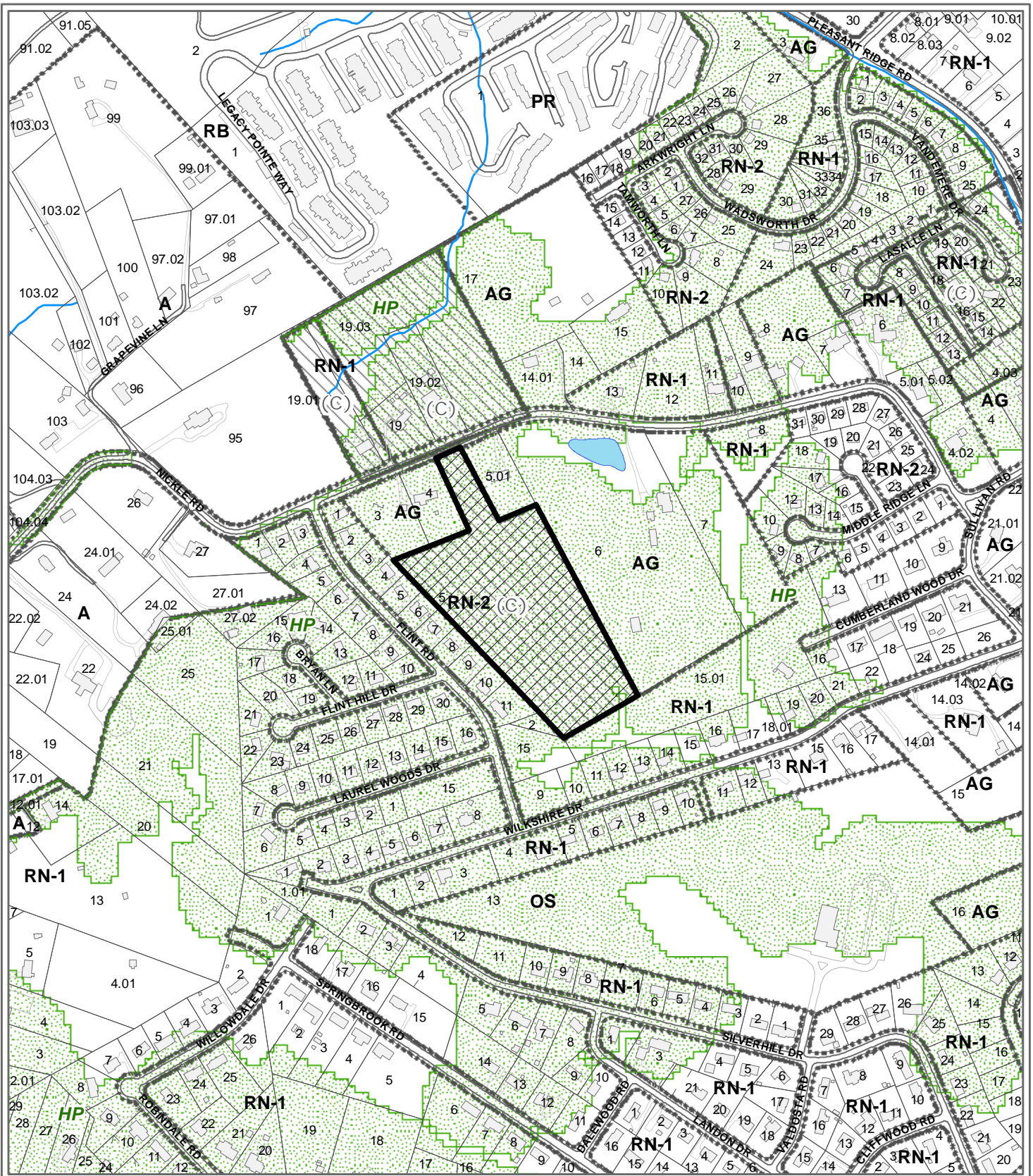
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for future uses on this site.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**4-F-21-SU
SPECIAL USE**



Removal of the Planned District (C) designation from the property in RN-2 (Single-Family Residential Neighborhood) (C) / HP (Hillside Protection)

Petitioner: Sharp, P.E. /Urban Engineering, Chris

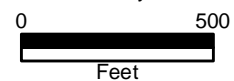
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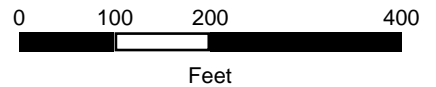
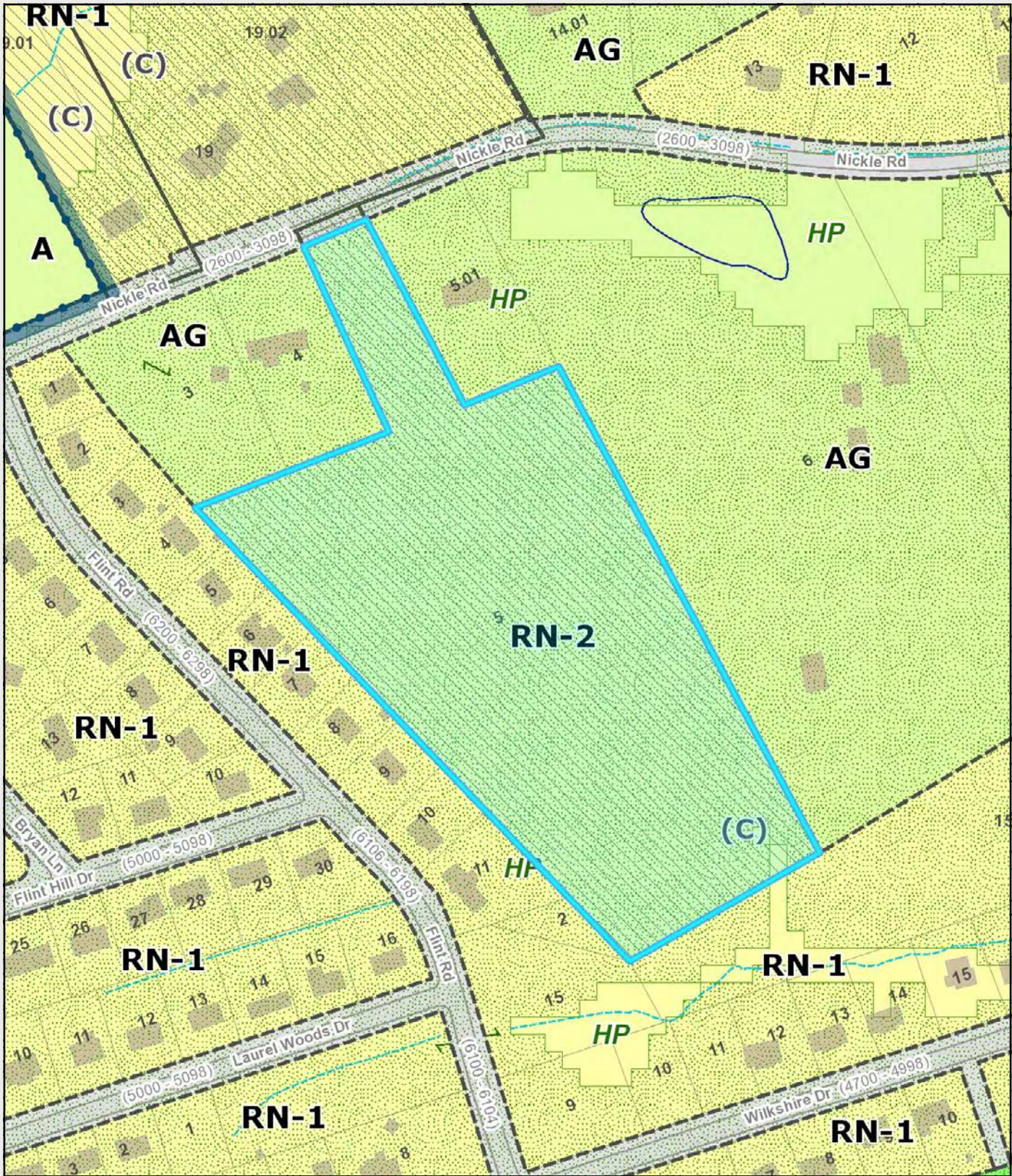
Jurisdiction: City

Original Print Date: 3/15/2021

Revised:

Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902





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Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Chris Sharp, P.E. (Urban Engineering, Inc.)

Engineer

Applicant Name

Affiliation

2/24/2021

4/8/2021

Date Filed

Meeting Date (if applicable)

File Number(s)

4-F-21-SU

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Chris Sharp, P.E.

Urban Engineering, Inc.

Name

Company

11852 Kingston Pike

Knoxville

TN

37934

Address

City

State

ZIP

(865) 966-1924

chris@urban-eng.com

Phone

Email

CURRENT PROPERTY INFO

BLD Properties, LLC

1728 Garland Road (37922)

(615) 369-5050

Owner Name (if different)

Owner Address

Owner Phone

0 Nickle Road

079EB005

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Nickle Road, east side of Flint Road

9.19 acres

General Location

Tract Size

City County

3rd

RN-2 (C) / HP

Vacant land

District

Zoning District

Existing Land Use

Northwest City

LDR / HP

N/A

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Home Occupation (specify) _____

Removal of the planned district (C) designation from the property.

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____ Combine Parcels Divide Parcel Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change Proposed Zoning _____

Plan Amendment Change Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____ Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1	Total
0405	\$0
Fee 2	
Fee 3	

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Chris Sharp

Digitally signed by Chris Sharp
Date: 2021.02.24 14:23:56 -05'00'

Chris Sharp, P.E. (Urban Engineering, Inc.) 2/24/2021

Applicant Signature

Please Print

Date

(865) 966-1924

chris@urban-eng.com

Phone Number

Email

Michael Reynolds

Digitally signed by Michael Reynolds
Date: 2021.02.24 16:03:06 -05'00'

Michael Reynolds 2/24/2021

Staff Signature

Please Print

Date