

# SPECIAL USE REPORT

► **FILE #:** 10-D-21-SU

**AGENDA ITEM #:** 38

**AGENDA DATE:** 10/14/2021

► **APPLICANT:** BENCHMARK ASSOCIATES, INC.

OWNER(S): OFR Investments, LLC

TAX ID NUMBER: 92 M A 009.00

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 1820 Amherst Rd.

► **LOCATION:** Northeast side of Amherst Road, east of Seaver Drive

► **APPX. SIZE OF TRACT:** 1.95 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: N/A (within City limits)

ACCESSIBILITY: Access is off of Amherst Road, a major collector with a 20-ft pavement width inside a 60-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

► **ZONING:** RN-2 (Single-Family Residential Neighborhood)

► **EXISTING LAND USE:** Vacant land (single family houses have been demolished)

► **PROPOSED USE:** Three two-family dwellings

HISTORY OF ZONING: This property was rezoned from RN-1 to RN-2 in July 2021 (Case 5-J-21-RZ).

SURROUNDING LAND USE AND ZONING:

North: Railroad right-of-way

South: Single family residential and agricultural/forestry/vacant - RN-1 (Single-Family Residential Neighborhood) and I-G (General Industrial) Districts

East: Single family residential - RN-1 (Single-Family Residential Neighborhood)

West: Single family residential - RN-1 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This part of Amherst Road is a mix of single family detached houses and office-warehouse uses. Amherst Road is developed with more large-lot residential uses to the west of Francis Road, and with more concentrated industrial uses to the east until Middlebrook Pike.

## STAFF RECOMMENDATION:

► **Approve the request for three two-family dwellings in the RN-2 zone, subject to 4 conditions.**

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

2. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville-Knox County Subdivision Regulations.
4. Meeting all applicable Principal Use Standards for two-family dwellings (Article 9.3.J.) of the City of Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RN-2 District and the criteria for approval of a special use.

#### **COMMENTS:**

This request is for three two-family dwellings to replace the existing single-family dwelling on the property. The plat shows the property divided into three lots and would be submitted formally should this request be approved.

#### **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 One Year Plan and North City Sector Plan both have this property designated as LDR (Low Density Residential) which allows consideration of up to 5 du/ac.

B. The proposed density of 1.53 du/ac is consistent with the sector plan and One Year Plan.

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

A. The RN-2 zone is intended to accommodate low-density single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville. Two-family dwellings may also be allowed by special use approval.

B. The RN-2 zone does not allow more than one primary structure on a lot, and it requires a minimum lot size of 10,000 sq ft for two-family dwellings.

1. The plans show the property is to be subdivided. The subdivision plat would need to be recorded before permits for building construction could be approved.

2. Each proposed lot meets the minimum square footage requirement.

C. Two-family dwellings that are new construction are subject to the principal use standards in Article 9.3.J.

There is an access easement straddling lots 1 and 2 that provides access to all three duplex units. The access easement is not considered a street for design purposes, so references to street-facing facades would apply to those facades facing Amherst Road. The proposal meets all of the standards, which are as follows:

1. On lots less than one acre in lot area, a dwelling must have a primary entrance from a façade facing the street. The front entry must be a dominant feature on the front elevation of a home and an integral part of the structure, using features such as porches, raised steps and stoops, and/or roof overhangs.
2. Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.
3. A 15% minimum transparency requirement applies to all street-facing façades and is calculated on the basis of the entire area of the façade.
4. Front-loaded attached garages are limited to 60% of the width of the front building façade line or 24 feet, whichever is greater. Garage width is measured as the width of a garage door; in the case of garages designed with multiple garage doors, the distance is measured between the edge of the outmost doors.
5. Front-loaded attached garages must be set back a minimum of five feet from the front building façade line. This building façade line does not include architectural features, such as bay windows or porches.

##### **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. This property is near the office, warehouse, and commercial uses on Amherst that are typical from its intersection with Middlebrook Pike to just east of this property. Duplexes would be a transition between these more intense uses and the adjacent single family uses to the west.

B. These structures would be larger than the surrounding single family houses, but the size of the structures are not of a scale as to cause adverse impacts for the surrounding area.

C. The parking will be on parking pads located behind each duplex. The parking pads are not readily visible from the street in this location, which will help to assimilate this development in with surrounding residential development and maintain the character of the area.

D. If the parcel is subdivided as proposed the resulting lot widths will be generally compatible with existing residential development. Since the setbacks are the same for duplexes and single family houses, the distance from one structure to the next is similar to what could be found elsewhere in the residential development along Amherst Road. Two of the duplexes will be located side by side along Amherst Road; the third duplex will be behind the other two and will not be readily visible from the street.

E. The lots will share one driveway via an access easement. It is proposed in the same location as the existing driveway.

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 proposed two-family dwelling is considered a low-density residential use and is permitted in the RN-2 zone as a Special Use.

B. Amherst Road is a major collector street that consists primarily of single-family residential uses to the west, and office, warehouse, and commercial uses to the east.

C. I-G (General Industrial) zoning is predominant from this area to Middlebrook Pike. I-G zoning exists on the south side of Amherst Road across from this property, and starts approximately 300 feet to the east of the subject lot on the north side of Amherst Road.

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

A. Additional traffic will not be drawn through residential streets because Amherst Road is a major collector street. The addition of three duplex units will not result in a significant increase in traffic in this area.

B. Seaver Drive is a minor collector that intersects with Amherst Road approximately 350 feet from the proposed access easement.

ESTIMATED TRAFFIC IMPACT: 76 (average daily vehicle trips)

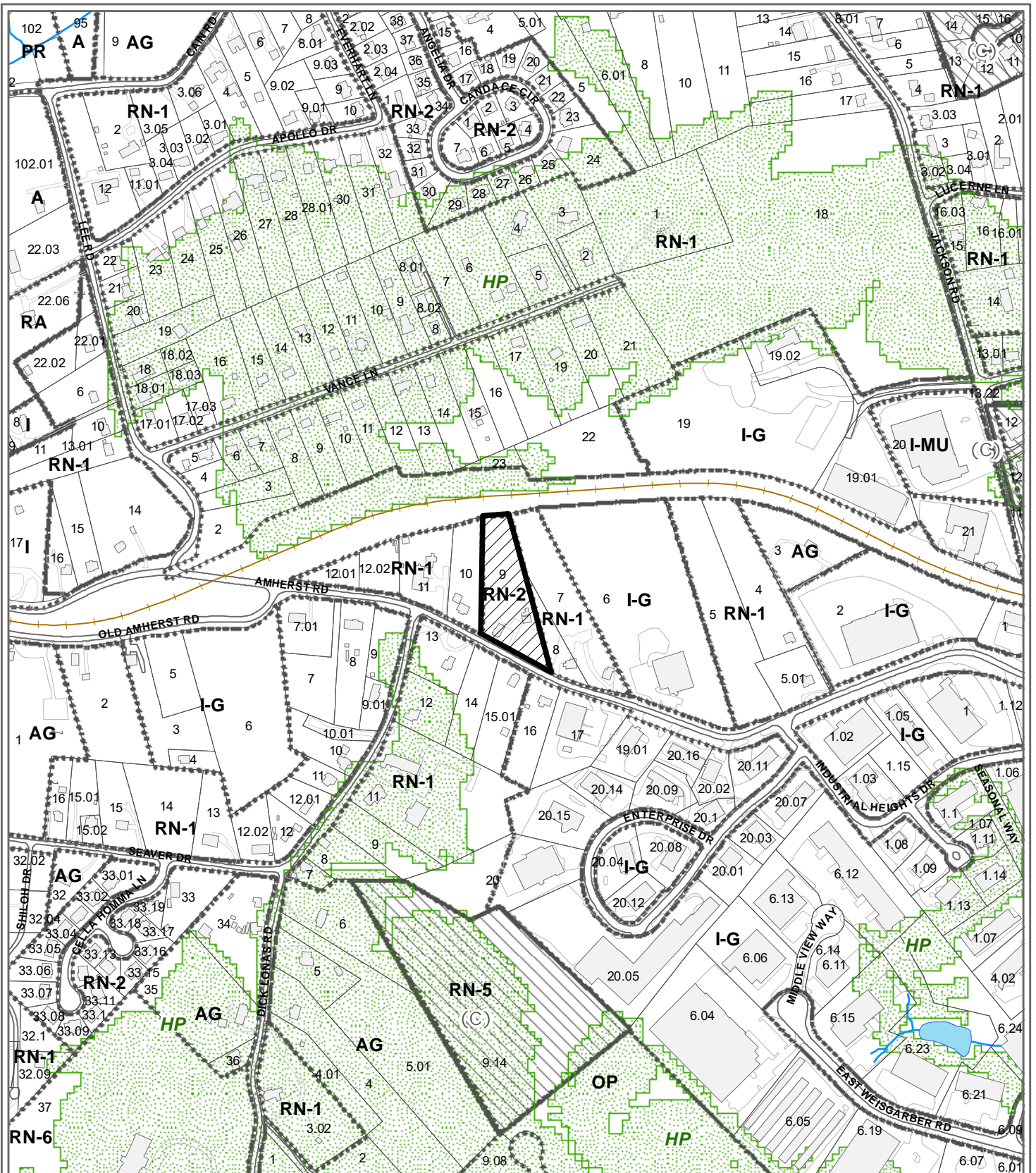
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 0 (public school children, grades K-12)

Schools affected by this proposal: Bearden Elementary, Bearden Middle, and West High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

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.



**10-D-21-SU  
SPECIAL USE**



Two-family dwellings in RN-2 (Single-Family Residential Neighborhood)

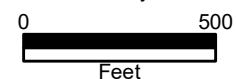
Original Print Date: 9/9/2021  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

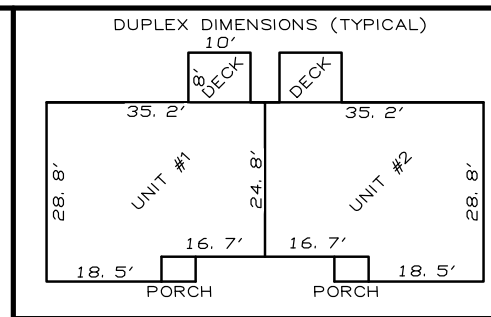
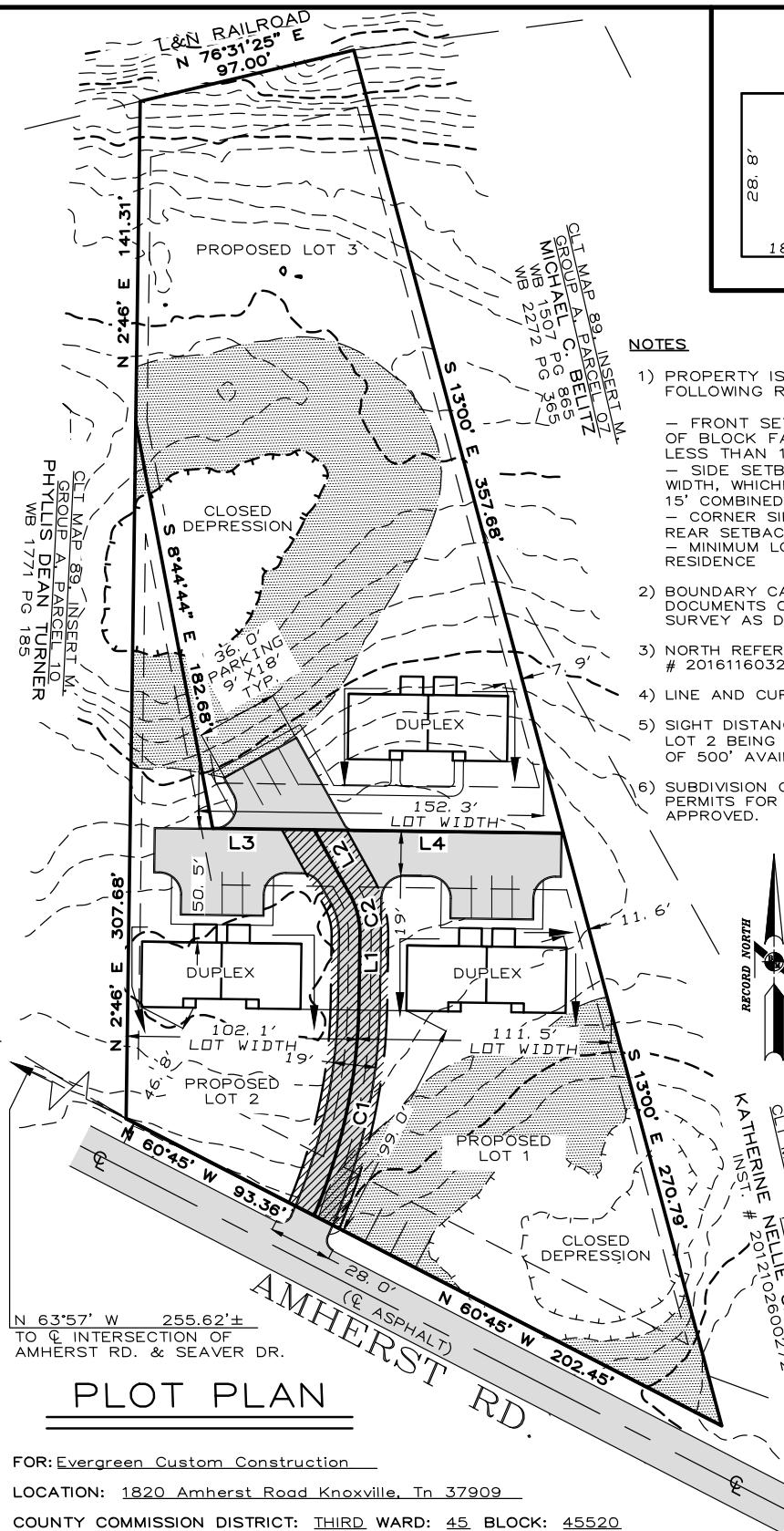
Revised:

Petitioner: Benchmark Associates, Inc.

Map No: 92

Jurisdiction: City





10-D-21-SU

**NOTES**

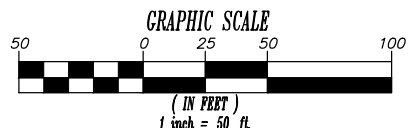
- PROPERTY IS ZONED RN-2, MAINTAINING THE FOLLOWING REQUIREMENTS:
  - FRONT SETBACK: 20', OR THE AVERAGE OF BLOCK FACE, WHICHEVER IS LESS; IN NO CASE LESS THAN 10.
  - SIDE SETBACK: 5', OR 15% OF LOT WIDTH, WHICHEVER IS LESS; IN NO CASE LESS THAN 15' COMBINED
  - CORNER SIDE SETBACK: 12'
  - REAR SETBACK: 25'
  - MINIMUM LOT AREA: 10,000 FOR 2 FAMILY RESIDENCE
- BOUNDARY CALLS ARE REFLECTIVE OF RECORD DOCUMENTS ONLY; THIS IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 082.03-7.
- NORTH REFERENCE BASED ON DEED OF RECORD, INST. # 2016116032010.
- LINE AND CURVE TABLES FOUND ON PAGE 2.
- SIGHT DISTANCE NORTHWEST ALONG AMHERST FOR LOT 2 BEING CONTINUOUS FOR 260', WITH AN EXCESS OF 500' AVAILABLE THAT IS NOT CONTINUOUS.
- SUBDIVISION OF PROPERTY IS REQUIRED PRIOR TO PERMITS FOR BUILDING CONSTRUCTION BEING APPROVED.



**LEGEND**

- N 0°0'0" E RECORD CALLS
- CLOSED DEPRESSION
- PROPOSED DRAINAGE DIRECTION
- 50' CLOSED DEPRESSION BUFFER
- LIMITS OF 25' ACCESS EASEMENT 4,445 ± SQ.FT.
- ASPHALT SURFACE

- PROPOSED LOT 1**  
 ~25,006 ± SQ.FT.  
 BUILDING COVERAGE = 8%  
 IMPERVIOUS SURFACE = 27%
- PROPOSED LOT 2**  
 ~15,761 ± SQ.FT.  
 BUILDING COVERAGE = 13%  
 IMPERVIOUS SURFACE = 39%
- PROPOSED LOT 3**  
 ~44,700 ± SQ.FT.  
 BUILDING COVERAGE = 5%  
 IMPERVIOUS SURFACE = 10%



FOR: Evergreen Custom Construction

LOCATION: 1820 Amherst Road Knoxville, Tn 37909

COUNTY COMMISSION DISTRICT: THIRD WARD: 45 BLOCK: 45520

DRAWING SCALE: 1"= 20' BM-NUMBER: 21-150 DATE: 27 SEPTEMBER 2021

OWNER: OFR INVESTMENTS LLC. CLT MAP: 92 INSERT: M GROUP: A PARCEL: 009

DEED: INST. # 2016116032010 R.O.K.C. PAGE: 1 OF 2



**BENCHMARK ASSOCIATES, INC.**

LAND PLANNERS • LAND SURVEYORS

Member:  
 Tennessee Association  
 of Professional Surveyors

10308 Hardin Valley Road  
 Knoxville, Tennessee 37932

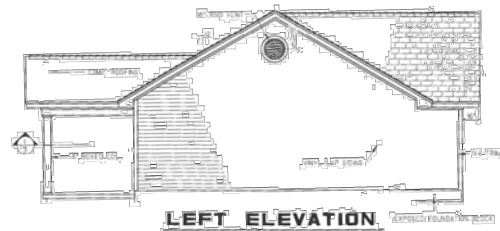
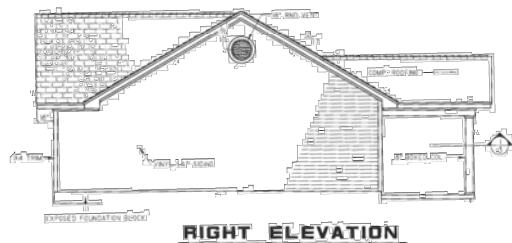
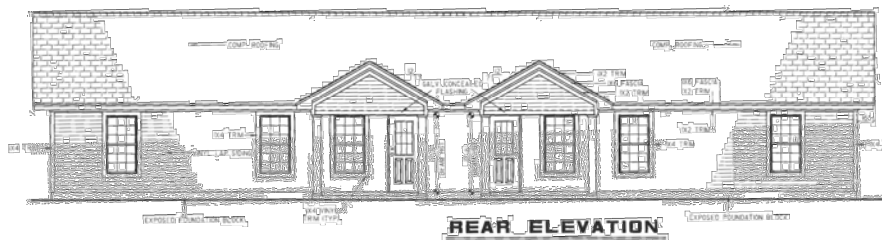
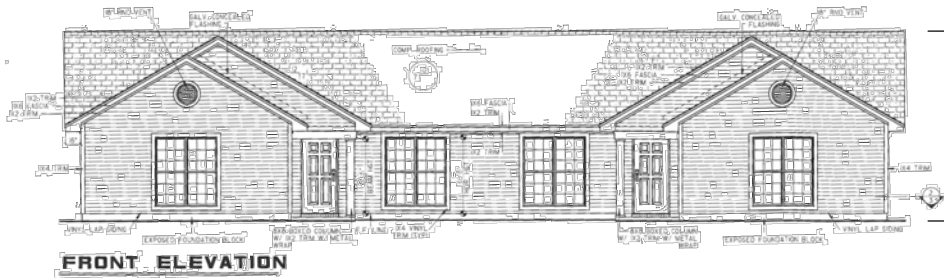
Phone (865) 692-4090  
 Facsimile (865) 692-4091



PROPERTY CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD DISTANCE
C1	250.00'	96.89'	S 13°52'11" W	96.29'
C2	37.50'	19.43'	S 12°04'44" E	19.22'

PROPERTY LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S 2°46'00" W	29.39'
L2	S 26°55'27" E	32.08'
L3	S 87°14'00" E	44.84'
L4	S 87°14'00" E	109.90'

10-D-21-SU



## ELEVATION

NOT TO SCALE

FOR: Evergreen Custom Construction

LOCATION: 1820 Amherst Road Knoxville, Tn 37909

COUNTY COMMISSION DISTRICT: THIRD WARD: 45 BLOCK: 45520

DRAWING SCALE: 1"= 20' BM-NUMBER: 21-150 DATE: 27 SEPTEMBER 2021

OWNER: OFR INVESTMENTS LLC CLT MAP: 92 INSERT: M GROUP: A PARCEL: 009

DEED: INST. # 2016116032010 R.O.K.C. PAGE: 2 OF 2



**BENCHMARK ASSOCIATES, INC.**

10308 Hardin Valley Road  
Knoxville, Tennessee 37932

Member:  
Tennessee Association  
of Professional Surveyors

LAND PLANNERS • LAND SURVEYORS

Phone (865) 692-4090  
Facsimile (865) 692-4091

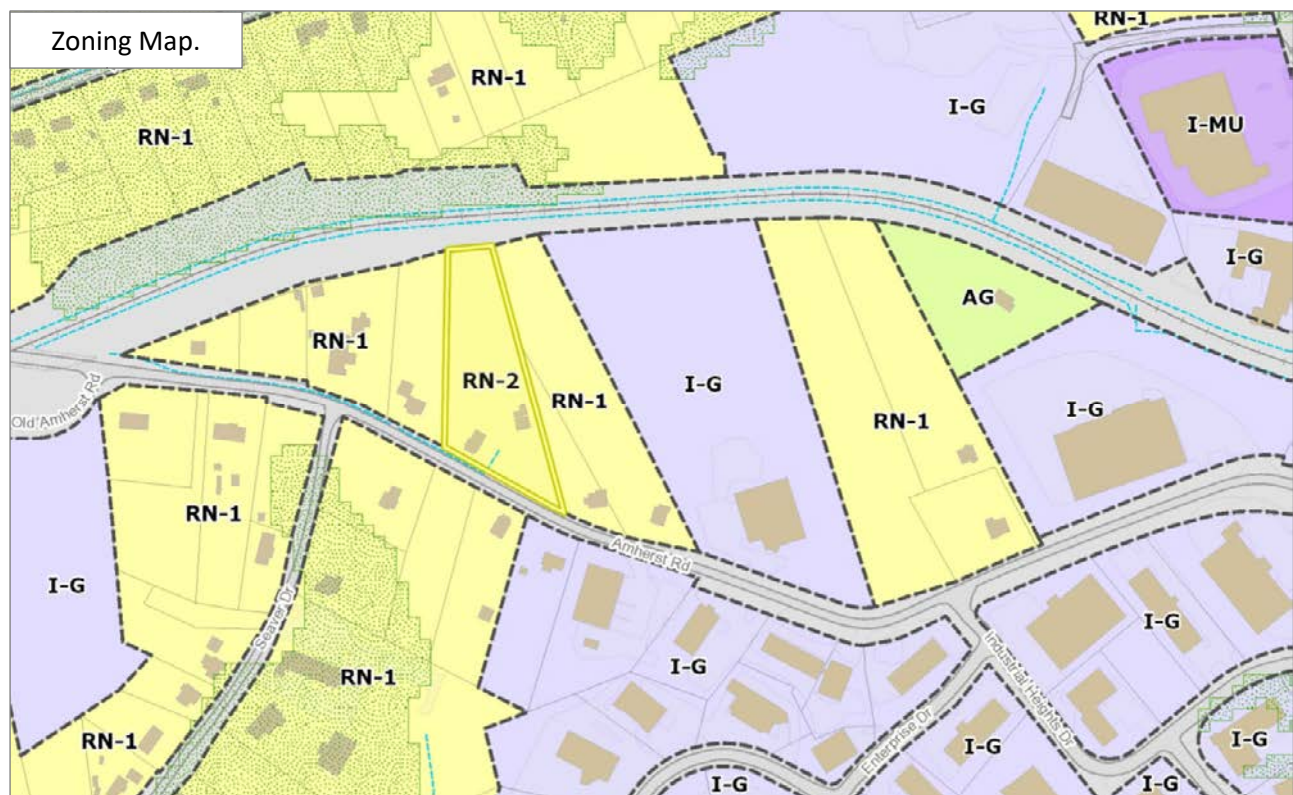
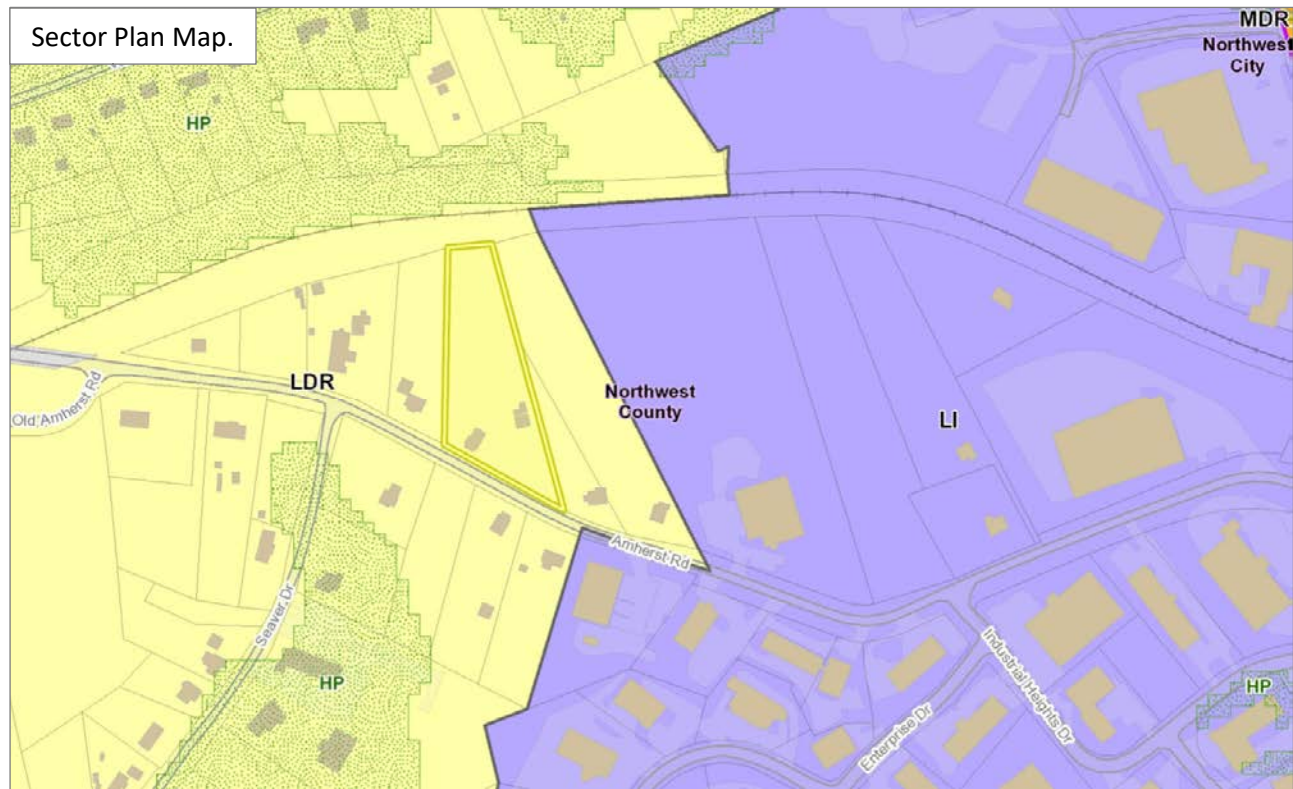
**10-D-21-SU**  
**EXHIBIT A. Contextual Images**





## 10-D-21-SU

### EXHIBIT A. Contextual Images







# 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

Benchmark Associates, Inc.

Consultant

Applicant Name

Affiliation

30 August

14 October 2021

Date Filed

Meeting Date (if applicable)

File Number(s)

**10-C-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

Benjamin J. Moorman

Benchmark Associates, Inc.

Name

Company

PO Box 23892

Knoxville

TN

37933

Address

City

State

ZIP

865-692-4090

bmoorman@bma-ls.com

Phone

Email

## CURRENT PROPERTY INFO

OFR Investments, LLC

1111N. Northshore Dr., Ste. S-700, Knoxville 865-617-0389

Owner Name (if different)

Owner Address

Owner Phone

1820 Amherst Road

092MA009.00

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

North side of Amherst Road, due East of Seaver Drive

85,252 sq. ft. +/-

General Location

Tract Size

☒ City ☐ County 3rd  
District

RN-2  
Zoning District

AgForVac  
Existing Land Use

Northwest County

LDR

City

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) \_\_\_\_\_

Duplexes  
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

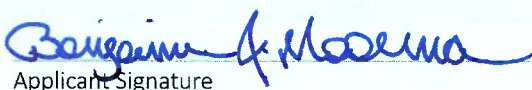
**ADDITIONAL REQUIREMENTS**

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

Fee 1		Total
0403	\$900.00	\$900.00
Fee 2		
Fee 3		

**AUTHORIZATION**

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



Applicant Signature

Benchmark Associates, Inc.

Please Print

30 August 2021

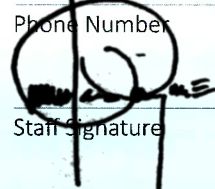
Date

865-692-4090

Phone Number

bmoorman@bma-ls.com

Email



Staff Signature

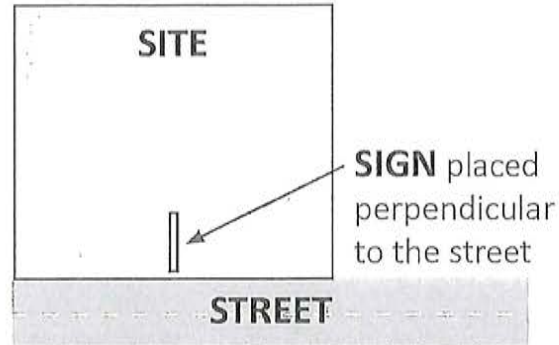
Marc Payne

Please Print

9/1/2021 swm

Date

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

### LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

### TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

*The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:*

Sept 29 and Oct 15  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Benchmark Assoc. Inc.

Date: 8/30/2021

File Number: 10-0-21-SU



Sign posted by Staff



Sign posted by Applicant