



# USE ON REVIEW REPORT

▶ **FILE #:** 4-A-22-UR

**AGENDA ITEM #:** 41

**AGENDA DATE:** 4/14/2022

▶ **APPLICANT:** HUBER PROPERTIES, LLC

OWNER(S): Huber Properties, LLC

TAX ID NUMBER: 91 123

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 2115 Andes Rd.

▶ **LOCATION:** Southwest side of Andes Road, south of intersection at Ball Camp Pike

▶ **APPX. SIZE OF TRACT:** 1.87 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Andes Road, a major collector with 20 ft pavement width within 60 ft of a right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** PR (Planned Residential) up to 12 du/ac

▶ **EXISTING LAND USE:** SFR (Single Family Residential)

▶ **PROPOSED USE:** Attached residential development

DENSITY PROPOSED: 11.23 du/ac

HISTORY OF ZONING: The property was rezoned to PR < 12 du/ac in March 2022 (11-C-21-RZ).

SURROUNDING LAND USE AND ZONING: North: Multifamily residential -- CA (General Business)

South: Multifamily residential -- PR (Planned Residential)

East: Single family residential -- I (Industrial)

West: Multifamily residential -- PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area is primarily a mix of medium density residential attached dwellings, surrounded by single family residential on larger lots. A outdoor contractor storage yard is located on the north side of Andes Road, zoned I (Industrial).

## STAFF RECOMMENDATION:

▶ **Approve the development plan for up to 21 dwelling units on a single lot and reduction of the peripheral boundary setback from 35' to 25' along the southeast and northeast property lines, subject to 4 conditions.**

1. Connection to sanitary sewer and meeting any other relevant utility provider requirements.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County (Ord 91-1-102).
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works,

including but not limited to the driveway grade at Andes Road.

4. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan and a Use-on-Review.

**COMMENTS:**

This proposal is for 10 duplex structures and 1 detached residential house (21 dwelling units) on this 1.87-acre parcel at a density of 11.23 du/ac. The property was rezoned to PR (Planned Residential) up to 12 du/ac in March 2022 (11-C-21-RZ). The applicant is requesting a reduction of the peripheral setback from 35 ft to 25 ft along the southeast and northeast property lines. The development to the southeast received a variance from the Board of Zoning Appeals to reduce the peripheral setback to 15 ft. The developable area along the northeast property line (Andes Road frontage) will remain outside the road construction easements and should not impact the construction or maintenance of the realigned Andes Road.

**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 MDR (Medium Density Residential) for the site which allows consideration of up to 12 du/ac.

C. The proposed density of 11.23 du/ac is in conformance with the sector plan.

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

A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

B. The property is zoned PR up to 12 du/ac and the proposed density is 11.23 du/ac.

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 attached residential dwellings are consistent with the surrounding attached residential developments.

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

A. The proposed attached residential subdivision is compatible with the surrounding attached residential uses and will not significantly impact the value of the adjacent property.

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

A. Access to the development is from Andes Road, a major collector 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 use.

ESTIMATED TRAFFIC IMPACT: 240 (average daily vehicle trips)

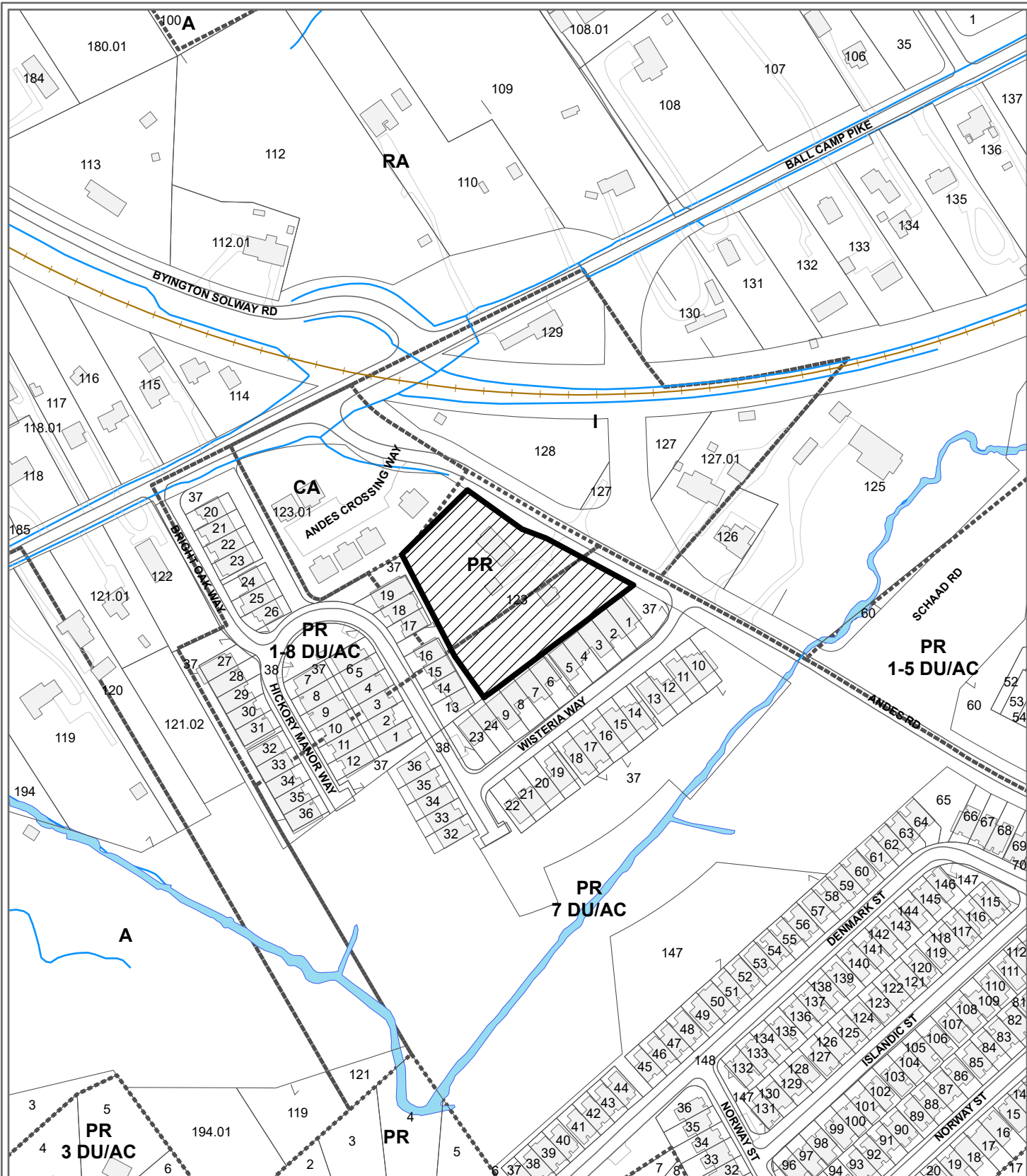
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 2 (public school children, grades K-12)

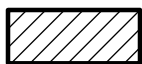
Schools affected by this proposal: Ball Camp Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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 Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**4-A-22-UR  
USE ON REVIEW**

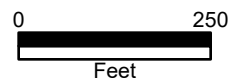


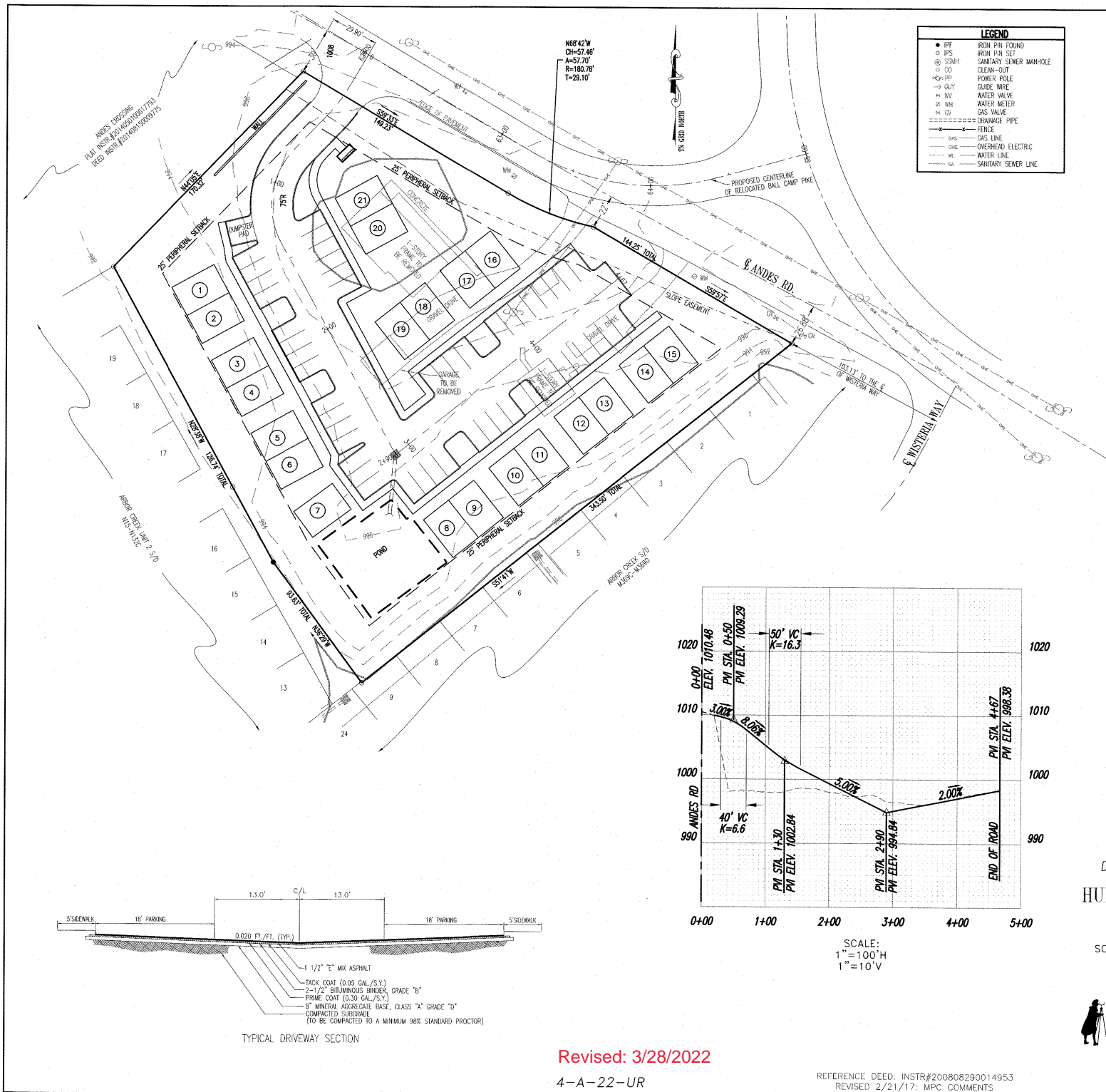
Attached Residential Development in PR (Planned Residential) up to 12 du/ac (pending)

Original Print Date: 3/7/2022  
 Revised:  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

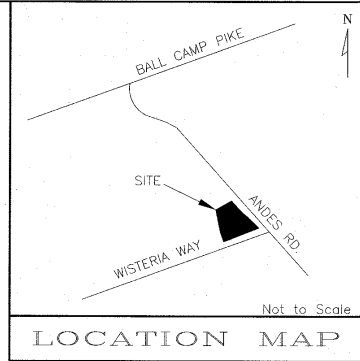
Petitioner: Huber Properties, LLC

Map No: 91  
 Jurisdiction: County





LEGEND	
●	IRON PIN FOUND
○	IRON PIN SET
⊙	SANITARY SEWER MANHOLE
○	CLEAN-OUT
⊙	POWER POLE
→	GUY
→	GLUE WIRE
+	WATER VALVE
⊙	WATER METER
W	GAS VALVE
---	DRAINAGE PIPE
---	FENCE
---	GAS LINE
---	OVERHEAD ELECTRIC
---	WATER LINE
---	SANITARY SEWER LINE



- NOTES:
- IRON PINS FOUND (IF) SHOWN ON PLAN. ALL OTHERS SET BY B&N&P, UNLESS NOTED OTHERWISE ON PLAN.
  - SURVEYED AS MONUMENTED AND POSSESSED.
  - THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.
  - THIS PROPERTY IS ZONED PR.
  - THIS PROPERTY CONTAINS 1.87 ACRES OF ONE LOT CONTAINING 21 UNITS.
  - A 25' PERIPHERAL SETBACK IS REQUESTED FOR THIS DEVELOPMENT.

**PARKING REQUIREMENTS**  
 21 UNITS @ 1.5 SPACES/UNIT=31.5 SPACES  
 32 SPACES REQUIRED  
 49 SPACES PROVIDED



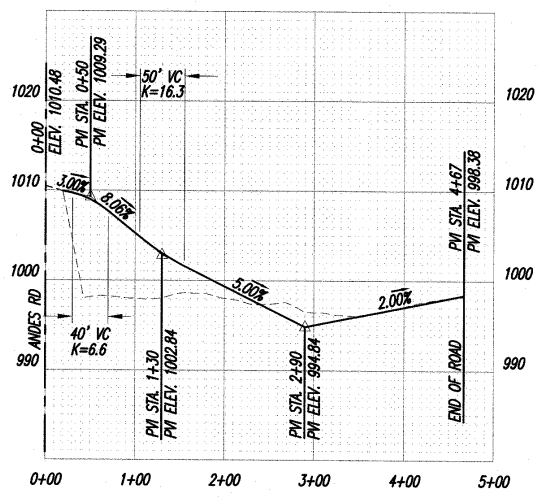
OWNER:  
 HUBER PROPERTIES LLC  
 213 FOX RD.  
 KNOXVILLE, TN 37922  
 (865)567-8100

DEVELOPMENT PLAN & ROAD PROFILE  
 FOR  
 HUBER PROPERTIES/ANDES ROAD

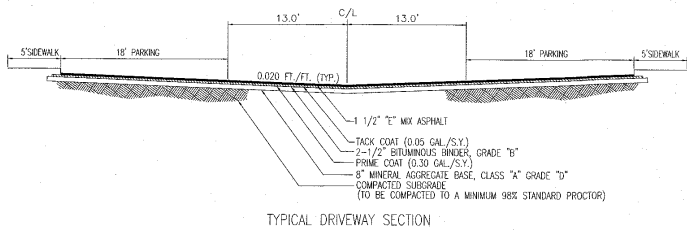
TAX MAP 91, PARCEL 123  
 DISTRICT 6, KNOX COUNTY, TN

SCALE: 1" = 40' FEBRUARY 16, 2022  
 40 20 0 40 80

BATSON, HIMES, NORVELL & POE  
 REGISTERED ENGINEERS & LAND SURVEYORS  
 4334 PAPERMILL DRIVE  
 KNOXVILLE, TENNESSEE 37909  
 PHONE: (865) 588-6472  
 FAX: (865) 588-6473  
 email@ohn-p.com



SCALE:  
 1" = 100'H  
 1" = 10'V



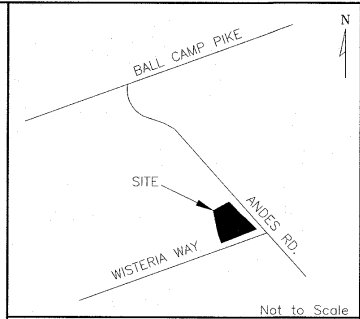
Revised: 3/28/2022

4-A-22-UR

REFERENCE DEED: INSTR#200808290014953  
 REVISED 2/21/17: MPC COMMENTS

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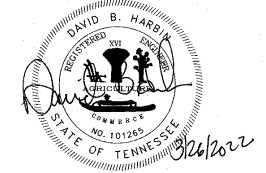
LEGEND	
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---	FENCE
---	GAS LINE
---	GAS LINE
---	OVERHEAD ELECTRIC
---	WATER LINE
---	SANITARY SEWER LINE



Not to Scale  
**LOCATION MAP**

OWNER:  
**HUBER PROPERTIES LLC**  
213 FOX RD  
KNOXVILLE, TN 37922  
(865)567-8100

- NOTES:
- IRON PINS FOUND (IPF) SHOWN ON PLAT. ALL OTHERS SET BY BH&N, UNLESS NOTED OTHERWISE ON PLAT.
  - SURVEYED AS MONUMENTED AND POSSESSED.
  - THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. OTHER IN SERVICE OR ABANDONED UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.
  - THIS PROPERTY IS ZONED PR.
  - THIS PROPERTY CONTAINS 1.87 ACRES SUBDIVIDED INTO 7 LOTS.
  - BUILDING SETBACK LINES WILL BE AS FOLLOWS:  
FRONT...20'  
SIDES...5'  
REAR...15' (UNLESS CONTROLLED BY A 25' PERIPHERAL SETBACK)
  - VARIANCES REQUIRED:  
• REDUCTION OF RIGHT OF WAY DEDICATION ON ANDES ROAD FROM 30' TO 25' FROM CENTERLINE.  
HARDSHIP COUNTY HAS ALREADY PURCHASED RIGHT OF WAY FOR FUTURE ROAD PROJECT.  
• VERTICAL CURVE LENGTH FROM 62.25 FEET TO 25 FEET  
HARDSHIP TOPOGRAPHY, KNOX COUNTY NEW ROAD WILL BE CONSTRUCTED WITH 10 TO 15 HIGHER THAN EXISTING GROUND
  - ALL ACCESS IS TO BE FROM INTERNAL J.P.E.
  - MAXIMUM FOOTPRINT OF EACH NEW STRUCTURE SHALL BE 2,000 SQUARE FEET OR LESS IN ORDER TO NOT EXCEED THE 10,000 SQUARE FEET ADDITIONAL IMPERVIOUS AREA THIS PROJECT IS EXEMPT FROM KNOX COUNTY STORMWATER QUANTITY AND QUALITY REGULATIONS (TWO STRUCTURES ARE EXISTING ON THIS SITE).



CERTIFICATION OF CONCEPT PLAN.  
I HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS AND STATEMENTS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE-KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN VARIANCED AND DESCRIBED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.  
REGISTERED ENGINEER *David B. Harb*  
TENNESSEE CERTIFICATE NO. 101265

**GRADING PLAN**  
FOR  
**HUBER PROPERTIES/ANDES ROAD**  
TAX MAP 91, PARCEL 123  
DISTRICT 6, KNOX COUNTY, TN

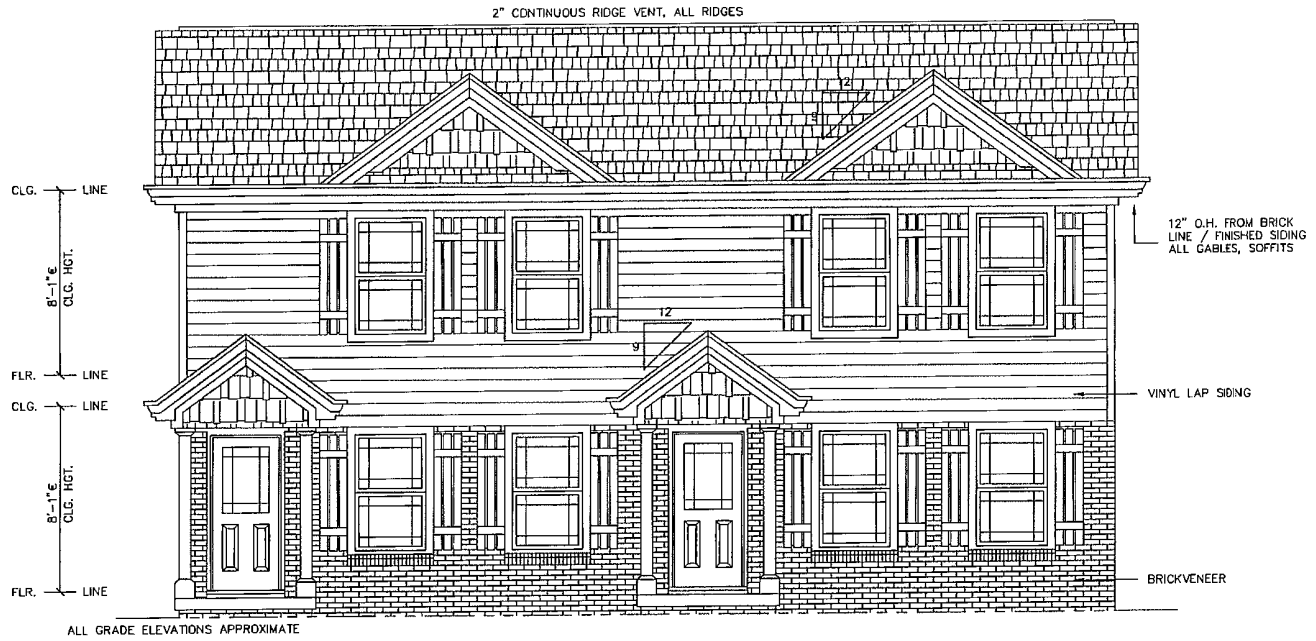
SCALE: 1" = 40'      NOVEMBER 16, 2016  
40 20 0 40 80

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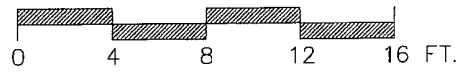
4-A-22-UR  
Revised: 3/28/2022

REFERENCE DEED: INSTR#200808290014953  
REVISED 2/21/17: MPC COMMENTS

24909-GP  
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DUPLEX 1 DEC. 2015  
 PLAN NO. 15-11 2012 IRC



4-A-22-UR  
 Revised: 3/28/2022

**DIMENSION NOTE:**

ALL DIMENSIONS ARE INDICATED FROM OUTSIDE FRAMING LINE TO C/L OF PARTITIONS UNLESS SHOWN OTHERWISE - PLEASE OBSERVE DIMENSION LEADER-LINES CAREFULLY

**EGRESS WINDOWS:**

EACH BEDROOM MUST HAVE ONE WINDOW RATED FOR EMERGENCY EGRESS WHICH PROVIDES A CLEAR OPENING OF 5.0 SQ. FT. (5.7 SQ. FT. @ SECOND FLOOR) & 44" MAX. SILL HGT. - MIN. NET CLEAR OPENING SHALL BE 20" WIDE - MIN. HGT. 24"

**NOTE:**

WINDOWS LOCATED IN STAIRS, LANDINGS, BATHS, & WHERE SILL IS LESS THAN 18" FROM FINISHED FLOOR SHALL REQUIRE USE OF TEMPERED GLASS

**FIRE RESISTANT CONSTRUCTION:**

BETWEEN UNITS PROVIDE A COMMON 1-HR FIRE RESISTANCE RATED WALL ASSEMBLY TESTED IN ACCORDANCE WITH U-305. ASSEMBLY SHALL BE CONTINUOUS FROM THE FOUNDATION TO THE UNDERSIDE OF THE ROOF SHEATHING, DECK OR CONCRETE SLAB.

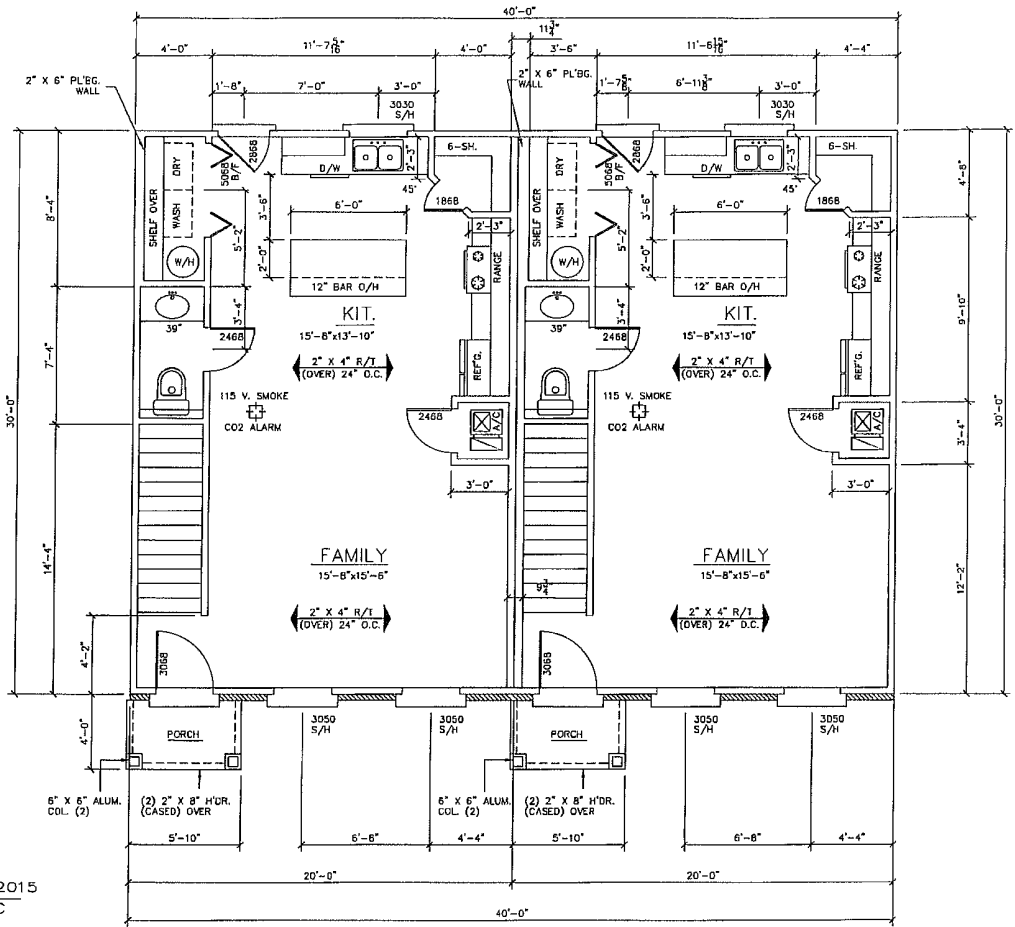
**MAIN FLOOR PLAN**

8'-1" FINISHED CEILING HEIGHT

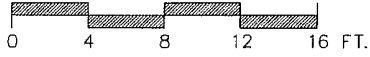
800 SQ. FT. MAIN FLOOR LIVING AREA  
600 SQ. FT. SECOND FLOOR LIVING AREA  
1,200 SQ. FT. TOTAL LIVING AREA PER UNIT  
22 SQ. FT. FRONT PORCH AREA

**NOTE:**

AREA CALCULATIONS ARE MEASURED FROM OUTSIDE FRAMING LINES (EXCLUSIVE OF BRICK OR STUCCO VENEER) VERIFY ON-SITE BY ACTUAL CONSTRUCTION DIMENSIONS



**DUPLEX** 1 DEC. 2015  
PLAN NO. 15-11 2012 IRC





**DIMENSION NOTE:**

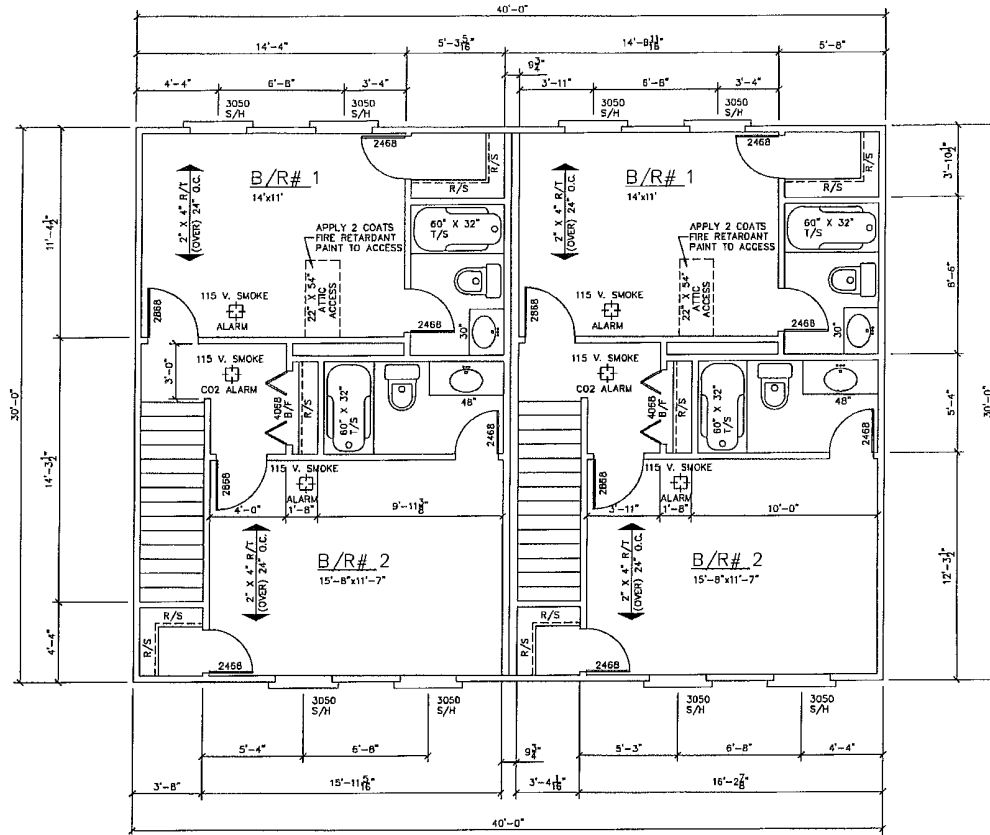
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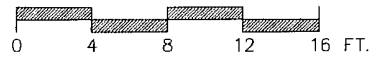
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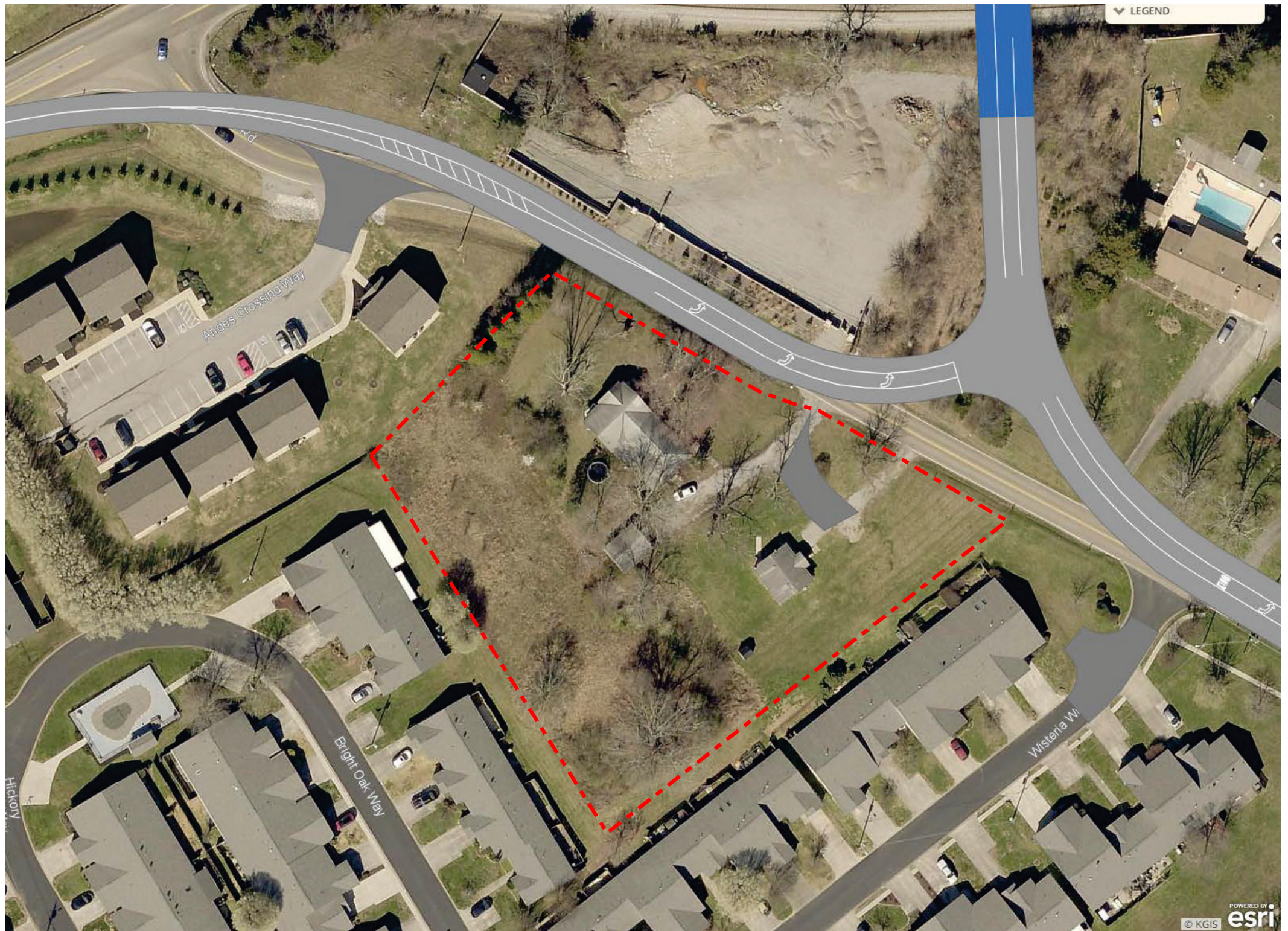


**DUPLEX** 1 DEC. 2015  
 PLAN NO. 15-11 2012 IRC



# Andes Road Realignment

EXHIBIT A





# 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

HUBER PROPERTIES LLC

Applicant Name

Affiliation

2/16/2022

Date Filed

April 14, 2022

Meeting Date (if applicable)

File Number(s)

**4-A-22-UR**

### CORRESPONDENCE

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

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

DAVID Harbin BATSON Himes NoeueLL & Poe

Name

Company

4334 PAPERMILL RD Knoxville Tn 37909

Address

City

State

ZIP

865-588-6472 harbin@bhn-p.com

Phone

Email

### CURRENT PROPERTY INFO

**Huber Properties, LLC**

Property Owner Name (if different)

213 FOX RD, Knoxville Tn 37922

Property Owner Address

865-567-8100

Property Owner Phone

2115 ANDES RD

Property Address

TAX MAP 91, Parcel 123

Parcel ID

WKUD

Sewer Provider

WKUD

Water Provider

no

Septic (Y/N)

### STAFF USE ONLY

**Southwest side of Andes Rd., south of intersection at**

**1.87 acres**

General Location

**Ball Camp Pk**

Tract Size

City  County

**6th**

District

**PR 12 du/ac (pending 3/28/22)**

Zoning District

Existing Land Use

**SFR**

**Northwest County**

Planning Sector

**MDR (pending 3/28/22)**

Sector Plan Land Use Classification

**Planned**

Growth Policy Plan Designation

**DEVELOPMENT REQUEST**

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

Related City Permit Number(s)

Home Occupation (specify) ~~1 lot~~ 2 units

Other (specify) **Attached Residential Development**

**SUBDIVISION REQUEST**

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number    Combine Parcels    Divide Parcel

Total Number of Lots Created

Other (specify)

Attachments / Additional Requirements

**ZONING REQUEST**

Zoning Change   Proposed Zoning

Pending Plat File Number

Plan Amendment Change   Proposed Plan Designation(s)

Proposed Density (units/acre)   Previous Rezoning Requests

Other (specify)

**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	<b>0403</b>	<b>600.00</b>	Total
Fee 2			
Fee 3			
			<b>\$600.00</b>

**AUTHORIZATION**

David B. Harbin   DAVID Harbin  
Applicant Signature   Please Print

2-17-22  
Date

865-588-6472   harbin@bhn-p.com  
Phone Number   Email

John Huber   John Huber for Huber Properties  
Property Owner Signature   Please Print

2-18-22  
Date