



USE ON REVIEW REPORT

► **FILE #:** 12-A-22-UR

AGENDA ITEM #: 35

AGENDA DATE: 12/8/2022

► **APPLICANT:** GARY BEST

OWNER(S): Greenback Properties, LLC Greenback Properties, LLC

TAX ID NUMBER: 47 J A 003

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 7521 THUNDER LN

► **LOCATION:** NE of Thunder Ln, northwest of E Emory Rd

► **APPX. SIZE OF TRACT:** 1.88 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Thunder Lane, a local road with a 30-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

► **ZONING:** OB (Office, Medical, and Related Services)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **PROPOSED USE:** Allowance to exceed the maximum height standard in the OB zone

HISTORY OF ZONING: This property was rezoned from CA (General Business) to OB (Office, Medical, and Related Services) in November 2018 (11-A-18-RZ).

SURROUNDING LAND USE AND ZONING:

North: CA (General Business), I (Industrial), OB (Office, Medical, and Related Services) - Office, Multi-family, Industrial

South: CA (General Business), CB (Business and Manufacturing) - Office, Commercial, Right-of-Way

East: PC (Planned Commercial), CB (Business and Manufacturing) - Single Family Residential, Commercial, Rural Residential

West: I (Industrial), CB (Business and Manufacturing), C-R-2 (Regional Commercial) - Right-of-Way, Agricultural/Forestry/Vacant, Commercial, Office

NEIGHBORHOOD CONTEXT: This area is largely office and commercial. There are some residential properties to the north and east.

STAFF RECOMMENDATION:

► **Approve the request to increase the maximum height standard in the OB zone from 4 stories or 45-ft to 5 stories or 60-ft to the top of parapet wall and 71-ft to the top of the architectural element as proposed in the attached plans, subject to 3 conditions.**

- 1. Provide landscape screening/privacy fencing on the east side of the parking lot adjacent to residential uses.**
- 2. Providing a landscape screening and/or privacy fence plan during permitting for review and approval by Planning Commission staff.**
- 3. Meeting all applicable requirements of the Knox County Zoning Ordinance.**
- 4. Meeting all applicable requirements of Knox County Engineering and Public Works.**

COMMENTS:

This property is in the OB (Office, Medical, and Related Services) zone. The request for a 61,975 sq-ft hotel to exceed the maximum height standard of 4 stories or 45-ft to 5 stories or 60-ft to the top of parapet wall and 71-ft to the top of the architectural element. Per section 5.41.09. Height Regulations of the Knox County Zoning Ordinance, the planning commission may approve, as a use permitted on review, an increase in height above 45-ft.

Section 3.20.03 exempts certain structures or parts thereof from the maximum height limitation, including stair and elevator penthouses. The 71-ft tall architectural element requires Planning Commission approval because it is taller than required for the penthouses.

The parking is in compliance with the Knox County Zoning ordinance, which requires 94 spaces for a hotel of 90 suites and 2 spaces per 3 employees. The proposed parking is for 96 spaces and 5 handicapped spaces. Parking is along all sides of the building. The development meets all setback requirements.

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

A. The North County Sector Plan designates this property for GC (General Commercial) uses. This includes previously developed strip commercial corridors providing a wide range of retail and service-oriented uses.

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

A. The OB (Office, Medical, and Related Services) zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.

B. The OB zone permits hotels by right, though height regulation increases require approval by the Planning Commission through the use on review process.

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 hotel is compatible with the surrounding commercial area. Additionally, the hospital nearby is 5 stories, there are 3 neighboring hotels to the hospital which are all multi-story buildings, and there is a large industrial warehouse that uses Thunder Lane for access.

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

A. The proposed use should have little impact on the adjacent property because of the required setbacks. The hotel has a 123.5-ft setback from the abutting single-family homes and 50-ft setbacks from abutting commercial uses.

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

A. The development is just off E Emory Rd, a major arterial. No traffic through residential subdivisions is required to access this property.

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

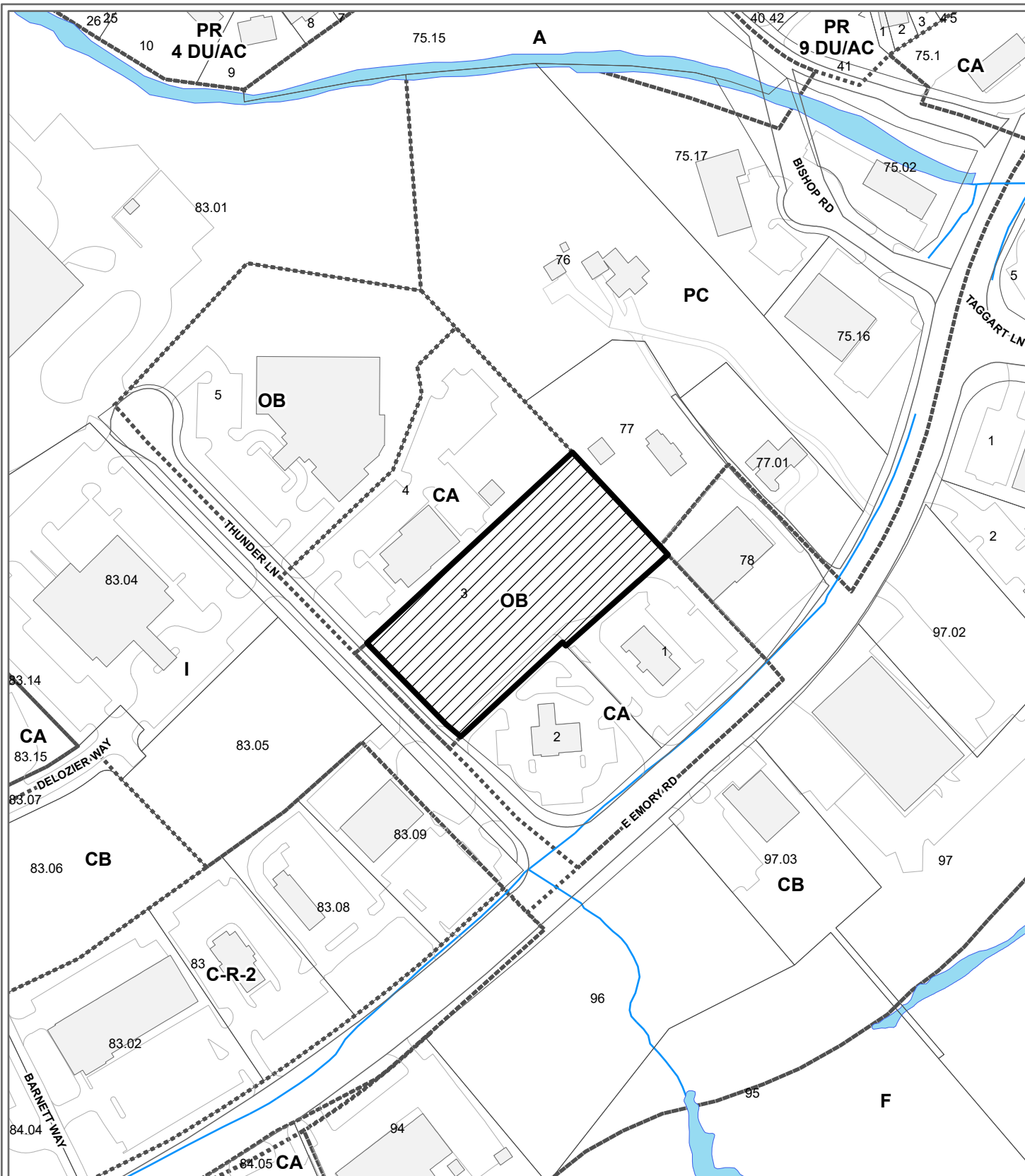
for the proposed use.

ESTIMATED TRAFFIC IMPACT: 552 (average daily vehicle trips)

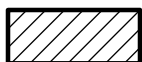
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: Not applicable.

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.



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



Allowance to exceed the maximum height standard in the OB zone in OB
(Office, Medical, and Related Services)

Original Print Date: 11/15/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

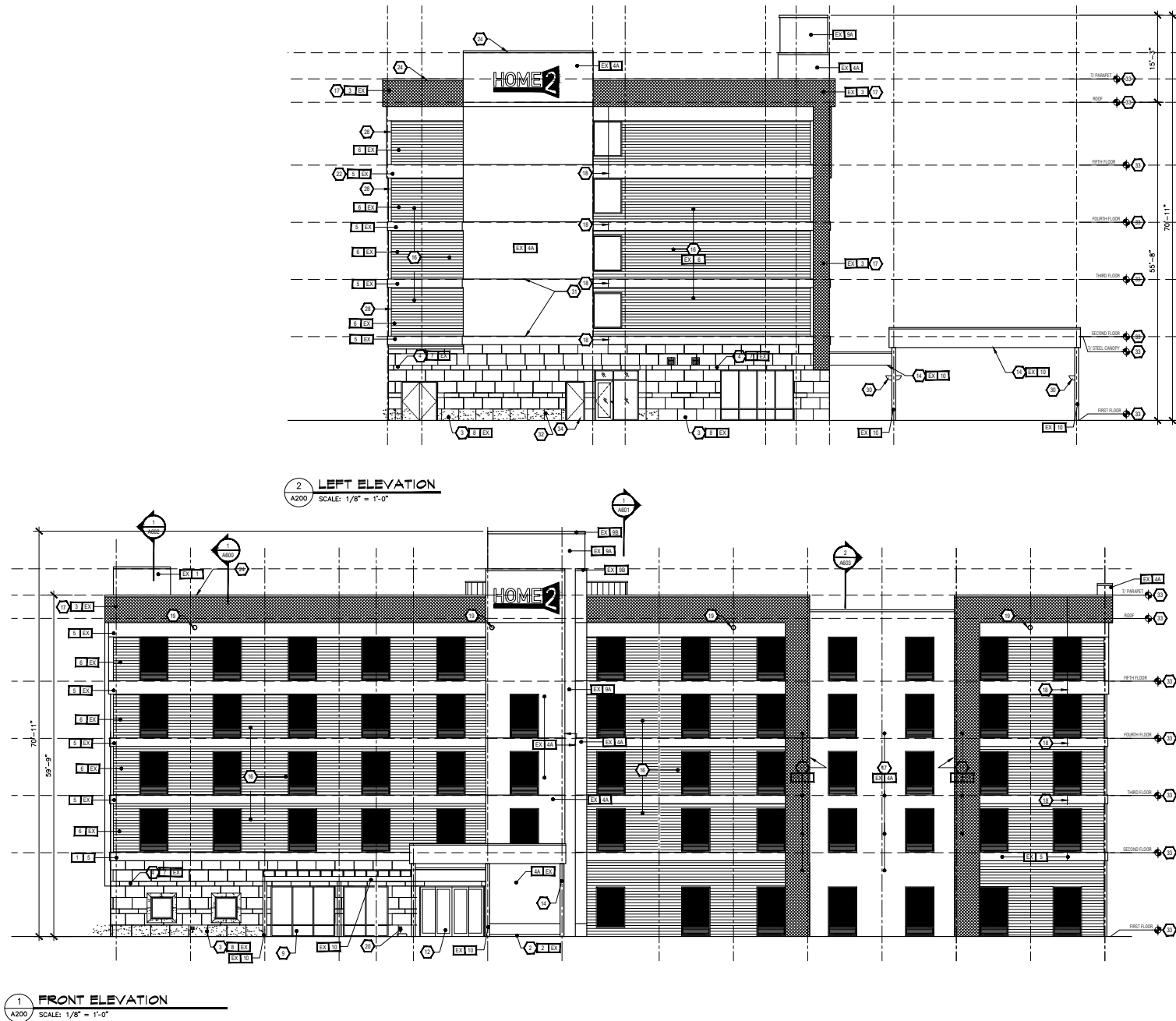
Petitioner: Gary Best

Map No: 47
Jurisdiction: County

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12-A-22-UR
11.28.2022



Best & Associates Architects
104 MIDWINTERGATE ROAD, NASHVILLE, TN 37203
PHONE (615) 977-4400 WEB SITE ZESTARCHITECTURE.COM

HOME2 BY HILTON
7521 THUNDER LN.
KNOX COUNTY TN

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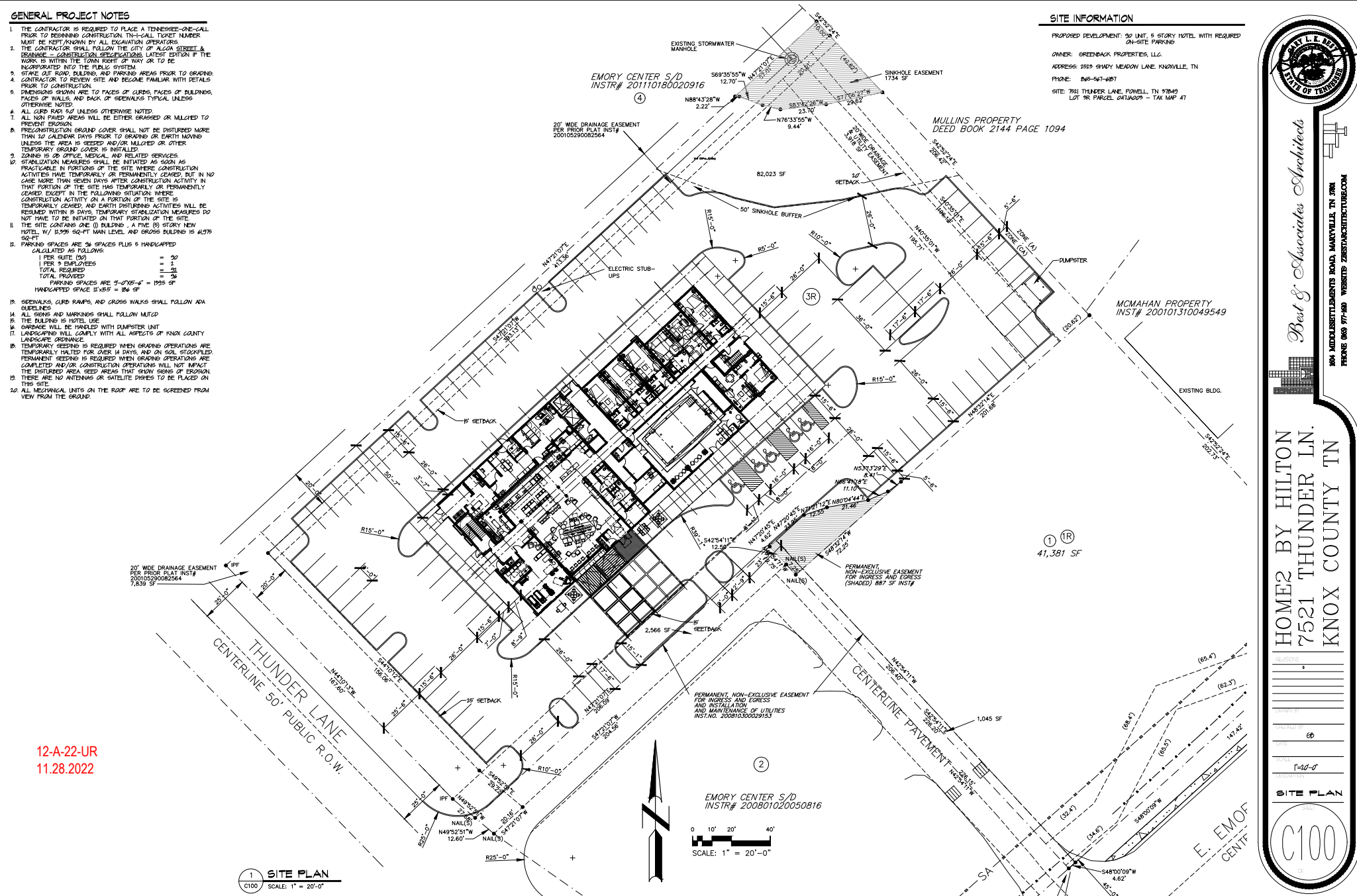
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GENERAL PROJECT NOTES

1. THE CONTRACTOR IS REQUIRED TO PLACE A TENNESSEE-ONE-CALL FOUR TO BEGINNING CONSTRUCTION. THE ONE-CALL TICKET NUMBER MUST BE KEPT/KNOWN BY ALL EXCAVATION OPERATORS.
2. THE CONTRACTOR SHALL FOLLOW THE CITY OF ALCOA STREET & DRAINAGE - CONSTRUCTION SPECIFICATIONS LATEST EDITION IF THE WORK IS WITHIN THE TOWN RIGHT OF WAY OR TO BE INCORPORATED INTO THE PUBLIC SYSTEM.
3. STAKE OUT ROAD, BUILDING, AND PARKING AREAS PRIOR TO GRADING.
4. CONTRACTOR TO REVIEW SITE AND BECOME FAMILIAR WITH DETAILS PRIOR TO CONSTRUCTION.
5. DIMENSIONS SHOWN ARE TO FACES OF CURBS, FACES OF BUILDINGS, FACES OF WALLS, AND BACK OF SIDEWALKS TYPICAL UNLESS OTHERWISE NOTED.
6. ALL CURB RADIUS UNLESS OTHERWISE NOTED.
7. ALL NON PAVED AREAS WILL BE EITHER GRAVELLED OR MULCHED TO PREVENT EROSION.
8. PRECONSTRUCTION GRASS COVER SHALL NOT BE DISTURBED MORE THAN 30 CALENDAR DAYS PRIOR TO GRADING OR EARTH MOVING UNLESS THE AREA IS SEEDED AND/OR MULCHED OR OTHER TEMPORARY GRASS COVER IS INSTALLED.
9. ZONING IS OF OFFICE, MEDICAL, AND RELATED SERVICES.
10. STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, BUT IN NO CASE MORE THAN SEVEN DAYS AFTER CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED EXCEPT IN THE FOLLOWING SITUATION WHERE CONSTRUCTION ACTIVITY ON A PORTION OF THE SITE IS TEMPORARILY CEASED, AND EARTH DISTURBING ACTIVITIES WILL BE RESUMED WITHIN 15 DAYS, TEMPORARY STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE.
11. THE SITE CONTAINS ONE (1) BUILDING, A FIVE (5) STORY NEW HOTEL. W/ 12,599 SQ-FT MAIN LEVEL AND GROSS BUILDING IS 40,775 SQ-FT.
12. PARKING SPACES ARE 36 SPACES PLUS 5 HANDICAPPED CALCULATED AS FOLLOWS:
1 PER SUITE (SU) = 30
1 PER 5 EMPLOYEES = 1
TOTAL REQUIRED = 36
TOTAL PROVIDED = 36
PARKING SPACES ARE 9'-0"X18'-6" = 1935 SF
HANDICAPPED SPACE 12'X18'5" = 184 SF
13. SIDEWALKS, CURB RAMPS, AND CROSS WALKS SHALL FOLLOW ADA REQUIREMENTS.
14. ALL SIGNS AND MARKINGS SHALL FOLLOW MUTCD.
15. THE BUILDING IS HOTEL USE.
16. GARBAGE WILL BE HANDLED WITH DUMPSTER UNIT.
17. LANDSCAPING WILL COMPLY WITH ALL ASPECTS OF KNOX COUNTY LANDSCAPE ORDINANCE.
18. TEMPORARY SEEDING IS REQUIRED WHEN GRADING OPERATIONS ARE TEMPORARILY HALTED FOR OVER 14 DAYS, AND ON SOIL STOCKPILED. PERMANENT SEEDING IS REQUIRED WHEN GRADING OPERATIONS ARE COMPLETED AND/OR CONSTRUCTION OPERATIONS WILL NOT IMPACT THE DISTURBED AREA. SEED AREAS THAT SHOW SIGNS OF EROSION. THERE ARE NO ANTENNAS OR SATELLITE DISHES TO BE PLACED ON THIS SITE.
19. ALL MECHANICAL UNITS ON THE ROOF ARE TO BE SCREENED FROM VIEW FROM THE GROUND.

SITE INFORMATION

PROPOSED DEVELOPMENT: 32 UNIT, 5 STORY HOTEL WITH REQUIRED ON-SITE PARKING
OWNER: GREENBACK PROPERTIES, LLC
ADDRESS: 2555 SHADY MEADOW LANE, KNOXVILLE, TN
PHONE: 865-947-8851
SITE: 7521 THUNDER LANE, POWELL, TN 37849
LOT 75 PARCEL DATAGUARD - TAI MAP 47



12-A-22-UR
11.28.2022

1 SITE PLAN
C100 SCALE: 1" = 20'-0"

EMORY CENTER S/D
INSTR# 200801020050816

0 10' 20' 40'
SCALE: 1" = 20'-0"



Best & Associates Architects

HOME2 BY HILTON
7521 THUNDER LN.
KNOX COUNTY TN

DATE: 11/28/22
BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1" = 20'-0"

SITE PLAN

C100



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ Sector Plan
☐ One Year Plan
☐ Rezoning

Gary Best

Applicant Name

Affiliation

10/21/2022

Date Filed

12/8/2022

Meeting Date (if applicable)

12-A-22-UR

File Number(s)

CORRESPONDENCE

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

Gary Best Best & Associates Architects

Name / Company

1604 Middlesettlements Rd Maryville TN 37801

Address

865-977-1610 / zbestarch@aol.com

Phone / Email

CURRENT PROPERTY INFO

Greenback Properties, LLC Greenback P 2523 Shady Meadow Ln Knoxville TN

Owner Name (if different)

Owner Address

Owner Phone / Email

7521 THUNDER LN

Property Address

47 J A 003

Parcel ID

Part of Parcel (Y/N)?

1.88 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

NE of Thunder Ln, northwest of E Emory Rd

General Location

☐ City

Commission District 7

OB (Office, Medical, and Related Services)

Agriculture/Forestry/Vacant Land

☒ County District

Zoning District

Existing Land Use

North County

Planning Sector

GC (General Commercial)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☒ Use on Review / Special Use
☐ Hillside Protection COA ☐ Residential ☒ Non-residential

Home Occupation (specify) _____

Other (specify) **Allowance to exceed the maximum height standard in the OB zone**

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☐ Zoning Change

Proposed Zoning

Pending Plat File Number

- ☐ Plan

Amendment

Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Zoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1

\$1,600.00

Total

Fee 2

Fee 3

AUTHORIZATION

Gary Best

10/21/2022

Applicant Signature

Please Print

Date

Phone / Email

Greenback Properties, LLC Greenback Properties, LLC

10/21/2022

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Gary Best

Applicant Name

Affiliation

24 October 2022

8 December 2022

File Number(s)

Date Filed

Meeting Date (if applicable)

12-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

Gary Best

Best & Associates Architects

Name

Company

1604 Middlesettlements Road

Maryville

TN

37801

Address

City

State

ZIP

865.977.1610

zbestarch@aol.com, cc: dmeek@zbestarchitecture.com

Phone

Email

CURRENT PROPERTY INFO

Greenback Properties, LLC

2523 Shady Meadow Lane, Knoxville, TN

865.567.6187

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7521 Thunder Lane

047JA003

Property Address

Parcel ID

Hallsdale-Powell

Hallsdale-Powell

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

DEVELOPMENT REQUEST

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

Home Occupation (specify) _____

Other (specify) See Attached

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

Fee 2

Fee 3

AUTHORIZATION
Applicant Signature

Gary Best

Please Print

24 October 2022

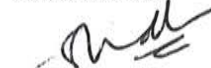
Date

865.977.1610

Phone Number

zbestarch@aol.com

Email



Property Owner Signature

Sam Jamani

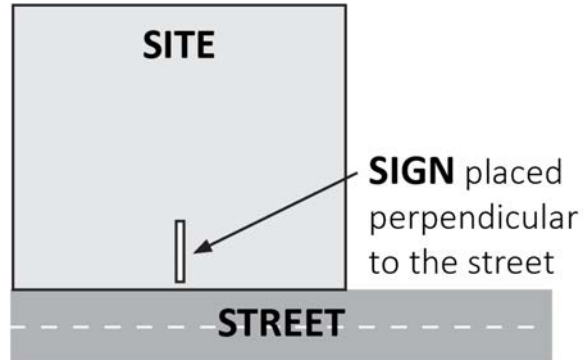
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24 October 2022

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:

_____ and _____
 11/25/2022 12/9/2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Gary Best

Date: 10/21/22

File Number: 12-A-22-UR

☒

Sign posted by Staff

☐

Sign posted by Applicant