



USE ON REVIEW REPORT

▶ **FILE #:** 11-B-22-UR

AGENDA ITEM #: 33

AGENDA DATE: 11/10/2022

▶ **APPLICANT:** LEN JOHNSON

OWNER(S): Yvonne Helton

TAX ID NUMBER: 78 182

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 7335 OAK RIDGE HWY

▶ **LOCATION:** South side of Oak Ridge Hwy, northeast of Karns Crossing Ln

▶ **APPX. SIZE OF TRACT:** 0.74 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Oak Ridge Highway, a major arterial with a 40-ft pavement width within a 112-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** CA (General Business)

▶ **EXISTING LAND USE:** Single Family Residential

▶ **PROPOSED USE:** Landscaping contractor's yard

HISTORY OF ZONING: This property was rezoned from A (Agricultural) to CA (General Business) in August 2021 (8-E-21-RZ).

SURROUNDING LAND USE AND ZONING: North: Right-of-way, Single Family Residential, Agricultural/Forestry/Vacant, Office, Rural Residential - CA (General Business)

South: Single Family Residential, Agricultural/Forestry/Vacant, Office, Rural Residential - A (Agricultural)

East: Commercial, Office, Single Family Residential - CB (Business and Manufacturing)

West: Single Family Residential, Rural Residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: Oak Ridge Highway is a commercial corridor developed with large lot single family homes, commercial, and office uses. There are residential properties to the south.

STAFF RECOMMENDATION:

▶ **Approve the request for a contractor's storage yard with approximately 12,000 sq ft of outdoor storage area, subject to 6 conditions.**

1. Meeting all requirements of Article 4, Section 4.102 (Standards for the use-on-review approval of contractor's storage yards) in the Knox County Zoning Ordinance.
2. Provide the required landscape screening, per Article 4, Section 4.10.11 for business uses adjacent to residential use.
3. Providing a detailed landscape plan during permitting for review and approval by Planning Commission staff.
4. Providing a detailed lighting plan during permitting for review and approval by Planning Commission staff. Outdoor light source shall be shielded and arranged so that lighting is directed away from any boundary adjacent to residential uses.
5. Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knox County Zoning Ordinance.

COMMENTS:

The proposal is for a contractor's storage yard. There is 2,112 sq ft existing house to be converted to office. The applicant has received a variance for the minimum lot size of 1 acre to .76 acre and storage area setback from 25 ft to 5 ft.

Contractor's storage yards have standards for use-on-review in the supplemental regulations of the Knox County zoning ordinance (Article 4, Section 4.102) that are specific to the CR (Rural Commercial) and CA (General Business) zones. There are residential uses to the rear and west side of this property. The supplemental regulations for all zone districts (Article 4.10.11) requires a 15 ft wide Type A landscape screen (See Appendix A). In this location, it is appropriate to ensure the adjacent residential is adequately protected. The setback variance approved by Board of Zoning Appeals did not include a reduction of the landscape screening standards and in the Planning Staff's opinion the screening standard in this location shall be applied.

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 Northwest 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.

B. The CA (General Business) zone is permissible in the GC (General Commercial) land use classification. The contractor's storage yard is a use permitted on review in the CA (General Business) zone.

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

A. The CA (General Business) zone is intended for general retail business and services but not for manufacturing or for processing materials other than farm products. With the recommended conditions, the contractor's storage yard meets the zoning standards and the condition of the CA zoning.

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 existing building is 16.4 ft tall located centrally on the property.

B. If approved as recommended by staff, a 15 ft wide landscape screen will be located along the south and west property boundaries since they are abutting residential properties. This will help mitigate potential adverse impacts on these properties. Screening on the east side is not required.

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 limited traffic the facility will generate and the required landscape screening and fencing will buffer the storage yard.

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

A. The development has direct access to Oak Ridge Highway, a major arterial.

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

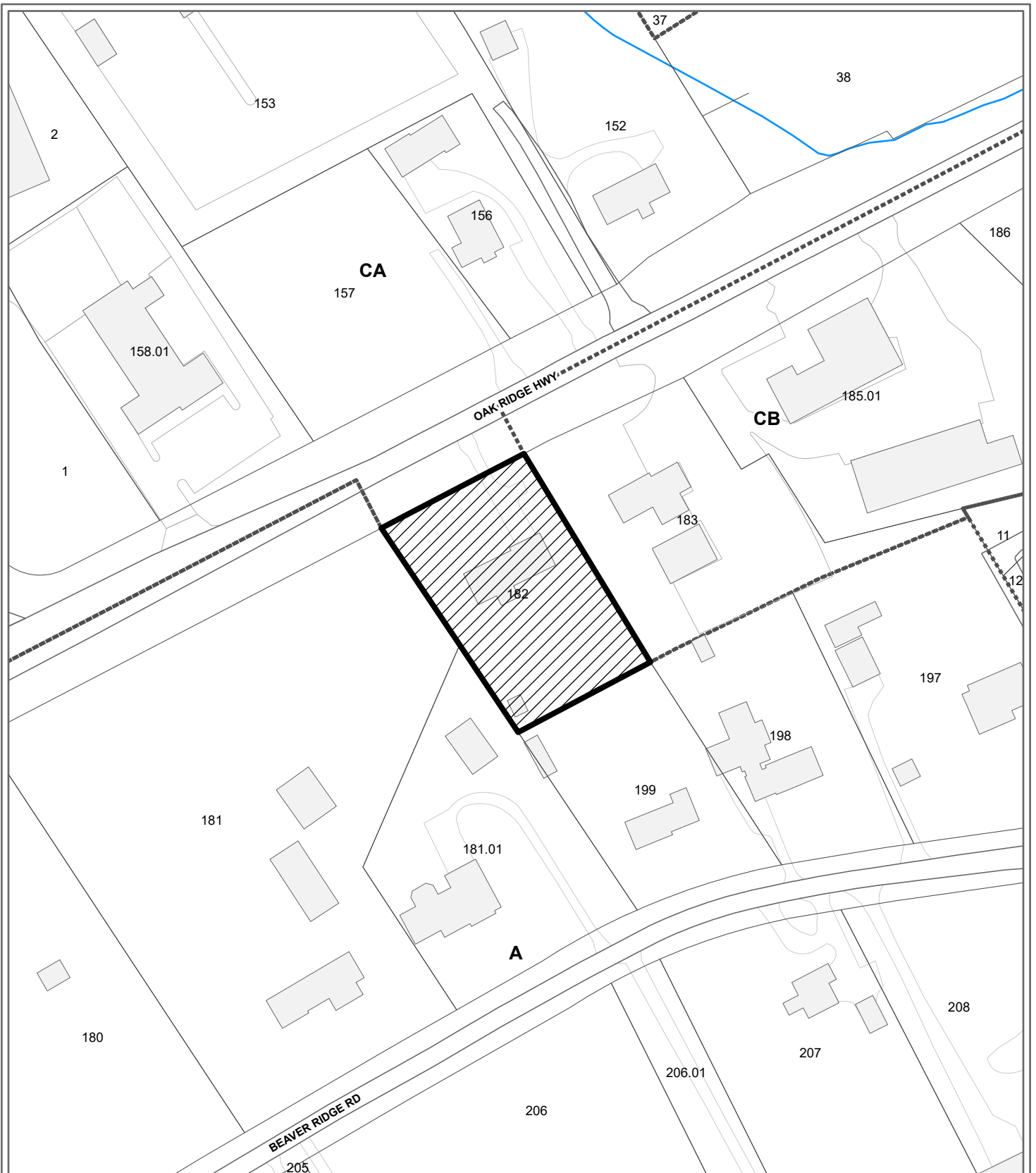
FOR THE PROPOSED USE.

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: Not required.

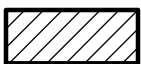
ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville Board of Zoning Appeals. The date of the Knoxville Board of Zoning Appeals hearing will depend on when the appeal application is filed.



**11-B-22-UR
USE ON REVIEW**

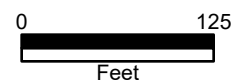
Petitioner: Len Johnson



Landscaping contractor's yard in CA (General Business)

Map No: 78

Jurisdiction: County



Type “A” Screen: Dense

APPROPRIATE LOCATION: Boundaries of commercial and industrial developments adjoining residential areas

NOTE: Landscape buffer strips should be a minimum of 15 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

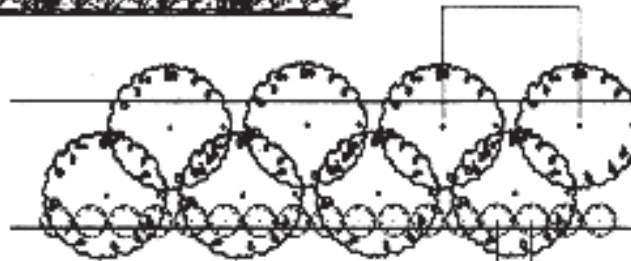
- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence, wall or earth berm

TREE HEIGHT
Installed: 8 ft.
Mature: 40 ft.

SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.



Maximum 16' Centers



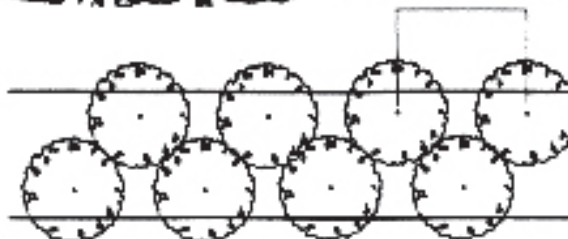
Maximum 4' Centers

- Two offset rows of evergreen trees with branches touching the ground

TREE HEIGHT
Installed: 8 ft.
Mature: 30 ft.



Maximum 12' Centers



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

Planning uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.

Type “B” Screen: Continuous

APPROPRIATE LOCATION: Screening parking and loading areas from adjoining residential and office districts

NOTE: Landscape buffer strips should be a minimum of 12 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

Planning uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

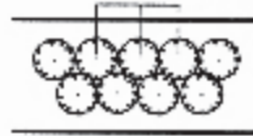
The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.

SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.

- Two offset rows of evergreen shrubs

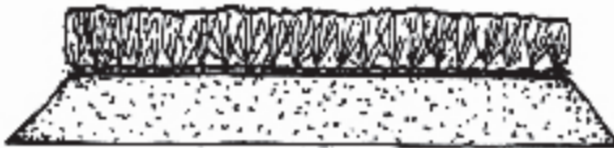


Maximum 4' Centers



SHRUB HEIGHT
Installed: 2 ft.
Mature: 3 ft.

- A continuous row of evergreen shrubs on a 3 ft. high earth berm



Maximum 3' Centers



TREE HEIGHT
Installed: 8 ft.
Mature: 15 ft.

- A 5 ft. high masonry wall or timber fence with evergreen trees and low shrubs or climbing vines



Maximum 50' Centers

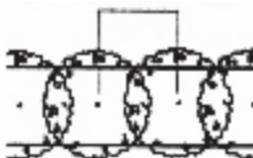


TREE HEIGHT
Installed: 8 ft.
Mature: 20 ft.

- One row of evergreen trees with branches touching the ground



Maximum 10' Centers

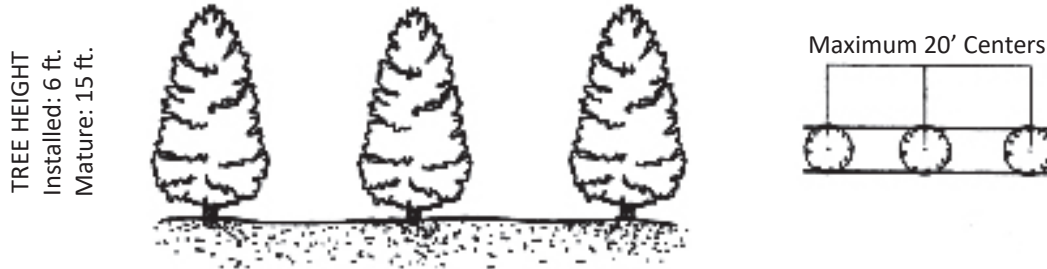


Type “C” Screen: Partial

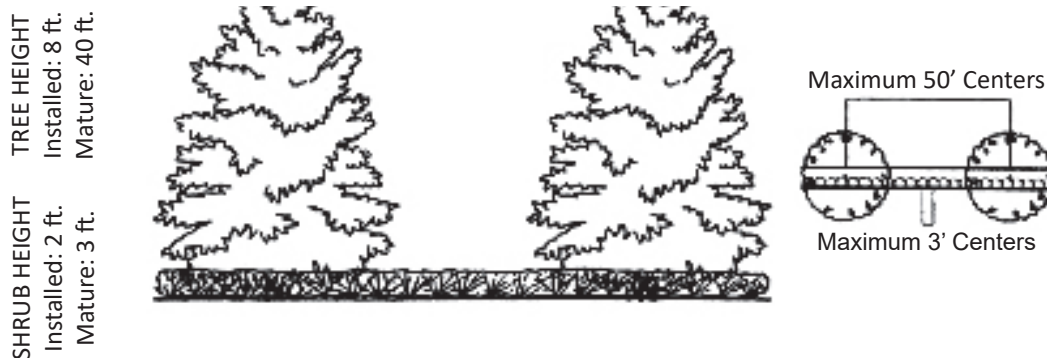
APPROPRIATE LOCATION: Between parking lots and public streets; boundaries of industrial and office development

NOTE: Landscape buffer strips should be a minimum of 8 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

- A row of small evergreen trees



- A row of large broad leaf evergreen trees with a 3 ft. high wall or hedge (deciduous species of similar size & form could be used for every second tree)



- A row of evergreen conifers with a 3 ft. high earth berm or solid fence or wall



INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

Planning uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.



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

Len Johnson

Applicant Name

Affiliation

9/16/2022

Date Filed

11/10/2022

Meeting Date (if applicable)

11-B-22-UR

File Number(s)

CORRESPONDENCE

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

Len Johnson R. Len Johnson and Associates

Name / Company

724 Taylor Rd. Rd. Knoxville TN 37920

Address

865-573-1148 / lenedna@bellsouth.net

Phone / Email

CURRENT PROPERTY INFO

Yvonne Helton

Owner Name (if different)

7335 Oak Ridge Hwy Knoxville TN

Owner Address

865-771-5716

Owner Phone / Email

7335 OAK RIDGE HWY

Property Address

78 182

Parcel ID

0.74 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Oak Ridge Hwy, northeast of Karns Crossing Ln

General Location

City **Commission District 6 CA (General Business)**

County District

Zoning District

Single Family Residential

Existing Land Use

Northwest County

Planning Sector

GC (General Commercial)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input checked="" type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) Landscaping contractor's yard	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> 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	Total
\$1,600.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature: **Len Johnson** Please Print Date: **9/16/2022**

Phone / Email

Property Owner Signature: **Yvonne Helton** Please Print Date: **9/16/2022**

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

7335 OAK RIDGE HWY, KNOXVILLE, TN 37931

Applicant Name

LEN JOHNSON

Affiliation

10 NOV 22

File Number(s)

Date Filed

Meeting Date (if applicable)

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

LEN JOHNSON

R. LEN JOHNSON & ASSOCIATES

Name

Company

724 TAYLOR ROAD

KNOXVILLE

TN

37920

Address

City

State

ZIP

(865) 573-1148

lenedna@bellsouth.net

Phone

Email

CURRENT PROPERTY INFO

YVONNE HELTON

7335 OAK RIDGE HWY

(865) 771-5716

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7335 OAK RIDGE HIGHWAY

078182

Property Address

Parcel ID

WEST KNOX UTILITY / KUB

Y

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) **USE AS A LANDSCAPE CONTRACTORS PLACE OF BUSINESS NO RETAIL**

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

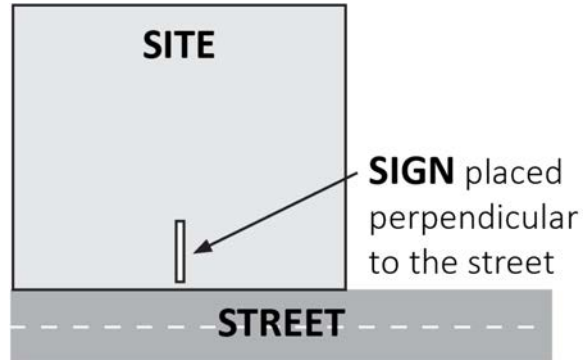
Applicant Signature **7335 OAK RIDGE HWY, KNOXVILLE, TN 379:** **12 SEP 2022**
Please Print Date

Phone Number **(865) 573-1148**
Email **lenedna@bellsouth.net**

Property Owner Signature **YVONNE HELTON** **12 SEP 2022**
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.

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:

_____ 10/28/2022 _____ and _____ 11/11/2022 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Len Johnson

Date: 9/16/22

File Number: 11-B-22-UR

- Sign posted by Staff
- Sign posted by Applicant