

MEMORANDUM

TO: Knoxville-Knox County Planning Commission
FROM: Jessie Hillman, AICP | Principal Planner
DATE: August 8, 2023
SUBJECT: **8-A-23-HPA** Agenda Item #6
Level II Certificate of Appropriateness for 11 additional acres of disturbance in the Hillside Protection Overlay at 0 Central Avenue Pike, Parcel ID 068 075
Article 8.9: HP Hillside Protection Overlay Zoning District
Article 16.8.A.4 & B.4: Overlay Districts – Certificates of Appropriateness, Purpose and Applicability & Process for the HP Overlay Zoning District

STAFF RECOMMENDATION:

Approve the applicant's Level II Certificate of Appropriateness (COA) request to develop within the HP (Hillside Protection) Overlay zoning district, on the condition that disturbance within the HP Overlay not exceed 5.23 acres outside of the Tennessee Valley Authority (TVA) utility easement on the site.

BACKGROUND:

The Hillside and Ridgetop Protection Plan was adopted by the City of Knoxville in 2011 to provide the vision and means for protecting hillsides and hillside development while minimizing offsite environmental damage. The basis for the plan stems from a recognition that forested ridges and hillsides are a defining characteristic of the region's natural heritage and a primary contributor to maintaining long term property values, clean air and water, and wildlife protection.

The plan is codified in Knoxville's Zoning Ordinance through Articles 8.9 and 16.8, which provide the regulatory framework and enforcement procedures for maintaining the HP Overlay District. Article 8.9 describes standards for how the overlay is to be applied, and it delineates disturbance and density limitations based on the severity of slopes. Disturbance is defined in the Hillside and Ridgetop Protection Plan as, "any activity that results in a change in existing soil, topography, or vegetation."

Article 16.8 describes how disturbance limitations are enforced via a COA, which is administered by Planning staff. However, if a COA request requires a deviation from the applicability and/or disturbance standards of Article 8.9, the Planning Commission will evaluate whether the request is to be approved, approved with conditions, or denied (Article 16.8.B.4.d).

SUBJECT PROPERTY:

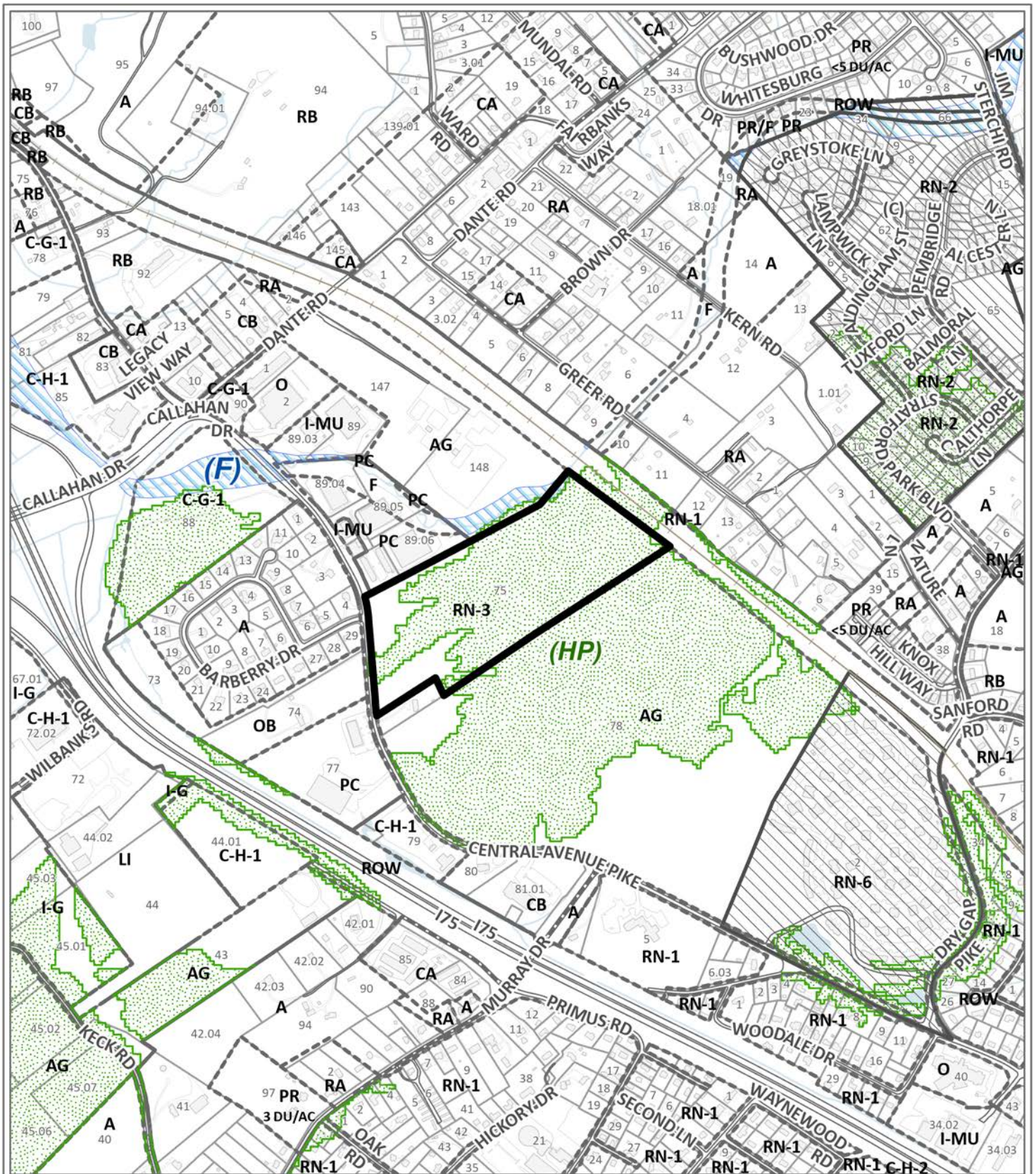
The applicant submitted a concept plan and special use request (7-SB-23-C / 8-A-23-SU) to develop 103 townhouses on the subject property, as shown on the site plan in Exhibit A. Approximately 80% of the property is within the HP Overlay and most of the steepest portions have not been previously disturbed. The Knob Fork River, which is the property's watershed, runs across the northernmost corner of the parcel and along its northern border.

Approximately 14 acres of the parcel have been previously cleared and are unbuildable due to a TVA utility easement. The original slope analysis conducted for the entire parcel as part of the concept plan review provides a disturbance budget of no more than 14.17 acres within the HP Overlay, as shown in Exhibit B. Since the TVA easement is equivalent in area to the disturbance budget, this limitation is a significant impediment to potential development of the site.

The applicant's COA request for 11 additional acres would clear almost the entirety of the remaining HP area. This request is based on an interpretation of Article 8.9.B, which enumerates scenarios where a property may be exempted from HP Overlay regulations. Exemption #4 reads, "Lots that have been previously legally disturbed or developed would also be excepted provided that any new/additional disturbance does not exceed the previously disturbed area or the maximum land disturbance permitted by Table 8.6 below, whichever is greater." From the applicant's perspective, since the proposed new/additional 11 acres of disturbance is within the disturbance budget and does not exceed the numeric value of the previous disturbance (11 acres new vs 14 acres previous), then it should be permitted.

This interpretation is not consistent with that of Planning staff or the City Plans Review and Inspections Department (PR&I), as reflected in the attached letter from PR&I (Exhibit D). The previously legally disturbed area within an HP Overlay is considered as part of the maximum land disturbance budget, not separate from it.

Planning Staff conducted an alternative slope analysis, shown in Exhibit C, which excludes the undevelopable TVA easement, and provides a disturbance budget of 5.23 acres within the HP Overlay of the remaining property. This alternative disturbance calculation is consistent with the intent of the Hillside Protection Plan, which acknowledges in its preface that, "flexibility will be needed in applying these general goals and principles to specific proposals and site conditions on unique parcels of land, and leaves room for approval of sound engineering and creative solutions to meet these objectives." Approving a COA based on a disturbance limit of 5.23 acres rather than the 11 acres requested balances the integrity of the HP Overlay District with practical development considerations.



HILLSIDE PROTECTION

8-A-23-HPA

Petitioner: Beaver Creek Development, LLC

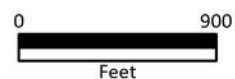


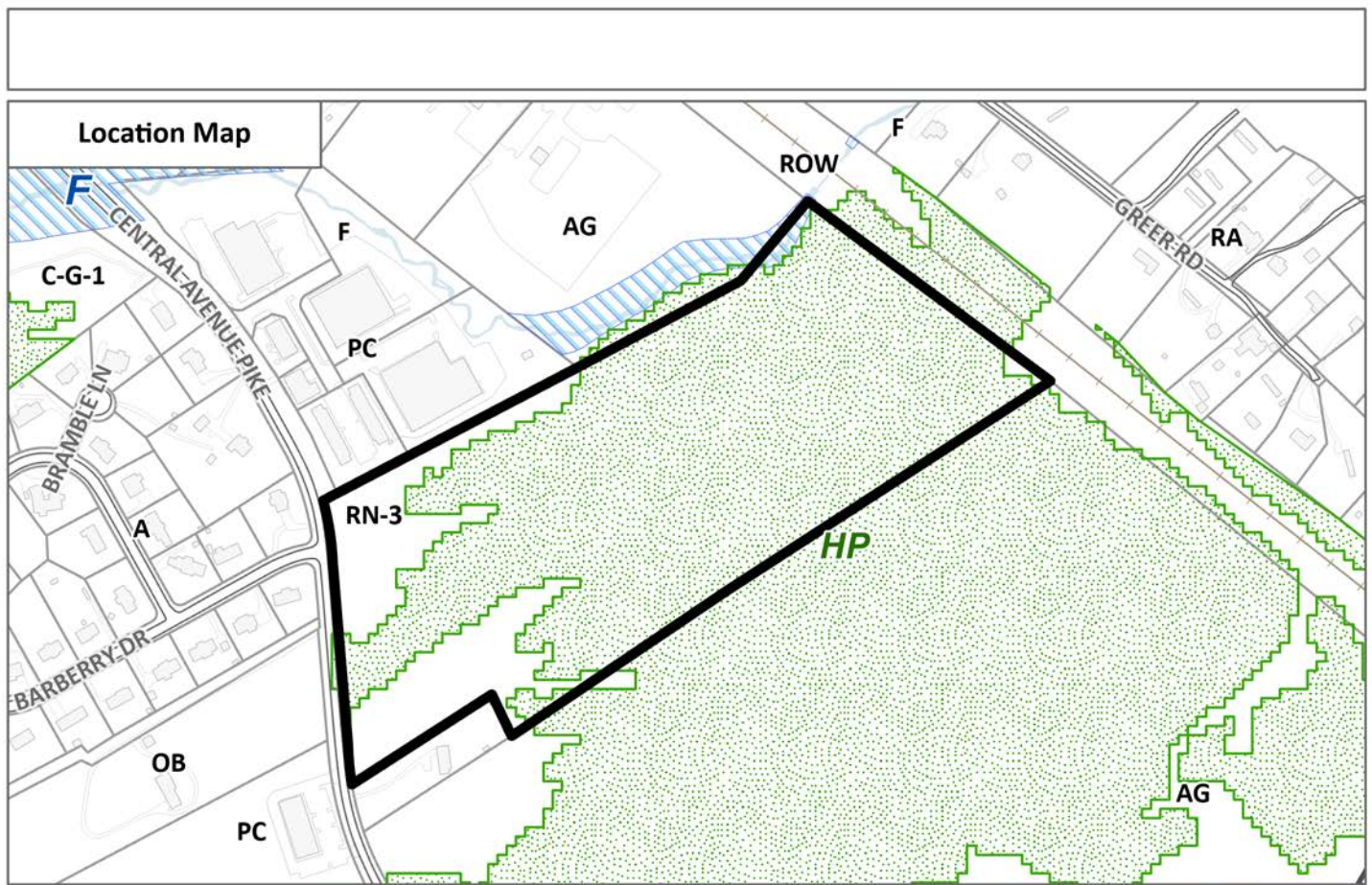
Request to exceed the Hillside Protection disturbance budget by 11 acres for a townhome residential development.

Map No: 68
Jurisdiction: City


Original Print Date: 7/20/2023

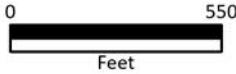
Knoxville - Knoxville County Planning Commission * City / County Building * Knoxville, TN 37902






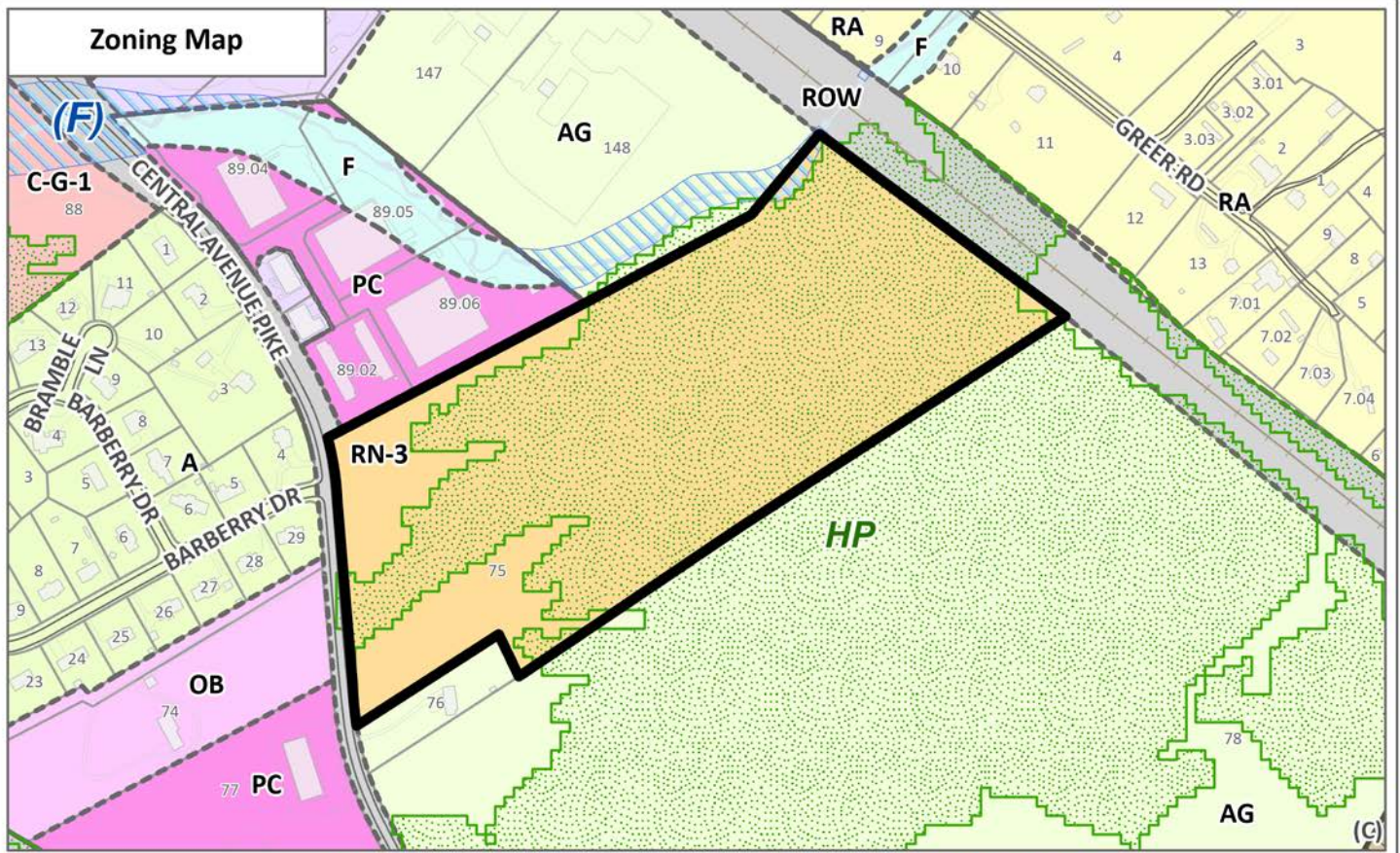
CONTEXTUAL MAPS 1 8-A-23-HPA / 7-SB-23-C / 8-A-23-SU

 Case boundary

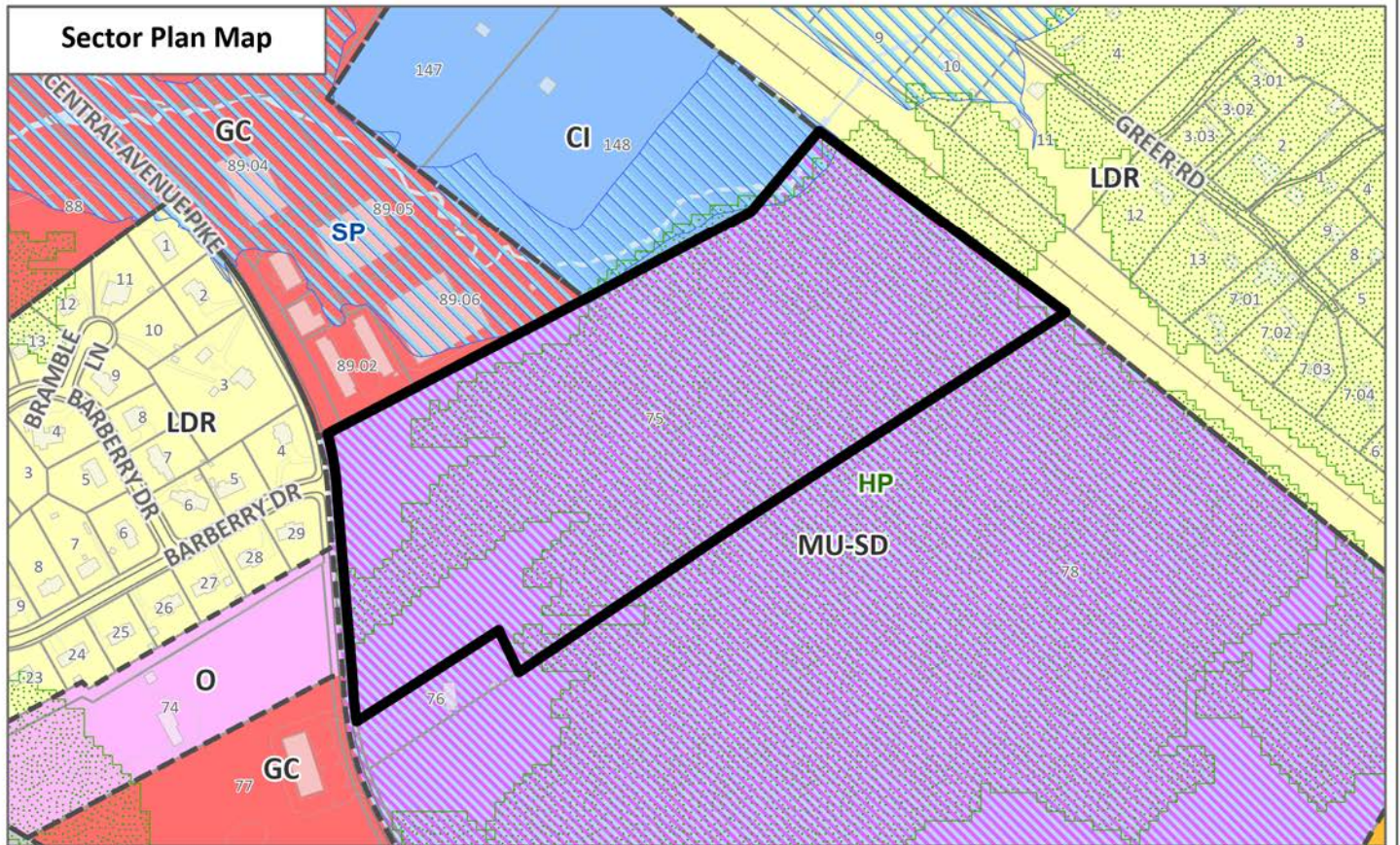




Zoning Map



Sector Plan Map

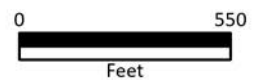


CONTEXTUAL MAPS 2

8-A-23-HPA / 7-SB-23-C / 8-A-23-SU



Case boundary





URBAN ENGINEERING, INC.
CIVIL ENGINEERS • LAND PLANNERS

June 26, 2023

Knoxville / Knox County Planning
Jessie Hillman
Suite 403, City County Building
400 Main Street
Knoxville, TN 37902

Re: Hamilton Park S/D Certificate of Appropriateness Request (7-SB-23-C)

Dear Jessie:

Attached to this letter you will find an application for a Hillside protection Certificate of Appropriateness. Per the slope analysis, the recommended maximum disturbed area is 14.17-acres. Approximately 14-acres have already been disturbed to accommodate TVA / KUB electric transmission lines.

We are proposing disturb an additional 11-acres (approximate) in conjunction with the development of Hamilton Park Subdivision. Please do not hesitate to contact me if you have questions or need additional information.

Sincerely,

Urban Engineering, Inc.

Chris Sharp, P.E.

1" = 80'
TOTAL DISTURBED
AREA = 16.2 ± AC
AREA DISTURBED
w/in HP = 10.9 ± AC

APPROX. DISTURBANCE LIMITS



HEDBURN FAROZEL C&B Q76 DEED 202203150074518

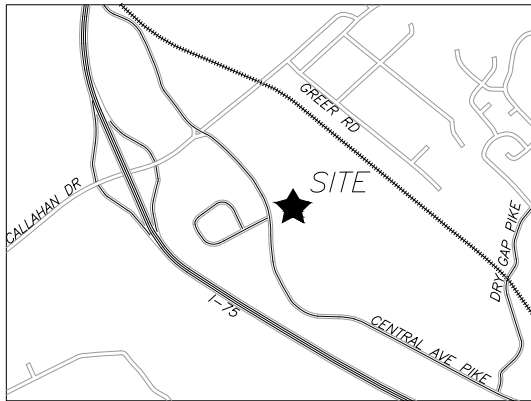
Exhibit A: Concept Plan

CONCEPT PLAN

U.E.I. PROJECT NO. 2304013

HAMILTON PARK

SITE ADDRESS: 0 CENTRAL AVENUE PIKE, KNOXVILLE, TENNESSEE 37912
 WARD NO. 39, CITY BLOCK NO. 39280
 CLT MAP 68, PARCEL 75



LOCATION MAP

DEVELOPER:
 BEAVER CREEK DEVELOPMENT, LLC
 3712 CUNNINGHAM ROAD
 KNOXVILLE, TN 37918
 (865) 318-2629

SITE ENGINEER:

 URBAN ENGINEERING, INC.
 CHRIS SHARP
 10330 HARDIN VALLEY RD, #201
 KNOXVILLE, TENNESSEE 37932
 (865) 966-1924

SPECIFICATIONS
 EXCEPT WHERE DIRECTED OTHERWISE BY THE PLANS, WORKMANSHIP AND MATERIAL (BUT NOT MEASUREMENT AND PAYMENT) FOR THIS PROJECT SHALL BE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS AND STANDARDS.

ELECTRICAL	- AS DIRECTED BY KUB
GAS	- AS DIRECTED BY KUB
WATER	- AS DIRECTED BY KUB
CABLE TV	- AS DIRECTED BY COMCAST
TELEPHONE	- AS DIRECTED BY AT&T
CITY OF KNOXVILLE	- AS PER CITY OF KNOXVILLE STANDARDS AND SPECIFICATIONS

SHEET INDEX

TITLE	SHEET
TITLE SHEET	C-0
SITE PLAN OVERALL / TYPICAL	C-1
SITE PLAN	C-2 & C-3
GRADING PLAN	C-4 & C-5
ROADWAY PROFILES	C-6 & C-7
ARCHITECTURAL ELEVATIONS & TYPICAL LOT DETAIL	A-1

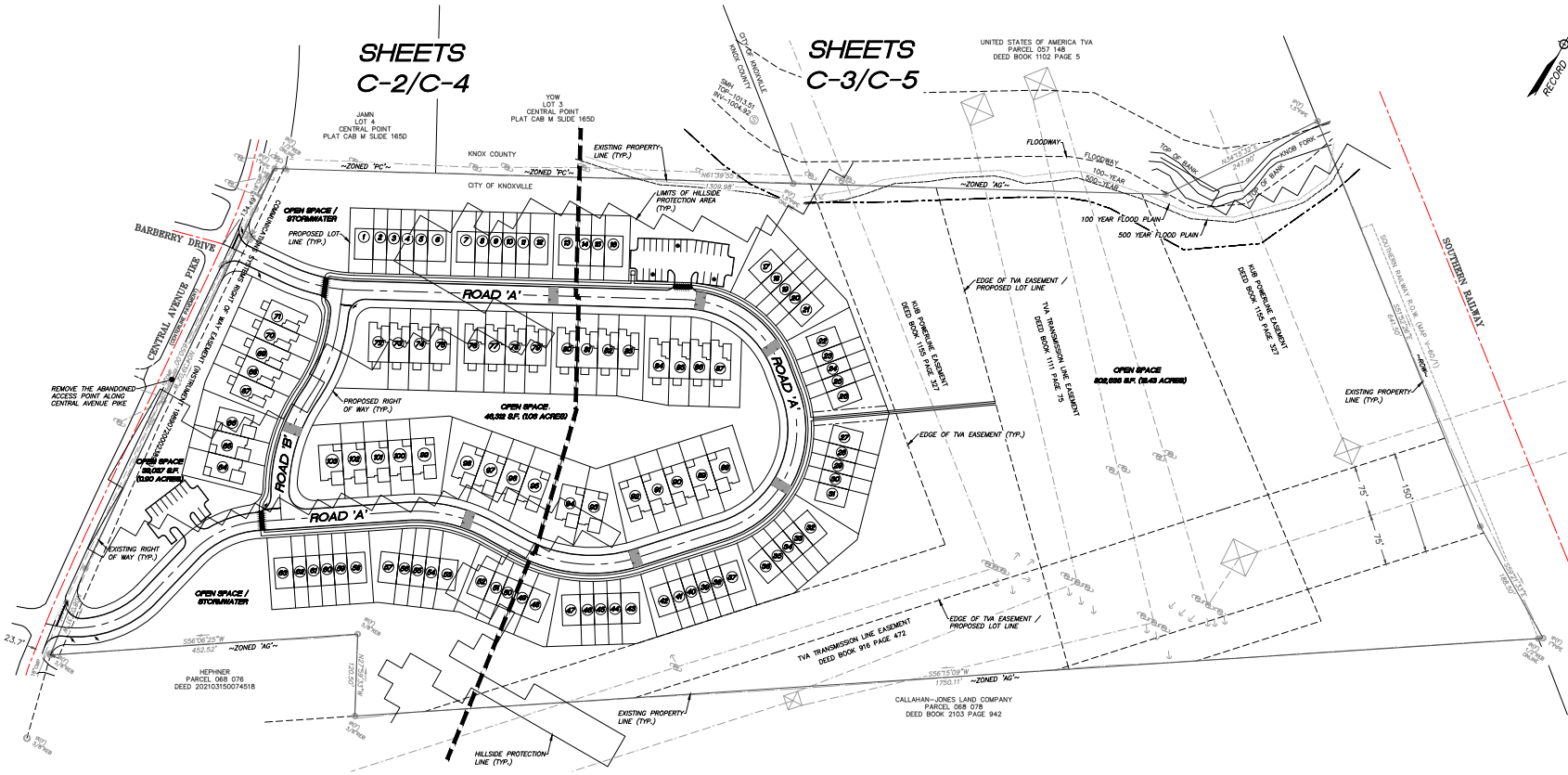
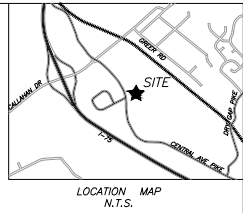
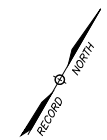
7-SB-23-C/ 8-A-23-SU/ 8-A-23-HPA
 7/14/23

MPC FILE# 7-SB-23-C

ISSUE NO.	DATE	REVISIONS PER COK COMMENTS DESCRIPTION
2	07/11/23	REVISED PER COK COMMENTS

**SHEETS
C-2/C-4**

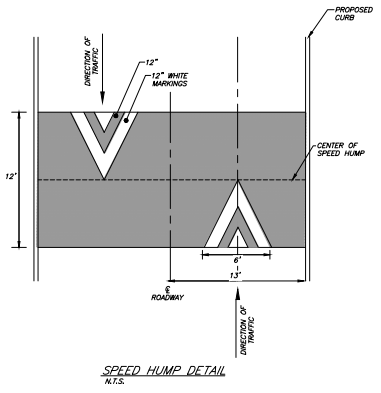
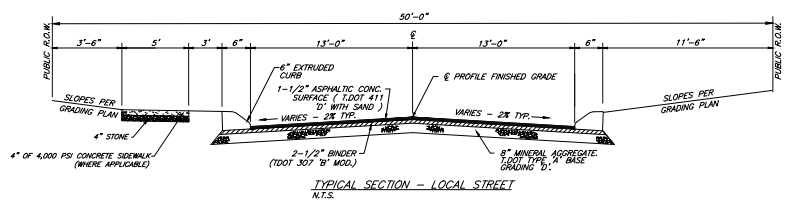
**SHEETS
C-3/C-5**



- SITE PLAN NOTES:**
1. THE LOCATIONS OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON FIELD LOCATION OF VISIBLE STRUCTURES SUCH AS CATCH BASINS, MANHOLES, WATER VALVES, ETC., AND COMPILE INFORMATION FROM PLANS SUPPLIED BY RELEVANT UTILITY COMPANIES AND GOVERNMENT AGENCIES. THE CONTRACTORS SHALL NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES AND ALSO CALL TENU ONE-CALL PRIOR TO ANY EXCAVATION WORK, TO VERIFY INFORMATION SHOWN AND OBTAINING THE LAYOUT OF THE IRRIGATION SYSTEM AND IF ADDITIONAL IMPROVEMENTS MAY EXIST.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF KNOXVILLE'S SPECIFICATIONS FOR SITE DEVELOPMENT.
 3. THE PROPOSED SITE FEATURES SHOWN ON THIS DRAWING ARE SUBJECT TO FINAL ENGINEERING. THIS DRAWING IS NOT INTENDED FOR CONSTRUCTION.
 4. THE TOTAL AREA OF THE DEVELOPMENT IS 31.46 ACRES.
 5. PROPOSED OPEN SPACE = 887,985 S.F. (64.80)
 6. THE PARCEL IS ZONED RM-3. SETBACKS ARE PER THE CITY OF KNOXVILLE ZONING ORDINANCE, AND ARE AS FOLLOWS:
FRONT: 10' OR THE AVERAGE OF BLOCKFACE, WHICHEVER IS LESS
SIDE: 5' OR 15% OF LOT WIDTH, WHICHEVER IS LESS; IN NO CASE LESS THAN 15' CORNERED
CORNER: 12'
REAR: 25'
 7. POPULATION DENSITY: 103 DWELLING UNITS / 31.46 AC = 3.3 UNITS / ACRE
 8. THE PROPOSED LOTS SHALL ONLY HAVE VEHICULAR ACCESS TO THE PRINCIPAL SYSTEM.
 9. SEE THIS SHEET FOR INTERNAL STREETS TYPICAL SECTION.
 10. THE TOTAL AREA OF THE PROPERTY COVERED BY HILLSIDE PROTECTION IS 24.83 ACRES.
 11. THE MINIMUM SEPARATION BETWEEN SIDEWALKS OF TOWNHOUSE BUILDINGS IS 15'.
 12. FRONT SETBACK = 10'
MINIMUM BUILD TO LINE = 20% OR AS NECESSARY TO MAINTAIN ADEQUATE DRIVEWAY DEPTH.

PARKING SUMMARY:

0.25 SPACES PER DWELLING UNIT
DWELLING UNITS = 103
0.25 x 103 = 26 SPACES REQUIRED
PARKING PROVIDED = 34 SPACES



- SPEED HUMP NOTES:**
- 1) SPEED HUMPS SHALL MEET THE REQUIREMENTS OF MUTO'S UPDATED GUIDELINES FOR THE DESIGN & APPLICATION OF SPEED HUMPS.
 - 2) SLOPES SHALL NOT EXCEED 1:10 OR BE LESS STEEP THAN 1:25.
 - 3) SIDE SLOPES ON TAPERS SHOULD BE NO GREATER THAN 1:6.
 - 4) THE VERTICAL LIP SHOULD BE NO MORE THAN A QUARTER-INCH HIGH.
 - 5) SPEED HUMP SHALL BE ACCOMPANIED BY A SIGN WARNING DRIVERS OF THE UPCOMING DEVICE (MUTCD W17-1).

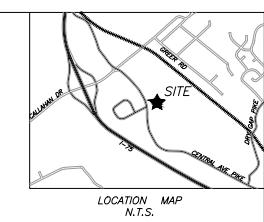
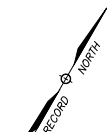
- VARIANCE ALTERNATIVE DESIGN STANDARD REQUESTS:**
- 1) INCREASE THE MAXIMUM ROAD GRADE FROM 12% TO 14.94% (ROAD A).
 - 2) REDUCE THE REQUIRED TANGENT DISTANCE BETWEEN REVERSE CURVES FROM 507 TO 0' (STA. 1+45.63 = ROAD B).
 - 3) REDUCE THE REQUIRED TANGENT DISTANCE BETWEEN BROKEBACK CURVES FROM 150' TO 38.2' (BETWEEN STA. 8+76.76 AND 9+14.96 ROAD A).
 - 4) REDUCE THE REQUIRED TANGENT DISTANCE BETWEEN BROKEBACK CURVES FROM 150' TO 131.07' (BETWEEN STA. 11+65.85 AND 12+96.92 ROAD A).
 - 5) REDUCE THE REQUIRED TANGENT DISTANCE BETWEEN BROKEBACK CURVES FROM 150' TO 48.20' (BETWEEN STA. 14+79.29 AND 15+27.08 ROAD A).

MPC FILE# 7-SB-23-C
SHEET C-1 (SHEET 2 OF 9)

SITE PLAN OVERALL
HAMILTON PARK
SITE ADDRESS: 0 CENTRAL AVENUE PIKE, KNOXVILLE, TN (37912)
CITY OF KNOXVILLE KNOX CO., TN
WARD NO. 39 CITY BLOCK NO. 39280
CLT MAP 68 PARCEL 75
SCALE: 1"=80' APRIL 24, 2023
DEVELOPER: BEAVER CREEK DEVELOPMENT, LLC
3712 CUNNINGHAM ROAD
KNOXVILLE, TN 37918
(865) 318-2629

URBAN ENGINEERING, INC.	10330 HARDY VALLEY RD., SUITE #201	KNOXVILLE, TN 37932	(865) 966-1924
DWG. NO.	2304013	DATE	07/11/23
REVISION	1	DATE	07/11/23
DESCRIPTION	REVISED PER COK COMMENTS	CAS	
BY			





SITE PLAN NOTES:

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3. THE PROPOSED SITE FEATURES SHOWN ON THIS DRAWING ARE SUBJECT TO FINAL ENGINEERING. THIS DRAWING IS NOT INTENDED FOR CONSTRUCTION.
4. THE TOTAL AREA OF THE DEVELOPMENT IS 31.46 ACRES.
5. PROPOSED OPEN SPACE = 887,985 S.F. (64.8%)
6. THE PARCEL IS ZONED RN-3. SETBACKS ARE PER THE CITY OF KNOXVILLE ZONING ORDINANCE, AND ARE AS FOLLOWS:
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MPC FILE# 7-SB-23-C
SHEET C-2 (SHEET 3 OF 7)

SITE PLAN

HAMILTON PARK

SITE ADDRESS: 0 CENTRAL AVENUE PIKE, KNOXVILLE, TN (37912)
CITY OF KNOXVILLE KNOX CO., TN
WARD NO. 39 CITY BLOCK NO. 39280
CLT MAP 68 PARCEL 75
SCALE: 1"=40' APRIL 24, 2023

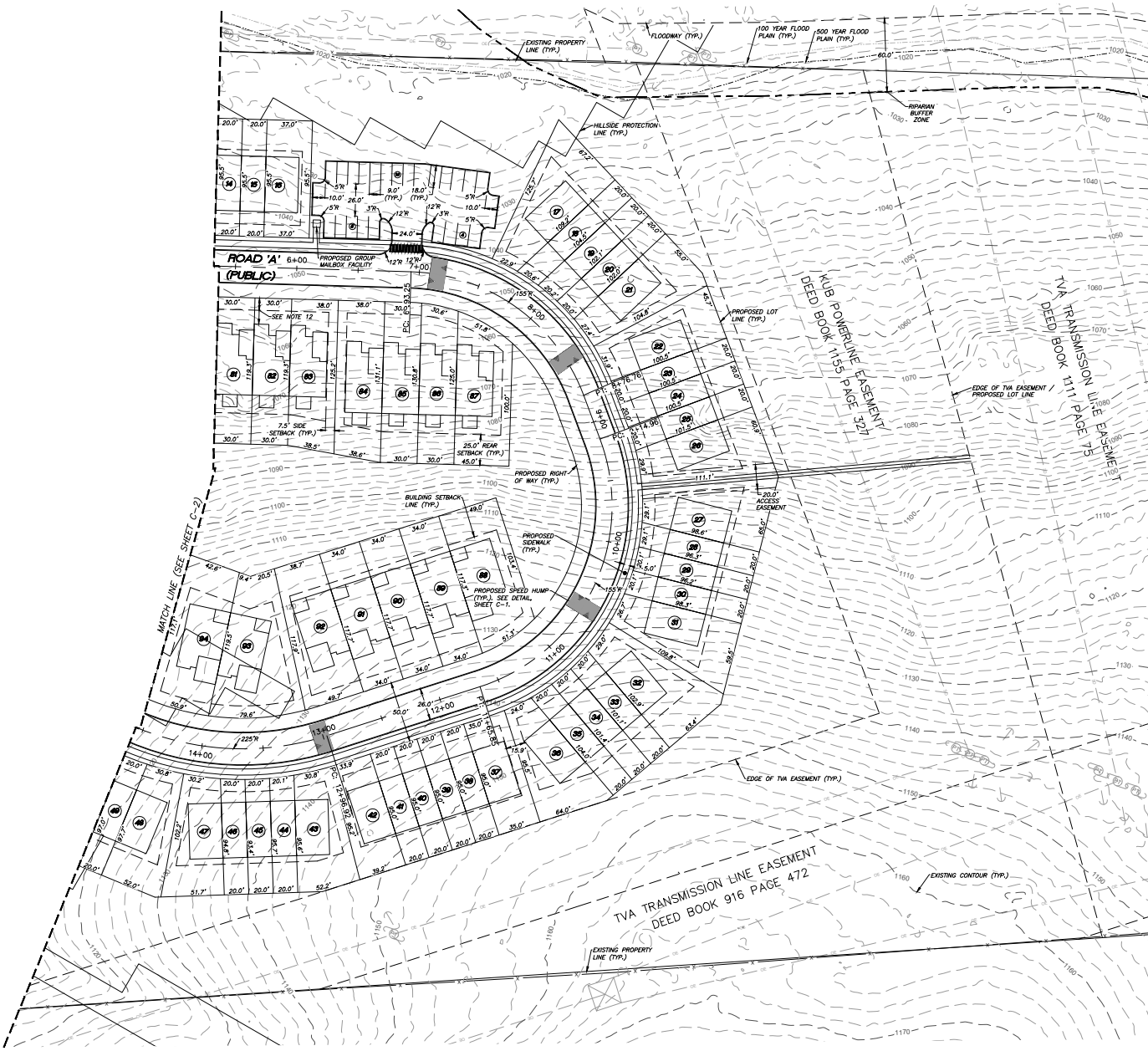
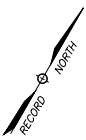
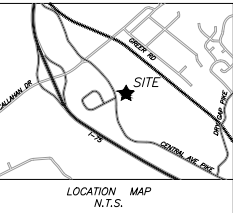
DEVELOPER: BEAVER CREEK DEVELOPMENT, LLC
3712 CUNNINGHAM ROAD
KNOXVILLE, TN 37918
(865) 318-2629

URBAN ENGINEERING, INC.
10330 HARDON VALLEY RD., SUITE #201
KNOXVILLE, TN 37932
(865) 966-1924



1	07/11/23	REVISED PER COK COMMENTS	CLM
REVISION	DATE	DESCRIPTION	BY
			DWR: CLM
			CHR: CAS
			DWR: NO. 2304013





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MPC FILE# 7-SB-23-C
 SHEET C-3 (SHEET 4 OF 7)

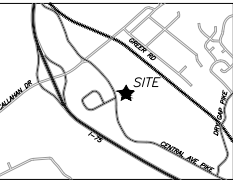
SITE PLAN
HAMILTON PARK
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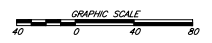
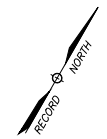


REVISION	DATE	DESCRIPTION	CLM	BY
1	07/11/23	REVISED PER COK COMMENTS	CLM	





GRADING PLAN NOTES:
 1. GRADING SHOWN HEREON IS CONCEPTUAL ONLY AND IS SUBJECT TO MORE IN DEPTH STUDY.
 2. THE APPROXIMATE DISTURBED AREA IN THE HILLSIDE PROTECTION OVERLAY IS 10.8-ACRES.



MPC FILE# 7-SB-23-C
 SHEET C-4 (SHEET 5 OF 9)

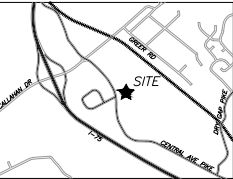
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 CITY OF KNOXVILLE KNOX CO., TN
 WARD NO. 39 CITY BLOCK NO. 39280
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 SCALE: 1"=40' APRIL 24, 2023

DEVELOPER: **BEAVER CREEK DEVELOPMENT, LLC**
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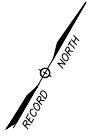
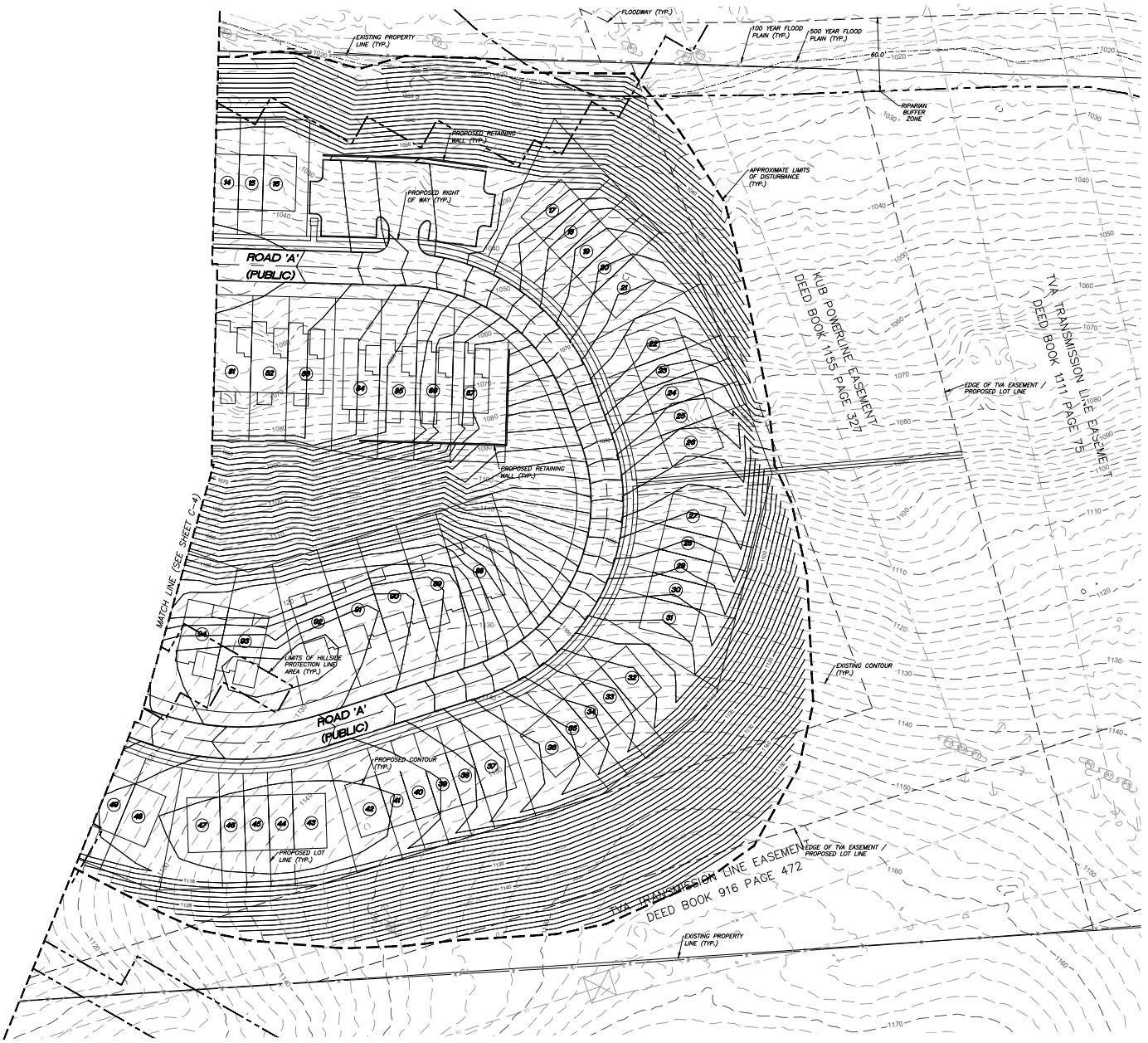
NO.	DATE	REVISION	BY	CHKD.	APP'D.
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		DESCRIPTION	BY	DWR: CLM	CHR: CAS





LOCATION MAP
N.T.S.

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GRAPHIC SCALE
0 40 80

MPC FILE# 7-SB-23-C
 SHEET C-5 (SHEET 6 OF 9)

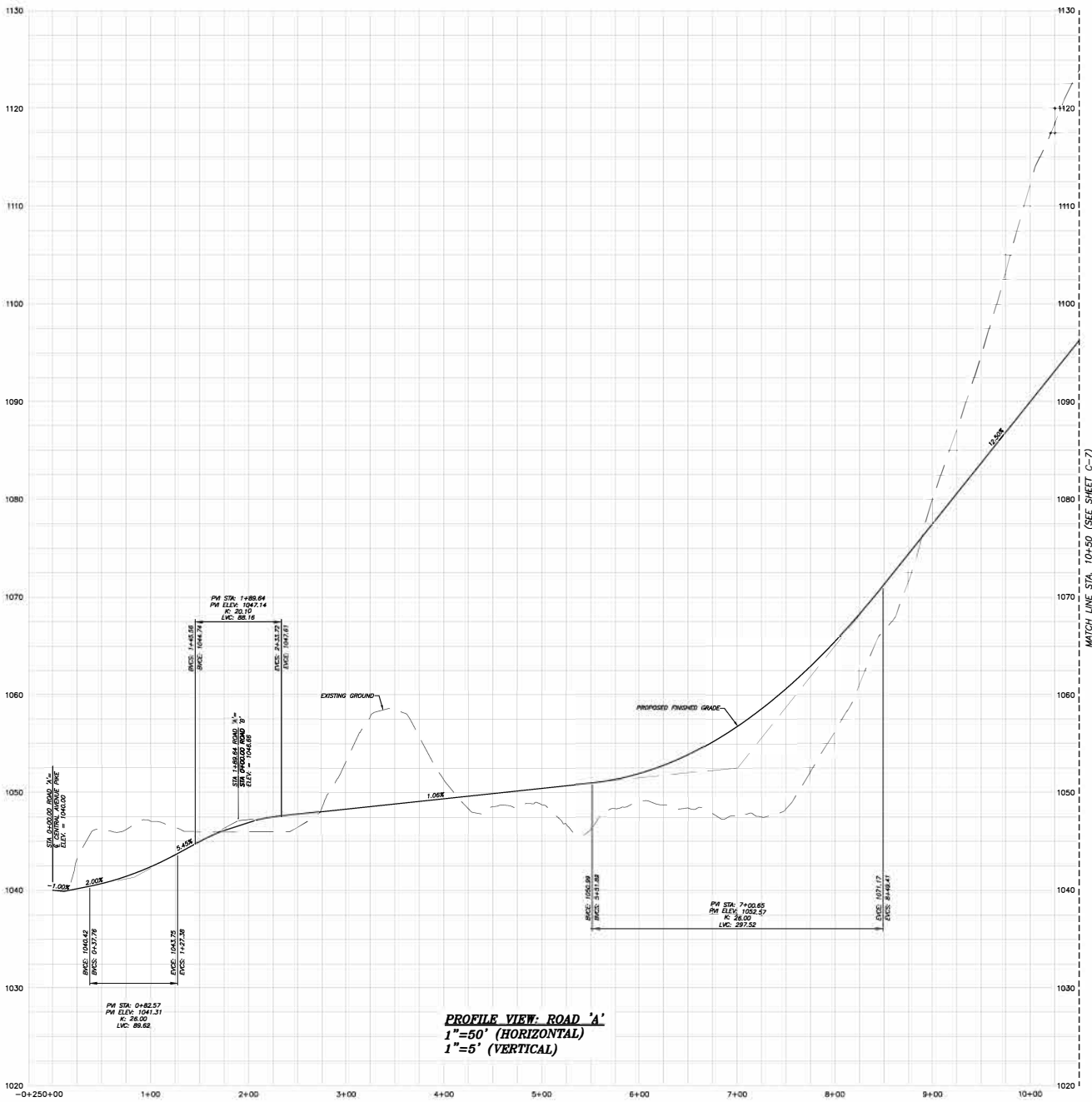
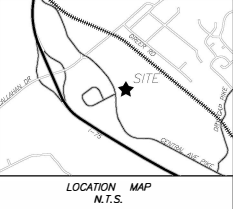
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 CITY OF KNOXVILLE KNOX CO., TN
 WARD NO. 39 CITY BLOCK NO. 39280
 CLT MAP 68 PARCEL 75
 SCALE: 1"=40' APRIL 24, 2023

DEVELOPER: **BEAVER CREEK DEVELOPMENT, LLC**
 3712 CUNNINGHAM ROAD
 KNOXVILLE, TN 37918
 (865) 318-2629

URBAN ENGINEERING, INC.
 10330 HARDEN VALLEY RD., SUITE #201
 KNOXVILLE, TN 37932
 (865) 966-1924

REV	DATE	DESCRIPTION	BY	CHK
1	07/11/23	REVISED PER COK COMMENTS	CLM	



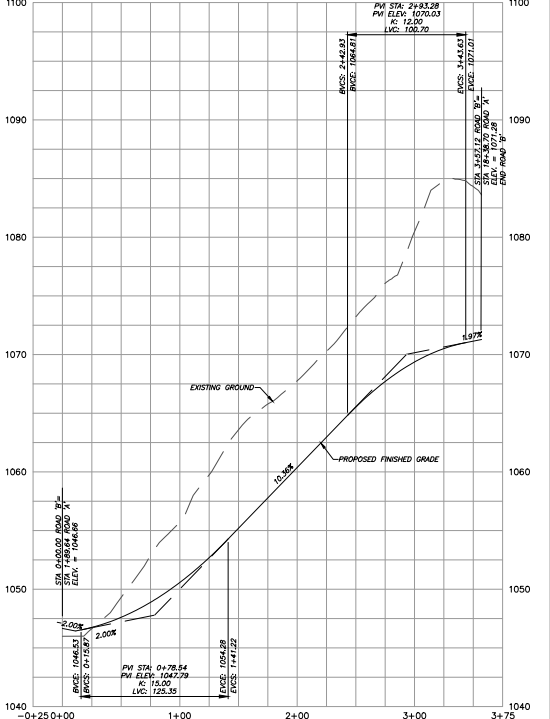
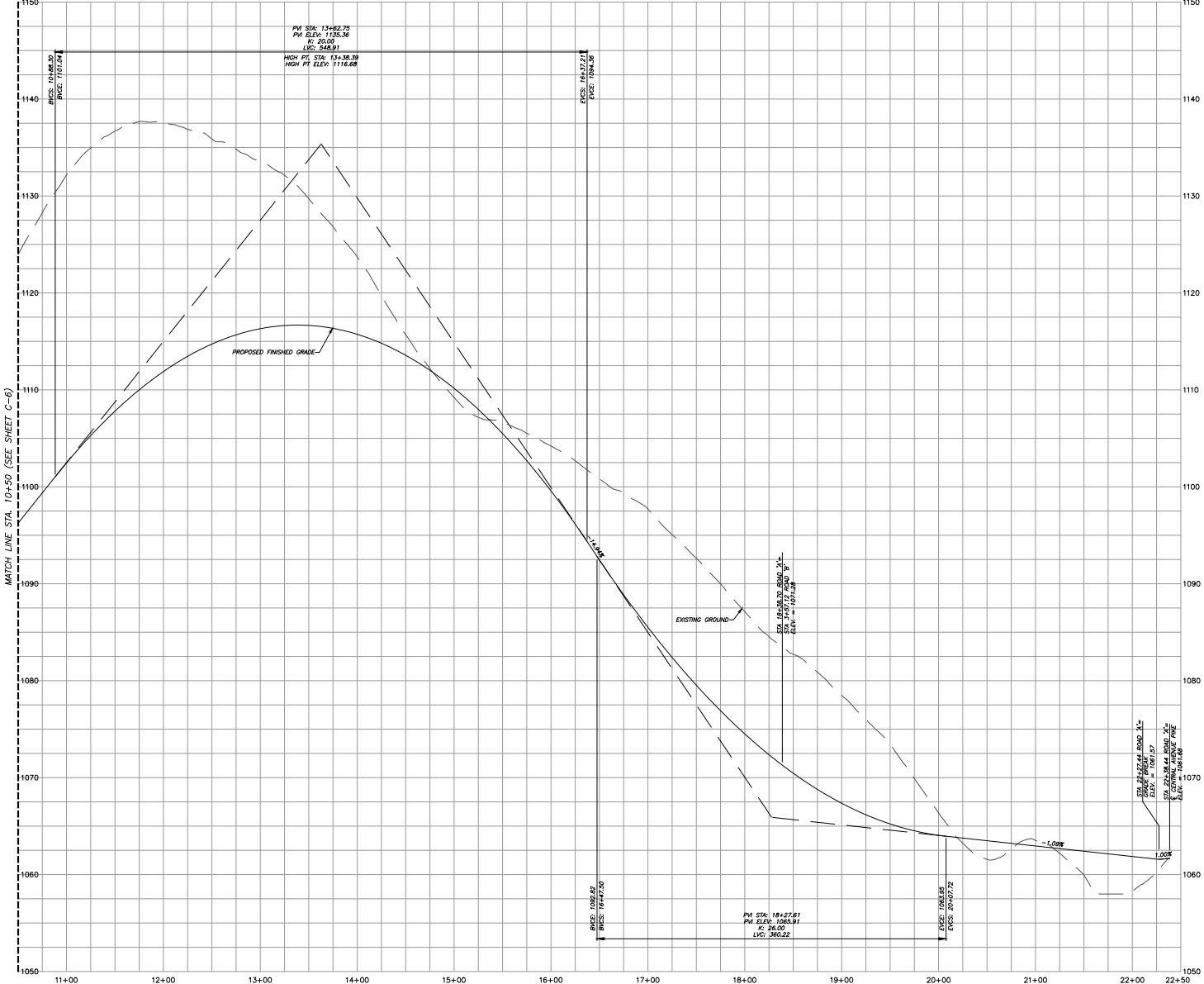
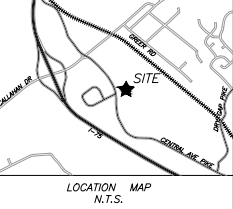


PROFILE VIEW: ROAD 'A'
 1"=50' (HORIZONTAL)
 1"=5' (VERTICAL)

MPC FILE# 7-SB-23-C
 SHEET C-6 (SHEET 7 OF 9)

ROADWAY PROFILES			
HAMILTON PARK			
SITE ADDRESS: 0 CENTRAL AVENUE PIKE, KNOXVILLE, TN (37#12)			
CITY OF KNOXVILLE	KNOX CO., TN.		
WARD NO. 39	CITY BLOCK NO. 39280		
CLT MAP 68	PARCEL 75		
SCALE: AS NOTED	APRIL 24, 2023		
DEVELOPER: BEAVER CREEK DEVELOPMENT, LLC			
3712 CUNNINGHAM ROAD			
KNOXVILLE, TN 37918			
(865) 318-2629			
URBAN ENGINEERING, INC.			
10330 HARDEN VALLEY RD., SUITE #201			
KNOXVILLE, TN 37932			
(865) 966-1924			
DATE: 07/11/23	DESIGNER: CAS	CHECKED: JOR/CAF	
PROJECT: 07/11/23	REVISED: PERY, COOK, COMMENTS	DATE: 07/11/23	EAS
DESCRIPTION: SWP	DESCRIPTION:		10'





PROFILE VIEW: ROAD 'B'
1"=50' (HORIZONTAL)
1"=5' (VERTICAL)

MPC FILE# 7-SB-23-C
SHEET C-7 (SHEET 8 OF 9)

ROADWAY PROFILES	
HAMILTON PARK	
SITE ADDRESS: 0 CENTRAL AVENUE PIKE, KNOXVILLE, TN (37912)	
CITY OF KNOXVILLE	KNOX CO., TN
WARD NO. 39	CITY BLOCK NO. 39280
CLT MAP 68	PARCEL 75
SCALE: AS NOTED	APRIL 24, 2023
DEVELOPER: BEAVER CREEK DEVELOPMENT, LLC	
3712 CUNNINGHAM ROAD	
KNOXVILLE, TN 37932	
(865) 318-2629	

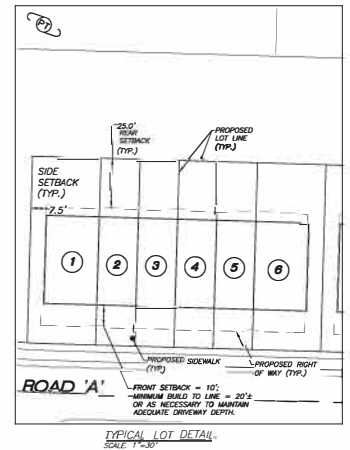
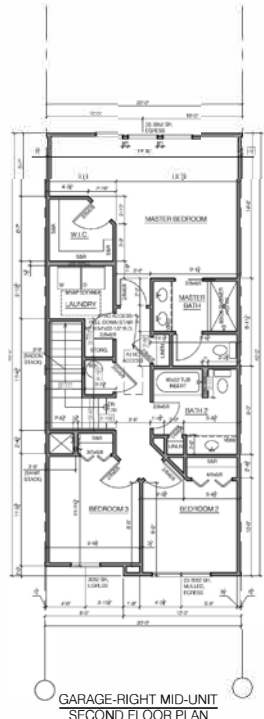
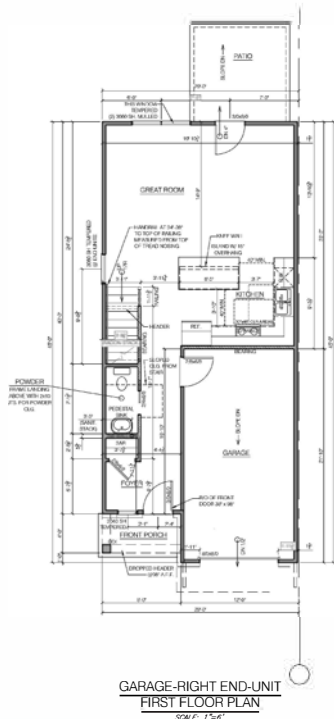
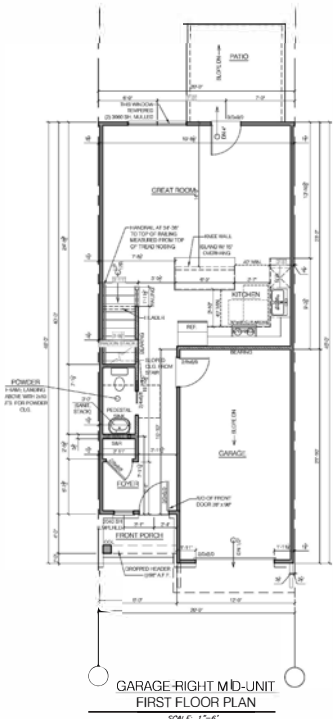


PROFILE VIEW: ROAD 'A'
1"=50' (HORIZONTAL)
1"=5' (VERTICAL)

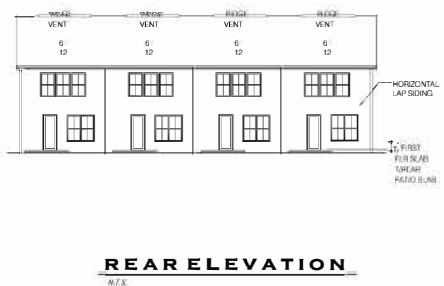
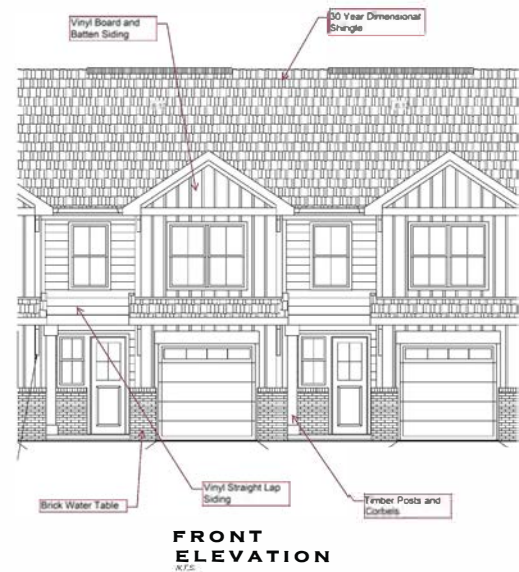
NO.	DATE	DESCRIPTION	BY	CHK	APP
1	07/11/23	REVISED PER COK COMMENTS	CLM		

DWG: CLM	CHK: CAS	DWG. NO. 2304013
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URBAN ENGINEERING, INC.
10330 HARDIN VALLEY RD., SUITE #201
KNOXVILLE, TN 37932
(865) 966-1924



EXTERIOR NOTE:
THE USE OF VINYL SIDING IS LIMITED TO USE AS DECORATIVE OR DETAIL ELEMENTS ON BUILDING FACADES (UP TO 15%).



BUILDING LEFT ELEVATION

1	2/21/2023	REVISIONS	DATE	BY

MPC FILE# 7-SB-23-C
SHEET A-1 (SHEET 9 OF 9)

ARCHITECTURAL ELEVATIONS & TYPICAL LOT DETAIL
HAMILTON PARK
SITE ADDRESS: CENTRAL AVENUE PIKE, KNOXVILLE, TN (37*12)
DEVELOPER: BEAVER CREEK DEVELOPMENT, LLC
3712 CUNNINGHAM ROAD
KNOXVILLE, TN 37918
(865) 318-2629
CITY OF KNOXVILLE KNOX CO., TN
WARD NO. 39 CITY BLOCK NO. 39280
CLT MAP 68 PARCEL 75
SCALE: 1/4"=40' APRIL 24, 2023

URBAN ENGINEERING, INC.
10330 HARDIN VALLEY RD., #201
KNOXVILLE, TENNESSEE 37932
(865) 966-1924

Exhibit B: Original Slope Analysis for entire parcel

Staff - Slope Analysis
Case: 7-SB-23-C

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	31.32		
Non-Hillside	6.52	N/A	
0-15% Slope	7.64	100%	7.64
15-25% Slope	10.72	50%	5.36
25-40% Slope	5.32	20%	1.06
Greater than 40% Slope	1.13	10%	0.11
Ridgetops			
Hillside Protection (HP) Area	24.80	Recommended disturbance budget within HP Area (acres)	14.17
		Percent of HP Area	0.57

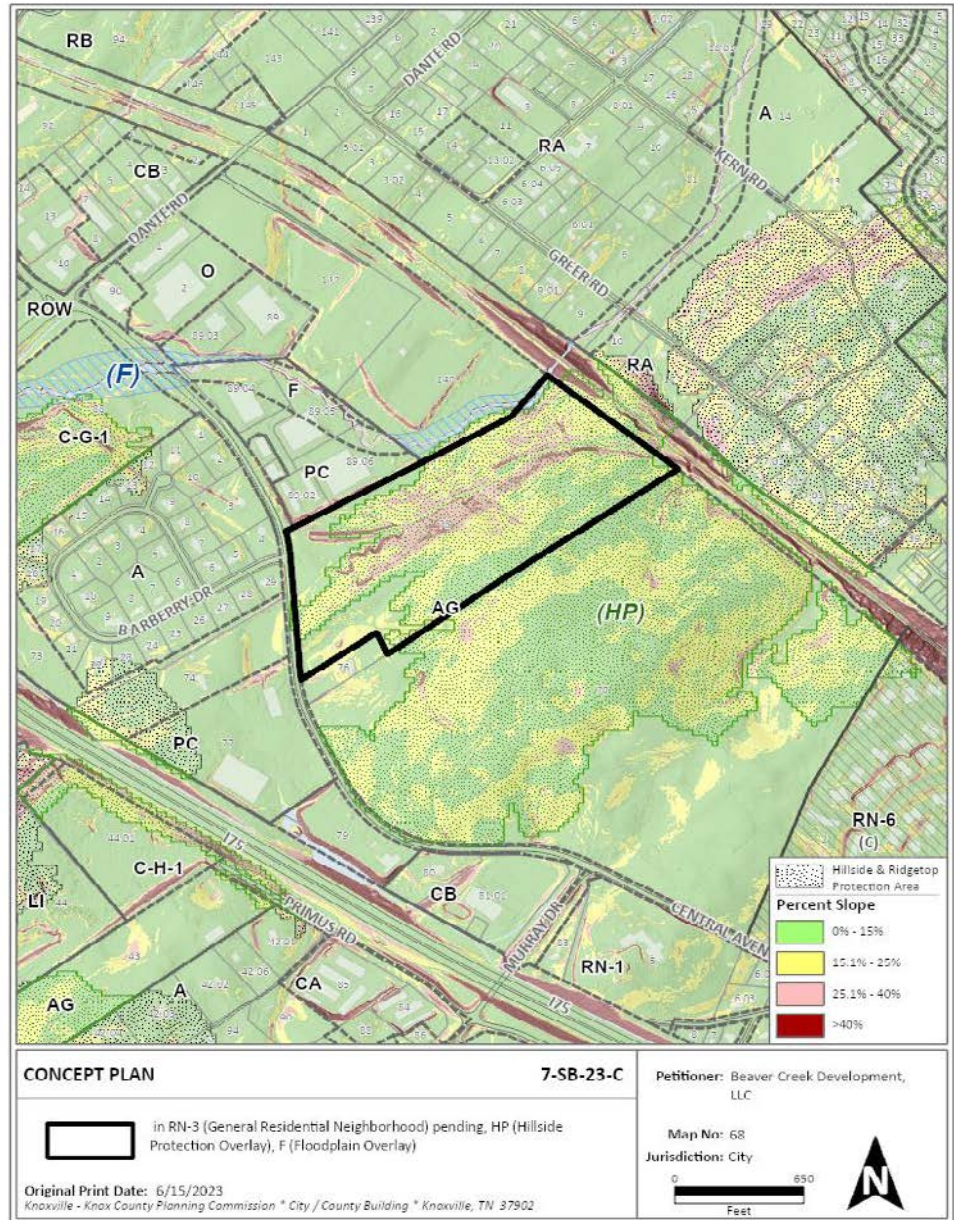
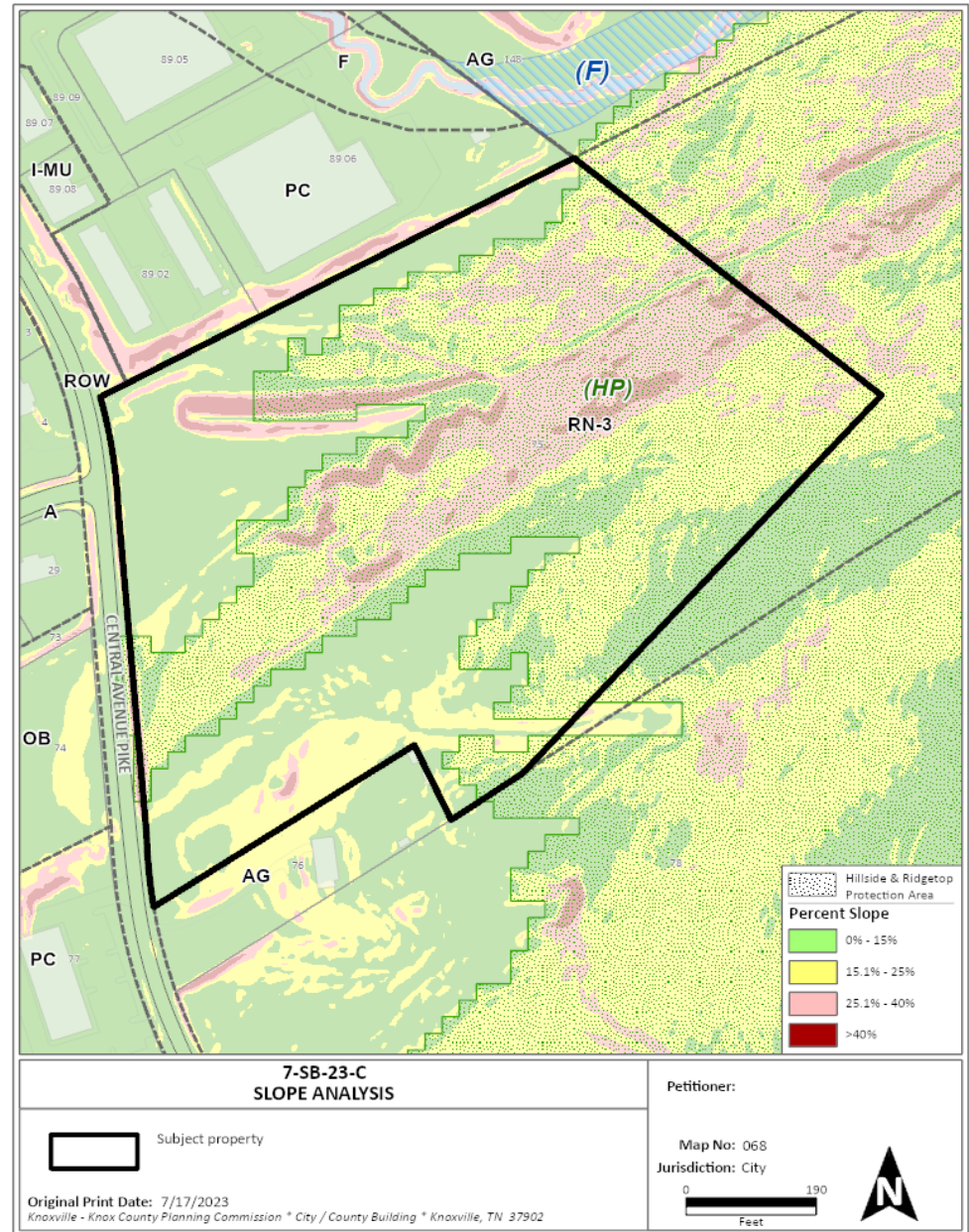


Exhibit C: Alternative Slope Analysis for buildable area

Staff - Slope Analysis
Case: 7-SB-23-C

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	16.52		
Non-Hillside	6.10	N/A	
0-15% Slope	2.20	100%	2.20
15-25% Slope	4.85	50%	2.43
25-40% Slope	2.68	20%	0.54
Greater than 40% Slope	0.69	10%	0.07
Ridgetops			
Hillside Protection (HP) Area	10.42	Recommended disturbance budget within HP Area (acres)	5.23
		Percent of HP Area	0.50





July 21, 2023

Amy Brooks, AICP
Executive Director
Knoxville-Knox County Planning
400 Main Street, Ste. 403
Knoxville, TN 37902

RE: Planning File 8-A-23-HPA

Dear Ms. Brooks,

Knoxville-Knox County Planning staff asked the Plans Review and Inspections Department Zoning Administrator on a zoning interpretation for file 8-A-23-HPA regarding application of the Hillside Protection Overlay Zoning District.

Article 8.9.B.4 of the zoning code reads, *"Lots that have been previously legally disturbed or developed would also be excepted provided that any new/additional disturbance does not exceed the previously-disturbed area or the maximum land disturbance permitted by Table 8.6 below, whichever is greater."*

Plans Review and Inspections interprets Table 8-6: Density and Land Disturbance Limitations as the starting point in determining the maximum land disturbance on a site. If a lot has been previously legally disturbed that exceeds the maximum land disturbance permitted by Table 8.6, then any subsequent disturbance is limited to the previously disturbed area. If a lot has been previously legally disturbed and the area is under the maximum land disturbance as determined in Table 8-6, then any new/additional disturbance can take place as long as it does not exceed the max land disturbance.

This is consistent with how Planning staff has administered the Hillside Protection Overlay and interpretation of Article 8.9.B.4.

Sincerely,

A handwritten signature in black ink that reads "Bryan Berry".

Bryan Berry, AICP
Deputy Director, Plans Review and Building Inspections



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

Beaver Creek Development, LLC

Applicant Name

Affiliation

6/26/2023

Date Filed

8/10/2023

Meeting Date (if applicable)

8-A-23-HPA

File Number(s)

CORRESPONDENCE

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

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

Name / Company

10330 Hardin Valley Rd. Pk. Suite 201 Knoxville TN 37932

Address

865-966-1924 / chris@urban-eng.com

Phone / Email

CURRENT PROPERTY INFO

Marilyn Kennedy

Owner Name (if different)

1877 Cherokee Bluff Rd Knoxville TN 37920

Owner Address

Owner Phone / Email

0 CENTRAL AVENUE PIKE

Property Address

68 075

Parcel ID

31.38 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Central Avenue Pike, east of Barberry Drive

General Location

City

Council District 5

AG (General Agricultural), HP (Hillside Protection Overlay), F (Floodplain Overlay)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

North City

Planning Sector

MU-SD (Mixed Use Special District), HP (Hillside Protectio

Sector Plan Land Use Classification

Urban Growth Area (Inside City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) **Request to exceed the Hillside Protection disturbance budget by 11 acres for a**

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

\$500.00

Fee 2

Fee 3

Total

AUTHORIZATION

- I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature **Beaver Creek Development, LLC**
Please Print

6/26/2023

Date

Phone / Email

Property Owner Signature **Marilyn Kennedy**
Please Print

6/26/2023

Date



NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Robert Gregory		Option Holder



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

Beaver Creek Development, LLC

Option Holder

Applicant Name

Affiliation

6/26/23

8/10/23

Date Filed

Meeting Date (if applicable)

File Number(s)

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

Chris Sharp

Urban Engineering, Inc.

Name

Company

10330 Hardin Valley Road, Suite 201

Knoxville

TN

37932

Address

City

State

ZIP

(865) 966-1924

chris@urban-eng.com

Phone

Email

CURRENT PROPERTY INFO

Marilyn Kennedy

1877 Cherokee Bluff Road (37920)

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Central Avenue Pike

068075

Property Address

Parcel ID

KUB

KUB

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

DEVELOPMENT REQUEST

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

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created _____ <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change Proposed Zoning _____ <input type="checkbox"/> Plan Amendment Change Proposed Plan Designation(s) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> 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

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent


 Beaver Creek Development, LLC
 6/26/23
 Applicant Signature
 Please Print
 Date

(865) 318-2629
 rgregory@blackoakcontracting.com
 Phone Number
 Email


 Rob Gregory
 Date Paid
 Property Owner Signature
 Please Print