



USE ON REVIEW REPORT

▶ **FILE #:** 5-A-23-UR

AGENDA ITEM #: 30

AGENDA DATE: 5/11/2023

▶ **APPLICANT:** CLAY COUNCILL

OWNER(S): Evinco LLC

TAX ID NUMBER: 79 028.01

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 4103 SCHAAD RD

▶ **LOCATION:** North side of Schaad Rd, east of Albatross Ln

▶ **APPX. SIZE OF TRACT:** 1.15 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Schaad Rd, a local road with a pavement width of 20-ft within a right-of-way width of 50-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Grassy Creek

▶ **ZONING:** CA (General Business)

▶ **EXISTING LAND USE:** Commercial

▶ **PROPOSED USE:** Contractor's storage yard

HISTORY OF ZONING: In 1998, this property was rezoned from RB (General Residential) & A (Agricultural) to CA (General Business).

SURROUNDING LAND USE AND ZONING:
North: Public Parks - OS (Parks and Open Space) in City
South: Single family residential - RA (Low Density Residential) in County
East: Public Parks - OS (Parks and Open Space) in City
West: Single family residential - PR (Planned Residential) up to 5 du/ac, A (Agricultural), RB (General Residential) in County

NEIGHBORHOOD CONTEXT: This property is adjacent to a golf course along a minor arterial that has commercial and medium residential uses.

STAFF RECOMMENDATION:

▶ **Approve the request for a contractor's storage yard with approximately 1,200 sq-ft of outdoor storage area, subject to 5 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. Providing the required landscape screening, per Article 4, Section 4.10.11 of the Knox County Zoning Ordinance for business uses adjacent to residential use.
3. Meeting any other applicable requirements of the Knox County Zoning Ordinance.

4. Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.
5. Installation of any required landscaping within 6 months of permit approvals, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.

With the conditions noted, this plan meets the requirements for approval of a contractor's storage yard in the CA zone and the other criteria for approval of a use on review.

COMMENTS:

The request is for a contractor's storage yard for a landscaping business, which will also sell bulk mulch and other materials. There is a 900 sq-ft existing building, a 200 sq-ft shed, and a 20x60-ft area designated for outdoor storage space.

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. The CA zone requires outdoor storage to be fully screened on all sides by an opaque fence (Article 5.31.04). This screening is already in place. There are residential uses to the west side of this property. The supplemental regulations for all zone districts (Article 4.10.11) requires a 12-ft wide Type B landscape screen (See Appendix A) adjacent to residential uses, and this would need to be added during the permitting process.

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. There is an existing 1-story block building located at the rear of the property.

B. If approved as recommended by staff, a 12-ft wide landscape screen will be required along the west property boundary since there are abutting residential properties. This will help mitigate potential adverse impacts on these properties.

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 because the required landscape screening and fencing will visually screen the storage yard from residential uses.

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

A. The development has direct access to Schaad Rd, a minor arterial.

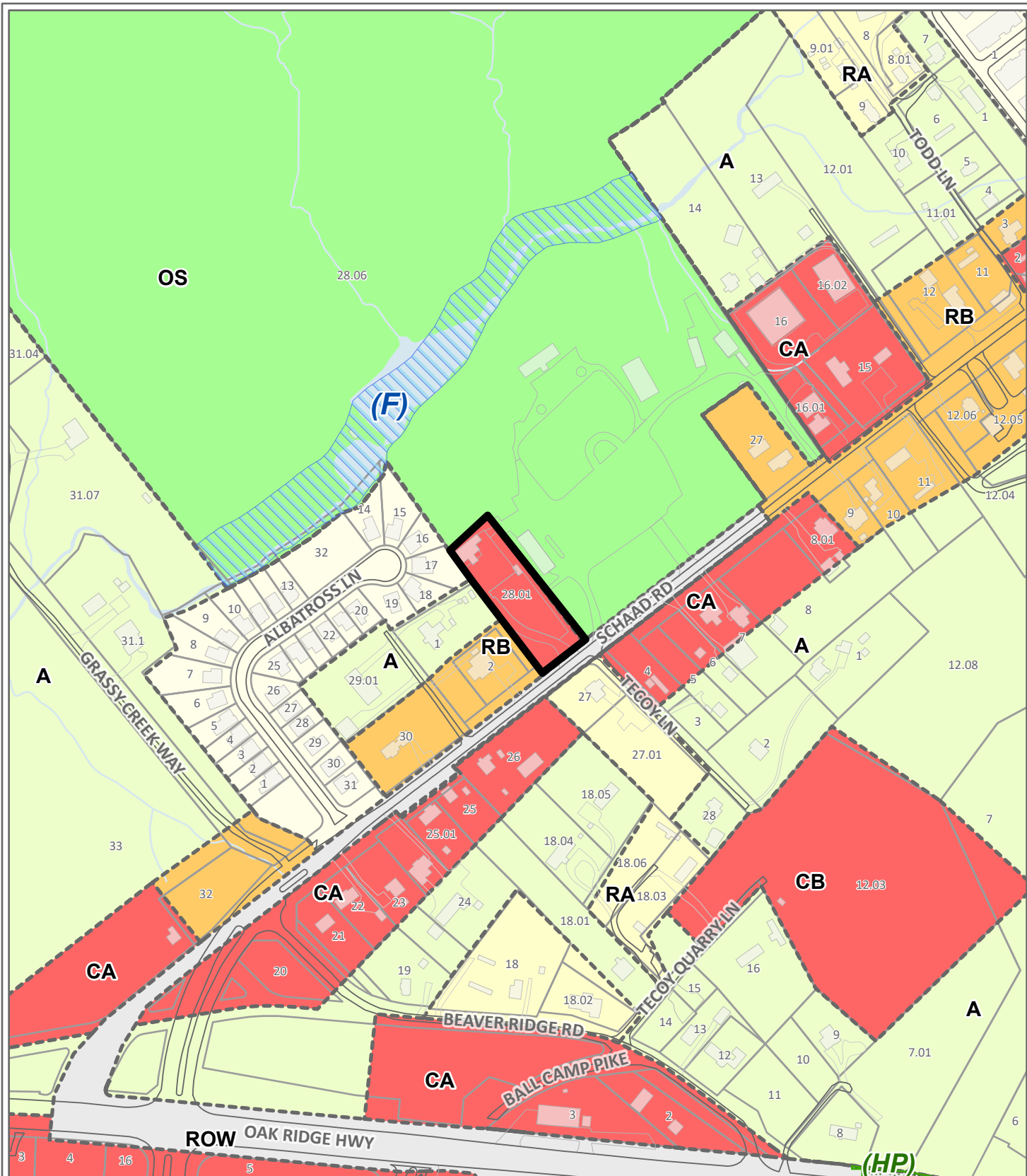
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

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 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.



USE ON REVIEW

5-A-23-UR

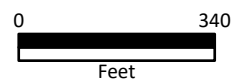
Petitioner: Clay Council

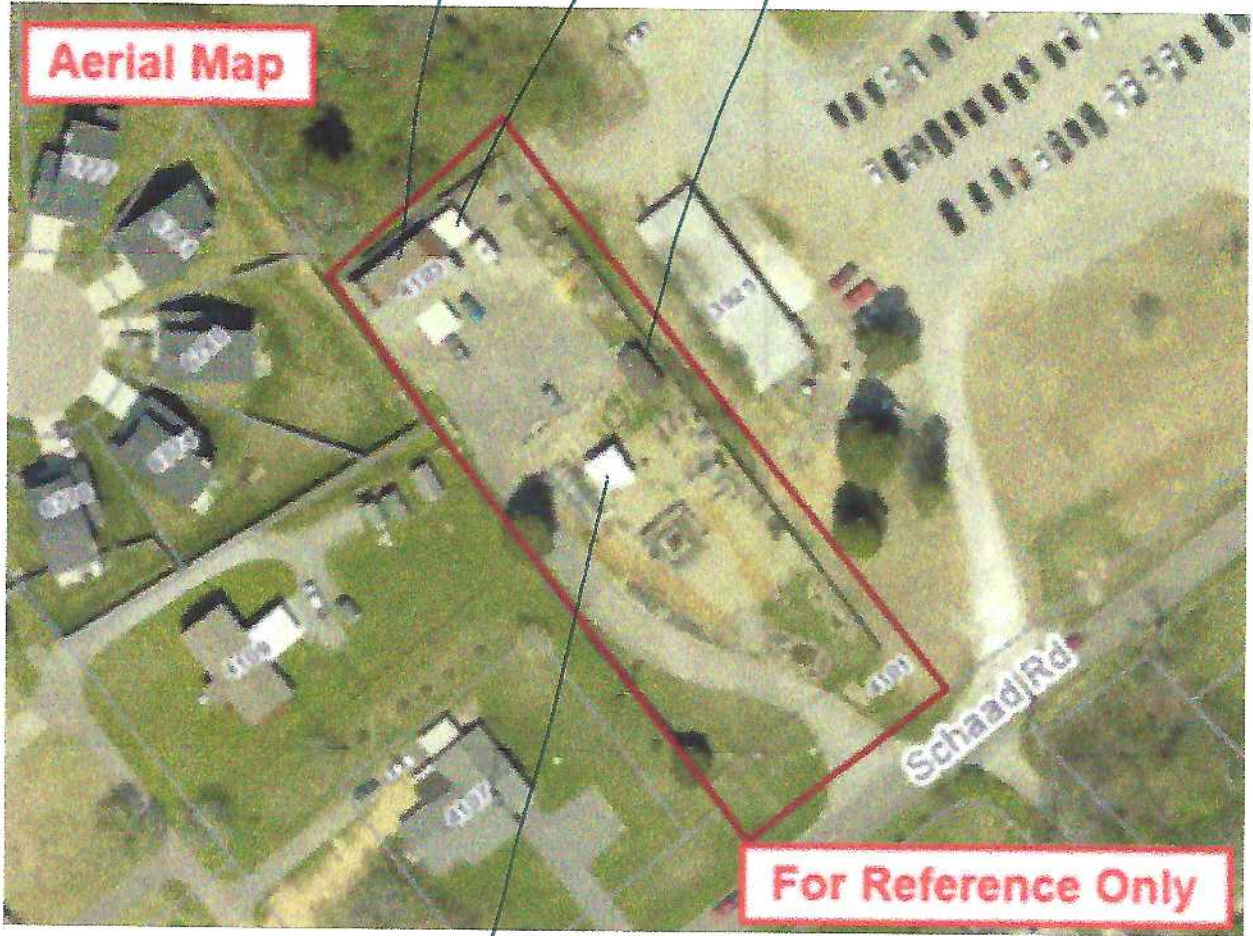


Contractor's storage yard in CA (General Business)

Map No: 79
Jurisdiction: County

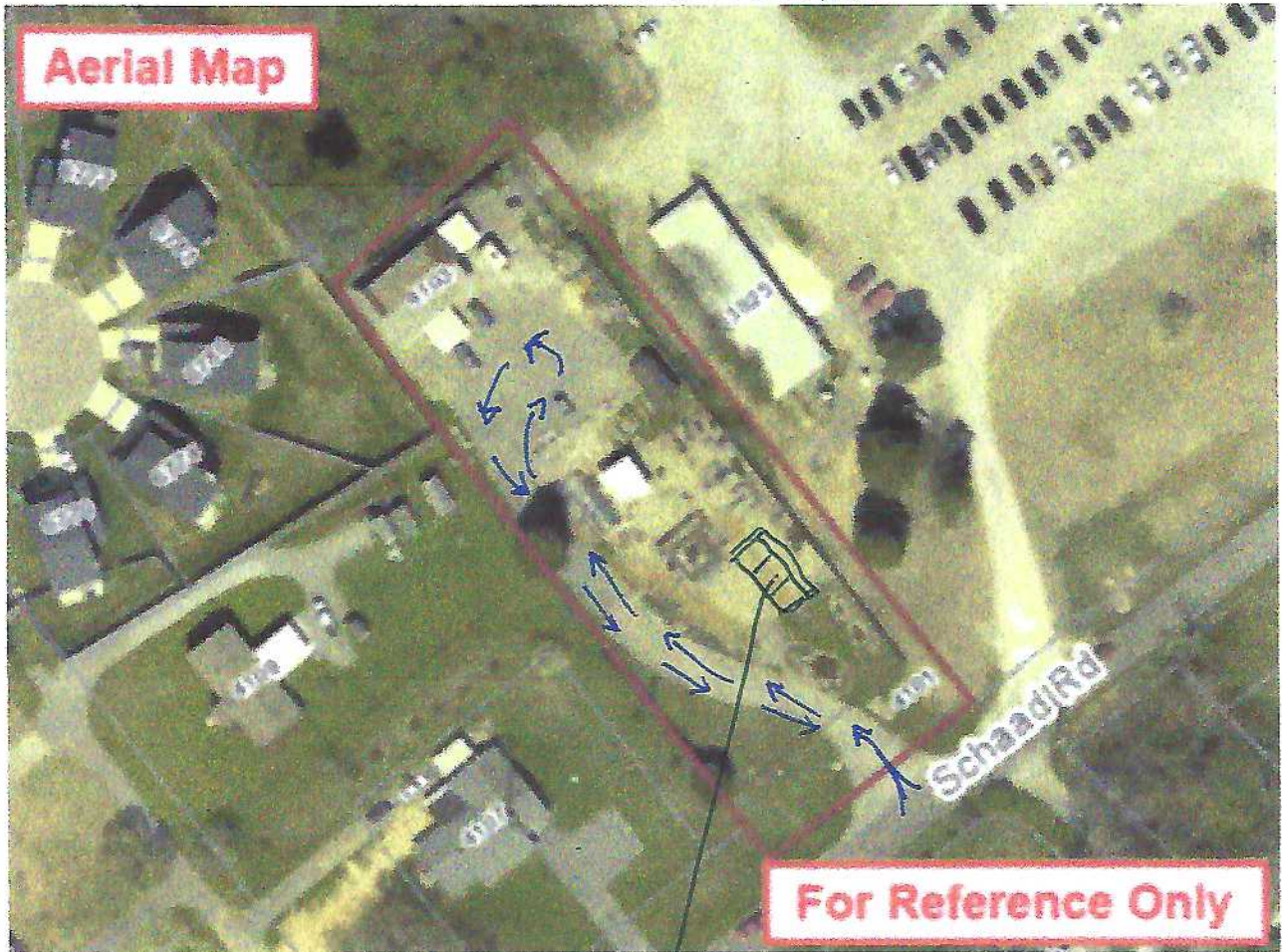
Original Print Date: 4/17/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902





TIN ROOF SHELTER

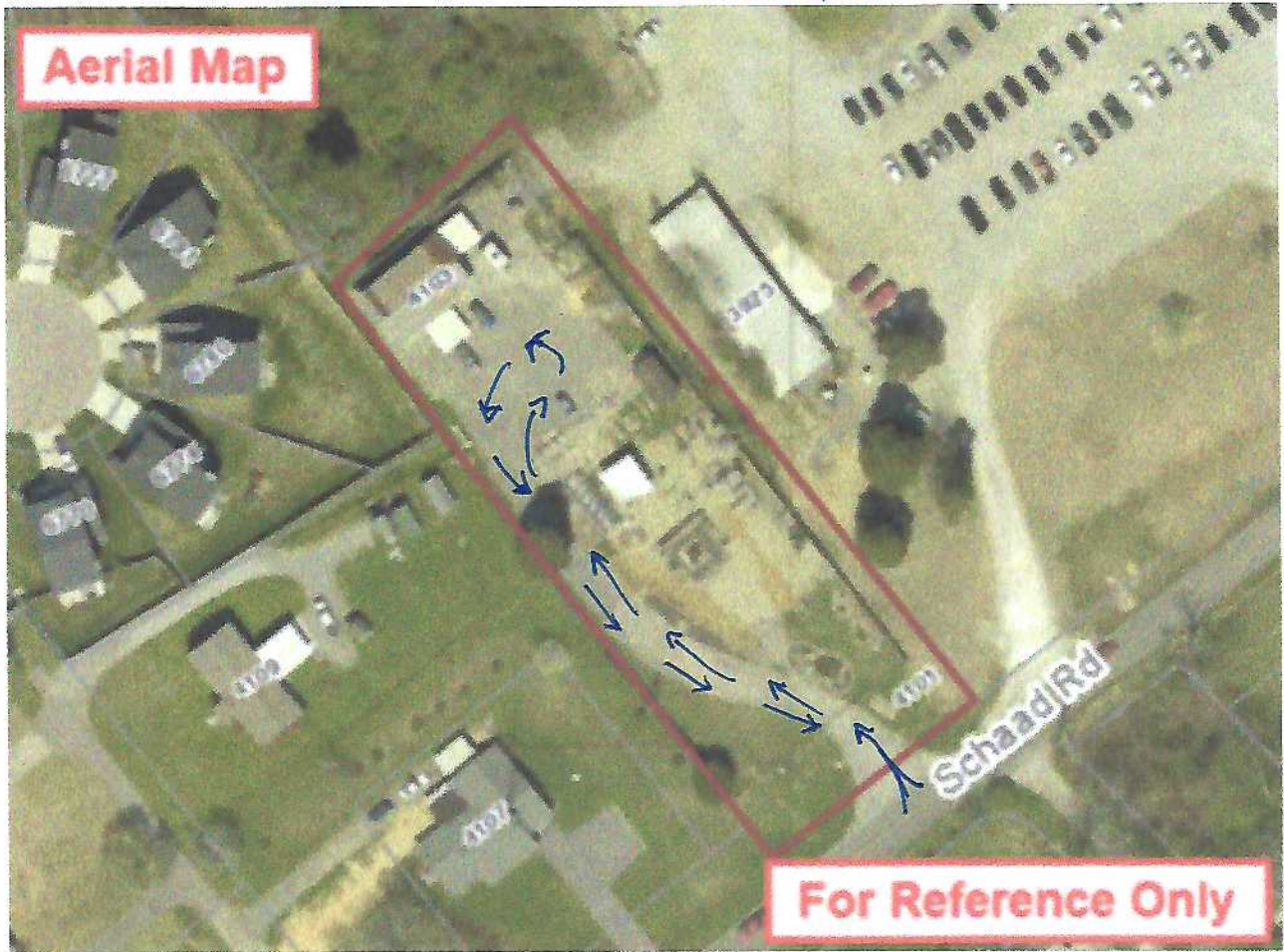
CIRCULATION DIAGRAM



STORAGE BINS

CIRCULATION DIAGRAM

5-A-23-UR
3/27/2023

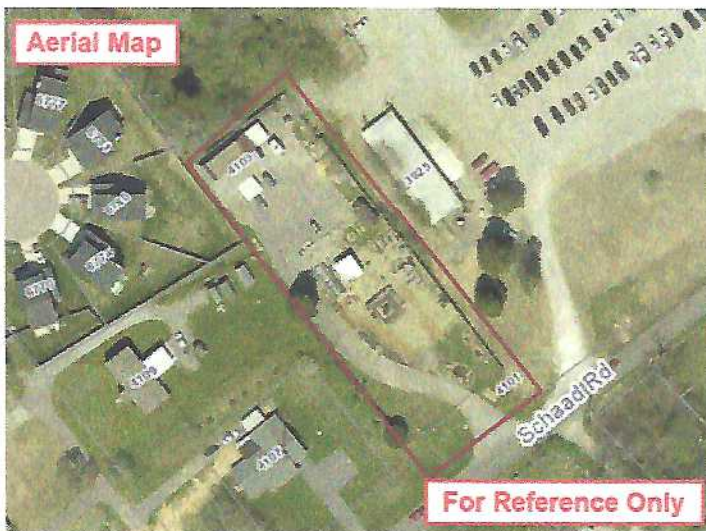




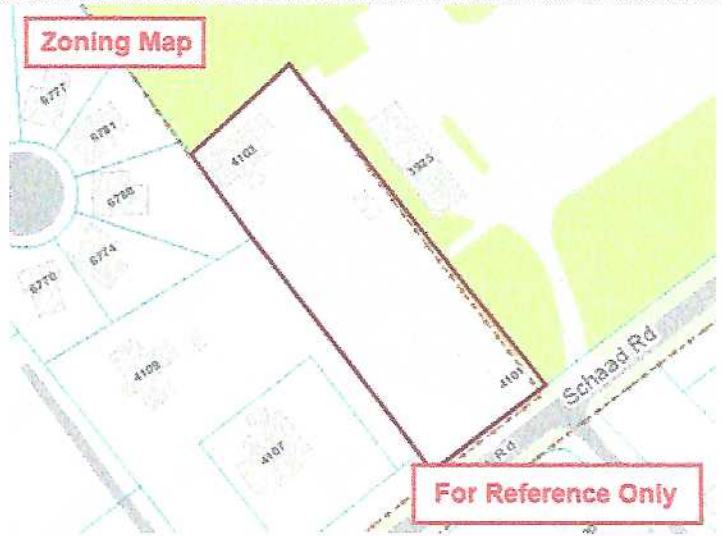
Property Images



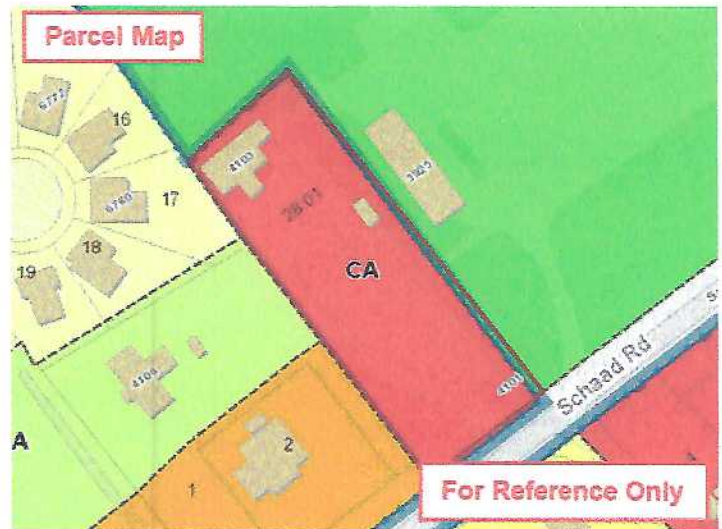
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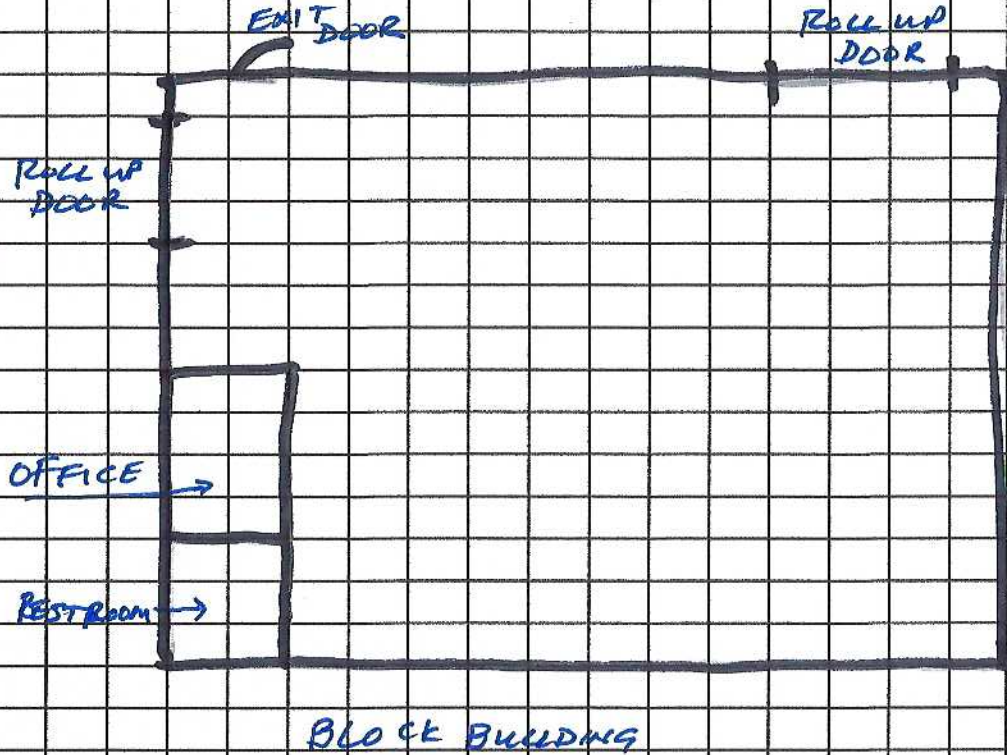
4_Zoning_Map_653



5_Parcel_Map_875

5-A-23-UR
3/27/2023

4103 SCHAAD RD



5-A-23-UR

3/27/2023

Proposed Use

We are submitting this proposal for "Use on Review" because we would like to run our landscaping business on site and sell bulk mulch and materials to the public. There is a paved driveway on site and we plan to use that driveway for traffic in and out of Schaad Road.

We appreciate your consideration of this proposal and look forward to hearing from you.

Clay Council
The Yard Force

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.

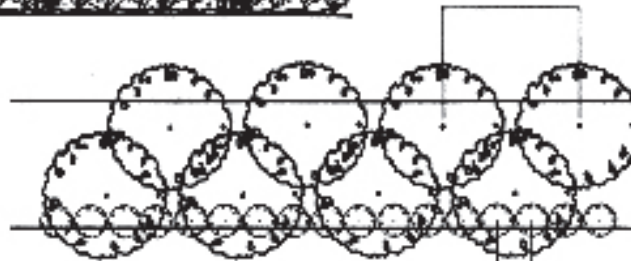
- Two offset rows of deciduous or evergreen canopy trees with a 6 ft. high continuous dense evergreen hedge, fence, wall or earth berm

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

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



Maximum 16' Centers



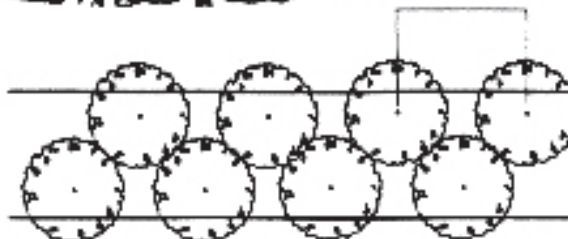
Maximum 4' Centers

- 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

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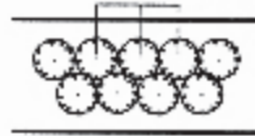
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SHRUB HEIGHT
Installed: 4 ft.
Mature: 6 ft.

- Two offset rows of evergreen shrubs

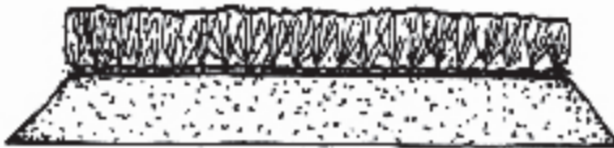


Maximum 4' Centers



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

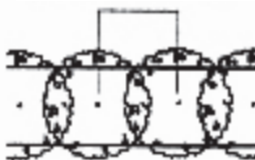


TREE HEIGHT
Installed: 8 ft.
Mature: 20 ft.

- 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

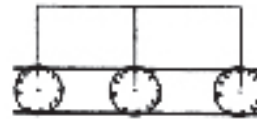
NOTE: Landscape buffer strips should be a minimum of 8 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

- A row of small evergreen trees

TREE HEIGHT
Installed: 6 ft.
Mature: 15 ft.



Maximum 20' Centers

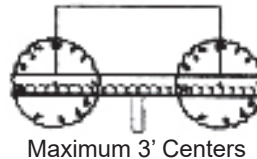


- A row of large broad leaf evergreen trees with a 3 ft. high wall or hedge (deciduous species of similar size & form could be used for every second tree)

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



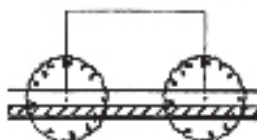
Maximum 50' Centers



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



Maximum 40' Centers



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

TREE HEIGHT
Installed: 6 ft.
Mature: 15 ft.



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.

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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

Clay Council

Applicant Name _____ Affiliation _____

3/27/2023

Date Filed

5/11/2023

Meeting Date (if applicable)

5-A-23-UR

File Number(s)

CORRESPONDENCE

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

Clay Council The Yard Force

Name / Company _____

8912 Straw Flower Dr Knoxville TN 37922

Address _____

865-441-2199 / clay@theyardforce.com

Phone / Email _____

CURRENT PROPERTY INFO

Evinco LLC

Owner Name (if different)

11133 Winward Dr Knoxville TN 37934

Owner Address

865-806-4948

Owner Phone / Email

4103 SCHAAD RD

Property Address _____

79 028.01

Parcel ID

1.15 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North of Schaad Rd, east of Albatross Ln

General Location _____

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

Commercial

County District Zoning District

Existing Land Use

Northwest County **MU-SD (Mixed Use Special District)**

Urban Growth Area (Outside City Limit)

Planning Sector Sector Plan Land Use Classification

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) Contractor's storage 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 _____ **Clay Council** _____ **3/27/2023**
Please Print _____ Date

Phone / Email _____
Property Owner Signature _____ **Evinco LLC** _____ **3/27/2023**
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

Clay Council

Tenant

Applicant Name

Affiliation

3/27/2023

May 11, 2023

File Number(s)

Date Filed

Meeting Date (if applicable)

5-A-23-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

Clay Council

The Yard Force

Name

Company

8912 Straw Flower Dr

Knoxville

TN

3922

Address

City

State

ZIP

865-441-2199

clay@theyardforce.com

Phone

Email

CURRENT PROPERTY INFO

Evinco LLC

11133 WINWARD DR

865-806-4948

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4103 Schaad Rd

079 02801

Property Address

Parcel ID

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) Store and sell bulk mulch and rock on site to the public

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change

Proposed Zoning _____

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		Total
0405	\$1,600	
Fee 2		
Fee 3		\$1,600

AUTHORIZATION


Applicant Signature

Clay Council

3/27/2023

Please Print

Date

865-441-2199

clay@theyardforce.com

Phone Number

Email

Property Owner Signature

Cindy Bayer

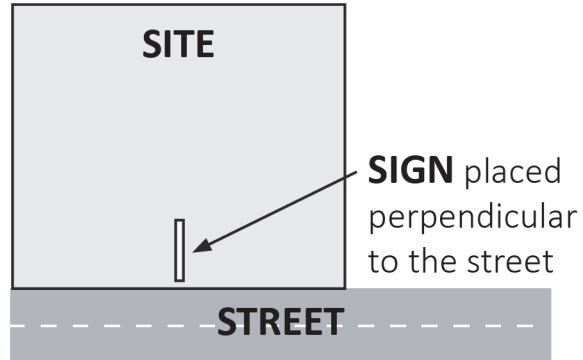
3/27/2023

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:

_____ April 28, 2023 _____ and _____ May 12, 2023 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Clay Council

Date: 3/27/2023

File Number: 5-A-23-UR



Sign posted by Staff



Sign posted by Applicant