

SPECIAL USE REPORT

► FILE #: 10-B-23-SU AGENDA ITEM #: 18

AGENDA DATE: 10/5/2023

► APPLICANT: HANI JOSEPH

OWNER(S): Rich Dads Inc.

TAX ID NUMBER: 68 J B 023 <u>View map on KGIS</u>

JURISDICTION: City Council District 5
STREET ADDRESS: 901 METLER DR

► LOCATION: West side of Metler Dr. north of Clinton Hwy

► APPX. SIZE OF TRACT: 1.03 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Metler Dr, a local road with a 20 ft pavement width within a 53

ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

ZONING:
RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection)

Overlay)

EXISTING LAND USE: Single Family Residential

► PROPOSED USE: Two-family dwellings

DENSITY PROPOSED: 5.83 du/ac

HISTORY OF ZONING: In 2022, this property was rezoned from RN-1 (Single-Family Residential

Neighborhood), HP (Hillside Protection Overlay) to RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay) (12-B-22-RZ).

SURROUNDING LAND USE AND ZONING:

North: Single family residential - RN-2 (c) (Single-Family Residential

Neighborhood), HP (Hillside Protection Overlay)

South: Commercial - C-H-1 (Highway Commercial Zoning)

East: Single family residential - RN-1 (Single-Family Residential

Neighborhood), HP (Hillside Protection Overlay)

West: Multifamily residential - C-H-1 (Highway Commercial Zoning), HP

(Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This property is in a residential neighborhood just off of Clinton Highway a

major highway commercial corridor in north Knoxville.

STAFF RECOMMENDATION:

▶ Approve the request for three (3) two-family dwellings in the RN-2 zone, subject to 4 conditions.

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to Article 9.3.J (Principal Use Standards- Dwelling—Two-family).

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- 2. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.
- 3. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
- 4. Meeting the land disturbance limitation standards of the HP (Hillside Protection Overlay) district.

With the conditions noted, this plan meets the requirements for approval in the RN-2 District and the criteria for approval of a special use.

COMMENTS:

The applicant is requesting approval for three new two-family dwellings on three separate lots in the RN-2 zoning district located on Metler Dr.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

- 1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.
- A. The proposed use of a two-family dwelling is consistent with the LDR (Low Density Residential) and HP (Hillside Protection) land use designation in the Northwest City Sector Plan, which allows consideration of up to 6 du/ac. The density for the three (3) two-family homes is 5.8 du/ac. The proposed development will require 7,126.5 sq ft of land disturbance within the HP area, which is in compliance with the recommended HP disturbance of 8.257 sq ft.
- B. The subject property complies with the One Year Plan's criteria for a two-family dwelling as it will not significantly affect the service demands or aesthetics of the area. The access off Metler Dr is approximately 280-feet from Clinton Hwy, a major arterial street, and 0.10 miles from a bus stop.
- C. The proposed two-family dwelling use is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing opportunities.
- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE. A. The RN-2 zone is intended to accommodate low-density single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville. Two-family dwellings may also be allowed by special use approval.
- B. The RN-2 zone requires a minimum lot size of 10,000 sq. ft. for two-family dwellings. The lot will be subdivided into three lots measuring 15,611 sq ft, 15,894 sq ft, and 13,602 sq ft sq ft. The site plan as provided conforms with the dimensional standards for a two-family dwelling in the RN-2 zoning district. The plan will need to conform to the principal use standards for a two-family dwelling (Article 9.3.J). The applicant has not submitted architectural elevations that conform to 9.3.J, but this will be reviewed during permitting. The two-story structures will be approximately 30 ft to the top of the roof, consistent with the maximum height allowed on surrounding properties.
- 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 are many trailer park residential developments in the area including one adjacent to the west.
- B. The rest of the surrounding area is characterized by one- and two-story ranch houses with facades fronting the street. The proposed two-story structures will face Metler Dr and must meet all principal use standards of 9.3.J.
- 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.
- A. The proposed two-family dwellings are considered low-density residential uses and are compatible with other low-density residential uses.
- 5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.
- A. The 6-unit development would be a minor increase in density for the area, and would not significantly impact traffic on surrounding streets. Additionally, there is a KAT bus top 0.10 miles away on Clinton Hwy.
- 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 ENVIORNMENT FOR THE PROPOSED USE.
- A. There are no known uses immediately surrounding the subject site that would pose a potential hazard or

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undesirable environment for the proposed use.

ESTIMATED TRAFFIC IMPACT: 76 (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.

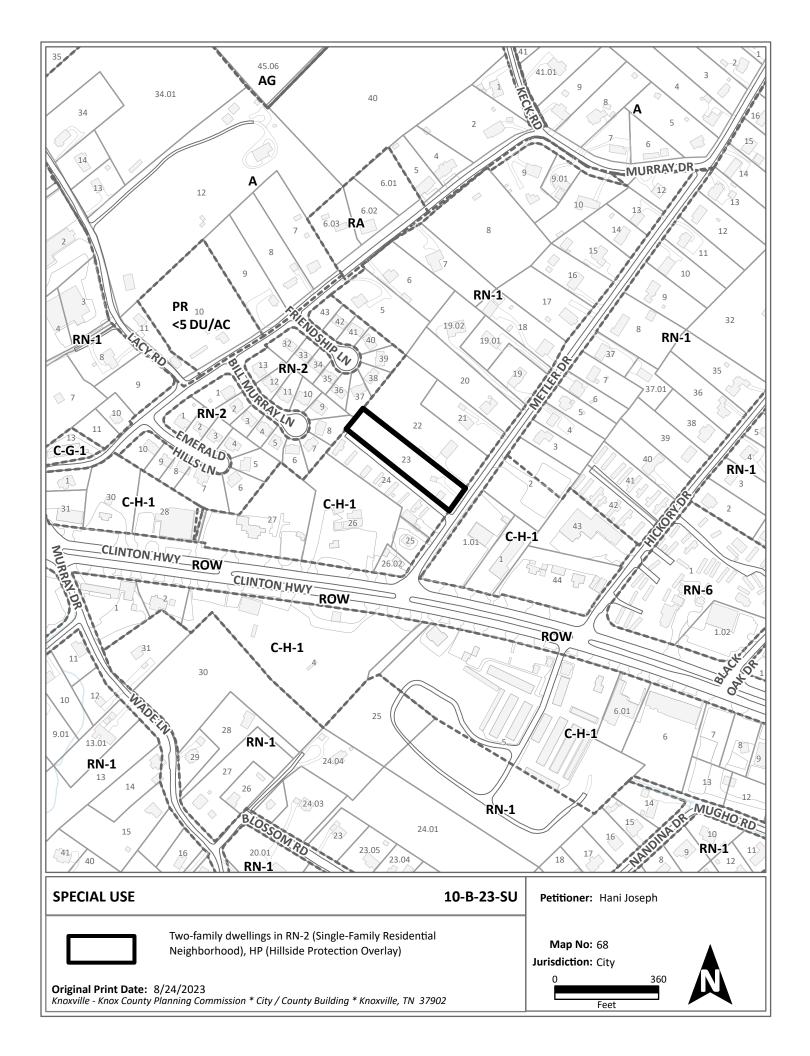
ESTIMATED STUDENT YIELD: 0 (public school children, grades K-12)

Schools affected by this proposal: Norwood Elementary, Northwest Middle, and Powell High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

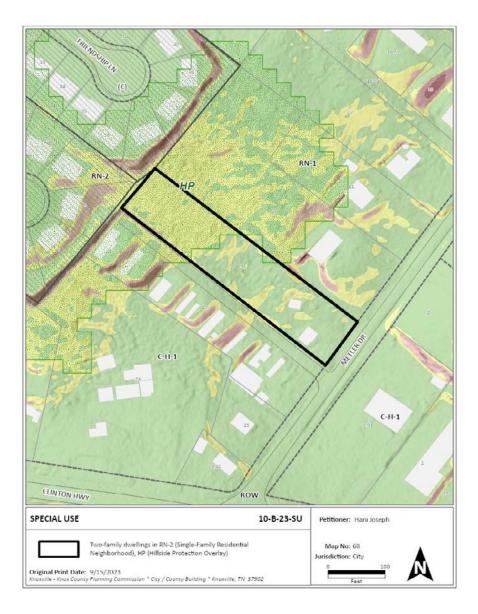
The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.

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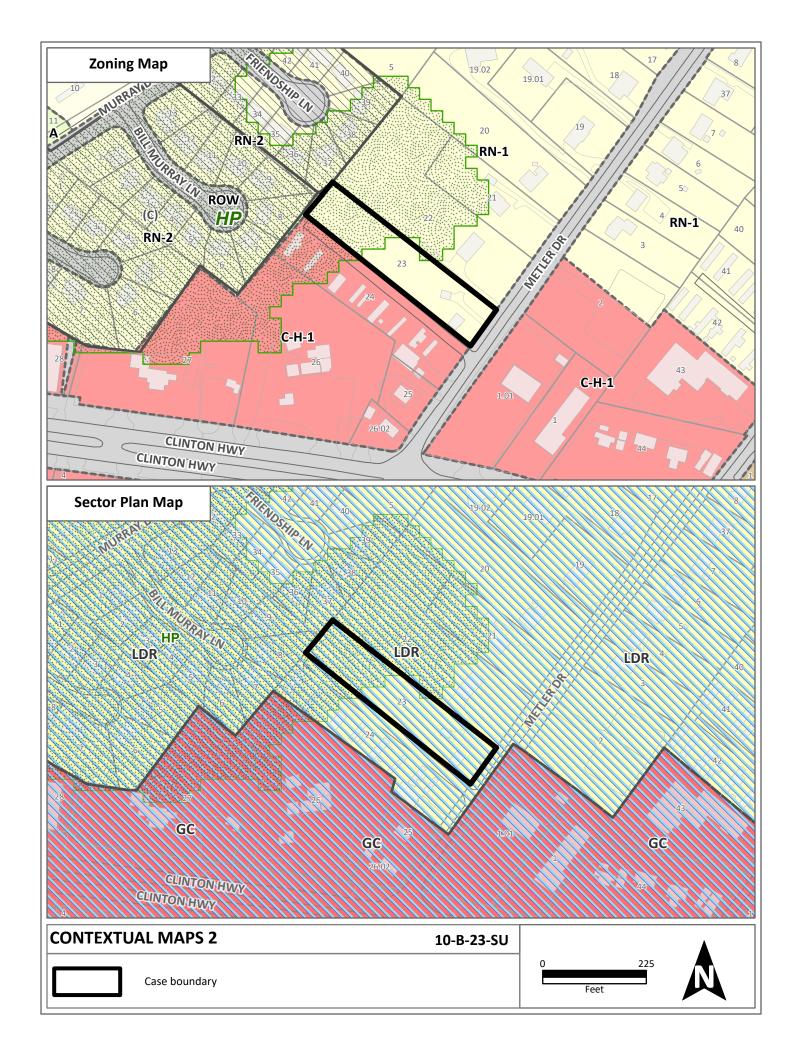


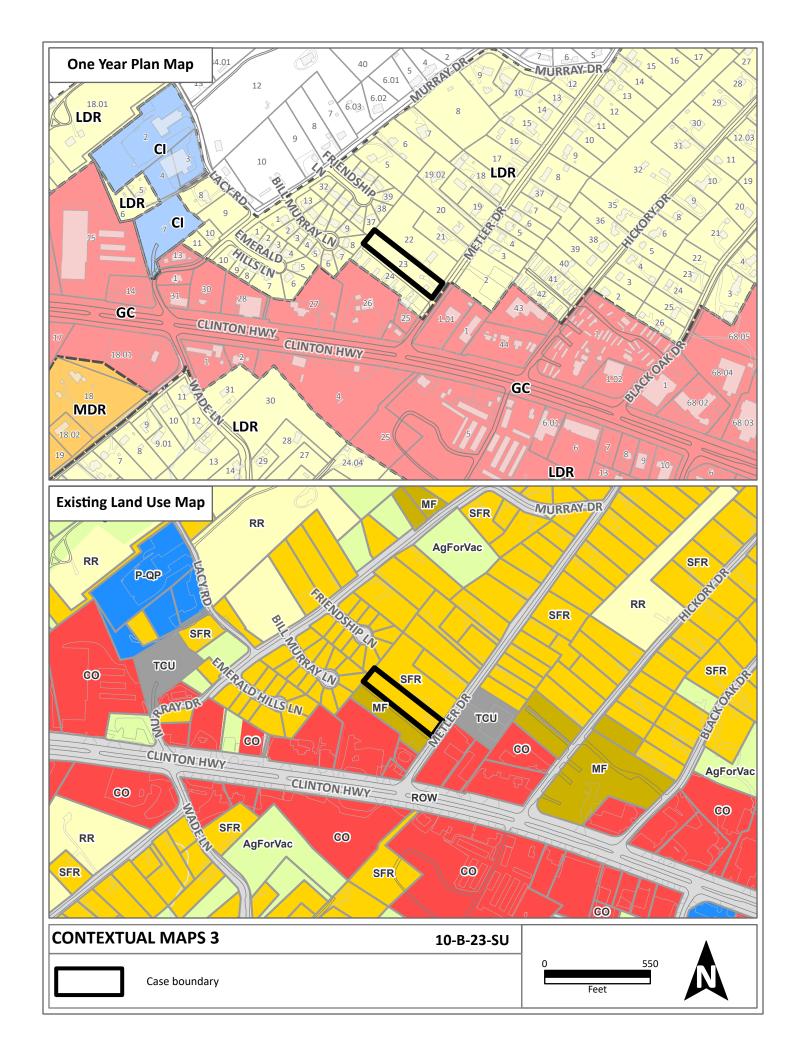
Staff - Slope Analysis Case: 10-B-23-SU

CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	42,443.0	0.97			
Non-Hillside	27,056.4	0.62	N/A		
0-15% Slope	1,307.3	0.03	100%	1,307.3	0.03
15-25% Slope	13,779.6	0.32	50%	6,889.8	0.16
25-40% Slope	299.6	0.01	20%	59.9	0.00
Greater than 40% Slope	0.0	0.00	10%	0.0	0.00
Ridgetops					
Hillside Protection (HP) Area	15,386.5	0.35	Recommended disturbance budget within HP Area	8,257.0	0.19
			Percent of HP Area	53.7	7%









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SEGISTERED LAND SURVEYOR TENNESSEE LICENSE NO. 2027 DATE:					N.T.S.
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REGISTERED LAND SURVEYOR TENNESSEE LICENSE NO. 2827. DATE:					INC. AS RECORDED IN INSTRUMENT NUMBER 20220825012797, IN THE REGISTER OF DEEDS OFFICE FOR KNOX COUNTY, TENNESSEE, INTO 3 LOTS AS FOLLOWS:
DATE:	# 5° 0 1 10 10 10 10 10 10 10 10 10 10 10 10				3.1. LOT 1 = 33.494.4 SQUARE FEET (0.31 AGRES) MORE OR LESS 3.2. LOT 2 = 34.45.6 SQUARE FEET (0.31 AGRES) MORE OR LESS 3.3. LOT 3 = 36.551.7 SQUARE FEET (0.31 AGRES MORE OR LESS 3.4. 25 SHARED PERMANENT AGRES BASEMENT = 8,555.0 SQUARE FEET (0.20
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AUTHORIZED SIGNATURE FOR UTILITY DATE					6. THE SUBJECT BOUNDARY SHOWN HEREON IS ZONED "RN-2". 7. THE MINIMALI MAD IN IN DIANG AND STRUCTURE SETBACKS ASSESSED CHIRDRENT.
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·		012			TIME OF THE SURVEY. THERE HAS BEEN NO ATTEMPT TO LOCATE ANY UNDERGROUND UTILITIES OR IMPROVEMENTS. NO WARRANTY IS EXPRESSED OR IMPLIED BY SHOWING THESE ESTIMATED LOCATIONS.
UTILITY PROVIDER	'-11				TIME OF THE SURFEY THERE HAS SEEN NO ATTEMPT TO LOCATE ANY LOCATE
AUTHORIZED SIGNATURE FOR UTILITY DATE OWNER CERTIFICATION FOR PUBLIC SEWER AND WATER SERVICE - MINOR SUBDIVISIONS			HILLSIDEPROTECTION		000 ID022 LIOME OWEET LIOMED TN INC
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OWNER(8) PRINTED NAME: NAM JOSEPH					(865) 282-5652
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CITY TAX CLERK: SIGNED: DATE: KNOX COUNTY TRUSTEE: SIGNED: DATE:	P40, 9G 2,900 9M				ASPHALT PAVING CONCRETE PAVING
KNOX COUNTY TRUSTEE: SIGNED: DATE	Hard 1985 of Connected (1997) and the second				Revision 9-21-2023
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	N:	COMPLETED 09/XX/2023. THE MONUMENTS SHOWN WERE LOCATED AND OR SET ON OR SEFORE THIS DATE.			2004 RADIANCE DRIVE KNOXVILLE, TN 37912
	E: THE COUPMENT USED FOR THESE CHES CRESCRIPTATIONS WAS A TRIMELE RIG. DUAL PREQUENCY RECEIVER. THE RESERVE THE THE THE THE THE THE THE THE THE TH	Adam Schmeing, RLS 2927		DKM	ADAM SCHMEING LAND SURVEYING SURVEYING THE PAST FOR A BETTER FUTURE
	FOLLOWS: HOREZONIA - 0.04 FEET VERTICAL - 0.07 FEET	Adam Schmeing, RLS 2927 ADAM SCHMENG LAND SURVEYING 663 CROSSCATE DRIVE INNOVALLE, TENNESSEE 37912		SEE NO.	6699 CROSSGATE DRIVE KNOXVILLE IN 37912 195.391.2601 SCALE 1" = 30' DATE: 0.99 /21 / 23 23076



Development Request

		DEVELOPMENT	SUBDIVISION	ZONING	
DI		☐ Development Plan	☐ Concept Plan	☐ Plan Amendment	
Pl	annır	☐ Planned Development	☐ Final Plat	☐ Sector Plan	
KN	OXVILLE I KNOX COUNT	✓ Use on Review / Special Use	r intar r lac	☐ One Year Plan	
		☐ Hillside Protection COA		☐ Rezoning	
		☐ Hillside Protection COA			
Hani Jose	ph				
Applicant	Name		Affiliation	1	
8/21/202	3	10/5/2023	10-B-23-SU		
Date Filed		Meeting Date (if applicable)	File Number(s)		
CORRE	SPONDENCE	All correspondence related to this application s	should be directed to the ag	pproved contact listed below.	
Hani Jose	ph Home Sweet H				
Name / Co	ompany				
901 Metle	er Dr Knoxville TN	37912			
Address					
865-282-5	6652 / hjoseph1@	utk.edu			
Phone / E	mail				
CURRE	NT PROPERTY I	NFO			
Rich Dads	inc.	2004 Radiance Dr Knoxville TN	37912 8	65-282-5652 / hjoseph1@utk.	
Owner Na	me (if different)	Owner Address	0	Owner Phone / Email	
901 METL	ER DR				
Property A	Address				
68 J B 023	}		0	.98 acres	
Parcel ID		Part of	Parcel (Y/N)?	ract Size	
Knoxville	Utilities Board	Knoxville Utilities	Board		
Sewer Pro	ovider	Water Provider		Septic (Y/N)	
STAFF	USE ONLY				
West side	of Metler Dr, nor	th of Clinton Hwy			
General Lo	ocation				
✓ City	Council District 5	RN-2 (Single-Family Residential Neighborhoo (Hillside Protection Overlay)	od), HP Single Fa	mily Residential	
County	District	Zoning District	Existing	Land Use	
Northwes	st City	LDR (Low Density Residential), HP (Hillside Pr	otection) N/A (Wit	hin City Limits)	
Planning S	Sector	Sector Plan Land Use Classification	Growth F	Policy Plan Designation	

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DEVELOPMENT REQUEST					
☐ Development Plan ☐ Plann	ed Development	d Development ✓ Use on Review / Special Use			Permit Number(s)
☐ Hillside Protection COA		☐ Residential [Non-residential		
Home Occupation (specify)					
Other (specify) Two-family dwell	ings				
SUBDIVSION REQUEST					
				Related Rezo	ning File Number
Proposed Subdivision Name				_	
Unit / Phase Number		Total Nu	umber of Lots Created		
Additional Information					
Attachments / Additional Requi	rements				
ZONING REQUEST					
☐ Zoning Change				Pending Pl	at File Number
Proposed Zon	ing				
☐ Plan					
Amendment Proposed Pla	an Designation(s)			1	
Proposed Density (units/acre) P Additional Information	revious Zoning Re	equests			
STAFF USE ONLY					
PLAT TYPE			Fee 1		Total
☐ Staff Review ☐ Planning	g Commission		\$450.00		
ATTACHMENTS Property Owners / Option Hold	ers 🗆 Variar	nce Request	Fee 2		
ADDITIONAL REQUIREMENT		ice nequest	1002		
COA Checklist (Hillside Protection					
Design Plan Certification (Final			Fee 3		
✓ Site Plan (Development Reques☐ Traffic Impact Study	t)				
Use on Review / Special Use (Co	oncept Plan)				
AUTHORIZATION					
☐ I declare under penalty of perjury	the foregoing is tr	ue and correct: 1) He/she	it is the owner of the pro	nerty. AND 2) th	e application and
all associated materials are being			it is the owner of the pro	perty, AIVD 27 th	ic application and
	Hani Josep				8/21/2023
Applicant Signature	Please Prin	nt			Date
Phone / Email					
,	Rich Dads	Inc.			8/21/2023
Property Owner Signature	Please Prin	nt			Date

10-B-23-SU Printed 9/13/2023 10:04:57 AM



Development Request DEVELOPMENT SUBDIVISION ZONING ☐ Plan Amendment ☐ Development Plan Final Plat ☐ SP ☐ OYP ☐ Planned Development Use on Review / Special Use ☐ Rezoning ☐ Hillside Protection COA Hani Joseph Owner Affiliation Applicant Name 08/19/2023 10/05/2023 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. ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect Applicant Property Owner Hani Joseph Home Sweet Home, TN INC. Name Company TN 37912 901 Metler Drive Knoxville ZIP Address City State 865-282-5652 hjoseph1@utk.edu Email Phone 2004 Radiance Dr Knoxville, TN 37912 865-282-5652 **Property Owner Address** Property Owner Phone 068JB023

CURRENT PROPERTY INFO Hani Joseph (Rich Dads Inc.) Property Owner Name (if different) 901 Metler Drive Knoxville TN 37912 Parcel ID **Property Address KUB** N **KUB** Water Provider Septic (Y/N) Sewer Provider STAFF USE ONLY Tract Size General Location ☐ City ☐ County

District

Zoning District

Existing Land Use

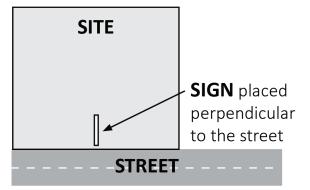
DEVELOPMENT REQUEST			
☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection	Related City Permit Number(s)		
☐ Residential ☐ Non-Residential			
Home Occupation (specify)			
Other (specify) Three duplexes on individual lots			
SUBDIVISION REQUEST			
901 Metler Drive		Related Rezoning File Number	
Proposed Subdivision Name	3 -		
6 units on 3 parcels ☐ Combine Parcels ☐ Divide Parcel	-3		
Unit / Phase Number Total Number	er of Lots Created		
☐ Other (specify)			
☐ Attachments / Additional Requirements			
ZONING REQUEST		Pending Plat File Number	
☐ Zoning Change		rending riat the Number	
Proposed Zoning			
☐ Plan Amendment Change			
Proposed Plan Designation(s)			
Proposed Density (units/acre) Previous Rezoning Requests			
Other (specify)			
STAFF USE ONLY			
The state of the s	ee 1	Total	
PLAT TYPE ☐ Staff Review ☐ Planning Commission	May reput 1.		
ATTACHMENTS		in the second	
☐ Property Owners / Option Holders ☐ Variance Request	ee 2		
ADDITIONAL REQUIREMENTS			
Design Plan Certification (Final Plat)	ee 3		
☐ Use on Review / Special Use (Concept Plan)	ee 3		
☐ Traffic Impact Study			
☐ COA Checklist (Hillside Protection)			
AUTHORIZATION			
I declare under penalty of perjury the foregoing is true and correct: He/she/it is the owner of the property AND 2) The application and all associated materials. 	terials are being submitt	ted with his/her/its consent	
11		08/19/2023	
Hani Joseph			
Applicant Signature Please Print		Date	
865-282-5652 hjoseph1@utk.edu			
Phone Number Email			
Harri Zans Hani Joseph		08/19/2023	



Sign Posting & Removal Requirement

Revised April 2021

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-ofway 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:

10/21/2023	and	10/06/2023		
(applicant or staff to post sign)		(applicant to remove sign)		
Applicant Name: Hani Joshep				
Date: 8/21/23		Sign posted by Staff		
File Number: 9-B-23-SU		Sign posted by Applicant		