



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

[View map on KGIS](#)

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).

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. 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 ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses immediately surrounding the subject site that would pose a potential hazard or

undesirable environment for the proposed use.

ESTIMATED TRAFFIC IMPACT: 76 (average daily vehicle trips)

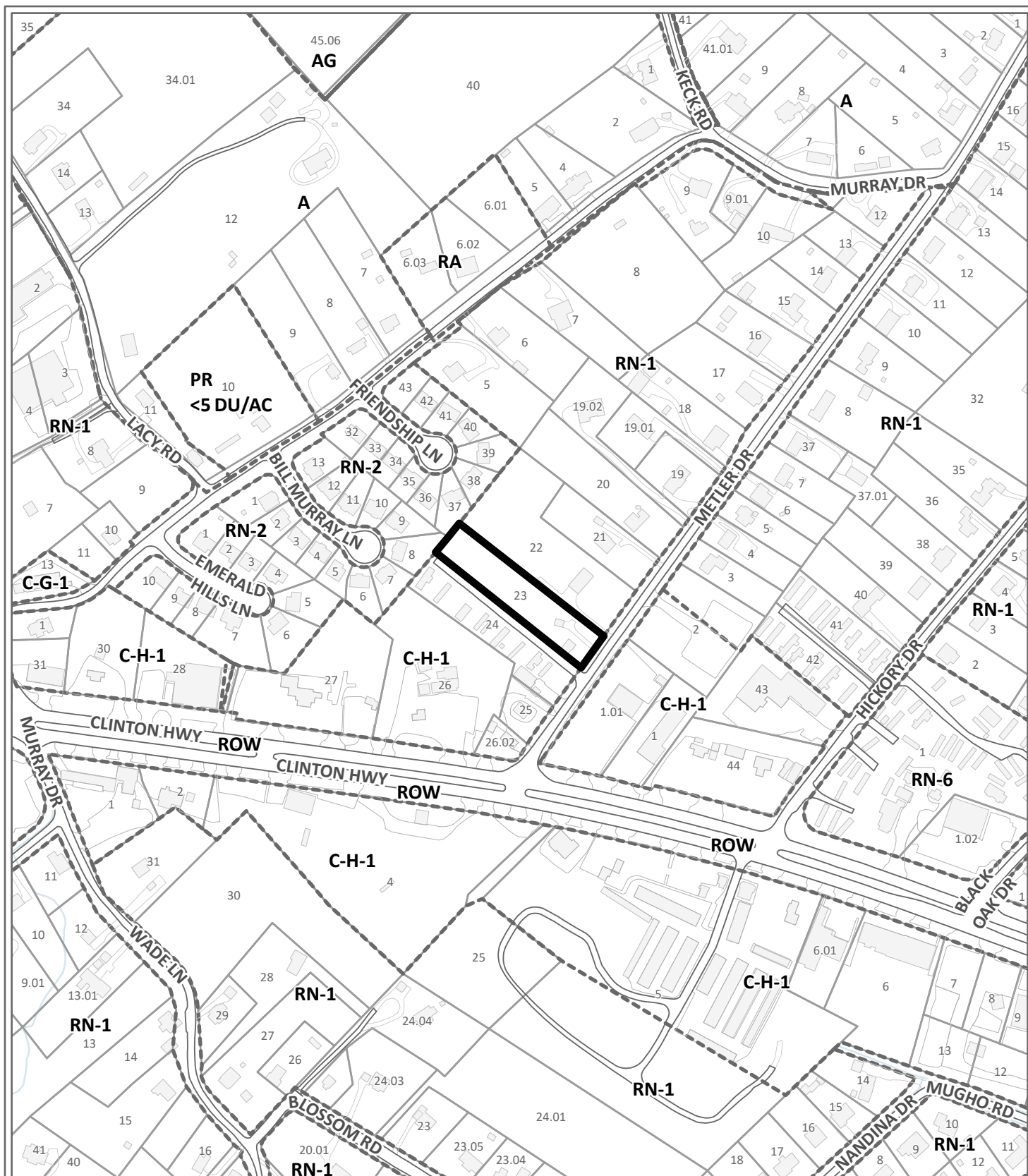
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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.



SPECIAL USE

10-B-23-SU

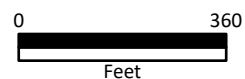
Petitioner: Hani Joseph



Two-family dwellings in RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Map No: 68
Jurisdiction: City

Original Print Date: 8/24/2023
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



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%	

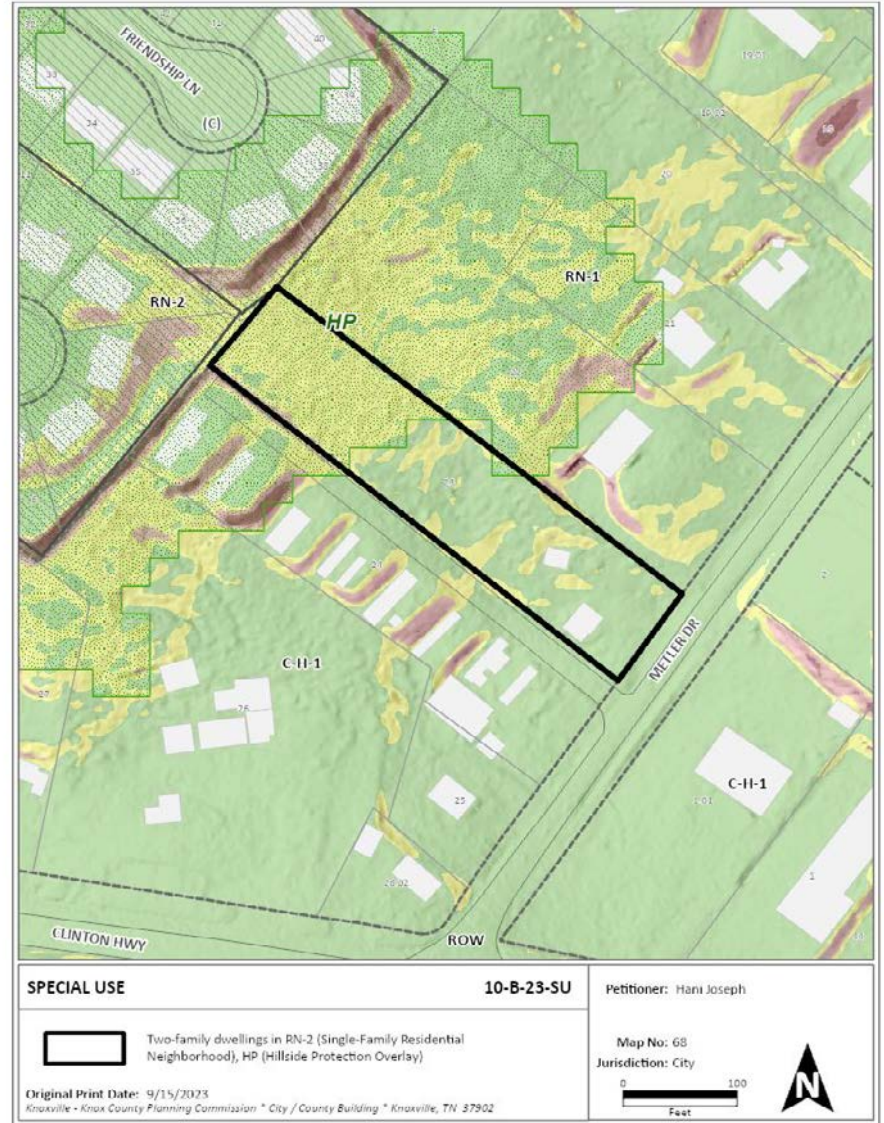
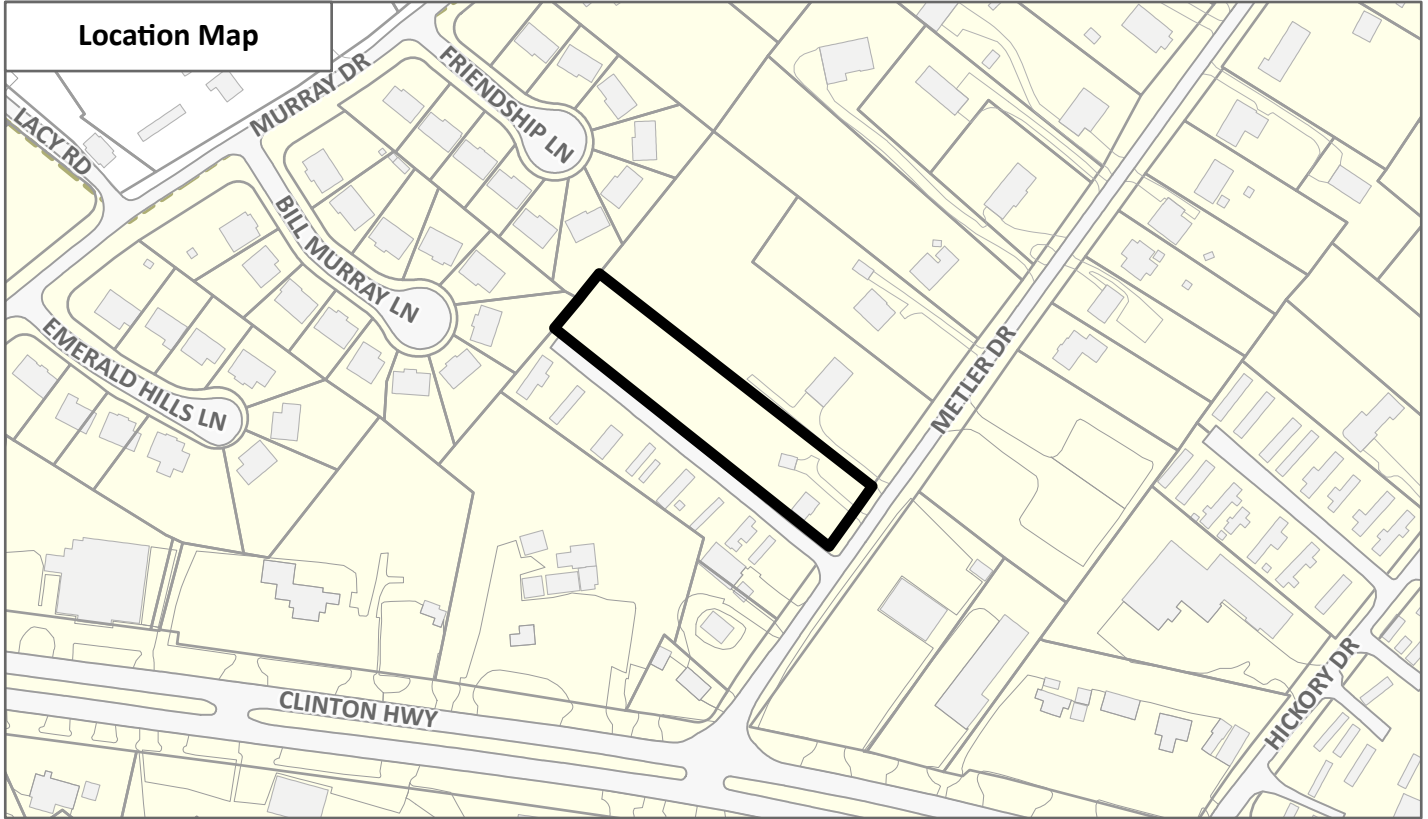


Exhibit A. Contextual Images

Location Map



Aerial Map

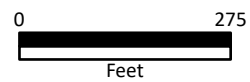


CONTEXTUAL MAPS 1

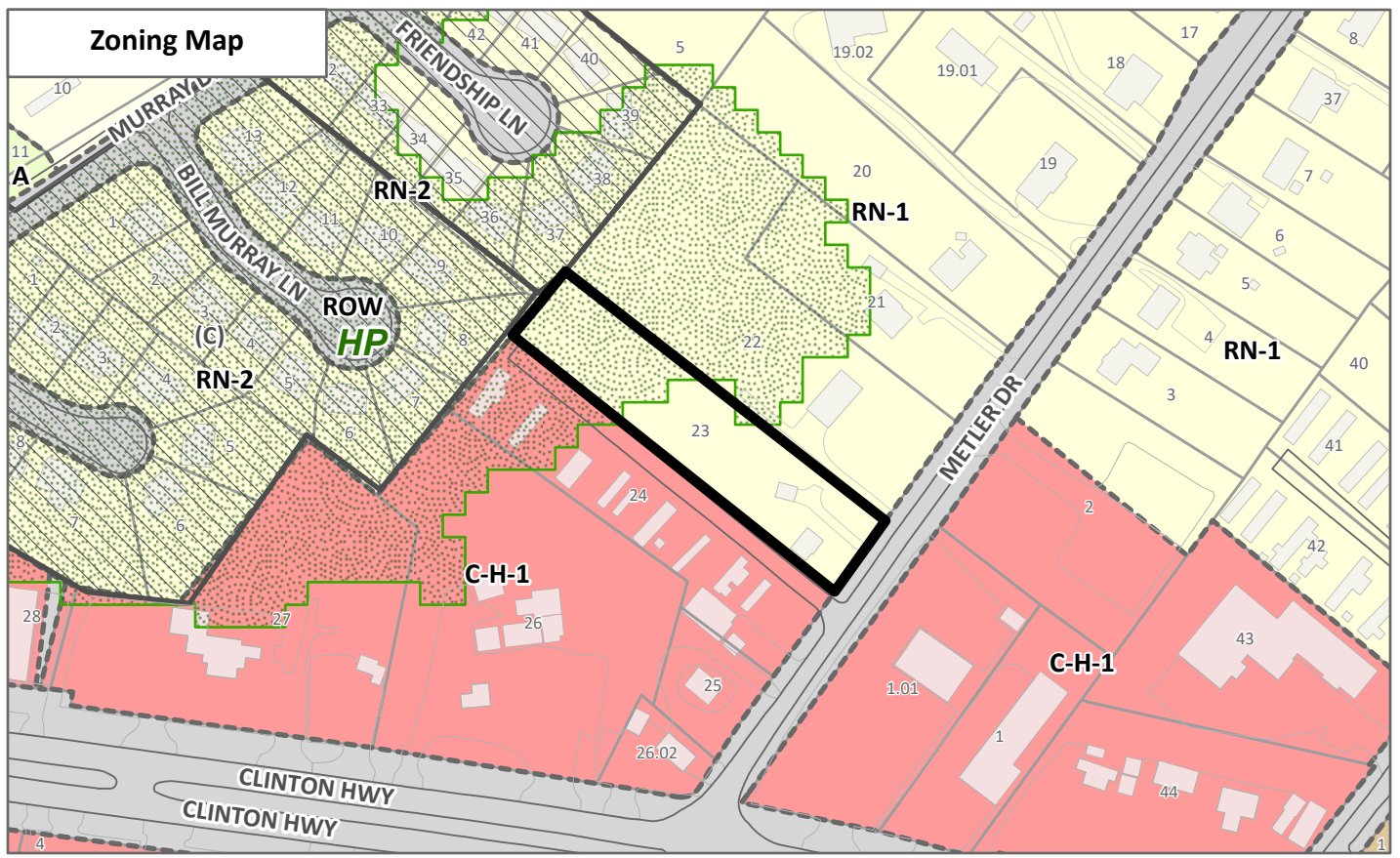
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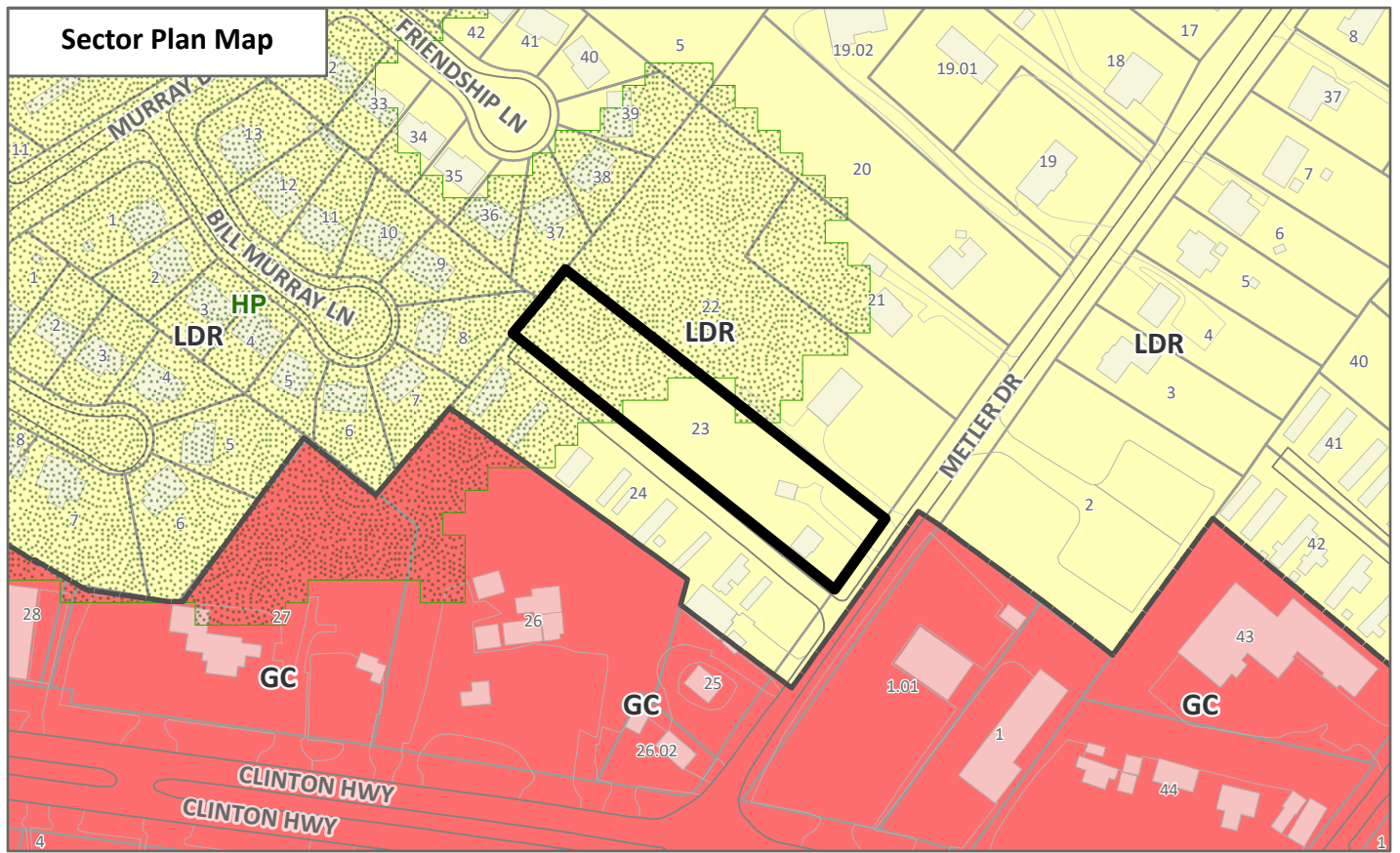
Case boundary



Zoning Map



Sector Plan Map

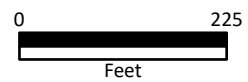


CONTEXTUAL MAPS 2

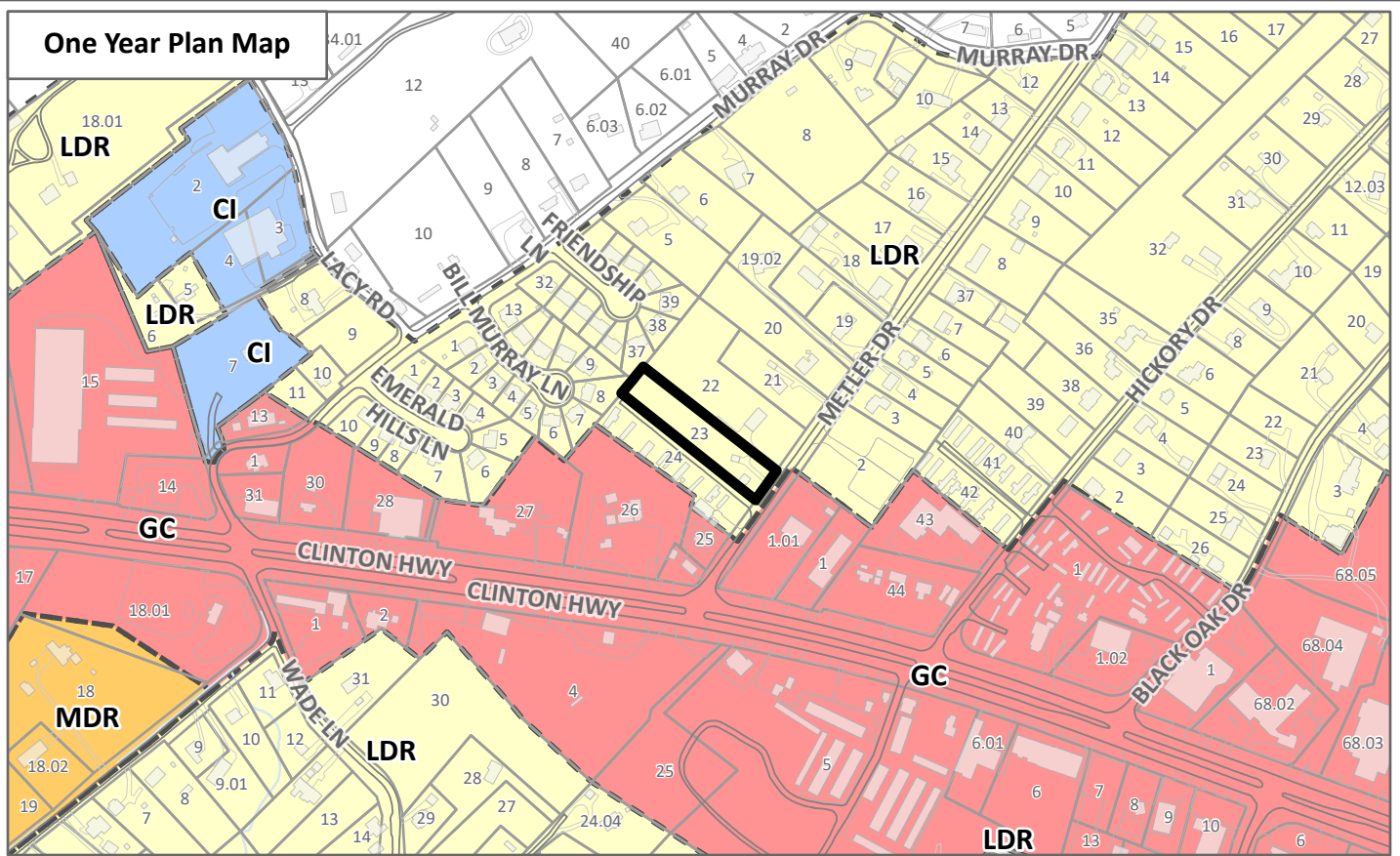
10-B-23-SU



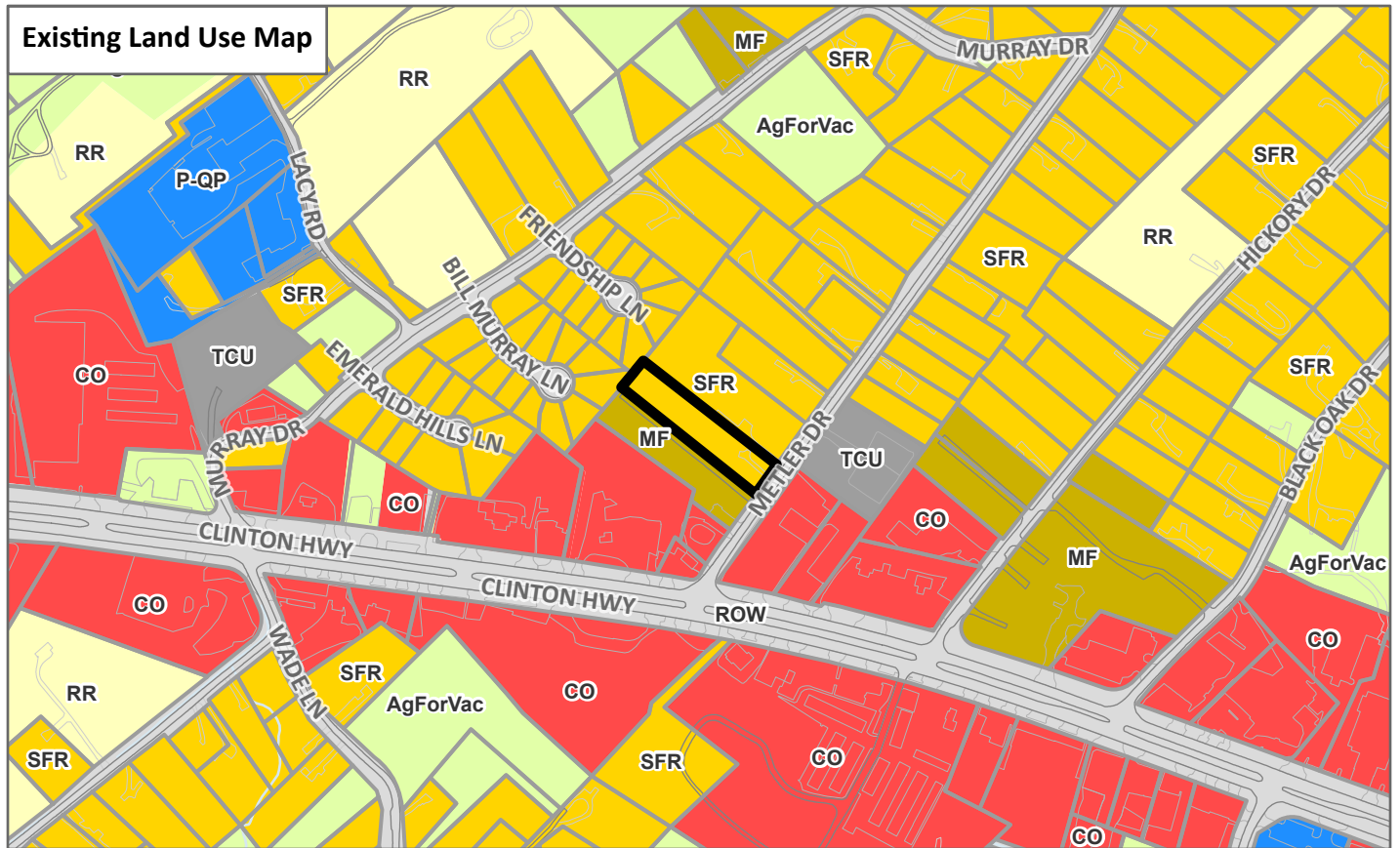
Case boundary



One Year Plan Map



Existing Land Use Map

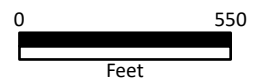


CONTEXTUAL MAPS 3

10-B-23-SU



Case boundary





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

Hani Joseph

Applicant Name

Affiliation

8/21/2023

Date Filed

10/5/2023

Meeting Date (if applicable)

10-B-23-SU

File Number(s)

CORRESPONDENCE

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

Hani Joseph Home Sweet Home, TN Inc.

Name / Company

901 Metler Dr Knoxville TN 37912

Address

865-282-5652 / hjoseph1@utk.edu

Phone / Email

CURRENT PROPERTY INFO

Rich Dads Inc.

Owner Name (if different)

2004 Radiance Dr Knoxville TN 37912

Owner Address

865-282-5652 / hjoseph1@utk.

Owner Phone / Email

901 METLER DR

Property Address

68 J B 023

Parcel ID

0.98 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of Metler Dr, north of Clinton Hwy

General Location

City

Council District 5

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

Single Family Residential

County District

Zoning District

Existing Land Use

Northwest City

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

N/A (Within City Limits)

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) Two-family dwellings	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information	Total Number of Lots Created
<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
\$450.00	
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.

Applicant Signature	Hani Joseph Please Print	8/21/2023 Date
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Property Owner Signature	Rich Dads Inc. Please Print	8/21/2023 Date
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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
 - SP
 - OYP
- Rezoning

Hani Joseph

Owner

Applicant Name

Affiliation

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.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Hani Joseph

Home Sweet Home, TN INC.

Name

Company

901 Metler Drive

Knoxville

TN

37912

Address

City

State

ZIP

865-282-5652

hjoseph1@utk.edu

Phone

Email

CURRENT PROPERTY INFO

Hani Joseph (Rich Dads Inc.)

2004 Radiance Dr Knoxville, TN 37912

865-282-5652

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

901 Metler Drive Knoxville TN 37912

068JB023

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

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) Three duplexes on individual lots

SUBDIVISION REQUEST

~~901 Metler Drive~~

Related Rezoning File Number

Proposed Subdivision Name

~~6 units on 3 parcels~~

- Combine Parcels
 Divide Parcel

3

Unit / Phase Number

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

Proposed Zoning _____

Pending Plat File Number

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
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

Hani Joseph
Applicant Signature

Hani Joseph
Please Print

08/19/2023
Date

865-282-5652
Phone Number

hjoseph1@utk.edu
Email

Hani Joseph

Hani Joseph

08/19/2023

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:

_____ 10/21/2023 _____ and _____ 10/06/2023 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Hani Joshep

Date: 8/21/23

File Number: 9-B-23-SU



Sign posted by Staff



Sign posted by Applicant