



DEVELOPMENT PLAN REPORT

▶ **FILE #:** 12-G-24-DP

AGENDA ITEM #: 45

AGENDA DATE: 12/12/2024

▶ **APPLICANT:** RICHARD LEMAY
OWNER(S): H R Davis Revocable Trust

TAX ID NUMBER: 118 H C 004 [View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 1308 LOVELL RD

▶ **LOCATION:** East side of Lovell Rd, south of Bob Gray Rd

▶ **APPX. SIZE OF TRACT:** 0.46 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Lovell Rd, a five-lane minor arterial street with a pavement width of 68 ft within a right-of-way of 85 ft.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Hickory Creek

▶ **ZONING:** PC (Planned Commercial), TO (Technology Overlay)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **PROPOSED USE:** temporary storage of topsoil and other material

HISTORY OF ZONING: This property was rezoned to PC (Planned Commercial) in 2021 (8-A-21-RZ).

SURROUNDING LAND USE AND ZONING: North: Agricultural/forestry/vacant - RB (General Residential), TO (Technology Overlay)

South: Multi family - PC (Planned Commercial), TO (Technology Overlay)

East: Agricultural/forestry/vacant - RB (General Residential), TO (Technology Overlay)

West: Office - PC (Planned Commercial), TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: This property is near the Lovell Rd and Pellissippi Parkway interchange. This stretch of Lovell Road contains a variety of uses included single family residential, multifamily residential, commercial, and office.

STAFF RECOMMENDATION:

▶ **Approve the development plan to store topsoil and other material, subject to 4 conditions.**

1) Meeting all other applicable requirements of the Knox County Zoning Ordinance.

2) Meeting all requirements of the Knox County Department of Engineering and Public Works.

3) If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, the developer will either enter into a memorandum of

understanding (MOU) with the County for these improvements or reimburse the County for their direct expenses (if completed by County crews) to make corrections deemed necessary.

4) Removal of the storage of topsoil and other material on parcel 118HC004 within 90 days of construction completion on parcel 118HC005.

With the conditions noted, this plan meets the requirements for approval in the PC district and the criteria for approval of a development plan.

COMMENTS:

This is a request for a grading plan and storage of topsoil and other material. The subject parcel is adjacent to the site of a future proposed 21-unit multifamily building. The project site for that development includes the subject parcel and the neighboring parcel to the north, which together comprise 2.32 acres. The neighboring property is zoned RB and TO, and is therefore not included in this request. Since the multifamily development is located on the RB-zoned parcel, it is not a part of this request. Only the PC zone requires development plan approval, so this request is only for the grading plan and storage of material in the PC zone. Both properties are in the TO (Technology Overlay) zone, so plans will require approval by the TTCDA. The building will be constructed on the neighboring parcel (118HC005), and the topsoil stockpile and other material will be housed on the subject 0.46-acre PC-zoned (parcel 118HC004). The plans state that this parcel will be used to store topsoil and "other material". In this instance, "other material" refers to other dirt.

The PC zone requires a development plan to be approved by the Planning Commission before any permits may be issued. The development plan is only for the PC zoned portion of the grading plan. No use has been proposed for the PC-zoned parcel at this time, and the stockpile will be removed within 90 days.

The property is exempt from Hillside Protection slope analysis land disturbance recommendations as it has been previously disturbed. The plan shows that 0.6 acres of the hillside will remain undisturbed. There will be a 20-ft construction access easement on this property. Silt fencing will be provided around the stockpile, and the applicant will have to comply with the Knox County stormwater management plan requirements.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PC (Planned Commercial), TO (Technology Overlay):

A. It is not the intent of this zone to restrict potential development by limiting uses. In general, uses permitted shall include office, commercial services and light distribution centers. No use has been proposed for the PC-zoned parcel at this time, and the stockpile will be removed within 90 days.

B. A development plan must be submitted to the TTCDA for approval prior to the TTCDA issuance of a certificate of appropriateness for a building or grading permit. The TTCDA is scheduled to hear the request for the site preparation (i.e., grading on the neighboring parcel and topsoil/material storage on the subject parcel) at the December 9, 2024 meeting. An application for the site plans has not yet been received.

2) KNOX COUNTY COMPREHENSIVE PLAN - IMPLEMENTATION POLICIES

A. Implementation Policy 7: Encourage development practices that conserve and connect natural features and habitat. - Approximately 0.6 acres of hillside in the rear of the property will remain undisturbed.

3) KNOX COUNTY COMPREHENSIVE PLAN - PLACE TYPE

A. The property is classified as CMU (Corridor Mixed-Use). Corridor Mixed-Use areas are appropriate for moderate-scale walkable mixed-use development occurring along major corridors. No use is proposed for this property beyond the temporary material storage. Any development proposed in the future will be required to comply with the Comprehensive Plan.

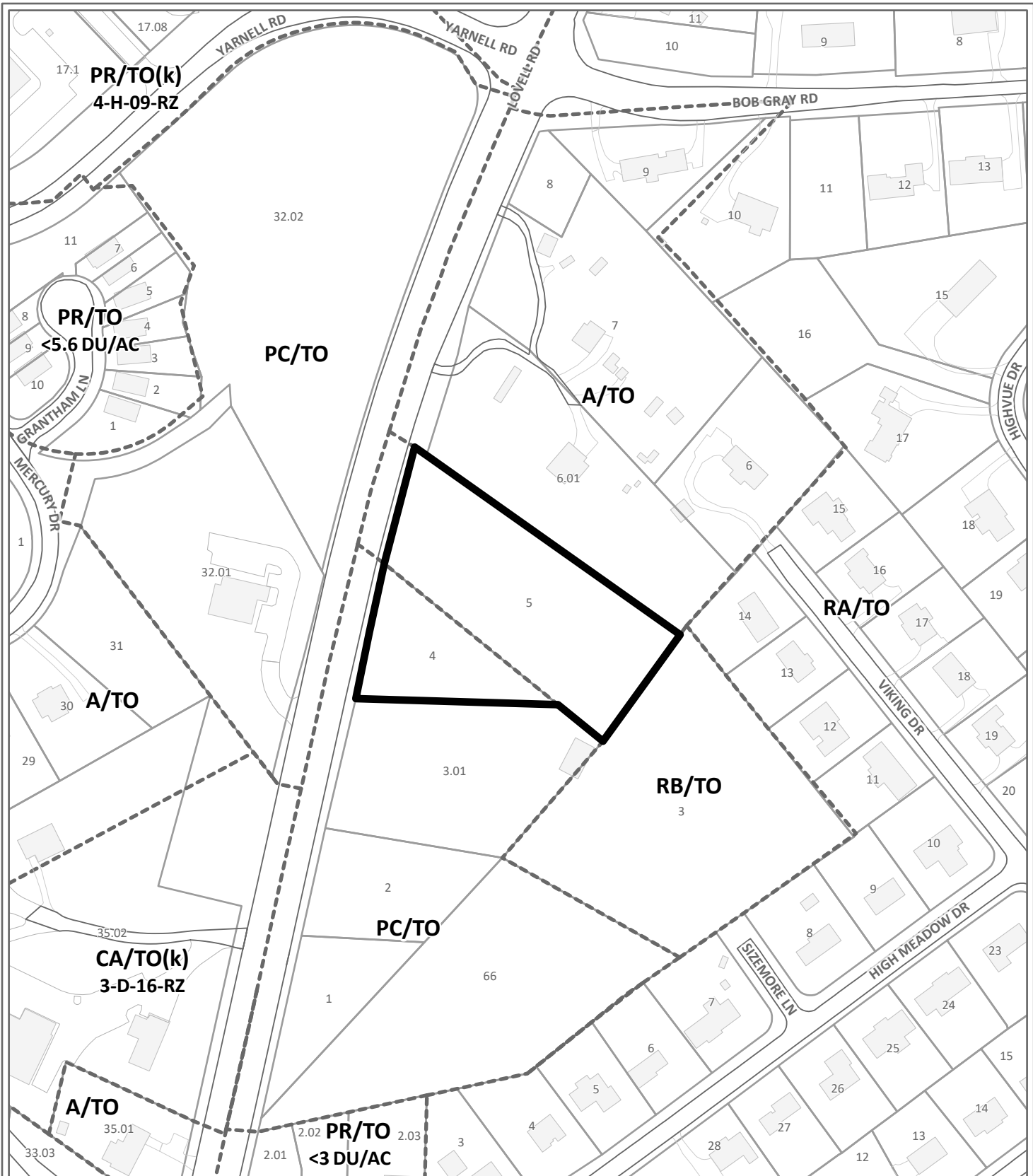
4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. This proposal does not conflict with any of these stated goals.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



DEVELOPMENT PLAN

12-G-24-DP

Petitioner: Richard LeMay



Grading plan for multi family building in RB (General Residential), TO (Technology Overlay), PC (Planned Commercial)

Map No: 118
Jurisdiction: County

Original Print Date: 11/1/2024

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

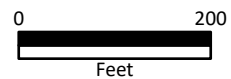
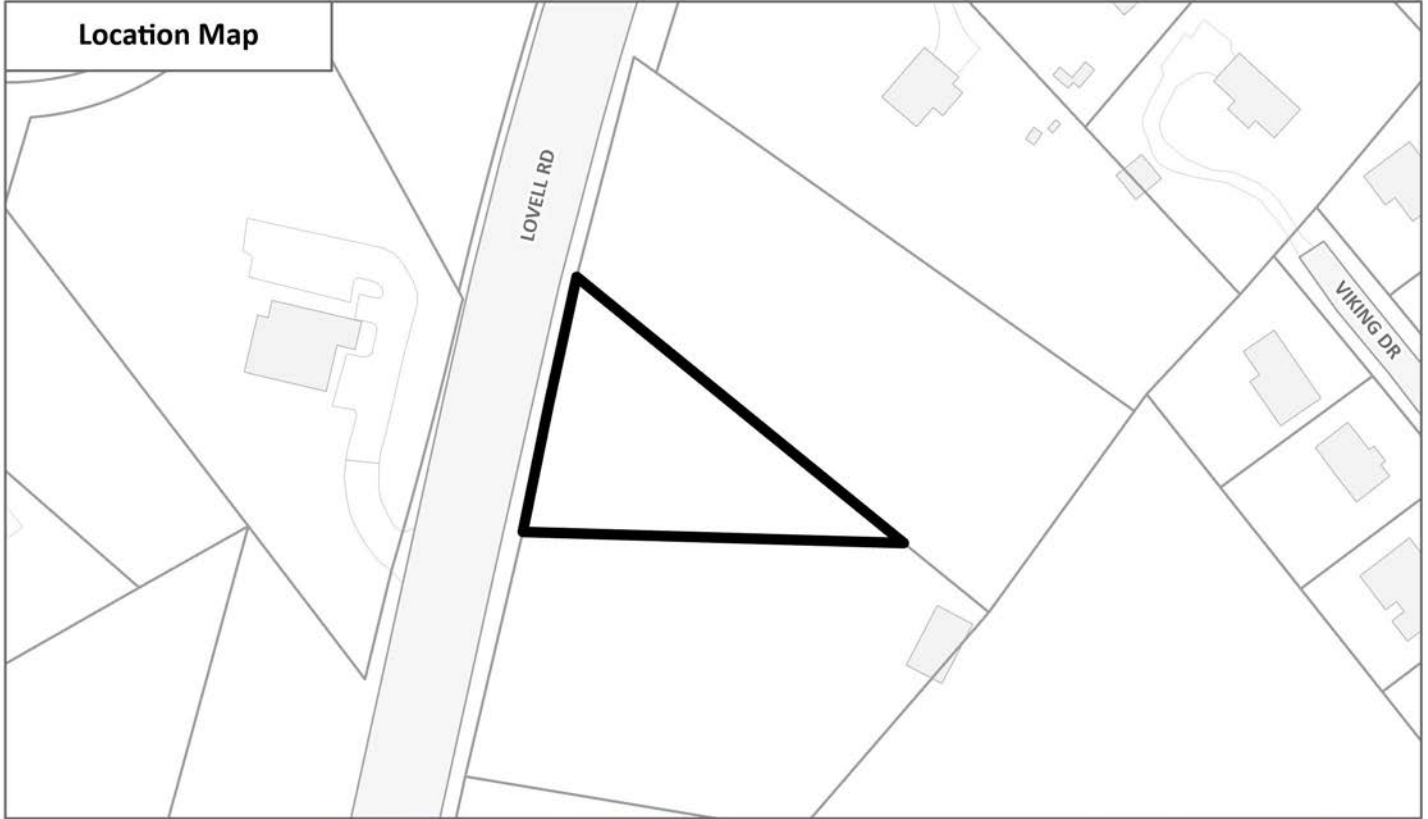


Exhibit A. Contextual Images

Location Map



Aerial Map

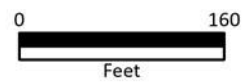


CONTEXTUAL MAPS 1

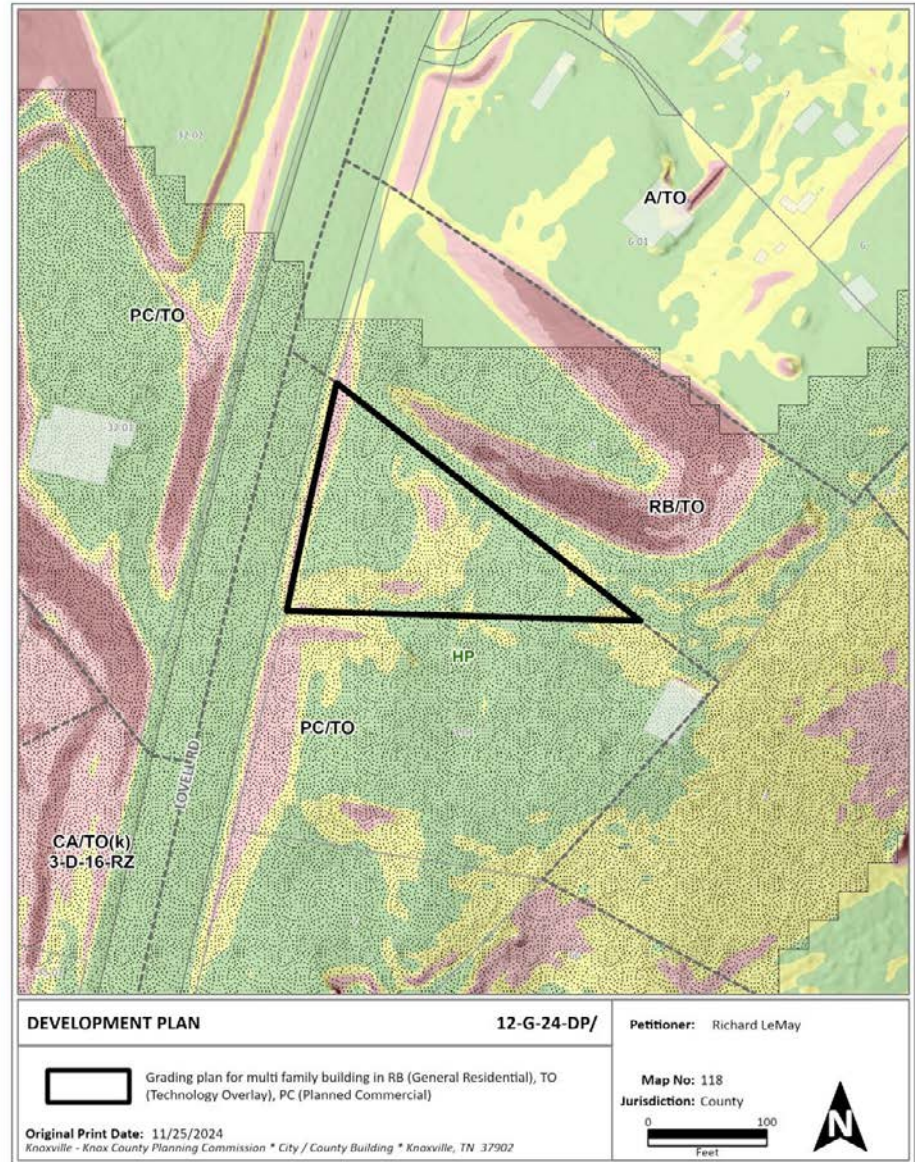
12-G-24-DP



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	0.69		
Non-Hillside	0.00	N/A	
0-15% Slope	0.42	100%	0.42
15-25% Slope	0.21	50%	0.11
25-40% Slope	0.05	20%	0.01
Greater than 40% Slope	0.00	10%	0.00
Ridgetops			
Hillside Protection (HP) Area	0.69	Recommended disturbance budget within HP Area (acres)	0.54
		Percent of HP Area	78.8%





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Rezoning
- Plan Amendment
- Sector Plan
- City OYP / County Comp Plan

Richard LeMay

Applicant Name

Affiliation

10/30/2024

Date Filed

12/12/2024

Meeting Date (if applicable)

12-G-24-DP

File Number(s)

CORRESPONDENCE

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

- Applicant
- Owner
- Option Holder
- Surveyor
- Engineer
- Architect

Richard Lemay LeMay & Associates

Name / Company

10816 Kingston Pk. Pk. Knoxville TN 37934

Address

865-671-0183 / rlemay2@lemayassociates.com

Phone / Email

CURRENT PROPERTY INFO

H R Davis Revocable Trust

Owner Name (if different)

PO Box 1525 Norris TN 37828

Owner Address

865-804-8419

Owner Phone / Email

1308 LOVELL RD / 1316 LOVELL RD

Property Address

118 H C 004,005

Parcel ID

2.32 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

No

Septic (Y/N)

COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

DEVELOPMENT REQUEST

<input checked="" type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input 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) Grading plan for multi family building	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
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 Rezoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request
 Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

- Use on Review / Special Use (Concept Plan)
 Traffic Impact Study
 COA Checklist (Hillside Protection)

Fee 1	Total
\$500.00	
Fee 2	
Fee 3	

AUTHORIZATION

By signing below, 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. If there are additional owners or option holders, each additional individual must sign the Property Owners/Option Holders Form.

Applicant Signature	Richard LeMay Please Print	10/30/2024 Date
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Phone / Email		
Property Owner Signature	H R Davis Revocable Trust Please Print	10/30/2024 Date



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - PA
- Rezoning

Richard LeMay

Owner/Developer

Applicant Name

Affiliation

10/25/2024

December 12, 2024

~~November 14, 2024~~

Date Filed

Meeting Date (if applicable)

File Number(s)
~~10-A-24-TOG~~
12-G-24-DP

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

Richard LeMay

LeMay and Associates

Name

Company

10816 Kingston Pike

Knoxville

Tn

37934

Address

City

State

ZIP

865-671-0183

rlemay@lemayassociates.com

Phone

Email

CURRENT PROPERTY INFO

H R Davis Revocable Trust

PO Box 1525 Norris, Tn 37828

865-804-8419

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1308 & 1316 Lovell Road

118HC004 & 118HC005

Property Address

Parcel ID

First Utility District

First Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). We require applicants to acknowledge their role in this process.

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) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number

Unit / Phase Number Combine Parcels Divide Parcel

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
- Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

- Use on Review / Special Use (*Concept Plan*)
- Traffic Impact Study
- COA Checklist (*Hillside Protection*)

Fee 1		Total \$500.00
0402		
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

Richard LeMay
Applicant Signature

Richard LeMay

10/25-2024

Please Print

Date

865-671-0183

rlemay@lemayassociates.com

Phone Number

Email

865-804-8419

H R davis

Pd 10/30/2024, SG

Property Owner Signature

Please Print

10-28-2024

Date Paid

Sign Posting and Removal

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.

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.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

11/29/2024

~~11/1/2024~~

12/13/2024

~~12/24/2024~~

Date to be Posted

Date to be Removed

Have you engaged the surrounding property owners to discuss your request?

Yes No

No, but I plan to prior to the Planning Commission meeting


Applicant Signature

HR DAVIS

Applicant Name

10/30/2024

Date

12-G-24-DP

FILE NUMBER
10-A-24-TOG