

SPECIAL USE REPORT

► FILE #: 3-A-24-SU					AGE	NDA ITEM #:	26
					AGE	NDA DATE:	3/7/2024
APPLICANT:	BUFFA		TRUCTIO	N CO			
OWNER(S):	W. T. F	hillips, Jr. E	Buffalo Co	nstruction C	o		
TAX ID NUMBER:	121 O /	A 010 (PAR	RT OF)			<u>View m</u>	ap on KGIS
JURISDICTION:	City Co	uncil Distrie	ct 2				
STREET ADDRESS:	6395 S	NORTHSH	HORE DR				
LOCATION:	West s	ide of S No	orthshore	Dr, north c	of Lyons E	Bend Rd	
APPX. SIZE OF TRACT:	2.29 ac	res					
SECTOR PLAN:	West C	ity					
GROWTH POLICY PLAN:	N/A (W	ithin City Li	imits)				
ACCESSIBILITY:	width. A	Access is al	lso via S N		Drive, a ma	v with an 18-ft p ajor arterial stre -way.	
UTILITIES:	Water S	Source:	Knoxville	Utilities Boa	rd		
	Sewer	Source:	Knoxville	Utilities Boa	rd		
WATERSHED:	Fourth	Creek					
ZONING:	RN-2(C Overla		Family Re	sidential Ne	eighborho	od), F (Flood	olain
EXISTING LAND USE:	Multi-fa	amily Resi	dential				
PROPOSED USE:	Multi-d	welling de	evelopme	nt			
HISTORY OF ZONING:				ensity Resid		RP-1 (Planned 36-RZ).	
SURROUNDING LAND USE AND ZONING:	North:					y/vacant land -), F (Floodplain	
	South:	Multi-fam Neighbor		tial - RN-5 (C) (Genera	al Residential	
	East:	Public pa	rks - OS (Parks and C	pen Space	e), F (Floodpla	in Overlay)
	West:	Multi-fam Neighborl		tial - RN-5(C	C) (Genera	l Residential	
NEIGHBORHOOD CONTEXT:	subdivi: propert	sions. Four	th Creek F nnessee F	Runs from th liver to the e	e northern	y and townhou i side of the su shore Park is a	bject

STAFF RECOMMENDATION:

Approve the request for a multi-dwelling development, subject to 5 conditions.

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1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

2. Meeting all applicable requirements of the Knoxville Department of Engineering.

3. All grading for this development shall be maintained on the site. There shall be no grading or fill within the Floodway or Stream Protection area.

4. Consulting with the Tennessee Department of Environment and Conservation, Division of Water Resources Manager at the Knoxville Field Office about the proposed development, and implementing their recommendations on any additional watershed stewardship measures.

5. Preserving existing vegetation within the 25-ft periphery boundary to maintain a vegetative buffer between the development and the Westlands community to the west and Westchase community to the south. If vegetation does not exist in certain areas or cannot be preserved, a Class B buffer yard landscaping plan shall be applied to the maximum extent practicable and submitted to Planning for review prior to permitting.

With the conditions noted above, this request meets the requirements of the former RP-1 zoning district (current RN-2(C)/F zoning) and the criteria for approval of a Special Use for modifications to previously approved planned districts per Article 1.4.G.

COMMENTS:

In 2000, a Use on Review approval was granted by the Planning Commission for a development of up to 29 attached residential condominiums on parcel 1210A010, which at that time was a 6.98-acre lot with RP-1 zoning up to 5 du/ac. The approval was subject to 11 conditions, which read as follows:

1. Meeting all applicable requirements of the Knox County Health Department; 2. Obtaining the driveway connection permits from the Tennessee Department of Transportation; 3. Meeting all applicable requirements of the Tennessee Department of Environment and Conservation, Tennessee Valley Authority and Army Corp of Engineers; 4. Providing street names which are consistent with the requirements of the Knoxville Uniform Street Naming and Numbering Ordinance; 5. Providing the landscaped screen shown on the plan along the entire common boundary shared with the West Chase Condominiums and the landscaping as shown along the boundary of this project with Craigland; 6. All grading for this development to be maintained on this site. No grading or fill within the Floodway without obtaining the required permits; 7. No structures being built within 25 ft of the F-1 Floodway Zone boundary; 8. Meeting all applicable requirements of the Knoxville Department of Engineering; 9. Meeting all applicable requirements of the Knoxville Zoning Ordinance; 10. Installation of landscaping as shown on the development plan within one year of the issuance of occupancy permits for this project; 11. A revised site plan reflecting the conditions of approval must be submitted to MPC (Knoxville-Knox County Planning) prior to issuance of any building permits.

In 2002, the development plan was changed from 29 attached condominiums to 16 single-family dwellings. This change was approved administratively by Planning and permitted by the City. The permitted plan (Exhibit B) shows 6 single-family dwellings, which were never developed, located on the portion of the parcel that is the subject of this Special Use request.

The site plan for the current Special Use request has a similar layout to what was approved in 2002, except it reduces the number of dwellings from 6 to 5 units.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2 THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN. A. The proposed development is being reviewed in accordance with its previously approved RP-1 (Planned Residential) district per the Transition Rules in Article 1.4.G of the City Zoning Ordinance. The zoning district and Conditions 3, 4, and 5 are consistent with the General Plan's development policy 6.1 to encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors. B. The One Year Plan's land use classification for this property is LDR (Low Density Residential), SP (Stream Protection) and W (Water). The housing development is compatible with the provisions of the LDR classification, and it is confined to the area of the lot that is outside the SP and W classifications, where development is discouraged or prohibited.

C. The West City Sector Plan has the same land use classifications for the property as the One Year Plan. The Hydrology section of the sector plan specifically calls out Fourth Creek as the waterway most subject to flooding in the sector, which runs from the north to the southwest end of the subject property. This property accesses S Northshore Drive, a major arterial street, which is in the FEMA 500 year floodplain and bordered by 100 year floodplains on both sides. Conditions 3 & 4 regarding grading, fill and water quality management are responsive to this issue with Fourth Creek described in the sector plan.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

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A. The previously approved RP-1 (Planned Residential) zoning district is the operative zoning for the property. It is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.

B. The proposed single-family development on a shared lot meets the applicable RP-1 district area regulation of a 25-ft periphery boundary. The clustering of the development away from the Stream Protection area is also consistent with the intent of the RP-1 zone to consider and respond to environmental design issues on a property.

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. The proposed dwelling layout is virtually identical to what was developed on the rest of the parcel to the north and the Westminster Green neighborhood north of that, both of which were completed around 2007.
B. The size of the proposed dwellings is compatible with surrounding residences. The adjacent residences to the south and west sit lower than the subject property, making the proposed development a prominent sight in the general area. Condition 5 regarding vegetation in the periphery boundary is intended to preserve the natural character of the surrounding area.

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 section of Fourth Creek that runs along the northern side of the subject parcel is classified by the EPA as a 303(d) impaired waterway due to pollution. Conditions 3 & 4 regarding water quality, in combination with City Stormwater Engineering's review during permitting will help ensure the development does not further detract from the waterway environment.

B. The addition of 5 single-family dwellings to this area should not have a significant impact on traffic or a noxious impact on surrounding properties.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The proposed housing already has a private driveway developed, and it does not connect to or impact other residential streets.

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. Fouth Creek and the surrounding floodplain will receive additional consideration during permitting through Conditions 3 & 4 to ensure that the location does not pose a threat to the proposed dwelling units.
B. City Engineering does not have concerns about safe access from the development to S Northshore Drive, and safety measures will be reviewed, implemented and inspected through the permitting process.

ESTIMATED TRAFFIC IMPACT: 64 (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: 1 (public school children, grades K-12)

Schools affected by this proposal: Bearden Elementary, Bearden Middle, and West High.

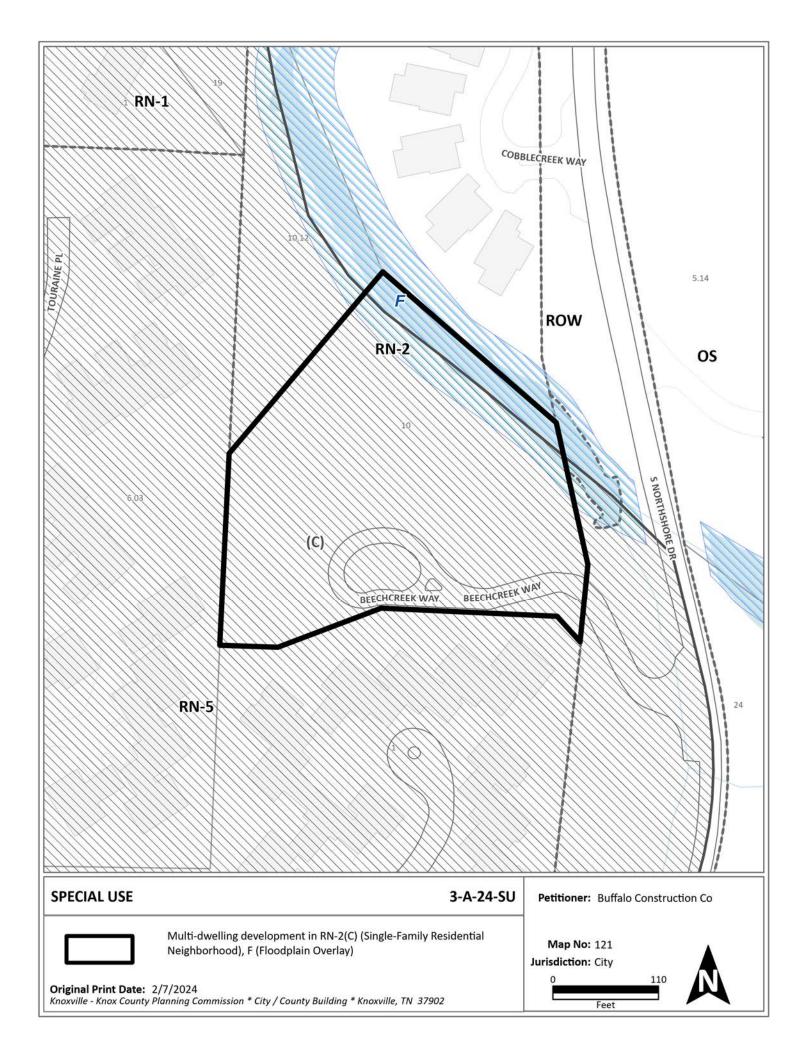
• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

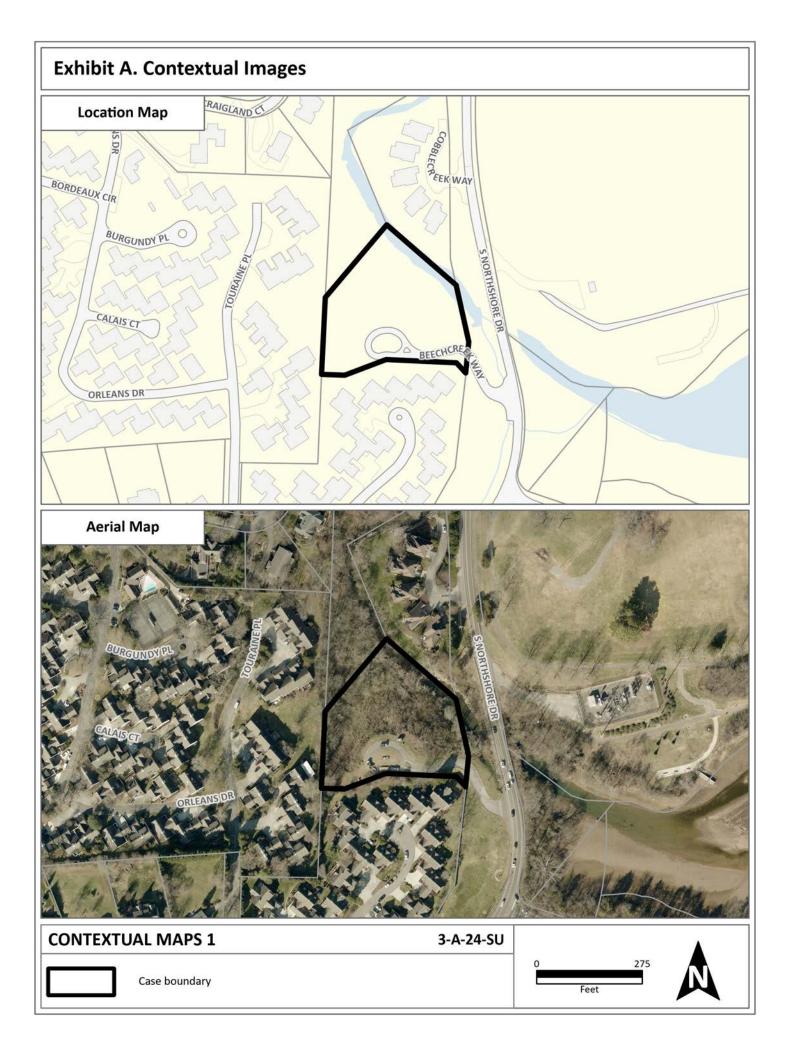
• Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.

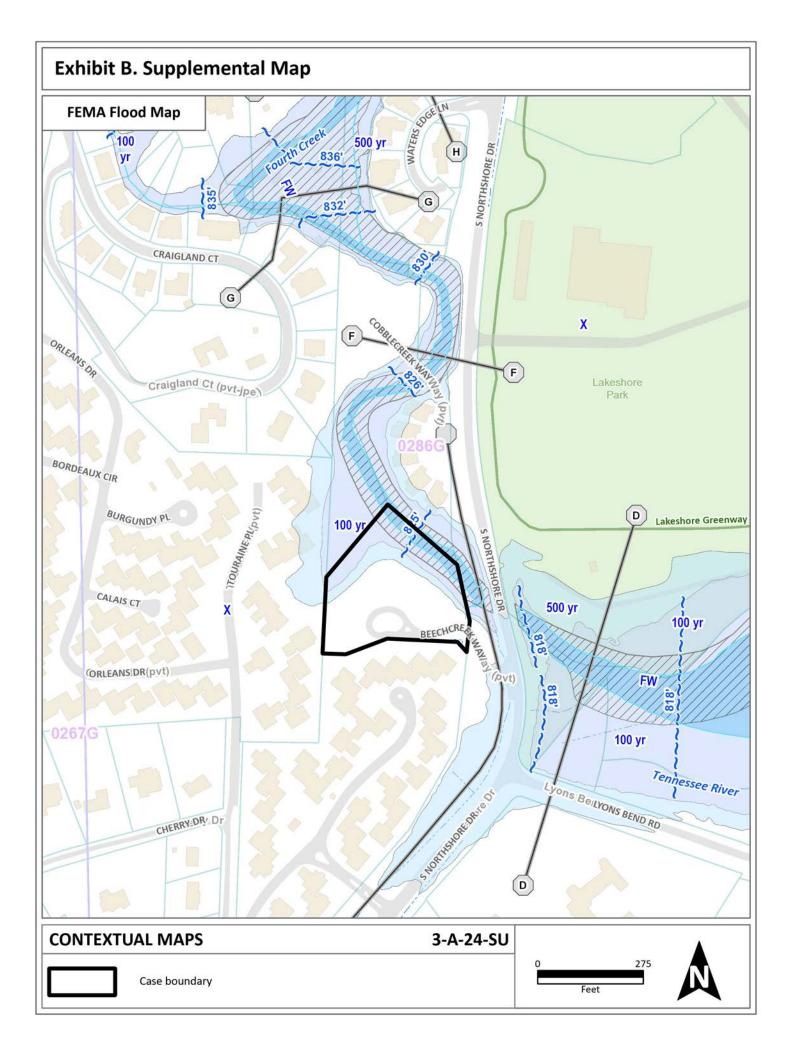
• Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

• 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.

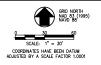
The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.











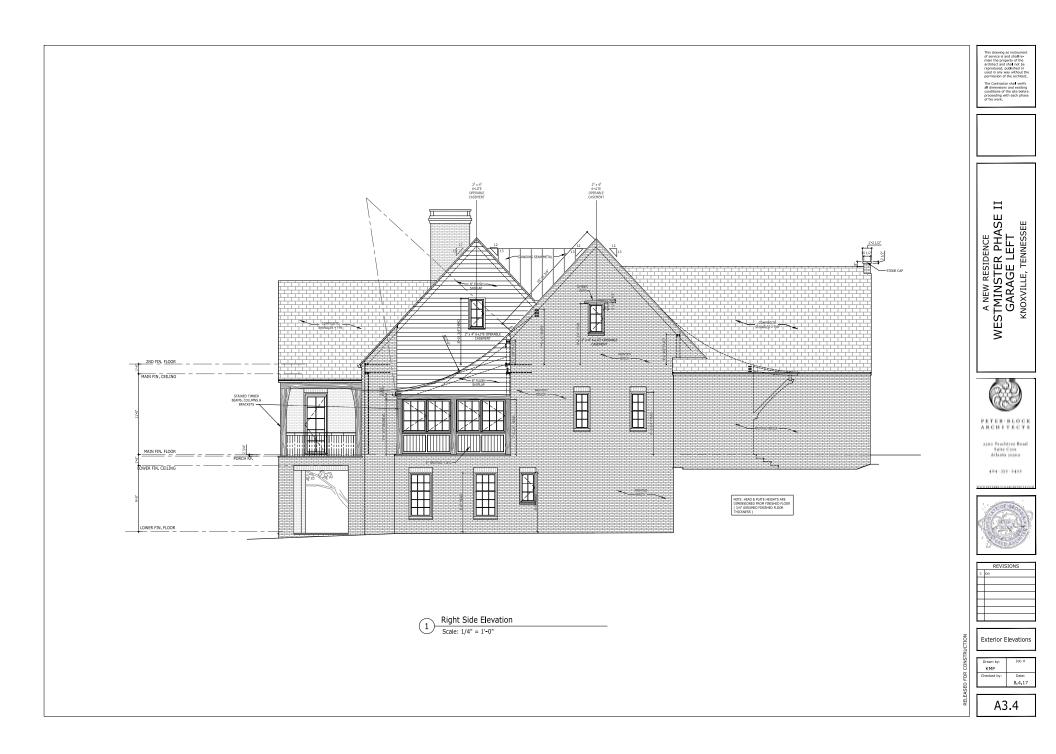


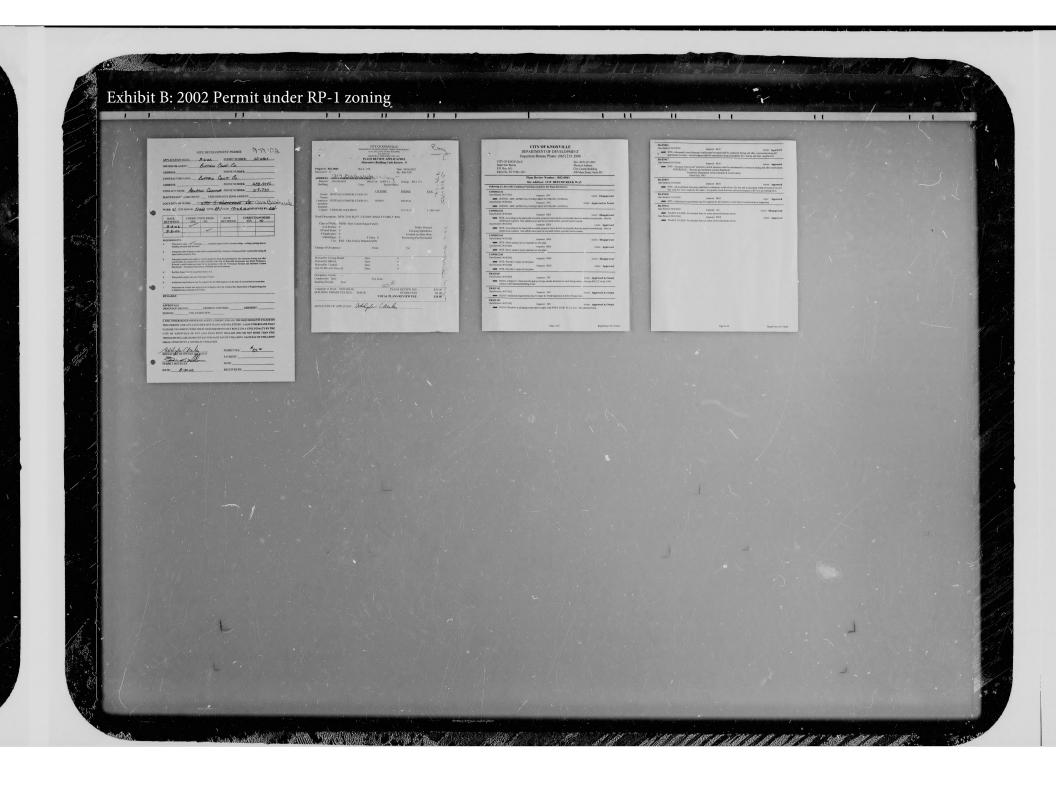


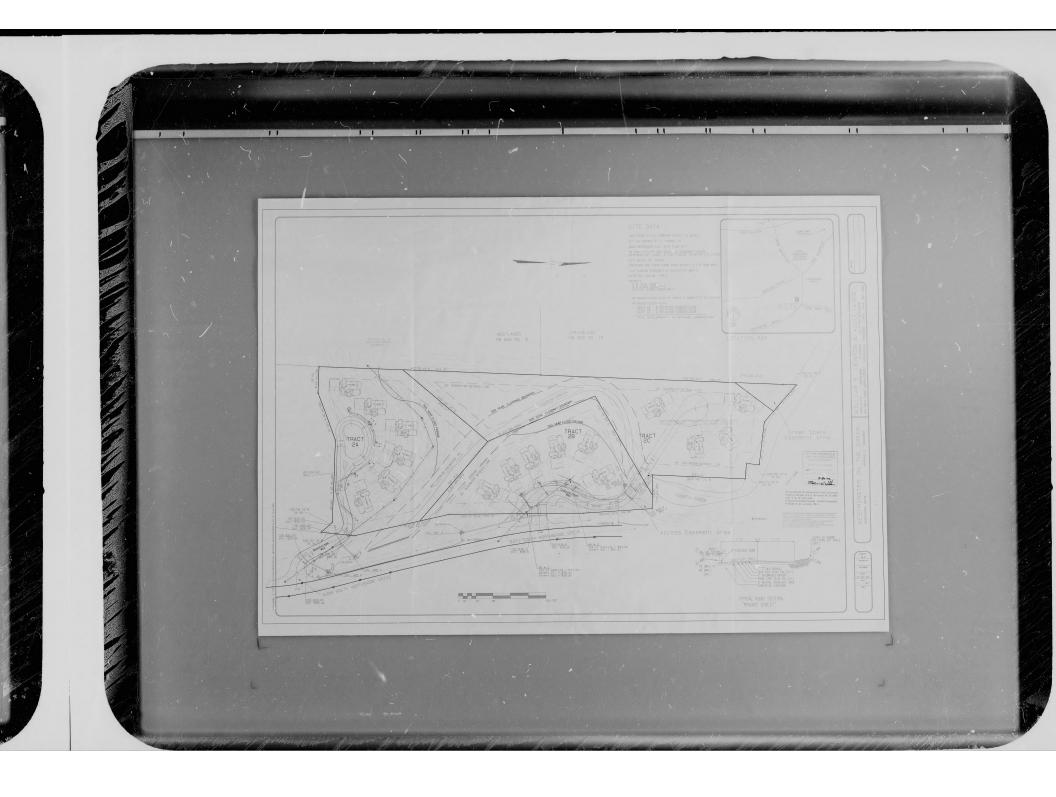














Development Request

		DEVELOPMENT	SUBDIVISION	ZONING
DI	annin	🔄 🗌 Development Plan	🗌 Concept Plan	🗌 Plan Amendment
FL	amm	Planned Development	🗌 Final Plat	🗌 Sector Plan
KN	OXVILLE KNOX COUNTY	🖌 🔽 Use on Review / Special Use		🗌 One Year Plan
		\Box Hillside Protection COA		□ Rezoning
Buffalo C	onstruction Co			
Applicant	Name		Affiliation	
1/19/202	4	3/7/2024	3-A-24-SU	
Date Filed	ł	Meeting Date (if applicable)	File Number(s)	
CORRE	SPONDENCE	All correspondence related to this application show	uld be directed to the ap	proved contact listed below.
Adam Ko	hntopp Cannon &	Cannon, Inc		
Name / Co	ompany			
10025 Inv	vestment Dr Ste 12	0 Knoxville TN 37932		
Address				
865-343-0	0019 / akohntopp@	⊉cannon-cannon.com		
Phone / E	mail			
CURRE	NT PROPERTY I	NFO		
W. T. Phil	llips, Jr. Buffalo Coi	nstruction Co 10142 Parkside Dr Ste 300 Knoxvill	e TN 37922 86	5-599-0022 / tphillips@philli
Owner Na	ame (if different)	Owner Address	O	vner Phone / Email
6395 S NO	ORTHSHORE DR			
Property /	Address			
121 O A 0)10 (part of)		2.	29 acres
Parcel ID		Part of Par	rcel (Y/N)? Tr	act Size
Knoxville	Utilities Board	Knoxville Utilities Bo	ard	
Sewer Pro	ovider	Water Provider		Septic (Y/N)
STAFF	USE ONLY			
West side	e of S Northshore D	Dr, north of Lyons Bend Rd		
General L	ocation			
City	Council District 2	RN-2(C) (Single-Family Residential Neighborhood (Floodplain Overlay)	d), F Multifam	ly Residential
County	District	Zoning District	Existing L	and Use
West City	/	LDR (Low Density Residential), SP (Stream Protect	ction) N/A (Wit	nin City Limits)

Sector Plan Land Use Classification

Growth Policy Plan Designation

Planning Sector

DEVELOPMENT REQUEST					
Development Plan Plann	ed Development	✔ Use on Review	w / Special Use	Related	d City Permit Number(s)
Hillside Protection COA		Residential	🗌 Non-residenti	al	
Home Occupation (specify)					
Other (specify) Multi-dwelling de	evelopment				
SUBDIVSION REQUEST					
				Relate	d Rezoning File Number
Proposed Subdivision Name					
Unit / Phase Number		Tota	al Number of Lots Cre	eated	
Additional Information					
Attachments / Additional Requi	rements				
ZONING REQUEST					
Zoning Change				Pen	ding Plat File Number
Proposed Zon	ing				
🗌 Plan					
Amendment Proposed Pla	an Designation(s)				
Proposed Density (units/acre) P	revious Zoning Re	quests			
Additional Information		quests			
STAFF USE ONLY					
PLAT TYPE	g Commission		Fee	21	Total
	, commission		\$50	00.00	
ATTACHMENTS Property Owners / Option Hold	ers 🗌 Variar	ice Request	Fee	2	
ADDITIONAL REQUIREMEN					
COA Checklist (Hillside Protectio					
Design Plan Certification (Final			Fee	23	
Site Plan (Development Reques	t)				
Traffic Impact Study					
Use on Review / Special Use (Co	oncept Plan)				
AUTHORIZATION					
☐ I declare under penalty of perjury all associated materials are being			'she/it is the owner of	the property, AN	D 2) the application and
		nstruction Co			1/19/2024
Applicant Signature	Please Prin	it			Date
Phone / Email					
	W. T. Phill	ips, Jr. Buffalo Cons	truction Co		1/19/2024
Property Owner Signature	Please Prin				Date

Planning KNOXVILLE I KNOX COUNTY	Development P Development P Planned Develo Use on Review Hillside Protect	lan pment / Special Use	t Request SUBDIVISION	n	ZONING Plan Amendment SP OYP Rezoning
Buffalo Construction Co				0wner	
Applicant Name			ļ	filiation	
03/19/2024	March 7, 20	24			File Number(s)
Date Filed	Meeting Date	if applicable)		3-/	A-24-SU
CORRESPONDENCE All a	orrespondence related	to this application si	hould be directed to	the appro	oved contact listed below.
🗋 Applicant 🛛 Property Owner	Doption Holder	Project Surveyor	Engineer	Architec	t/Landscape Architect
Adam Kohntopp		Canno	on & Cannon, Inc	•	
Name		Compa	ny		
10025 Investment Dr, Suite 12	20	Knoxv	ville	TN	37932
Address		City		itate	ZIP
865-343-0019	akohntopp	@cannon-cannor	n.com		
Phone	Email				11-12-12-1
CURRENT PROPERTY INFO					
Buffalo Construction Co.	1014	12 Parkside Dr, S	uite 300 Knoxvill	e, TN 🔬 8	365-599-0022
Property Owner Name (if different)	Prope	rty Owner Address		P	roperty Owner Phone
6395 S Northshore Dr			1210A010 (par	t of)	
Property Address			Parcel ID		
KUB		KUB			Ν
Sewer Provider		Water Provider			Septic (Y/N)
STAFF USE ONLY					
General Location			Т	ract Size	
City County District	Zoning District		Existing Land Use	2	
Planning Sector	Sector Plan Lar	d Use Classification	G	irowth Pc	licy Plan Designation

DEVELOPMENT REQUEST

/	Use on Review / Special Use Hillside Protection COA Non-Residential	Related City Permit Number(s)
Home Occupation (spe	cify)	
Multi Other (specify)	-dwelling development (formerly approved planned district)	

SUBDIVISION REQUEST

		Related Rezoning File Number
Proposed Subdivision Name	1000 C	
Unit / Phase Number	arcel Total Number of Lots Created	1
Other (specify)		
Attachments / Additional Requirements		
ZONING REQUEST		
		Pending Plat File Number
Zoning Change Proposed Zoning		
Plan Amendment Change		x
Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Rezoni	ing Requests	
□ Other (specify)	- B reducto	
STAFF USE ONLY		
PLAT TYPE	Fee 1	Total
Staff Review VPlanning Commission	0402 \$5	500.00
ATTACHMENTS		
Property Owners / Option Holders Variance Request	Fee 2	\$500.00
ADDITIONAL REQUIREMENTS		
Design Plan Certification (<i>Final Plat</i>)	Fee 3	
Use on Review / Special Use (Concept Plan) Traffic Impact Study		
COA Checklist (Hillside Protection)		
AUTHORIZATION	<u></u>	
I declare under penalty of perjury the foregoing is true and correl	ect:	
1) He/she/it is the owner of the property AND 2) The application a	and all associated materials are being sul	bmitted with his/her/its consent
Buffal	o Construction Co	1-18-2024
Applicant Signature Please P	rint	Date

865-599-0022

l

Phone Number Property Owner Signature

tphillips@phillipsih.com Email W.T. Phillips, Jr.

Please Print

01/19/2024, SG

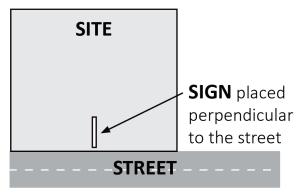
Date Paid



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-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:

02/23/2024	_ and	03/08/2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Buffalo Construction Co. Date: 01/19/2024		Sign posted by Staff
File Number: <u>3-A-24-SU</u>		Sign posted by Applicant