

## **SPECIAL USE REPORT**

► FILE #: 11-A-24-SU			AGENDA ITEM #:	1:
POSTPONEMENT(S):	11/14/2	24, 12/12/2024	AGENDA DATE:	1/9/202
APPLICANT:	DAMO	A FALCONNIER (ARCHITECT)		
OWNER(S):	Sheila F	offitt		
TAX ID NUMBER:	69 E B	3102	<u>View ma</u>	ap on KGIS
JURISDICTION:	City Co	ncil District 4		
STREET ADDRESS:	0 MINE	AL SPRINGS AVE		
LOCATION:	North s	de of Mineral Springs Ave, east	of N Broadway	
• APPX. SIZE OF TRACT:	1.37 ac	es		
SECTOR PLAN:	East Cit	,		
GROWTH POLICY PLAN:	N/A (W	hin City Limits)		
ACCESSIBILITY:		s via Mineral Springs Avenue, a lo hin a 40-ft right-of-way.	cal street with a 19-ft pa	avement
UTILITIES:	Water S	ource: Knoxville Utilities Board		
	Sewer S	ource: Knoxville Utilities Board		
FIRE DISTRICT:	Knoxvill	Fire Department		
WATERSHED:	First Cr	ek		
► ZONING:	RN-1 (S Overlay	ngle-Family Residential Neighb	orhood), HP (Hillside	Protection
EXISTING LAND USE:	Agricul	ure/Forestry/Vacant Land		
PROPOSED USE:	Two-fa	nily dwelling		
HISTORY OF ZONING:	Service	from RP-1 (Planned Residential) ) in 2006 (1-F-06-RZ) before being o O (Office) was denied in 2019 (1	g subdivided in 2008 . A	
SURROUNDING LAND USE AND ZONING:	North:	Agriculture/forestry/vacant Land - Residential Neighborhood) with co Overlay)		
	South:	Single family residential, multifam		
		Family Residential Neighborhood) Protection Overlay), O (Office)	) with conditions, HP (H	
	East:		) (Single-Family Reside	illside ntial
	East: West:	Protection Overlay), O (Office) Single family residential - RN-1(C	) (Single-Family Reside P (Hillside Protection O ingle-Family Residentia	illside ntial verlay)
NEIGHBORHOOD CONTEXT:	West: Mineral and mu	Protection Overlay), O (Office) Single family residential - RN-1(C Neighborhood) with conditions, HI Single family residential - RN-1 (S Neighborhood), HP (Hillside Prote Springs Avenue consists of a mix o ifamily developments. There is a r e uses at the intersection of Miner	) (Single-Family Reside P (Hillside Protection O Single-Family Residentia action Overlay) of single-family homes, node of apartments and	illside ntial verlay) Il duplexes, medical

#### STAFF RECOMMENDATION:

Deny the request for a two-family dwelling in the RN-1 (Single-Family Residential Neighborhood) district because the development does not meet the location criteria of the One Year Plan.

#### COMMENTS:

This request is for a two-story duplex on this 1.37-acre lot that has an access easement running through the property serving the northern parcel owned by the same owner. The duplex has one unit facing Mineral Springs Avenue while the other unit faces the proposed driveway to the east.

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 One Year Plan states that duplexes may be permitted in low density areas where their development will not significantly affect service demands or aesthetics of the area and these should meet one or more of the eight location criteria, as specific in p.29 of the plan. The proposed development does not meet any of the specified criteria. For example, the proposed access is not off of a collector street, Mineral Springs Avenue is a local road. It also is not in an transitional area between residential and nonresidential uses, is not in an area having a gross density over 5 du/ac, and is not part of a planned residential development.

B. A two-family dwelling, which is considered low-density residential use, is consistent with the East City Sector Plan's LDR (Low Density Residential) land use classification.

C. The proposed 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-1 district is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks. Two-family dwellings may be allowed by special use approval.
B. The RN-1 district requires a minimum lot size of 15,000 sq ft for two-family dwellings and the subject property exceeds the requirement. The site plan as provided conforms to the dimensional standards (Article 4.3) of the RN-1 district.

C. The building elevations meet the Principal Use Standards (Article 9.3.J) for duplexes in the RN-1 district. While the front entry is not a dominant feature on the street-facing elevation, the zoning ordinance stipulates that this is required for lots that are less than one acre. The subject property is larger than one acre. D. The property has an HP (Hillside Protection) overlay and the slope analysis conducted by staff recommends a maximum disturbance of 29.3% within the HP area (15,674 sq sf). Any development other than a singlefamily house shall adhere to the disturbance budget.

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 use will be consistent with the character of the area that includes two nearby duplexes on Mineral Springs Avenue and a multifamily development across the street.

B. The proposed two-story structure will be compatible in size and scale with other houses in 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. Two-family dwellings are considered low-density residential uses and are compatible with other residential uses in the vicinity.

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

A. The proposed duplex is not expected to significantly impact traffic on surrounding streets. The City of Knoxville Engineering Department may require widening Mineral Springs Avenue up to 20 ft; however, that can be handled during the permitting phase.

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

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FOR THE PROPOSED USE.

A. There are no known uses immediately surrounding the subject property that would pose a potential hazard or undesirable environment for the proposed use.

#### ESTIMATED TRAFFIC IMPACT: 53 (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: Spring Hill Elementary, Whittle Springs Middle, and Fulton 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.

## **Request to** Postpone · Table · Withdraw



Planning	Damon A Falconnier		12/4/2024	
KNOXVILLE   KNOX COUNTY	Applicant Name (as it appears on the c	urrent Planning Commission agenda)	Date of Request	
12/12/2024			File Number(s)	
Scheduled Meeting Date		11-A-24-SU		
POSTPONE				
the week prior to the Plannir	re eligible for postponement if the requing Commission meeting. All requests meeting one 30-day automatic postponeme	ust be acted upon by the Planning Cor	nmission, except new	
SELECT ONE: 30 days	60 days 🔲 90 days			
Postpone the above application(s	s) until the <b>1/9/2025</b>	Planning Commiss	sion Meeting.	
WITHDRAW				
week prior to the Planning Co Applicants are eligible for a re	y be withdrawn automatically if the req mmission meeting. Requests made afte fund only if a written request for withd l deadline and the request is approved	r this deadline must be acted on by th awal is received no later than close of	e Planning Commission. business 2 business days	
TABLE		*The refund check will be ma	iled to the original payee.	
TABLE: Any item requested fo no fee to table or untable an i	r tabling must be acted upon by the Pla tem.	nning Commission before it can be off	icially tabled. There is	
AUTHORIZATION By s	signing below, I certify I am the property	owner, and/or the owners authorized	representative.	

Damon Falconnier Digitally signer Date: 2024.12	d by Damon Falconnier 2.04 15:03:04 -05'00'	Damon A	Falconnier			
Applicant Signature		Please Print				
865-584-7868			faldesco@gmail.com			
Phone Number		Email				
STAFF ONLY						
Shelley Gray	Shelley	Gray		12/05/2024	🗌 No Fee	
Staff Signature	Please	Print		Date Paid		
Eligible for Fee Refund? 🗌 Yes 🗌 No	Amount:					
Approved by:			Date:			
Payee Name	Payee Phone		Payee Address			

the

## **Request to** Postpone • Table • Withdraw



Damon A. Falconnier

11/06/24

Applicant Name (as it appears on the current Planning Commission agenda) Date of Request

File Number(s)

Scheduled Meeting Date 11-A-24-SU

POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

Planning Commission Meeting.

#### WITHDRAW

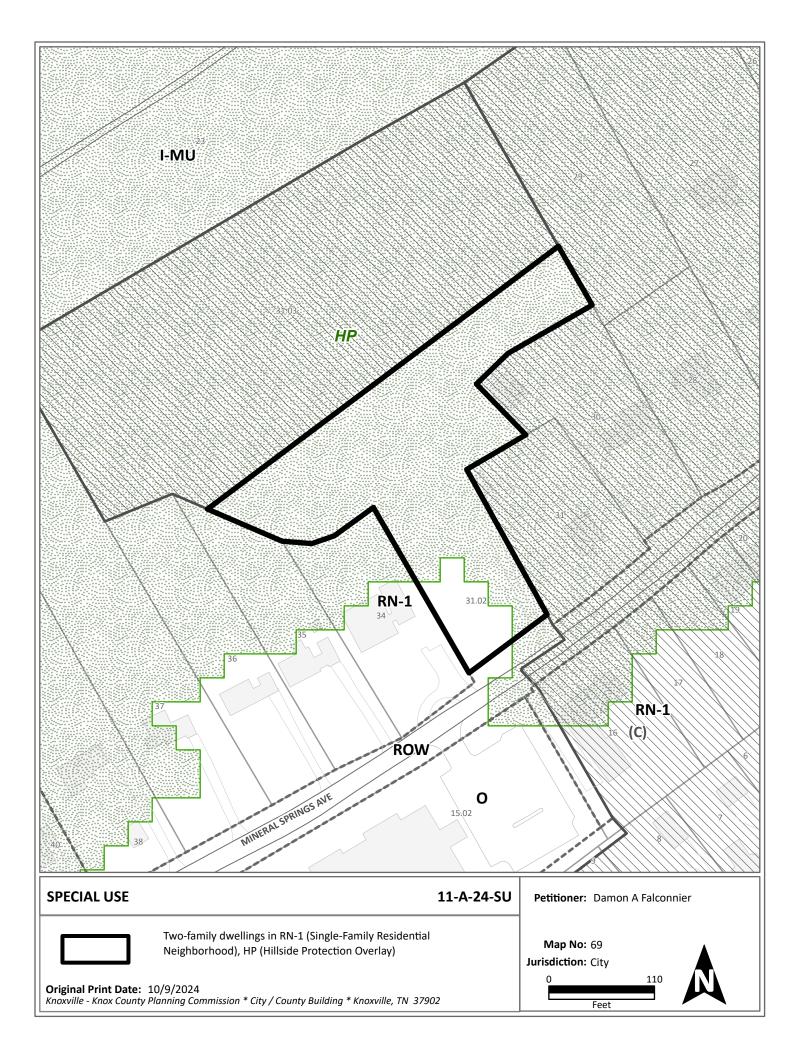
WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

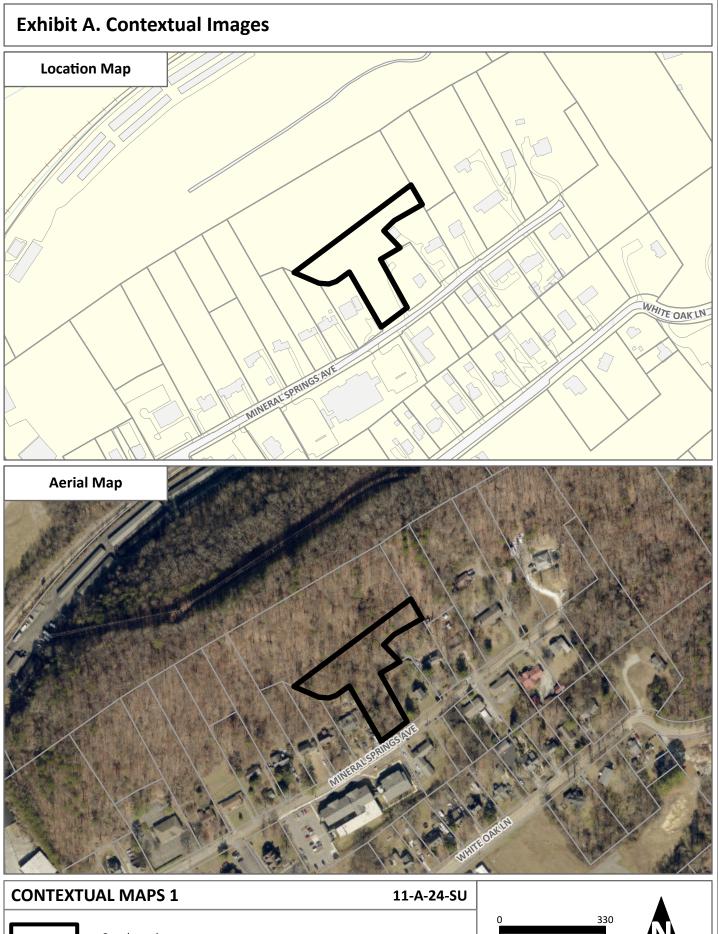
TABLE

\*The refund check will be mailed to the original payee.

TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION By	By signing below, I certify I am the property owner, and/or the owners authorized representative.					
Danto	M Dam	on A. Falconnier, NCA	RB			
Applicant Signature	Please	e Print				
865-584-7868	falde	esco@gmail.com				
Phone Number	Email					
STAFF ONLY						
Staff Signature	Please Print		Date Paid	🗌 No Fee		
Eligible for Fee Refund?  Yes	🗌 No Amount:					
Approved by:		Date:				
Payee Name	Payee Phone	Payee Address				
				October 2022		



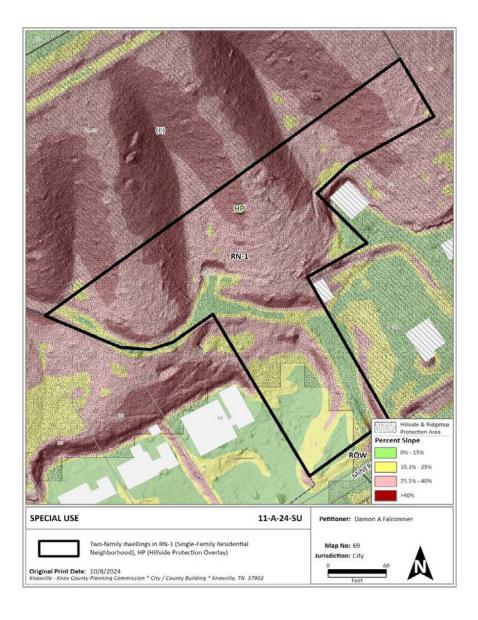


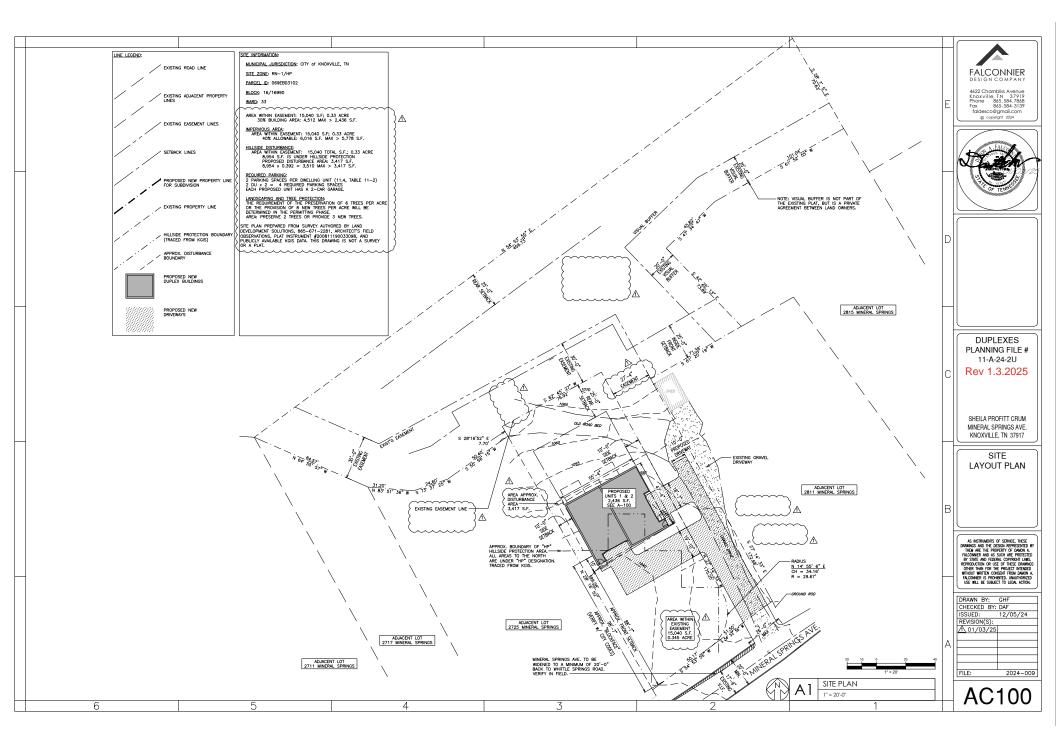
Feet

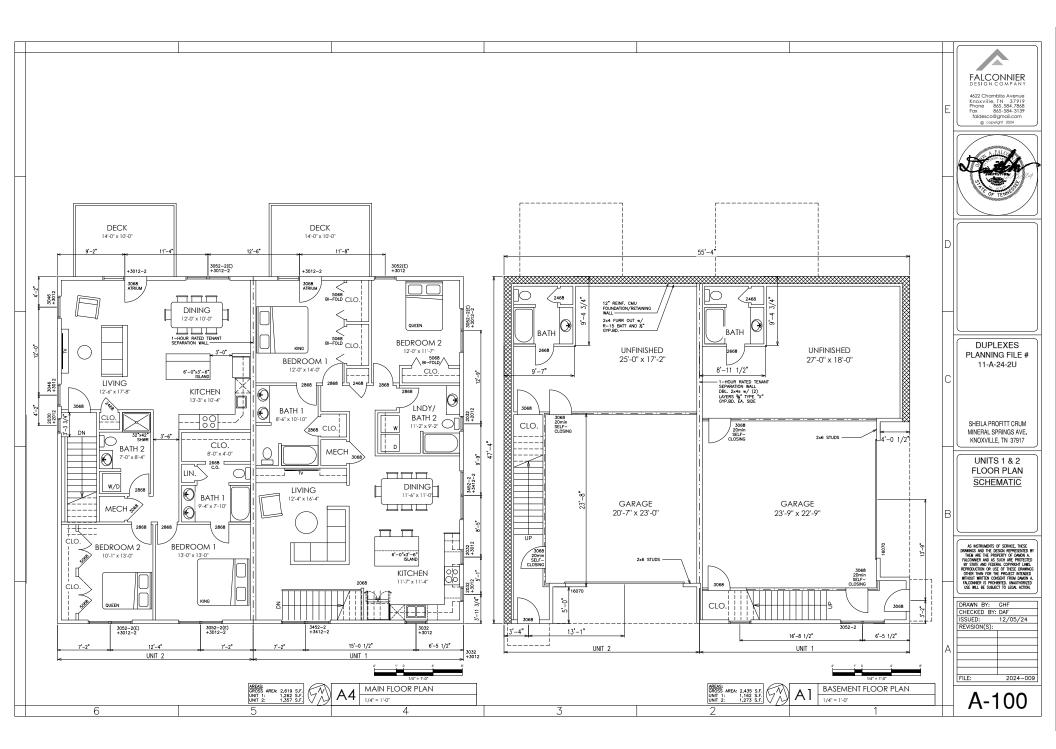
Case	boundary	

Staff - Slope Analysis	
Case: 11-A-24-SU	

CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	59,666.6	1.4			
Non-Hillside	6,107.7	0.1	N/A		
0-15% Slope	5,310.4	0.1	100%	5,310.4	0.1
15-25% Slope	6,755.0	0.2	50%	3,377.5	0.1
25-40% Slope	28,365.0	0.7	20%	5,673.0	0.1
Greater than 40% Slope	13,128.6	0.3	10%	1,312.9	0.0
Ridgetops					
Hillside Protection (HP) Area	53,558.9	1.2	Recommended disturbance budget within HP Area	15,673.7	0.4
			Percent of HP Area	29.3	3%











## **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

Damon A Falconnier		Architect	
Applicant Name		Affiliation	
9/20/2024	11/14/2024	11-A-24-SU	
Date Filed	Meeting Date (if applicable)	File Number(s)	

CORRESPONDENCE

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

#### Damon Falconnier Falconnier Design Co.

Name / Company

#### 4622 Chambliss Ave Knoxville TN 37919

Address

#### 865-584-7868 / faldesco@gmail.com

Phone / Email

#### **CURRENT PROPERTY INFO**

Sheila Proffitt	PO Box 12922 Knoxville TN 37912	865-599-4350	
Owner Name (if different)	Owner Address	Owner Phone / Email	
0 MINERAL SPRINGS AVE			
Property Address			
69 E B 03102		1.37 acres	
Parcel ID	Part of Parcel (Y/N)?	Tract Size	
Knoxville Utilities Board	Knoxville Utilities Board		No
Sewer Provider	Water Provider		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					
Development Plan Planr	ned Development	🖌 Use on Reviev	v / Special Use	Related City	Permit Number(s)
Hillside Protection COA		🖌 Residential	Non-residential		
Home Occupation (specify)					
Other (specify) Two-family dwe	llings on property t	o be subdivided			
SUBDIVSION REQUEST					
				Related Rezo	oning File Number
Proposed Subdivision Name					
Unit / Phase Number		Tota	Number of Lots Created	d	
Additional Information					
Attachments / Additional Requ	irements				
ZONING REQUEST					
☐ Zoning				Pending P	lat File Number
Change Proposed Zoning	3				
🗌 Plan					
Amendment Proposed Plan D	esignation(s)				
	Previous Rezoning F	Requests			
Additional Information					
STAFF USE ONLY					
PLAT TYPE			Fee 1		Total
Staff Review Plannin	g Commission		\$500.00	0	
ATTACHMENTS					-
<ul> <li>Property Owners / Option Hold</li> <li>Amendment Request (Compre</li> </ul>		ce Request	Fee 2		
ADDITIONAL REQUIREMEN			Fee 3		
Traffic Impact Study	. ,				
COA Checklist (Hillside Protect	ion)				
AUTHORIZATION					
	u the foregoing is the	o and converts 4\11-1	sho lit is the summer of the	aronorty AND 314	o opplication and
I declare under penalty of perjur all associated materials are being			sne/it is the owner of the	property, AND 2) ti	le application and
	Damon A F	alconnier			9/20/2024
Applicant Signature	Please Print				Date

Phone / Email			
	Sheila Proffitt	9/20/2024	
Property Owner Signature	Please Print	Date	

<b>Planning</b>	<b>Development</b> Development Plan	subdivision Concept P	1	<b>t</b> <b>ZONING</b> □ Plan Amendment
Planning KNOXVILLE   KNOX COUNTY	<ul> <li>Planned Development</li> <li>Use on Review / Special Use</li> <li>Hillside Protection COA</li> </ul>	□ Final Plat		□ SP □ PA □ Rezoning
Damon A Falconnier			Archite	ct
Applicant Name			Affiliation	
9/12/2024	11/14/2024			File Number(s)
Date Filed	Meeting Date (if applicable)	11-A-24-SU		A-24-SU
	correspondence related to this application	should be directed t	o the appro	oved contact listed below.
📕 Applicant 🗌 Property Owner	Option Holder     Project Survey	or 🗌 Engineer [	Archited	t/Landscape Architect
Damon A Falconnier	Falconnier Design Co			
Name	Comp	Company		
4622 Chambliss Ave	Кпох	ville	TN	37919
Address	City		State	ZIP
865-584-7868	faldesco@gmail.com			
Phone	Email			
CURRENT PROPERTY INFO				
Sheila Proffitt	PO Box 12922 Knox	ville, TN 37912		865-599-4350
Property Owner Name (if different)	Property Owner Address	;	ŀ	Property Owner Phone
0 Mineral Springs Ave		069EB03102		
Property Address	Parcel ID			
KUB	KUB			Ν
Sewer Provider	Water Provider			Septic (Y/N)
STAFF USE ONLY				
General Location			Tract Size	
City County District	Zoning District	Existing Land L	Jse	
Planning Sector	Land Use / Place Type <b>сіту соимту</b>		Growth P	olicy Plan Designation

Development negoest	
🗌 Development Plan 🛛 🔳 Use on Review / Special Use 🔳 Hillside Protection COA	Related City Permit Number(s)
🔲 Residential 🗌 Non-Residential	
Home Occupation (specify)	-
Other (specify)	

### SUBDIVISION REQUEST

DEVELOPMENT REQUEST

	Related Rezoning File Number
Two	
Total Number of Lots Created	
	Pending Plat File Number
equests	
Fee 1	Total <b>\$500.00</b>
0402	
Fee 2	
Fee 3	
	Total Number of Lots Created

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

Damon Falconnier Digitally signed by Damon Falconnier Date: 2024.09.12 10:25:41 -04'00'	Damon A Falconnier	9/12/2024
Applicant Signature	Please Print	Date
865-584-7868	faldesco@gmail.com	
Phone Number	Email	
Sheila Proffitt Crum Digitally signed by Sheila Proffitt Crum Date: 2024.09.12 10:18:15 -04'00'	Sheila Proffitt Crum	09/20/2024, SG
Property Owner Signature	Please Print	Date Paid



### Public Notice and Community Engagement

### 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.

#### 11/01/2024

Date to be Posted

#### 11/15/2024

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

Digitally signed by Damon Falconnier Date: 2024.09.20 15:17:16 -04'00'	Damon A Falconnier	9/20/2024
Applicant Signature	Applicant Name	Date

11-A-24-SU