

CASE SUMMARY

APPLICATION TYPE: TTCDA

BUILDING PERMIT



File Number: 10-A-24-TOB Related File Number:
Application Filed: 8/21/2024 Date of Revision:
Applicant: MESANA INVESTMENTS

PROPERTY INFORMATION

General Location: West side of George Light Rd, east of Pellissippi Pkwy, north of Beaver Glade Rd
Other Parcel Info.:
Tax ID Number: 89 166 Jurisdiction: County
Size of Tract: 6.71 acres
Accessibility: Access is via George Light Rd, a local street with a pavement width of 16 ft within a 55 ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant
Surrounding Land Use:
Proposed Use: Attached residential subdivision Density:
Planning Sector: Northwest County Plan Designation: SR (Suburban Residential), HP (Hillside Protection)
Growth Policy Plan:
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 3239 George Light Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 5 du/ac, TO (Technology Overlay)
Former Zoning:
Requested Zoning: N/A
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

WAIVERS AND VARIANCES REQUESTED

- Variations Requested:**
1. Increase the Ground Area Coverage (GAC) from 25% to 50% (1.3.1).
 2. Increase the Floor Area Ratio (FAR) from 30% to 100% (1.3.2).
 3. Reduce the required front setback from 70 ft to 35 ft (1.4.1).
 4. Reduce the required setback abutting residential zones from 100 ft to 35 ft (1.4.1).
 5. Increase the maximum building size per 2 acres from 5,000 sq ft to 10,643 sq ft (1.12.1.A).
 6. Increase the disturbance budget within the Hillside Protection area where slopes are between 15% and 24.99% from 50% to 50.61% (1.12.4.B).
 7. Increase the disturbance budget within the HP where slopes are greater than 25% from 0% to 22.82% (1.12.4.B).
 8. Eliminate the required 20 ft front landscaped yard (3.1.8).

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

TTEDA ACTION AND DISPOSITION

Planner In Charge: Whitney Warner

Staff Recomm. (Abbr.):

Staff Recomm. (Full): Staff recommends approval of this request for a Certificate of Appropriateness for a building permit, subject to 10 conditions, and recommends the actions listed below on the required waivers from the Design Guidelines.

WAIVER REQUEST RECOMMENDATIONS:

- 1) Increase the Ground Area Coverage (GAC) from 25% to 50% (Guideline 1.3.1) because townhomes on individual lots distort the GAC of the entire property, and the overall GAC of the site meets the guidelines at 13.7%.
- 2) Increase the Floor Area Ratio (FAR) from 30% to 100% (Guideline 1.3.2) because townhomes on individual lots distort the FAR of the entire property, and the overall IAR meets the guidelines at 27.4%.
- 3) Decrease the required front setback from 70 ft to 35 ft (Guideline 1.4.1) because 70 ft is required with parking in the front yard, but the guideline does not differentiate parking lots from on-street parking.
- 4) Reduce the 100-ft building setback adjacent to residential zones to 35 ft (Guideline 1.4.1) because these townhomes are on a scale similar to single-family homes, the 35-ft peripheral setback of the base zone is appropriate between these uses, and a landscape screen has been provided.
- 5) Increase the maximum building size for development within the HP area from 5,000 sq ft per 2 acres from to 10,643 sq ft (1.12.1.A) because the GAC, FAR, and IAR within the HP area have met the guidelines.
- 6) Increase the disturbance budget within the HP where slopes are between 15% and 24.99% from 50% to 50.61% (Guideline 1.12.4.B) because it is less than 1% over the allowance, and approximately 2.85 acres will remain undisturbed.
- 7) Increase the disturbance budget within the HP where slopes are greater than 25% from 0% to 22.82% (Guideline 1.12.4.B) because approximately 2.85 acres will remain undisturbed.
- 8) Eliminate the required 20-ft front landscaped yard (3.1.8) because the townhouses are turned toward the private right-of-way and do not face the public street, the spacing and landscaping provided meet the intent of the Guidelines, which is to not have parking lots abutting a public street.

APPROVE WITH THE FOLLOWING 10 CONDITIONS:

1. Connection to sanitary sewer and meeting other relevant utility provider requirements.
2. Provision of street names consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Before certification of the final plat for the subdivision, establishing a property owners association or other legal entity responsible for maintaining common facilities, such as common areas, amenities, private roads, and/or stormwater drainage systems.
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. The applicant will widen George Light Rd to 20 ft including the final asphalt surface and striping along the entirety of the property's frontage and south to Beaver Glade Ln prior to recording the plat per the rezoning condition in 7-U-24-RZ.
6. 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 a (Memorandum of Understanding) MOU with the County for these improvements or reimburse the County for their direct expenses (if competed by County crews) to make corrections deemed necessary.
7. Meeting all applicable requirements of the Knox County Zoning Ordinance, including the conditions of the rezoning case 7-U-24-RZ.

8. The maximum height will be 35 ft for attached houses.
9. Install high visibility tree protection fencing before clearing and grading activities begin as shown by the limits of disturbance on the plans. The high visibility fencing must be maintained until the site and building construction are complete.
10. Obtaining Planning Commission approval of the development plans (Case 10-SA-24-C/10-B-24-DP).

Comments:

The applicant proposes subdividing this 6.71-acre tract into 33 lots with attached houses off George Light Rd and Pellissippi Parkway. The development will yield a density of 4.92 du/ac. The TTCDA Guidelines did not anticipate townhouses. The Guidelines are not applicable to single family homes or duplexes, but are applicable to multifamily developments. Townhouses lie somewhere in the middle of this range, but since they are not exempted as single family homes and duplexes are, they are reviewed by this board.

This body's decision will be a recommendation to the Planning Commission, which will hear the development plan and concept requests at its October 3, 2024 meeting (Case 10-SA-24-C/10-B-24-DP).

PURSUANT TO ARTICLE V, SECTION 2 OF THE TTCDA ADMINISTRATIVE RULES AND PROCEDURES, THE DECISION OF THE TTCDA TO APPROVE REQUESTS FOR BUILDING PERMIT CERTIFICATES OF APPROPRIATENESS MUST BE BASED ON THE FOLLOWING CRITERIA:

A. CONFORMITY OF THE PROPOSAL WITH THE TENNESSEE TECHNOLOGY CORRIDOR DESIGN GUIDELINES.

1. This is a request for a 33-lot, attached townhome subdivision that will be accessed off of George Light Rd near Pellissippi Parkway. The attached houses are on individual lots. The applicant is requesting waivers for Ground Area Coverage (GAC) (Guideline 1.3.1) and Floor Area Ratio (FAR) (Guideline 1.3.2). The TTCDA Guidelines were crafted with uses like office-warehouses and business parks in mind. When medium density residential developments were added to the Guidelines in 2011, townhome developments on individual lots were not considered, and many of the standards are not applicable or do not address the unique nature of a townhouse lot. When looking at the property as a whole, the GAC is 13.7%, FAR 27.4%, and IAR is 23.8%. Staff will support waivers to GAC from 25% to 50% and FAR from 30% to 100%.

2. The townhomes are 2 stories, with 2,420 sq ft of floor area. Two types of front elevations have been provided. Elevation A-3 is mostly vinyl siding with 2 feet of stone veneer along the ground floor of the building with a pitched shingle roof. Elevation A-5 is identical except for the increase to 8 feet of stone veneer on the ground floor. The townhomes are 3 bedroom units with one-car garages, covered front porches, and concrete back patios. The buildings will step back a few feet every couple of buildings to break up the long flat exterior. They are to be subdued in color.

3. The applicant is requesting a second waiver for the 100-ft setback that's required when a property is adjacent to residential zones (Guideline 1.4.1). This setback was created before the inclusion of medium residential development in the TTCDA Guidelines and is appropriate when commercial or industrial development is adjacent to residential uses. Staff supports this waiver since these townhomes are a residential use of a similar scale to single family homes. The PR base zone has a 35-ft peripheral setback, which is an appropriate setback when higher intensity uses abut single family residential zones. Townhouses are slightly more intensive than single family homes, and landscape screening has been provided within this area as a buffer between these two uses.

A waiver for the front yard setback for a two-story building is requested from 70 ft to 35 ft. There is also a parking lot setback, as a landscaped area of 20 ft is required between parking and the right-of-way. However, this guideline was intended for parking lots and not individual spaces. In this case, the applicant has provided 3 on-street parallel parking spaces landscaped with trees.

4. The applicant requests a waiver to eliminate the 20-foot front landscaped yard. The townhomes will not face the public right-of-way; they will face the internal street system, so they do not treat George Light Road as the front. The entrance road will also be landscaped with trees.

A detailed landscape plan has been provided that preserves existing vegetation, provides landscape buffers between adjacent uses, and includes trees along the entrance road and in parking areas. Landscape Screen Type B has been provided along the western and southern property lines adjacent to residential. This Screen Type has a minimum width of 12 ft and is intended to provide a dense screening buffer. The Type B screen is a typical recommendation between different housing types. The parking areas have Red Bud trees. Preserving mature trees on the rest of the property and the Red Bud trees at the entrance satisfies the rest of the landscaping guidelines. The landscape guidelines for buildings do not require waivers and will not be applied to the townhomes because they are on individual lots where the residents can create their own landscape plans like a single-family home,

which are not regulated by the TTCDA Guidelines.

5. Additional and more stringent standards are applied to the Hillside Protection (HP) area within the Technology Overlay. The slope analysis determines how much land can be disturbed within the HP area and is used as a recommendation during development plan review. However, the TTCDA has its own requirements for HP areas, and compliance with these is required. The slope calculations of the HP area are used as the basis for the TTCDA standards regarding property in the HP area. The application of HP disturbance limits is considered exempt when the site has been previously disturbed. The front of the property on George Light Rd includes 5.71 acres within the Hillside Protection (HP) Area. The plan proposes to disturb 3.2 acres, which is within the recommended disturbance budget of 3.55 acres. Regarding the TTCDA guidelines, the applicant requests a waiver to increase the maximum building size per 2 acres from 5,000 sq ft to 10,643 sq ft (1.12.1.A). Staff supports the waiver because the GAC, FAR, and IAR within the Hillside Protection area have met the guidelines.

The applicant is requesting a waiver to the Hillside and Ridgetop Development guidelines on slopes 15-24.99% to go above the 50% maximum land disturbance to 50.61% land disturbance (Guideline 1.12.4.B). The plan will disturb 1.58 acres or 50.61% of the Hillside Protection area on slopes 15-25%. Staff supports the waiver request because it is less than 1% over the allowance, and approximately 2.85 acres will remain undisturbed.

The last HP waiver increases the disturbance budget within the HP where slopes are greater than 25% from 0% to 22.82% (Guideline 1.12.4.B). The plan will disturb 0.71 acres, or 22.82% of the HP area, on slopes greater than 25%. Staff supports this because some disturbance is due to road access, which the guidelines accommodate, and approximately 2.85 acres will remain undisturbed.

6. Lighting is only applicable to the parking lot, not the individual homes or roads. No signage or lighting has been proposed at this time. Any future signage or lighting must be approved by the TTCDA Board.

B. CONFORMITY OF THE PROPOSAL WITH THE KNOXVILLE-KNOX COUNTY MINIMUM SUBDIVISION REGULATIONS AND EITHER THE KNOXVILLE ZONING ORDINANCE, OR THE KNOX

1. The property is zoned PR (k) (Planned Residential) with a density of up to 5 du/ac, subject to 1 condition: the applicant will widen George Light Rd to 20 feet, including the final asphalt surface and striping along the entirety of the property's frontage and south to Beaver Glade Ln, prior to recording the plat. The PR zone allows clustering on the property to concentrate development in less environmentally sensitive areas of a property. This property is within the TO (Technology Overlay) zone and must meet the (Tennessee Technology Corridor Development Authority) TTCDA Guidelines for development plan approval.

2. The applicant proposes subdividing this 6.71-acre tract into 33 lots with attached houses. The development will yield a density of 4.92 du/ac. The PR zone allows attached houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Knox County Zoning Ordinance Article 5, Section 5.13.15). Case 10-SA-24-C/10-B-24-DP is scheduled to be heard on October 3, 2024.

3. The Planning Commission shall determine the height of attached houses. The elevations provided show the units are 2 stories. The maximum height of all buildings will be 35 ft, which is consistent with the zoning requirements for residences in the area and the maximum height allowed in HP areas by the TTCDA guidelines.

4. Lots less than 25 ft in width require an Alternative Design Standard to be approved by the Planning Commission and must provide guest parking and 20 ft long driveways because street parking is not available. Three parallel guest parking spaces have been provided at the front and 4 spaces at the back of the property in the T-turnaround. The driveways are 20 ft deep, and each townhome has a one-car garage.

5. The property's land use classification is SR (Suburban Residential) on the Future Land Use Map. The attached houses are considered a secondary use in the SR place type. Attached residential structures such as duplexes, multiplexes, and townhomes should have the scale of a single family home. The attached houses are 2 stories with 2,420 sq ft floor area, which meets these criteria.

6. The zoning condition to widen George Light Rd to 20 ft from the subject property's northeastern lot line south to Beaver Glade Ln will increase safety in this area and is consistent with Implementation Policy 9.4 to require that infrastructure improvement agreements are in place before submitting a final plat application.

C. EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE.

1. Landscape screening has been added to adjacent properties with single family homes. This is consistent with Implementation Policy 2.1, to create buffer or transition standards between higher density developments.

2. Since the plan proposes a residential use of a low density, no adverse impacts are expected from this development.

D. CONSISTENCY OF THE PROPOSAL WITH THE REQUIREMENTS OF KNOX COUNTY DEPARTMENTS, AS APPROPRIATE.

1. There is one variance request and Alternative Design Standard, each related to road design requiring Engineering approval and Engineering supports these requests.

Action: Approved **Meeting Date:** 9/30/2024

Details of Action: Approval of this request for a Certificate of Appropriateness for a building permit, subject to 10 conditions, and the actions listed below on the required waivers from the Design Guidelines.

WAIVER REQUEST RECOMMENDATIONS:

- 1) Increase the Ground Area Coverage (GAC) from 25% to 50% (Guideline 1.3.1) because townhomes on individual lots distort the GAC of the entire property, and the overall GAC of the site meets the guidelines at 13.7%.
- 2) Increase the Floor Area Ratio (FAR) from 30% to 100% (Guideline 1.3.2) because townhomes on individual lots distort the FAR of the entire property, and the overall IAR meets the guidelines at 27.4%.
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10. Obtaining Planning Commission approval of the development plans (Case 10-SA-24-C/10-B-24-DP).

Summary of Action:

Date of Approval: 9/30/2024 **Date of Denial:** **Postponements:**

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: