

CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 12-G-24-DP Related File Number:
Application Filed: 10/30/2024 Date of Revision:
Applicant: RICHARD LEMAY

PROPERTY INFORMATION

General Location: East side of Lovell Rd, south of Bob Gray Rd
Other Parcel Info.:
Tax ID Number: 118 H C 004 Jurisdiction: County
Size of Tract: 0.46 acres
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.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: temporary storage of topsoil and other material Density:
Planning Sector: Northwest County Plan Designation: CMU (Corridor Mixed-use), BP (Business Park), HP (Hillside)
Growth Policy Plan: Planned Growth Area
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.

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

Street: 1308 LOVELL RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PC (Planned Commercial), TO (Technology Overlay)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: This property was rezoned to PC (Planned Commercial) in 2021 (8-A-21-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Whitney Warner

Staff Recomm. (Abbr.):

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

Staff Recomm. (Full):

- 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.

Action: Approved with Conditions **Meeting Date:** 12/12/2024

Details of Action:

Summary of Action: Approve the development plan to store topsoil and other material, subject to 4 conditions.

Date of Approval: 12/12/2024 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville-Knox County Planning Commission

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:**