

File #

11-I-19-VA



BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION

Name Michael Davis

Street Address 514 W Jackson Ave Suite 102

City, State, Zip Knoxville, TN 37902

Phone Number (865) 329-0316

Email mdavis@sanderspace.com

APPLICANT IS:

Owner ☐Contractor ☐Tenant ☐Other ☒

THIS PROPOSAL PERTAINS TO:

New Structure ☒Modification of Existing Structure ☐Off Street Parking ☐Signage ☐Other ☐

THIS IS A REQUEST FOR:

☒ Zoning Variance (Building Permit Denied)☐ Appeal of Administrative Official's Decision☐ Extension of Non-Conforming Use/or Structure☐ Map Interpretation

PROPERTY INFORMATION

Street Address Parcels 095OB02701, 095OB02801, 095OB03004, 095OB03003, 95OB03002. (Addresses TBD)

City, State, Zip Knoxville, TN 37920

Parcel # (see KGIS.org) Parcels 095OB02701, 095OB02801, 095OB03004, 095OB03003, 95OB03002

Zoning District (see KGIS.org) SW-2

VARIANCE REQUIREMENTS

City of Knoxville Zoning Ordinance Article 7, Section 2

The City of Knoxville Board of Zoning Appeals shall have the power and authority to grant variances from terms of this ordinance according to the procedure and under the restrictions set out in this section.

The purpose of the variance is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property as the zoning ordinance intended.

DESCRIPTION OF APPEAL

Describe your project and why you need variances.

The proposed South Banks at Suttree Landing is a 230 unit multi-family development comprised of 10 buildings with two small commercial spaces for lease. The development meets the intent of the South Waterfront form based coded by complimenting the neighborhoods of Goose Creek, River Road and Island Home Avenue which were envisioned to have new, predominantly residential developments along the waterfront that will create a contemporary identity for the Knoxville South Waterfront. The project develops four separate lots and in doing so we have encountered several complications caused by the shapes of the existing lots and the requirements of SW-2. The project prioritizes maximizing building frontages on the primary fronts (Waterfront Drive and Langford Ave) and private parking. It is worth noting that maximizing private parking was prioritized to allow residents to park on-site. See attached tables for variance requests per block.

REVISED

Describe hardship conditions that apply to this variance.

Since the entire lots are being developed without subdivision any side that is adjacent to a road is considered a front. SW-2 requires 75% frontage at the front setback. The shape of lots created by the relationship of Waterfront Drive to Langford Avenue limits the ability to meet the 75% frontage requirement at all fronts.

APPLICANT AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request and that all owners have been notified of this request in writing.

APPLICANT'S SIGNATURE

DATE 01 November 2019

**BOARD OF ZONING APPEALS APPLICATION*********OFFICE USE ONLY*******Is a plat required? Yes ☒ No ☐Small Lot of record? ☐**VARIANCE REQUEST(S) WITH ORDINANCE CITATION(S):****Empire Block:**

1) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 32.3% for Building "A" along Empire St.

Per Article 4 Section 4.1.3.C.4

Dixie Block:

2) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 49.2% for Building "F" along Waterfront Dr.

Per Article 4 Section 4.1.3.C.4

Claude Block:

3) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 69.6% for Building "H" along Waterfront Dr.

Per Article 4 Section 4.1.3.C.4

Barber Block:

4) Reduce the minimum required building frontage at setback for a principal building in an FD-SW-2 district from 75% to 62% for building "K" along Waterfront Dr.

Per Article 4 Section 4.1.3.C.4

REVISED**PROJECT INFORMATION**

Date Filed 10/28/19

Fee Amount 250.00

Council District 1

BZA Meeting Date 11/21/19

PLANS REVIEWER Scott Elder**DATE** 11/1/19

November 18, 2019

Mr. Scott Elder
Board of Zoning Appeals
Room 475, City-County Building
P. O. Box 1631
Knoxville, Tennessee 37901

Dear Mr. Elder:

Re: Variance Requests 11-A-19-VA through 11-G-19-VA, 11-I-19-VA

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the variance areas and we have no objection to the requested variances. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

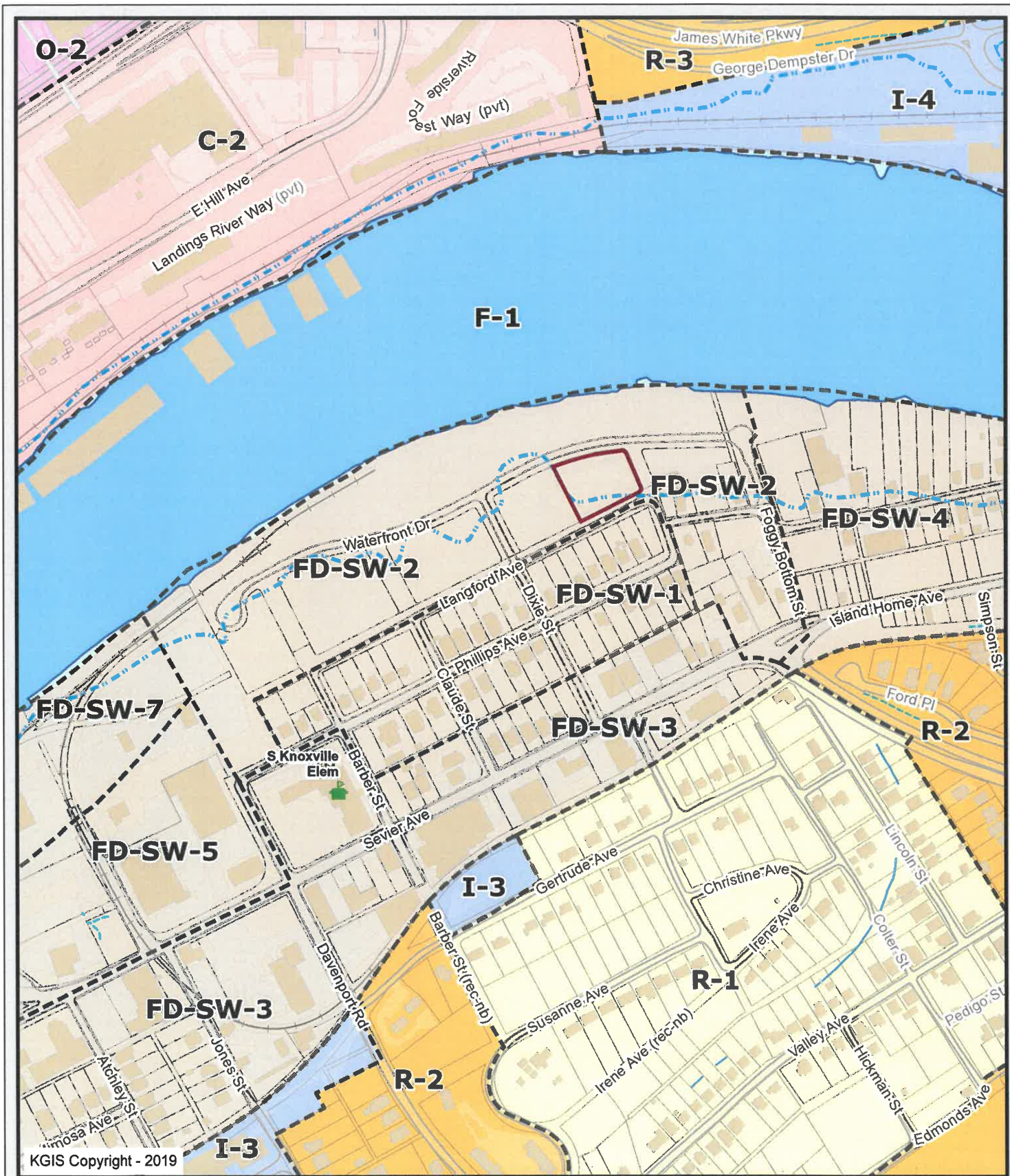
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,

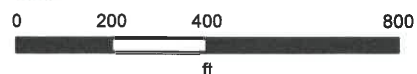


Christian Wiberley, P.E.
Engineering

CGW



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931 Lanford Ave.

11-I-19-VA

Michael Davis

Knoxville - Knox County - KUB Geographic Information System



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1728 - South Banks at Suttree Landing

Zoning Analysis
1-Nov-19

Empire Block				
	Proposed	District Requirement		Variance Requested
Block Size	1,161 Feet	1,400 Feet Max.		
Lot Size	1.7 Acres (74,064 SF)	3 Acres Max.		
Building Coverage	32,576 SF	51,844 SF (70% Max.)		
Open Space Coverage	.95 Acres (56%)	0.51 Acres (30% Min.)		
Floor Area Ratio	91,920 SF/51,844 SF = 1.7	3 Max.		
Frontage Calculations- Based on 11'-0" setback (10'-0" + 10% increase allowed by administrative deviation)				
	Building Width in Setback	Total Building Width	Frontage (71.25% Min.)*	
Waterfront Dr				
Building A	148	148	100.0%	
Building B	109	109	100.0%	
Building C	74	74	100.0%	
Empire St				
Building A	21	65	32.3%	32.3% Min.
Langford Ave				
Building D	183	183	100.0%	
Dixie St				
Building C	65	65	100.0%	
Building D	65	65	100.0%	

Dixie Block				
	Proposed	District Requirement		Variance Requested
Block Size	981 Feet	1,400 Feet Max.		
Lot Size	1.27 Acres (55,488 SF)	3 Acres Max.		
Building Coverage	32,944 SF	38,842 SF (70% Max.)		
Open Space Coverage	.52 Acres (41%)	.38 Acre (30% Min.)		
Floor Area Ratio	108,640 SF/38,842 SF = 2.8	3 Max.		
Frontage Calculations- Based on 11'-0" setback (10'-0" + 10% increase allowed by administrative deviation)				
	Building Width in Setback	Total Building Width	Frontage (71.25% Min.)*	
Waterfront Dr				
Building E	121	121	100.0%	
Building F	59.5	121	49.2%	49.2% Min.
Dixie St				
Building E	65	65	100.0%	
Building G	64	64	100.0%	
Langford Ave				
Building G	276	276	100.0%	
Claude St				
Building F	65	65	100.0%	
Building G	64	64	100.0%	

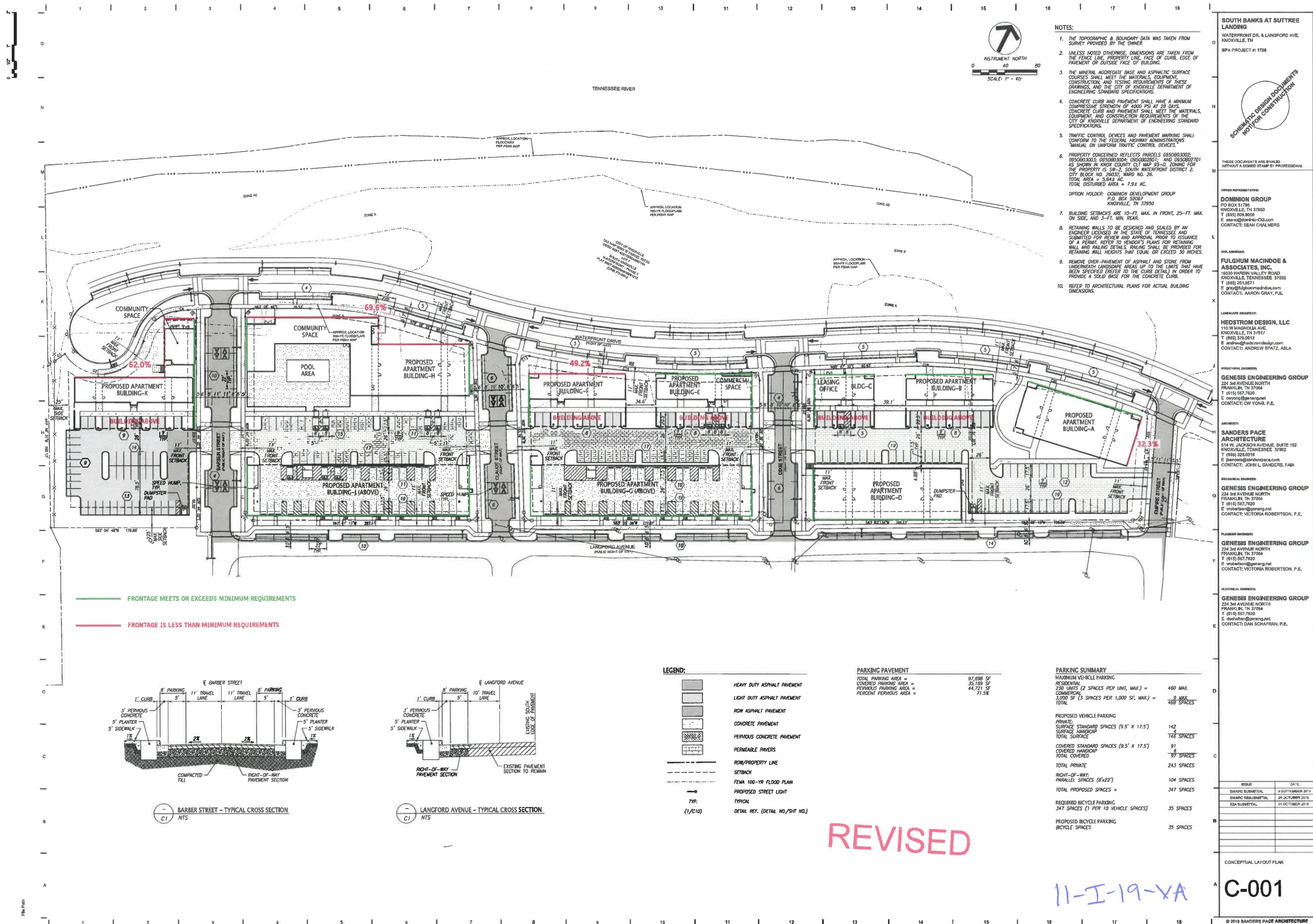
Claude Block				
	Proposed	District Requirement		Variance Requested
Block Size	1,057 Feet	1,400 Feet Max.		
Lot Size	1.64 Acres (71,465 SF)	3 Acres Max.		
Building Coverage	34,015 SF	50,025 SF (70% Max.)		
Open Space Coverage	.86 Acres (52.4%)	.49 Acres (30% Min.)		
Floor Area Ratio	108,701 SF/50,025 SF = 2.17	3 Max.		
Frontage Calculations- Based on 11'-0" setback (10'-0" + 10% increase allowed by administrative deviation)				
	Building Width in Setback	Total Building Width	Frontage (71.25% Min.)*	
Waterfront Dr				
Building H	192	276	69.6%	69.6% Min.
Claude St				
Building H	65	65	100.0%	
Building J	64	64	100.0%	
Langford Ave				
Building J	276	276	100.0%	
Barber St				
Building H	67.5	67.5	100.0%	
Building J	64	64	100.0%	

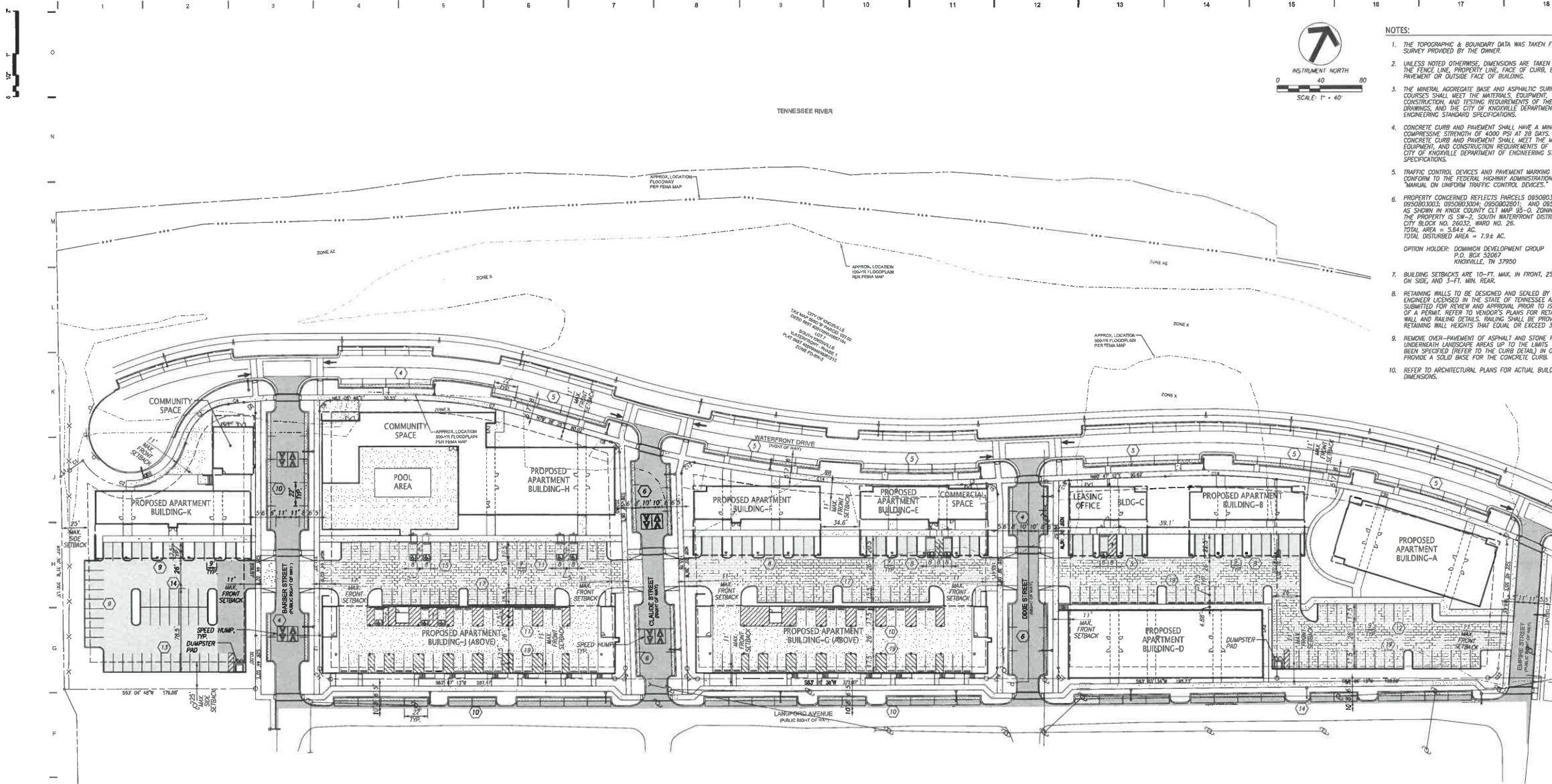
Barber Block				
	Proposed	District Requirement		Variance Requested
Block Size	863 Feet	1,400 Feet Max.		
Lot Size	.93 Acres (40,349 SF)	3 Acres Max.		
Building Coverage	12,492 SF	50,025 SF (70% Max.)		
Open Space Coverage	.64 Acres (68.8%)	.28 Acres (30% Min.)		
Floor Area Ratio	26, 595 SF/28,244 SF = .9	3 Max.		
Frontage Calculations- Based on 11'-0" setback (10'-0" + 10% increase allowed by administrative deviation)				
	Building Width in Setback	Total Building Width	Frontage (71.25% Min.)*	
Waterfront Dr				
Building K	93	150	62.0%	62.0% Min.
Barber St				
Building K	120	120	100.0%	

*Based on 5% decrease allowed by administrative deviation

11-I-19-VA

REVISED





- NOTES:**
1. THE TOPOGRAPHIC & BOUNDARY DATA WAS TAKEN FROM SURVEY PROVIDED BY THE OWNER.
 2. UNLESS NOTED OTHERWISE, DIMENSIONS ARE TAKEN FROM THE FENCE LINE, PROPERTY LINE, FACE OF CURB, EDGE OF PAVEMENT OR OUTSIDE FACE OF BUILDING.
 3. THE MINERAL AGGREGATE BASE AND ASPHALTIC SURFACE COURSES SHALL MEET THE MATERIALS, EQUIPMENT, CONSTRUCTION AND TESTING REQUIREMENTS OF THESE DRAWINGS, AND THE CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING STANDARD SPECIFICATIONS.
 4. CONCRETE CURB AND PAVEMENT SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS. CONCRETE CURB AND PAVEMENT SHALL MEET THE MATERIALS, EQUIPMENT, AND CONSTRUCTION REQUIREMENTS OF THE CITY OF KNOXVILLE DEPARTMENT OF ENGINEERING STANDARD SPECIFICATIONS.
 5. TRAFFIC CONTROL DEVICES AND PAVEMENT MARKING SHALL CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."
 6. PROPERTY CONCERNED REFLECTS PARCELS 0850803002, 0850803003, 0850803004, 0850803005, AND 0850803006 AS SHOWN IN KNOX COUNTY CLT MAP 95-0, ZONING FOR THE PROPERTY IS SW-2, SOUTH WATERFRONT DISTRICT 2, CITY BLOCK NO. 28032, WARD NO. 25. TOTAL AREA = 5.644 AC. TOTAL DISTURBED AREA = 7.92 AC. OPTION HOLDER: DOMINION DEVELOPMENT GROUP P.O. BOX 52067 KNOXVILLE, TN 37950
 7. BUILDING SETBACKS ARE 10'-FT. MAX. IN FRONT, 25'-FT. MAX. ON SIDE AND 5'-FT. MIN. REAR.
 8. RETAINING WALLS TO BE DESIGNED AND SEALED BY AN ENGINEER LICENSED IN THE STATE OF TENNESSEE AND SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A PERMIT. REFER TO VENDOR'S PLANS FOR RETAINING WALL AND RAILING DETAILS. RAILING SHALL BE PROVIDED FOR RETAINING WALL HEIGHTS THAT EQUAL OR EXCEED 30 INCHES.
 9. REMOVE OVER-PAVEMENT OF ASPHALT AND STONE FROM UNDERNEATH LANDSCAPE AREAS UP TO THE LIMITS THAT HAVE BEEN SPECIFIED (REFER TO THE CURB DETAILS) IN ORDER TO PROVIDE A SOLID BASE FOR THE CONCRETE CURBS.
 10. REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.

SOUTH BANKS AT SUTTREE LANDING
WATERFRONT DR. & LANGFORD AVE.
KNOXVILLE, TN
SPA PROJECT #: 1728

SCHEMATIC DESIGN DOCUMENTS
NOT FOR CONSTRUCTION

THESE DOCUMENTS ARE ISSUED WITHOUT A SIGNED STAMP BY PROFESSIONAL

OWNER REPRESENTATIVE:
DOMINION GROUP
PO BOX 51786
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E dominon@dominon.com
CONTACT: SEAN CHAMBERS

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10330 HARDIN VALLEY ROAD
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T (865) 251.0571
E fulghum@fulghummacindoe.com
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E andrew@hedstromdesign.com
CONTACT: ANDREW SPATZ, ASLA

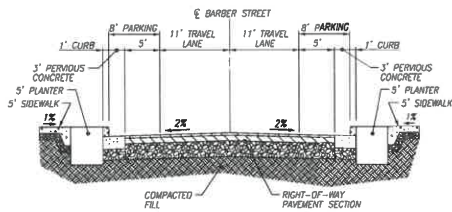
STRUCTURAL ENGINEER:
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224 3rd AVENUE NORTH
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E engineering@genesis.net
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E jean@spanderson.com
CONTACT: JOHN L. SANDERS, FAIA

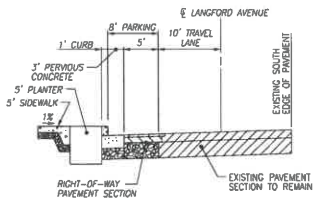
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CONTACT: DAN SCHAFFRAN, P.E.



BARBER STREET - TYPICAL CROSS SECTION
NTS
C1



LANGFORD AVENUE - TYPICAL CROSS SECTION
NTS
C1

LEGEND:

- HEAVY DUTY ASPHALT PAVEMENT
- LIGHT DUTY ASPHALT PAVEMENT
- ROW ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- PERVIOUS CONCRETE PAVEMENT
- PERMEABLE PAVERS
- ROW/PROPERTY LINE
- SETBACK
- FEMA 100-YR FLOOD PLAIN
- PROPOSED STREET LIGHT
- TYPICAL
- DETAIL REF. (DETAIL NO./SHT NO.)

PARKING PAVEMENT

TOTAL PARKING AREA = 97,698 SF
COVERED PARKING AREA = 35,129 SF
PERVIOUS PARKING AREA = 44,721 SF
PERCENT PERVIOUS AREA = 71.5%

PARKING SUMMARY

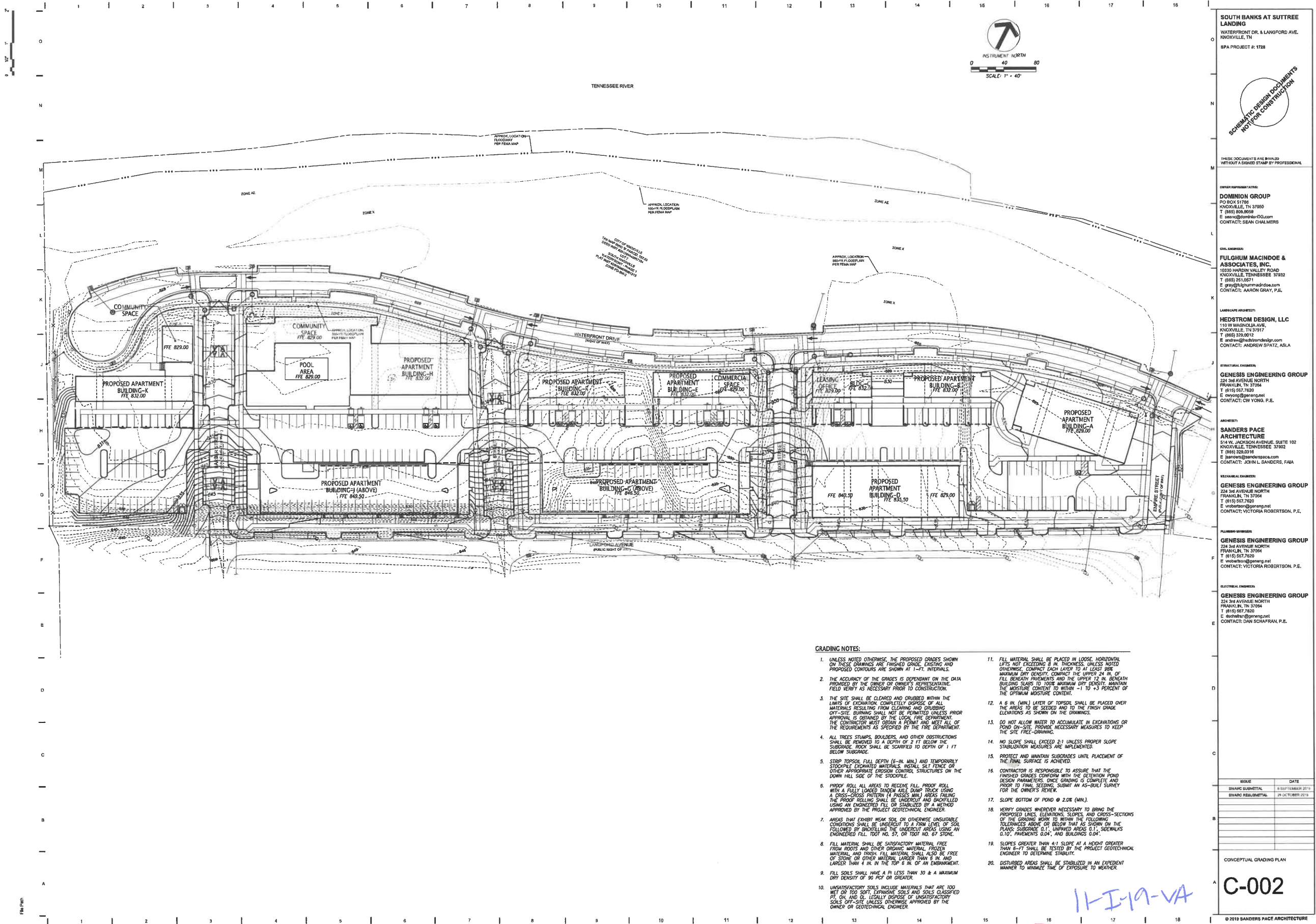
MAXIMUM VEHICLE PARKING	
RESIDENTIAL	460 MAX.
230 UNITS (2 SPACES PER UNIT, MAX.) =	
SURFACE STANDARD SPACES (9.5' X 17.5')	142
SURFACE HANDICAP	148 SPACES
TOTAL SURFACE	
COVERED STANDARD SPACES (9.5' X 17.5')	91
COVERED HANDICAP	39 SPACES
TOTAL COVERED	
TOTAL PRIVATE	243 SPACES
RIGHT-OF-WAY PARKING SPACES (8' X 22')	104 SPACES
TOTAL PROPOSED SPACES =	347 SPACES
REQUIRED BICYCLE PARKING	35 SPACES
347 SPACES (1 PER 10 VEHICLE SPACES)	
PROPOSED BICYCLE PARKING	35 SPACES
BICYCLE SPACES	

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11-I-19-YA

CONCEPTUAL LAYOUT PLAN

C-001



SOUTH BANKS AT SUTTREE LANDING
WATERFRONT DR. & LANGFORD AVE.
KNOXVILLE, TN
SPA PROJECT #: 1728

SCHEMATIC DESIGN DOCUMENTS
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E dchabre@genesiseng.net
CONTACT: DAN SCHAFFRAH, P.E.

ISSUE	DATE
SHARP SUBMITTAL	8 SEPTEMBER 2019
SHARP RESUBMITTAL	29 OCTOBER 2019

CONCEPTUAL GRADING PLAN

C-002

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GRADING NOTES:

- UNLESS NOTED OTHERWISE, THE PROPOSED GRADES SHOWN ON THESE DRAWINGS ARE FINISHED GRADE. EXISTING AND PROPOSED CONTOURS ARE SHOWN AT 1'-FT. INTERVALS.
- THE ACCURACY OF THE GRADES IS DEPENDENT ON THE DATA PROVIDED BY THE OWNER OR OWNER'S REPRESENTATIVE. FIELD VERIFY AS NECESSARY PRIOR TO CONSTRUCTION.
- THE SITE SHALL BE CLEARED AND CRUBBED WITHIN THE LIMITS OF EXCAVATION. COMPLETELY DISPOSE OF ALL MATERIALS RESULTING FROM CLEARING AND CRUBBING. OFF-SITE BURNING SHALL NOT BE PERMITTED UNLESS PRIOR APPROVAL IS OBTAINED BY THE LOCAL FIRE DEPARTMENT. THE CONTRACTOR MUST OBTAIN A PERMIT AND MEET ALL OF THE REQUIREMENTS AS SPECIFIED BY THE FIRE DEPARTMENT.
- ALL TREES, STUMPS, BOULDER, AND OTHER OBSTRUCTIONS SHALL BE REMOVED TO A DEPTH OF 2 FT BELOW THE SUBGRADE. ROCK SHALL BE SCARIFIED TO DEPTH OF 1 FT BELOW SUBGRADE.
- STRIP TOPSOIL FULL DEPTH (6-IN. MIN.) AND TEMPORARILY STOCKPILE EXCAVATED MATERIALS. INSTALL SILT FENCE OR OTHER APPROPRIATE EROSION CONTROL STRUCTURES ON THE DOWN HILL SIDE OF THE STOCKPILE.
- PROOF ROLL ALL AREAS TO RECEIVE FILL. PROOF ROLL WITH A FULLY LOADED TANDEM AXLE DUMP TRUCK USING A CROSS-CROSS PATTERN (H-PASSES MIN.) AREAS FACING THE PROOF ROLLING SHALL BE UNDERCUT AND BACKFILLED USING AN ENGINEERED FILL. MATERIAL SHALL ALSO BE APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER.
- AREAS THAT EXHIBIT WEAK SOIL OR OTHERWISE UNSUITABLE CONDITIONS SHALL BE UNDERCUT TO A FIRM LEVEL OF SOIL FOLLOWED BY BACKFILL THE UNDERCUT AREAS USING AN ENGINEERED FILL. FOOT NO. 57, OR FOOT NO. 67 STONE.
- FILL MATERIAL SHALL BE SATISFACTORY MATERIAL FREE FROM ROOTS AND OTHER ORGANIC MATERIAL. FROZEN MATERIAL AND FRESH FILL MATERIAL SHALL ALSO BE FREE OF STONE OR OTHER MATERIAL LARGER THAN 6 IN. AND LARGER THAN 4 IN. IN THE TOP 6 IN. OF AN EXCAVATION.
- FILL SOILS SHALL HAVE A PI LESS THAN 30 & A MAXIMUM DRY DENSITY OF 90 PCF OR GREATER.
- UNSATISFACTORY SOILS INCLUDE MATERIALS THAT ARE TOO WET OR TOO SOFT, EXPANSIVE SOILS AND SOILS CLASSIFIED PT, OH, AND OL. LEGALLY DISPOSE OF UNSATISFACTORY SOILS OFF-SITE UNLESS OTHERWISE APPROVED BY THE OWNER OR GEOTECHNICAL ENGINEER.
- FILL MATERIAL SHALL BE PLACED IN LOOSE, HORIZONTAL LIFTS NOT EXCEEDING 8 IN. THICKNESS. UNLESS NOTED OTHERWISE, COMPACT EACH LAYER TO AT LEAST 90% MAXIMUM DRY DENSITY. COMPACT THE UPPER 24 IN. OF FILL BENEATH PAVEMENTS AND THE UPPER 12 IN. BENEATH BUILDING SLABS TO 100% MAXIMUM DRY DENSITY. MAINTAIN THE MOISTURE CONTENT TO WITHIN -1 TO +3 PERCENT OF THE OPTIMUM MOISTURE CONTENT.
- A 6 IN. (MIN.) LAYER OF TOPSOIL SHALL BE PLACED OVER THE AREAS TO BE SEEDED AND TO THE FINISH GRADE ELEVATIONS AS SHOWN ON THE DRAWINGS.
- DO NOT ALLOW WATER TO ACCUMULATE IN EXCAVATIONS OR POND ON-SITE. PROVIDE NECESSARY MEASURES TO KEEP THE SITE FREE-DRAINING.
- NO SLOPE SHALL EXCEED 2:1 UNLESS PROPER SLOPE STABILIZATION MEASURES ARE IMPLEMENTED.
- PROTECT AND MAINTAIN SUBGRADE UNTIL PLACEMENT OF THE FINAL SURFACE IS ACHIEVED.
- CONTRACTOR IS RESPONSIBLE TO ASSURE THAT THE FINISHED GRADES CONFORM WITH THE DETENTION POND DESIGN PARAMETERS. ONCE GRADING IS COMPLETE AND PRIOR TO FINAL SEEDING, SUBMIT AN AS-BUILT SURVEY FOR THE OWNER'S REVIEW.
- SLOPE BOTTOM OF POND @ 2.0% (MIN.).
- VERIFY GRADES WHEREVER NECESSARY TO BRING THE PROPOSED UNITS, ELEVATIONS, SLOPES, AND CROSS-SECTIONS OF THE GRADING WORK TO WITHIN THE FOLLOWING TOLERANCES ABOVE OR BELOW THAT AS SHOWN ON THE PLANS: SUBGRADE 0.1'; UNFINISHED AREAS 0.1'; SIDEWALKS 0.10"; PAVEMENTS 0.04"; AND BUILDINGS 0.04".
- SLOPES GREATER THAN 4:1 SLOPE AT A HEIGHT GREATER THAN 6-FT SHALL BE TESTED BY THE PROJECT GEOTECHNICAL ENGINEER TO DETERMINE STABILITY.
- DISTURBED AREAS SHALL BE STABILIZED IN AN EXPEDIENT MANNER TO MINIMIZE TIME OF EXPOSURE TO WEATHER.

11-I-19-VA

REVISED

[illegible][illegible]

N

**SCHEMATIC DESIGN DOCUMENTS
NOT FOR CONSTRUCTION**

ELECTRICAL ENGINEER:
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CONTACT: DAN SCHAFFRAN, P.E.

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A-000

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9/18/2019 4:51:36 PM C:\Users\mdehri\Documents\1728_MASTER_SOUTH WATERFRONT MILL TF FAMILY_18 CENTRAL_mdwahczct.m

11-I-19-VA

15 | 16 | 17
REVISED

11-I-19-VA

Juliana LeClair

From: Rebecca Johnson
Sent: Wednesday, November 20, 2019 3:42 PM
To: Juliana LeClair
Subject: FW: Variances

From: Ann Strange [mailto:strangersrus@gmail.com]
Sent: Wednesday, November 20, 2019 10:21 AM
To: Rebecca Johnson
Subject: Fwd: Variances

Since Scott Elder is out, please note my email below.

Thank you,

Ann

----- Forwarded message -----

From: Ann Strange <strangersrus@gmail.com>
Date: Wed, Nov 20, 2019 at 10:16 AM
Subject: Variances
To: <pahrens@knoxvilletn.gov>, <selder@knoxvilletn.gov>

I am in agreement with the Old Sevier Neighborhood group that variances should NOT be granted to the Old Dominion group for their development so close to the South Waterfront without public hearings. Please do not grant the variances now.

Thank you,

Ann Strange
307 Lake Forest Drive
Knoxville, TN 37920

11-I-19-VA

From: Jenny Arthur <jennyxarthur@gmail.com>

Date: November 20, 2019 at 4:15:31 PM EST

To: Peter Ahrens <pahrens@knoxvilletn.gov>, Scott Elder <selder@knoxvilletn.gov>

Subject: Variance request by Dominion on South Knox Waterfront

Mr. Ahrens and Mr. Elder,

As a member of the Old Sevier Community Group, I am writing to request a postponement of the variance request by Dominion. The standards state that "the granting of any variance... will not be injurious to the neighborhood" or "detrimental to the public welfare." The only plan that has been presented to the neighborhood was several weeks back and included no variance requests. It appears to us that these buildings could be scaled back by a mere fraction, or redesigned, to be compliant.

Therefore the neighborhood requests a clear explanation, for each of the four requests, why there are no other options for fitting this development within its allowable site. A postponement of this agenda item would allow us to understand if these requests are indeed "the *minimum* adjustment necessary for the reasonable use of the land." In particular, the size of the swimming area does not seem to be a justified reason for a variance.

As a member of the South Knoxville Waterfront Oversight Committee, I believe this development has already been given several generous code interpretations, particularly on being allowed to claim Langford as the frontage to increase the height of the buildings. This was never the intent of the plan. The City invested over \$600,000 developing that plan, with the input of over 400 engaged community members. The code, as written, embodies the community trust. You can help this developer be a good neighbor by enforcing those limits.

Respectfully,

Jenny Arthur
705 Phillips Avenue, 37920

11-I-19-VA

Juliana LeClair

From: Scott Elder
Sent: Monday, November 18, 2019 3:06 PM
To: Juliana LeClair
Subject: FW: Re: Variances requested by Dominion on Waterfront

Juliana,

Please print the email chain below and provide to the BZA board members at the pre-meeting. These are letters of opposition.

Thank-you,

Scott Elder, Zoning Chief
City of Knoxville
Plans Review and Inspections
865 215 4473 office
selder@knoxvilletn.gov
www.knoxvilletn.gov

From: SHANE BERRIER [mailto:spber@comcast.net]
Sent: Monday, November 18, 2019 11:33 AM
To: Knoxville Mayor; Peter Ahrens; Scott Elder; Building Inspections; Dawn Michelle Foster
Subject: Fwd: Re: Variances requested by Dominion on Waterfront

For the Board of Zoning Appeals on the Dominion variance request at Waterfront Dr. and Langford Ave. Emails requesting postponement or denial at this time. Request to postpone until January 2020.

Thank you,
Patricia Berrier

----- Original Message -----

From: SHANE BERRIER <spber@comcast.net>
To: Stephanie Welch <swelch@knoxvilletn.gov>
Cc: Monte and Whitney Stanley <mwstan@comcast.net>, spber@comcast.net, John Thomas <johnzc@aol.com>, Jacqueline Arthur <avalontrail@gmail.com>, Christine Abernathy <ckabernathy08@comcast.net>, Evelyn Barnette <evelynblmt@gmail.com>, "Bayiates, Anthanasios" <athanasios.bayiates@gmail.com>, Borderland Tees <borderlandtees@gmail.com>, "Crisp, Jerry" <vol-75@att.net>, garyedeitsch <garyedeitsch@bellsouth.net>, "<smdraime@gmail.com>" <smdraime@gmail.com>, "Faerber, Kristen" <kefaerber@hotmail.com>, "<elgentry2002@yahoo.com>" <elgentry2002@yahoo.com>, "Gregg, Matt and Theresa" <mgregg2@gmail.com>, Griffith John <757to865@gmail.com>, "<Terry.Jenkins@weiderhistorygroup.com>" <terry.jenkins@weiderhistorygroup.com>, "Nicely, Tanna" <tanna.nicely@knoxschools.org>, "scheafnocker, Jeff" <jeffscheaf@gmail.com>, "States, Kelly" <lilikas75@hotmail.com>, "<Susanne.tarovella@gmail.com>" <susanne.tarovella@gmail.com>, "<amanda.wilson@ssa.gov>" <amanda.wilson@ssa.gov>

Date: November 17, 2019 at 11:32 PM

Subject: Re: Variances requested by Dominion on Waterfront

To Stephanie Welch, 1st District councilperson and our Old Sevier representative:

This variance request by Dominion needs to be postponed until January 2020. The variances that are being requested look to be fitting a square peg in a curved hole.

We only heard of the variance request on Thursday. My husband found a variance sign laying on the ground on Langford. We stood the sign up and drove around the site, there were no other signs, even on Waterfront Drive.

This adjacent and most impacted residential neighborhood called OLD SEVIER met Dominion once briefly at our neighborhood meeting.

Legitimate concerns on public parking on Langford, as Dominion is using public parking at River's Edge another of their developments.

Concern- Where placement of heat/air units would be due to constant noise.
Concern- Light interference. Everything Mushroom used low lighting properly.
Concern- since 2005 we have requested Barber NOT to be used as throughway. It is Dangerous! Barber could serve as a pedestrian pathway back up to Sevier Avenue.
Concern- We were promised at the start of the planning process that our neighborhood would not lose our view shed to the river. And ensure to Minimize obstructed views perpendicular to the river so long standing residents don't lose their viewshed.

That townhouses, duplex houses or row houses would blend and not take away from the turn in the century homes that exist on Phillips. We were shown a design of brick townhouses similar to those in the historic districts in Charleston, SC. that were to be built below us by the Conley's. We were in agreement with that type of design.

Building H is where the pool and one of the community spaces is. The pool area and community space could be decreased and the corner of Building H could be shortened or curved to follow the lay of the land as is.

Building K again has the community space. This community space can again be decreased to conform with the SW2 setback requirement.

Building F could also meeting requirement by the building units built in a stair step (offset) configuration along Waterfront Drive again following the contour of the land

Building A just needs to move the building west or reduce the number of apartments on the one end.

There are no Architectural drawings showing the actual design of the buildings. Or how the buildings will look from Langford. Nor materials to be used or gardens and trees.

We have not seen hardship on the developer to meet the requirements of the SW2 plan nor be able to complement OLD SEVIER homes adjacent to this development.

There were commitments made as this SW plan evolved. So far we have been variances to death by developers that buy land and deduce they have a hardship with the land they bought. They overbuild to get as much in a space with no regard as the residents suffer the damage. This development needs to be done right with consideration for those living adjacent to the land. It is not creative building.

Please Advise,

Patti Berrier

On November 15, 2019 at 10:21 AM Jacqueline Arthur
<avalontrail@gmail.com> wrote:

The agenda for this meeting, less than a week away, is not yet posted on the BZA page of the City of Knoxville website. Efforts to rezone land in the City require a great deal of notice, time, and thoughtful consideration yet the BZA can effectively change the zoning governing this land without any notice to the affected neighborhood. There should be time for thoughtful consideration. Less than one week is not enough time.

The item should be moved to the January 2020 meeting.

Jacqueline Arthur, Old Sevier resident

On Thu, Nov 14, 2019 at 4:11 PM Borderland Tees <borderlandtees@gmail.com> wrote:

Stephanie, the Old Sevier neighborhood urgently needs an update on the Dominion development on the South Knoxville waterfront. Dominion has requested a variance scheduled for next Thursday with BZA, but this does not allow the neighborhood time to understand and respond to their request.

They are asking to overbuild the site, requesting that the City dispense with the setbacks required of SW-2. **This is in clear conflict with the zoning and the intent of the plan**, which is very intentional about requiring smaller parcels with individual setbacks. This provision is meant to ensure that we will not have huge blocks of condos/apartments.

They also refer to the project as "complimenting the neighborhoods of Goose Creek, River Road, and Island Home," with no mention of the neighborhood that this project is actually in. This indicates a lack of concern for the neighborhood.

Although the developer claims to have a hardship due to "the shape of lots," they knew exactly what they were buying and the codes that applied. In fact, the Vision Plan states that the contours of the land must be respected.

We are also concerned that the plan still shows the Barber St extension, as well as "frontages" on Langford, which is not a frontage street.

Overbuilding this site will make it very hard for the rest of South Knoxville to use Suttree Landing Park. As we have seen with their Island Home development River's Edge, every public parking space is routinely filled by their residents and guests.

Please advise.

Jenny Arthur

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2019 City of Knoxville Diversity Business "Rising Star"
2014 Community Shares "Institution of Change"
(865) 414-7163 | www.borderlandtees.com
[Read our story](#)
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