

BZA MEMORANDUM

Date: March 2, 2010
To: Alcoa Board of Zoning Appeals
From: Chris Hamby
Jeremy Pearson
Subject: 3:00 P.M. ABZA Meeting, Wednesday, March 10, 2010
Alcoa Municipal Building Council Chambers

Below is the following variance request, as well as staff's recommendation. In addition, the January 22, 2010 minutes are attached for your review.

AGENDA

Call to Order: Chairman

Roll Call: Secretary

Approval of Minutes: January 22, 2010

Request:

Request by Rod Snyder (Snyder Signs, Inc.) for a Cheddar's restaurant ground sign (monument) setback variance of 2.5', Hamilton Crossing Drive (Lot 10, Tax Map 046K, Group "A" & Tax Parcel 032.03).

As mentioned above, this request would allow for a 2.5' ground sign (monument) setback variance on Lot 10, Hamilton Crossing Drive, Tax Map 046K, Group "A" & Tax Parcel 032.03. Said request results from Cheddar's difficulty in sighting the aforementioned, as is permitted by-right, along the U.S. 129 Bypass frontage in compliance with the required fifteen (15) feet minimum setback. This difficulty arises due to two (2) facts:

1. The bypass right-of-way line/front property boundary itself shifts back in toward the property, at Lot 6R-1R (AT&T & Building D), and proceeds on to Lot 10 (Cheddar's). This shifted boundary creates a right-of-way line/front property boundary irregularity in relation to the other two (2) northern most adjacent properties (i.e., Chili's and Cracker Barrel); and,
2. Several encumbrances exists along this properties same frontage (i.e., utilities and associated easements for electric, sanitary sewer (8" line), water (12" line) and natural gas), when combined, reasons an extraordinary situation or condition.

Note that the utility easements themselves may, at times, be encroached upon when permitted by the appropriate authority—said authority having first determined that applicable codes and utility maintenance would not be compromised. In some instances, modifications may even be warranted (i.e., foundation modifications and/or

steel casings when the utilities themselves are impacted). In this particular request, such modifications have been requested by the Engineering Division of the Public Works and Engineering Department—steel casing for the water line—to permit the proposed monument over the water line. This would place the sign 12.5 feet back from the edge of the bypass's right-of-way line/front property boundary. As staff has studied the request, and consulted with engineering and electric, this area appears to be the only identifiable location where utilities would not be adversely impacted. Adjacent to this water line easement is a gas line owned, and operated, by a private utility. This line is located within a 50 feet easement that must not be encroached upon. Also note, although no overhead electric is located at this proposed sign location, a junction box (approximately 18" in height) will be located beside the sign. In addition, an electric pole will be located out in front of the sign.

Given these determinations, staff recommends that a 2.5' variance be granted (resulting in a ground sign (monument) setback of 12.5' on Lot 10, Hamilton Crossing Drive), due to the two (2) aforementioned facts (as described)—facts resulting in practical difficulties to or undue hardship upon the property owner—subject to meeting all city requirements (i.e., securing a sign permit and continued coordination with engineering and electric to ensure no adverse impacts occur to the water and electrical utilities).

Other Business:

None.

Adjournment:

**ALCOA BOARD OF ZONING APPEALS
REGULAR MEETING
ALCOA, TENNESSEE
January 22, 2010, 10:00 A.M.**

The Board of Zoning Appeals (Board) of the City of Alcoa met, at the call of the Chairperson for its regular meeting on the 22nd day of January, 2010, at 10:00 a.m. William Proffitt presided as Chairperson. Board members William Cochran and Lynn Bolton were also present. Chris Hamby and Jeremy Pearson were present as city staff, with Scott Williams and John Huff as applicants of the requested items.

Call to Order: Chairman

The Chair called the meeting to order and requested a roll call.

Approval of Minutes: September 10, 2009.

Upon hearing no corrections, the Chair declared the minutes of the September 10, 2010 meeting approved as distributed, requesting that they be filed.

Request:

1. Consideration of a request by W. Scott Williams and Associates for a special exception to allow an apartment complex to be located at 935 Hillside Drive.

Staff noted that the site plan presented represented the latest rendition of a proposed low to moderate-income tax credit rental housing project, which was to be two-story, with eight units per building (a special exception for a 72 unit apartment complex on this site was granted by the board on April 22, 2009). Staff further noted that the six buildings would be comprised of eight, one bedroom units; 32, two bedroom units; and eight, three bedroom units for a total of 48 units. Staff advised that the size of the units would begin at approximately 820 square feet (one bedroom units). Staff further advised that parking, as shown, well exceeded the new requirement of two parking stalls per unit. Staff recommended site plan approval, subject to the following:

- 1) Approval by the Alcoa Regional Planning Commission of this 48-unit complex;
- 2) Dedication of a 60 foot right-of-way (by approved deed and/or plat), once accepted by City of Alcoa, and provision of a two-year maintenance bond;
- 3) Approval of hydrology/stormwater management and engineering;
- 4) Approved landscaping plan (denoting 31, two-inch caliper hardwood shade trees, as per landscaping ordinance);
- 5) Connection of Hillside Drive to connect with existing paved sections, to city specifications;
- 6) An approved and screened solid waste container/location;
- 7) Underground utilities;
- 8) Approval of electric;
- 9) Approval of appropriate stop bars, crosswalks, truncated domes;
- 10) Approval of signage (approval of signage is not considered during site plan approval. A sign permit will be required); and,
- 11) Meeting all other city requirements (including approval of width of initial access into the development and certification as to stability of the retaining wall by a registered engineer).

Mr. Cochran moved to grant a special exception, allowing the 48 unit apartment complex, subject to meeting staff's stipulations of approval. Mr. Bolton seconded the motion and it passed unanimously.

2. Consideration of a request by the Blount County Industrial Development Board for a special exception to allow monumental signs and structures within Pellissippi Place, a research and development park (Off Old Knoxville Highway).

Staff noted that the request for a special exception in the monument sign and structures to be located within the research and development park off Old Knoxville Highway was in keeping with:

- 1) The exceptions and modifications section of the zoning ordinance which states that no building permit shall be issued for the construction of any monumental sign or structure otherwise contrary to other provisions of the ordinance, unless by special exception given by the board in a manner in harmony with the character of the neighborhood of the district where the proposed project was to be located—applying as well to appurtenances intended to announce major commercial developments;
- 2) The fact that the development project was still zoned as Limited Restriction "I", which allows monumental signs as provided by the aforementioned section;
- 3) The fact that Pellissippi Place, as a planned development, includes its own sign package and development guidelines; and,

In following said regulations, was being brought before the board for their consideration. Staff advised the board that there would be two twin structures on either side of the entrance boulevard, located over the brick sidewalk and partially within the public right-of-way (so that one would walk through the structure). Staff further advised that said structures would resemble a square measuring 462.25 square feet. Staff noted that, additionally, there would be a 16 foot boulevard median, within which stone wall structures would be constructed. Staff further noted the proposal for a stone veneer, with cap, and CIP concrete wall, which would announce the main entrance into the park (with sandblasted aluminum lettering and back-lit logo measuring approximately 301.75 square feet—with the wall being no taller than 10 feet from the surrounding grade). Staff advised that "craftsman-styled" bases for lighting would also be constructed within the right-of-way, but were not considered as a part of the special exception request.

Mr. Bolton expressed his concern as to the public safety, due to the potential location of the monument sign/wall and entrance structures. He was advised by staff that they had looked at the same, explaining that there were no structures within the defined "visibility triangle" and that the median had been pulled back to allow better maneuverability, with the median monument/wall being approximately 13 feet off the back of curb (of the island) and approximately 73 feet from the center of the public right-of-way. Staff advised that, additionally, there should be no visibility issues because of the separation afforded by the boulevard, which provides a divided road that maintains one-way vehicular circulation and a proposed traffic signal at the intersection of the entrance boulevard and Old Knoxville Highway.

Staff recommended approval of the special exception allowing both the monumental sign and structures, subject to meeting all City requirements. Mr. Bolton made a motion to grant said special exception, subject to staff's stipulation, with Mr. Cochran seconding the motion. The motion passed unanimously.

Alcoa Board of Zoning Appeals
Page 3
January 22, 2010

Other Business:

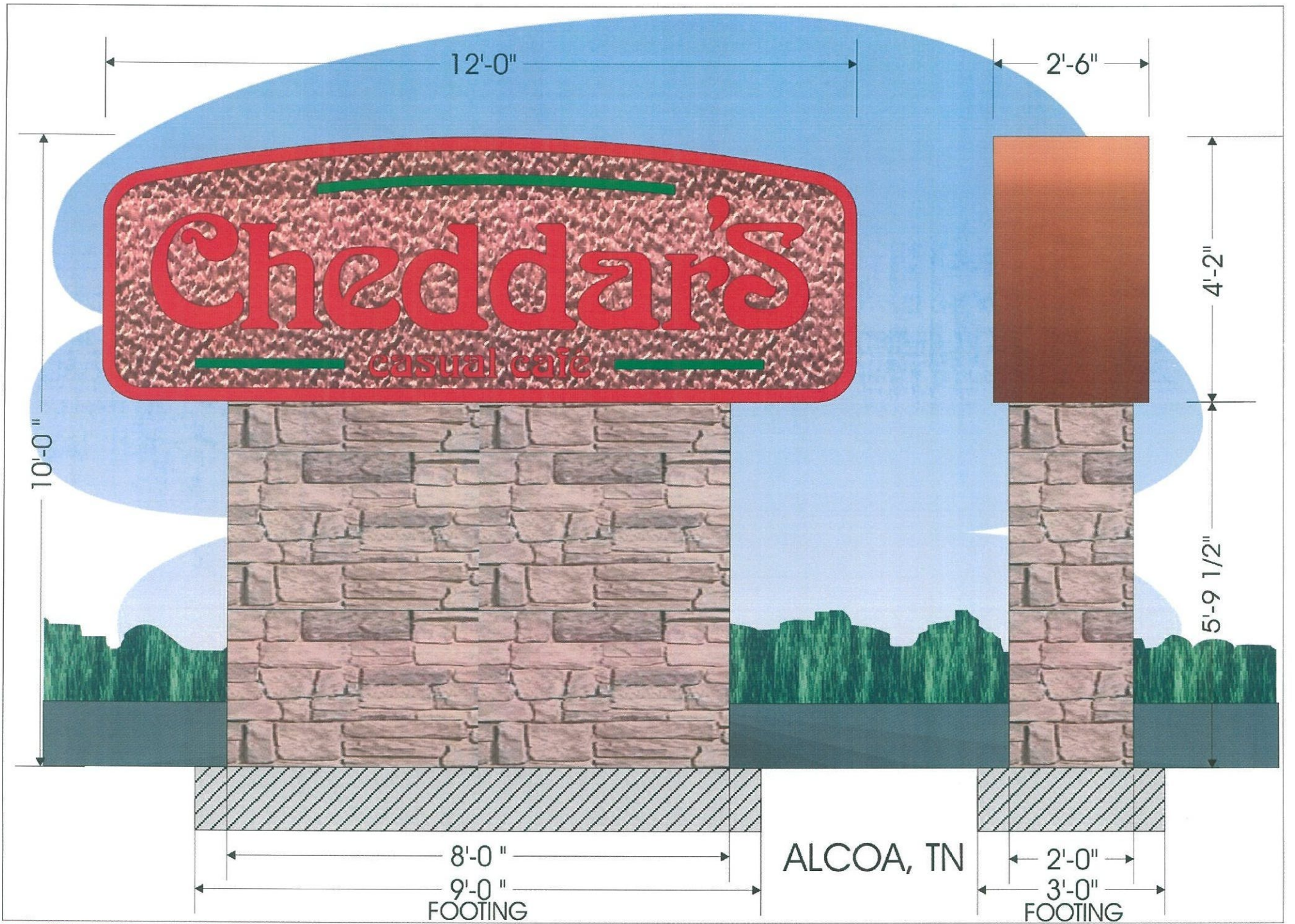
None.

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 10:42 a.m., for a tour of the subject properties.

Chairperson

Secretary



2918 CREEKMORE DRIVE
JOHNSON CITY, TN 37601
423-282-6221 FAX 423-282-6222

DATE: 1-23-10
DESIGNER: TMT
SALES REP: ROD SNYDER

DESIGN #: 13081-A
REVISION #:
SCALE: 3/4"=1'

CUSTOMER APPROVAL: _____ DATE: _____

