

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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**File Number:** 1-L-17-UR                      **Related File Number:** 1-SG-17-C  
**Application Filed:** 12/2/2016              **Date of Revision:**  
**Applicant:** RUTHERFORD DEVELOPMENT, LLC

## PROPERTY INFORMATION

**General Location:** South side of Murray Dr, east side of Wilkerson Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 68 P C 015                      **Jurisdiction:** City  
**Size of Tract:** 6.35 acres  
**Accessibility:** Access is via Murray Dr., a major collector street with a pavement width of 18' within a right-of-way that varies from 50' to 60', and Wilkerson Rd., minor collector with a pavement width of 18' within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Detached dwellings                      **Density:** 4.1  
**Sector Plan:** Northwest City              **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** Property immediately adjacent to this site is zone A-1 agricultural and R-1 residential. Zoning within 1600' of this site includes C-3 and C-4 commercial and RP-1 residential zoning. The predominant use in the vicinity of the site is houses on individual lots. General commercial uses are in place along Clinton Highway.

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

**Street:** 1356 Murray Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RP-1 (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## 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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the development plan for up to 26 detached residential units on individual lots, subject to 1 condition.

Staff Recomm. (Full): 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RP-1 district and the other criteria for approval of a use-on-review.

Comments: The applicant is proposing to develop a project containing 26 detached dwellings on individual lots on this 6.46 acre site. This is an increase of 4 lots from the concept plan and use on review approved in June 2016. The plan has remained relatively unchanged with the exception of the lots becoming slightly smaller to accommodate the 4 extra lots. As was a requirement of the previous approval, an evergreen landscape is proposed along the Murray Drive and Wilkerson Road frontages to screen the rear of the houses from the road.

The site was zoned RP-1 (Planned Residential) in 1973 but does not have a maximum density. Based on the fact that the site is shown for low density residential use on the Knoxville One Year Plan and sector plan, a plan for up to 6 units per acre could be submitted for review. The proposed development density of this project is 4.1 du/ac.

In 1995 and 2007 MPC approved development plans for this site that had 40+ attached units. MPC's approval was overturned by the Knoxville City Council both times because area residents objections based on concerns regarding neighborhood compatibility and the condition of Murray Dr. Staff believes that the current plan is more inline with the concerns previously expressed and since the site is located at the intersection of two collector streets and it is located within approximately 1500' of Clinton Highway, the use of this site for low density housing is appropriate.

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

1. The proposed subdivision will have minimal impact on local utility services.
2. Any school age children living in this development are presently zoned to attend Norwood Elementary, Northwest Middle, and Powell High Schools.
3. The proposed residential development is consistent in use and density with the zoning and community facilities in the area. The predominant use in the area is detached single family dwellings.
4. The proposed detached residential subdivision density is 4.1 du/ac.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. With the recommended conditions, the proposed residential development meets the standards of the RP-1 (Planned Residential) zone and all other requirements of the Zoning Ordinance.
2. The proposed development is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the One Year Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional non-residential traffic through residential areas since the project is located on collector streets.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The One Year Plan and Sector Plan identify this property for low density residential use with a maximum density of 6 du/ac. The proposed development density of 4.1 dwellings per acre is within the development density permitted by these plan.

**Action:** Approved **Meeting Date:** 1/12/2017

**Details of Action:** 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the RP-1 district and the other criteria for approval of a use-on-review.

**Summary of Action:** APPROVE the development plan for up to 26 detached residential units on individual lots, subject to 1 condition.

**Date of Approval:** 1/12/2017 **Date of Denial:** **Postponements:**

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

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**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:**