

CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



File Number: 10-A-20-SU **Related File Number:**
Application Filed: 8/24/2020 **Date of Revision:**
Applicant: BRIAN ROWE

PROPERTY INFORMATION

General Location: East of Gallaher View Rd., south of Middlebrook Pk
Other Parcel Info.:
Tax ID Number: 119 D D 00302, 00303 & 00304 **Jurisdiction:** City
Size of Tract: 1.5 acres
Accessibility: Access is via Mars Hill Rd, a local street with 19-20' of pavement within 40' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant & Residential
Surrounding Land Use:
Proposed Use: Three two-family (duplex) dwellings on individual lots **Density:** 4 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: N/A
Neighborhood Context:
The site is located along a section of N Gallaher View Rd. that includes a mix of low and medium density residential uses. The development along Mars Hill Rd. include low density residential and the adjacent property to the north was recently approved for a small church.

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

Street: 0 , 633 & 639 Mars Hill Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-2 (Single-Family Residential Neighborhood) / PD (Planned Development)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned RP-1 < 5.99 du/ac in 2007 (10-C-07-RZ) and is currently zoned RN-2/PD.

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:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the development plan for up to three two-family (duplex) structures on individual lots, subject to 5 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to the driveway standards.
2. Providing a revised site plan and building elevations for Planning Staff review and approval before building permits are issued for Lots 2 and 3. The revised plans must show the garages moved to the middle of the structure and a single driveway that leads directly to the garages that meets the zoning standards. The architectural design should be in-keeping with that shown on the attached plans. The structure and driveways on Lot 1 are not required to be modified as part of this condition.
3. Locating the driveway on Lot 1 so it does not encroach on the Colonial Pipe Line easement, or provide documentation to the City of Knoxville Department of Engineering during permitting review that the company has agreed to allow the encroachment.
4. Meeting all applicable requirements of the City of Knoxville Dept. of Engineering.
5. Approval by City Council of the amendments to Article 1.4.G. (Transition Rules, Previously Approved Planned Districts) of the City of Knoxville Zoning Ordinance, to allow modifications of development plans in previously approved Planned Districts to be reviewed and approved as a Special Use application by the Planning Commission. This Special Use approval shall not be effective until Article 1.4 has been amended by City Council.

With conditions noted above, this request meets the requirements of the former RP-1 zone (current zoning RN-2/PD), the previously approved development plan, and the other criteria for approval of a special use for modifications to previously approved planned districts (per the pending amendment to Article 1.4.G).

Comments:

This proposal is for three two-family dwelling (duplex) structures on individual lots at the terminus of Mars Hill Road. The property is currently zoned RN-2/PD and the former zoning on the property was RP-1 < 5.99 du/ac. In 2015, the Planning Commission approved a Use on Review for an assisted living facility on this site. The transitional rules of the new zoning ordinance (Section 1.4.G) states that all previously approved planned districts remain in effect and are subject to all plans, regulations, and/or conditions of their approval. The density of this proposal is 4 du/ac which is in compliance with previous RP-1 < 5.99 du/ac. The 25' peripheral setback of the RP-1 zone is also applicable and is along the front and rear property lines of all 3 lots and the southern side lot line on Lot 1. The other interior lot lines have a 5' setback, including the northern lot line on Lot 3.

The zoning regulations allow only one driveway curb cut on lots with less than 150' of frontage. Lot 1 has over 150' of frontage and can have two driveway curb cuts but lots 2 & 3 only have about 80' of frontage and can have only one driveway curb cut. The duplex structures were designed with the garages on the left and right side of the structure and two porches with entrances in the middle. For lots 2 & 3, either the house plans need to be flipped with the garages are in the middle so only one driveway curb cut will be necessary. The maximum driveway width for these lots is 25'.

Mars Hill Road is a short road that connects to N. Gallaher View Road and only has a few large residential lots along it. Mars Hill Road used to be the connector between the interstate and Middlebrook Pike before N. Gallaher View Road was built and now much of its old roadbed is used for the Cavet Station Greenway. The houses along Mars Hill Road do not have a consistent setback or architectural design that need to be taken into consideration for the duplex structures and site plan. A small church was approved by the Planning Commission for the adjacent lot to the north in May 2020 (5-B-20-SU).

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND

THE COMMUNITY AS A WHOLE

- 1. The two-family (duplex) structures will have little impact public services in this area.
- 2. Mars Hill Road is adequate to handle the additional traffic.

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

- 1. With the recommended conditions, the proposed two-family (duplex) structures meet the standards for development within the former RP-1 (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
- 2. The proposal is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General 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 traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northwest County Sector Plan and the One Year Plan identifies this property for low density residential uses which allows consideration of up to 6 du/ac. The proposed development is consistent with the Sector Plan and One Year Plan.
- 2. The site is located within the City limits on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 10/8/2020

Details of Action:

Summary of Action: APPROVE the development plan for up to three two-family (duplex) structures on individual lots, subject to 5 conditions.

Date of Approval: 10/8/2020 **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:**