

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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www.knoxmpc.org

File Number: 10-N-06-UR **Related File Number:**
Application Filed: 9/5/2006 **Date of Revision:**
Applicant: BENCHMARK ASSOCIATES, INC.
Owner:

PROPERTY INFORMATION

General Location: South side of W. Governor John Sevier Hwy., east of Winkle Ln.
Other Parcel Info.:
Tax ID Number: 137 25 & 31 OTHER: PORTIONS OF 22.01, 23.03-23.06 **Jurisdiction:** County
Size of Tract: 16.418 acres
Accessibility: Access is via W. Governor John Sevier Hwy., a major arterial street with a pavement width of 24' within a 165' wide right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Detached dwellings and vacant land
Surrounding Land Use:
Proposed Use: Attached residential development **Density:** 4.99 du/ac
Sector Plan: South County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site was rezoned to PR (Planned Residential) at up to 5 du/ac in late 2005. The area surrounding this site is zoned A agricultural and it is developed with detached dwellings on lots that are generally larger than one acre in size.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned to PR (Planned Residential) @ up to 5 du/ac in December 2005

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for up to 82 attached residential condominiums as shown on the development plan subject to 11 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knox County Health Department.
4. Only one sign per street frontage and meeting all other requirements of Article 5. Sec. 10 dealing with signs for churches residential zones.
5. Providing sufficient parking to meet the requirements of the Knoxville Zoning Ordinance.
6. Receiving variances from the Knoxville Board of Zoning Appeals to reduce the required front yard setback or adjusting the building site so that it does not encroach into the required 35' front yard setback.
7. Meeting all requirements of the City of Knoxville Fire Department.
8. If any future uses such as a school or day care center are proposed, they will have to be approved through the use on review process.

With the conditions noted above, this requests meets the requirements for approval of a church in the R-2 & C-1 zones and other criteria for a use on review.

Comments: The applicant is proposing to develop this 16.41 acre site with 82 attached residential condominiums. The site was rezoned PR (Planned Residential) at up to 5 du/ac late last year. The development will have access to W. Governor John Sevier Hwy.

The architectural elevations provided with this plan calls for each unit to have a one or two car garage. Each unit must be provided with two off street parking spaces. In order to provide the second parking space, outside of the units with a one car garage, the setback will have to be a minimum of 20' from the proposed streets. The applicant will also have to provide a convenient location for the residents of this development to pick up their mail. This should be done in a location that will be convenient to parking.

As noted previously in the report, this site was zoned PR (Planned Residential) at up to 5du/ac in 2005. The South County Sector Plan calls or this area along W. Governor John Sevier Hwy. to transition from its present rural character to a low density housing. While this plan does not appear to be compatible with the zoning and development in the immediate area, it does comply with the Sector Plan recommendations and the approved zoning of the site.

The preliminary drainage plan submitted with this plan provides sufficient detail for the consideration of the use on review. At this level, the applicant provides the locations of the proposed detention basins and a general plan as to how the storm water will be directed to the detention facilities. The detailed drainage plan comes under the purview of the Knox County Dept. of Engineering and Public Works. The detailed grading and drainage plan will be submitted to the County Engineer as part of the design plan process which is the next step in the development review process if this plan is approved.

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

1. The proposed development will require the extension of water and sewer service to the site.

2. The proposed attached residential condominiums at a density of 4.99 du/ac, is consistent in use and density with the approved zoning of the property.
3. Any school age children living in this development are presently zoned to attend Bonny Kate Elementary, South-Doyle Middle School and South Doyle High Schools

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed attached residential development meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed residential development is consistent with the general standards for uses permitted on review:
 - A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The South County Sector Plan proposes this site for low density residential use with a maximum residential density of 5 dwellings per acre. The overall development density of the proposed development is 4.99 dwellings per acre.
 - B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance. The proposed development meets all the requirements of the PR (Planned Residential) District).
 - C. The use is compatible with the character of the neighborhood where it is proposed.
 - D. The use will not significantly injure the value of adjacent property.
 - E. The use will not draw additional non-residential traffic through residential areas. This is a low density residential development within an area designated for low density residential use. The traffic generated from this project will be similar to the traffic that is generated by other similar residential developments. W. Governor John Sevier Hwy is classified as an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The South County Sector Plan designates this property for low density residential use. The PR zoning approved for the property allows consideration of up to 5.0 du/ac . The proposed development with its distribution of density on the site and overall density of 4.99 du/ac is consistent with the Sector Plan and the proposed zoning designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action: Approved **MPC Meeting Date:** 10/12/2006

- Details of MPC action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
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Summary of MPC action: APPROVE the request for up to 82 attached residential condominiums as shown on the development plan subject to 11 conditions

Date of MPC Approval: 10/12/2006 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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:

Date of Legislative Appeal:

Amendments:

Effective Date of Ordinance: