

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: 11-A-04-UR

Related File Number:

Application Filed: 9/30/2004

Date of Revision:

Applicant: FADI ABOUSH

Owner:

PROPERTY INFORMATION

General Location: Northeast side Cheshire Dr., southeast side Cresthill Dr.

Other Parcel Info.:

Tax ID Number: 120 E G 001

Jurisdiction: City

Size of Tract: 0.5 acre

Accessibility: Proposed access is via Cresthill Dr., a local street with 26' of pavement width within 50' of right of way. The site also has frontage on Cheshire Dr., a minor collector street with 26' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant lot

Surrounding Land Use:

Proposed Use: Triplex unit

Density: 6 du/ac

Sector Plan: West City

Sector Plan Designation: Low Density Residential

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context: This area is developed with a single family neighborhood to the south and east, zoned R-1 and RP-1, office and commercial uses to the north, zoned O-1, O-3, C-3 and C-4, and an apartment complex to the west, zoned RP-2.

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

Street: 400 Cheshire 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History of Zoning: A use on review request for a dental office (9-K-97-UR) was withdrawn in September 1997.

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: Michael Brusseau

Staff Recomm. (Abbr.): APPROVE the triplex in the RP-1 zoning district, subject to 5 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Department of Engineering.
2. Connecting the development to sanitary sewer, and meeting all other applicable requirements of the Knox County Health Department.
3. Meeting all requirements of the Knoxville Zoning Ordinance.
4. Meeting all requirements of the City of Knoxville Arborist.
5. Installing all landscaping, as shown on the plan, within six months of issuance of occupancy permits for the project.

With the conditions noted above, this request meets all requirements for approval in RP-1 zone, as well as other criteria for approval of a use on review.

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

1. Public water and sewer utilities are in place to serve the site.
2. The proposal will have a minimal impact on the street and school systems. The proposed 3 units will add approximately 24 trips per day to the street system. It is expected that most of the traffic would access the site from Kingston Pike.
3. The proposed triplex is compatible with the scale and intensity of the surrounding development and zoning pattern.
4. The site has a line of existing trees and vegetation on the south and east sides. The development plans indicate that this vegetation is to be preserved. In addition, the plans show rows of evergreen trees to be installed along those property lines to provide more screening of the use from adjacent single family uses to the south and east.

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

1. The proposal meets all requirements of the RP-1 zoning district and the Knoxville Zoning Ordinance, as well as other criteria for approval of a use on review.
2. This RP-1 zoning district does not have an assigned density, so it therefore must comply with the density allowed under the City of Knoxville One Year Plan designation, which is for low density residential. The proposal includes 3 dwelling units on 0.5 acre, which is a density of 6 du/ac, consistent with the LDR requirements of the One Year Plan. If the remainder of the surrounding RP-1 zoned area is included in the density calculation, the overall density falls well below the allowable LDR density limits.
3. The proposed triplex is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the One Year Plan, 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 substantial additional traffic through residential areas. No surrounding land uses will pose a hazard or create and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. Both the City of Knoxville One Year Plan and the West City Sector Plan propose low density

residential uses for the site, consistent with the proposal.

MPC Action:

Approved

MPC Meeting Date: 12/9/2004

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Department of Engineering.
2. Connecting the development to sanitary sewer, and meeting all other applicable requirements of the Knox County Health Department.
3. Meeting all requirements of the Knoxville Zoning Ordinance.
4. Meeting all requirements of the City of Knoxville Arborist.
5. Installing all landscaping, as shown on the plan, within six months of issuance of occupancy permits for the project.

Summary of MPC action:

APPROVE the triplex in the RP-1 zoning district, subject to 5 conditions:

Date of MPC Approval:

12/9/2004

Date of Denial:

Postponements:

11/10/2004

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 12/16/2004

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knoxville City Council

Date of Legislative Action:

1/18/2005

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Appeal Approved. Denied

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Denied Use on Review

Date of Legislative Appeal:

Effective Date of Ordinance: