

CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 11-F-23-DP Related File Number:
Application Filed: 9/27/2023 Date of Revision:
Applicant: GARRY BURKE

PROPERTY INFORMATION

General Location: West side of Freeway Heights Dr, north of Charmwood Way
Other Parcel Info.:
Tax ID Number: 28 O C 005, 013, 014 Jurisdiction: County
Size of Tract: 1.86 acres
Accessibility: Access is via Freeway Heights Drive, an unstriped local road with a pavement width of 12 ft within a 18-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forestry/vacant land, single family residential
Surrounding Land Use:
Proposed Use: Single family residential dwellings Density: 1.61 du/ac
Sector Plan: North County Sector Plan Designation: LDR (Low Density Residential), HP (Hillside Protec
Growth Policy Plan: Planned Growth Area
Neighborhood Context: Freeway Heights Drive consists predominantly of small-lot, single-family detached dwellings. A commercial node is located a little less than a mile away to the east at the intersection of Norris Freeway and E. Emory Road.

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

Street: 7717 FREEWAY HEIGHTS DR
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 2 du/ac
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: In 2023, this property was rezoned from A to PR up to 2 du/ac (4-T-23-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection)

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: Naomi Hansen

Staff Recomm. (Abbr.): Approve the development plan for 3 single family residential homes, subject to 4 conditions.

Staff Recomm. (Full):

- 1) Provide legal access to parcels 028OC014 and 028OC013 consistent with the Subdivision Regulations section 3.03, which would require a final plat prior to applying for building permits.
- 2) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 3) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 4) The peripheral setback along Freeway Heights Drive shall remain 35-ft.

With the noted conditions, and the approval of the peripheral setback as noted in the staff report, this plan meets the requirements for approval of the PR (Planned Residential) up to 2 du/ac zone district and the criteria for approval of a development plan review.

Comments: The applicant is proposing 3 single family residential homes on approximately 27,442 square foot lots. The lots will be accessed off of Freeway Heights Drive, which would need a shared permanent access easement to provide legal access, per section 3.03.D of the Subdivision Regulations a plat would be required to create the easement.

There are two encroachments on parcel number 028OC013. However, these are pre-existing and not created by this proposal. This may be a mapping error in KGIS that would need clarification when applying for a final plat to record the shared permanent access easement (SPAЕ).

The area regulations for the PR zone state that all buildings shall be set back from the peripheral boundary by no less than 35 ft, unless the lot is adjacent to certain zones such as the A (Agricultural), and RA (Low Density Residential) zones, in which case the Planning Commission may reduce the peripheral setback to no less than 15 ft. The development plan mainly adheres to the 35-ft periphery boundary except for the following three places: northwest property line on parcels 028OC005, and 028OC014, and along the southeast property line of parcel 028OC013 where it is reduced to no less than 15 ft. The adjacent zones are RA and A, so the Planning Commission may grant this reduction. Staff recommends maintaining the 35-ft peripheral boundary along Freeway Heights Drive.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

- 1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.
 - A. The North County Sector Plan recommends LDR (Low Density Residential) uses for the site. This proposal is consistent with the LDR land use.
 - B. The proposed development plan within the PR zone is consistent with the North County Sector Plan's LDR (Low Density Residential) land use designation, which recommends residential uses with densities up to 5 du/ac in the County's Planned Growth Areas.
 - C. The proposed development aligns with Section 9.3 of the General Plan, which ensures that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

- 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.
 - A. The PR (Planned Residential) zone is intended to provide optional methods of residential land

development. The density proposed by this proposal is below the PR zone density of up to 2 du/ac for this property.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed single family housing development is consistent with the densities of the surrounding neighborhood.

Action: Approved with Conditions **Meeting Date:** 11/9/2023

Details of Action:

Summary of Action: Approve the development plan for 3 single family residential homes, subject to 4 conditions.

Date of Approval: 11/9/2023 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville-Knox County Planning Commission

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:**