

CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN



File Number: 12-C-22-DP **Related File Number:** 12-SC-22-C
Application Filed: 10/25/2022 **Date of Revision:**
Applicant: W. SCOTT WILLIAMS & ASSOCIATES

PROPERTY INFORMATION

General Location: Northeast side of Beverly Rd, north of Greenway Dr
Other Parcel Info.:
Tax ID Number: 59 002.01,002 **Jurisdiction:** County
Size of Tract: 84.56 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Attached and detached residential subdivision **Density:**
Sector Plan: North City **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 4760 BEVERLY RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential), F (Floodway)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

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

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: The Preserve at Whites Creek
No. of Lots Proposed: 196 **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 an attached and detached residential subdivision with up to 196 dwellings on individual lots, subject to 3 conditions.
Staff Recomm. (Full):
1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
2) The maximum height of the attached dwellings shall be 35 feet.
3) The minimum building setback is 20 ft along the Road 'A' frontage of lot 110.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a development plan.

Comments:

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

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) ZONING ORDINANCE -- [MODIFIED 2/6/2023 -- added F (Floodway) zone]

PR (Planned Residential) up to 2.51 du/ac and F (Floodway):

- a) The PR zone allows detached and attached houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).
- b) This PR zone district is approved for a maximum of 2.51 du/ac for the total acreage of the site, but not to exceed 196 dwellings (see the Rezoning and Allowed Density comments). This proposal is for 196 dwelling units at 2.31 du/ac (based on the total acreage on the Concept Plan).
- c) The maximum height is determined by the Planning Commission for any use other than houses and duplexes. Staff recommends a maximum height of 35 ft for the attached dwellings, which is consistent with the maximum height allowed in nearby residentially zoned properties.
- d) The F (Floodway) zone allows open-type uses, subject to approval by the county engineer. A summary of the permitted uses allowed when adjacent to adjacent agricultural, residential, and estates zone districts are as follows: agricultural; roads and utilities; public and provide parks; recreational camp, campgrounds, and camp trailer parks; commercial excavation of natural materials and improvements of a stream channel; and yard/rummage sales. See Section 5.70.02.A. of the Knox County Zoning Ordinance for a full list of permitted uses.
- e) The F (Floodway) zoned area is part of the common open space for the subdivision.

2) GENERAL PLAN – DEVELOPMENT POLICIES

- a) Encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors (Policy 6.1) – The subject site has both Hillside Protection (HP) and Stream Protection (SP) areas. The slope analysis recommends a maximum of 12.6 acres of disturbance in the HP area. The land disturbance in the HP area proposed in the concept plan is 9.5 acres. The SP area aligns with the FEMA 500-year flood plan. The proposed land disturbance encroaches into the 500-year flood plain only a small amount for the detached residential lots on the north side of Road 'A' (lots 111-155). According to the Knox County Stormwater Ordinance, this is permissible as long as the ground elevation is not raised beyond the “no fill line”, which is half the distance between the FEMA floodway and the 100-year floodplain. Exhibit C shows the “no fill line” with a red line.
- b) Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) – The development will consist of detached and attached houses, which is the same as other residentially zoned properties.
- c) Encourage a mixture of housing sizes and prices within planned residential developments (Policy 9.8) – This development included a mix of attached and detached houses. This proposal diversifies the housing mix in the area and should provide different price points.

3) NORTH CITY SECTOR PLAN

- a) The property is classified LDR (Low Density Residential), SP (Stream Protection), and HP (Hillside Protection).
- b) The LDR land use allows consideration of up to 5 du/ac. The proposed density is 2.31 du/ac.
- c) There are approximately 40.5 acres in the HP (Hillside Protection). The slope analysis recommends a maximum of 12.6 acres of disturbance in the HP area. The land disturbance in the HP area proposed in the concept plan is 9.5 acres.
- d) The SP (Stream Protection) area aligns with the FEMA 500-year floodplain. The proposed land disturbance encroaches into the 500-year flood plain only a small amount for the detached residential lots on the north side of Road 'A' (lots 111-155). According to the Knox County Stormwater Ordinance, this is permissible as long as the ground elevation is not raised beyond the "no fill line", which is half the distance between the FEMA floodway and the 100-year floodplain. Exhibit C shows the "no fill line" with a red line.

4) KNOXVILLE – FARRAGUT – KNOX COUNTY GROWTH POLICY PLAN

- a) The property is within the Urban Growth Boundary. The purpose of the Planned Growth Boundary designation is to encourage a reasonably compact pattern of development, promote the expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services.

Action: Approved with Conditions **Meeting Date:** 2/9/2023

Details of Action:

Summary of Action: Approve the development plan for an attached and detached residential subdivision with up to 196 dwellings on individual lots, subject to 3 conditions.

Date of Approval: 2/9/2023 **Date of Denial:** **Postponements:** 12/8/2022

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Court of Competent Jurisdiction

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:**