

CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 12-E-23-DP Related File Number: 12-SE-23-C
Application Filed: 10/31/2023 Date of Revision:
Applicant: ALEXANDER BOTEZAT

PROPERTY INFORMATION

General Location: North side of Millertown Pike, west of Mary Emily Ln.
Other Parcel Info.:
Tax ID Number: 60 021,020,022,023 Jurisdiction: County
Size of Tract: 44.87 acres
Accessibility: Access is via Millertown Pike, a minor arterial with a 20-ft pavement width within a 50-ft of right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential, Agriculture/Forestry/Vacant Land, Single Family Residential
Surrounding Land Use:
Proposed Use: Detached residential subdivision Density: 2.0 du/ac
Sector Plan: Northeast County Sector Plan Designation: LDR (Low Density Residential), HP (Hillside Protec
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This area is primarily large forested and agricultural tracts and small lot single family residential subdivisions.

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

Street: 5701 MILLERTOWN PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR(k) (Planned Residential) up to 2.75 du/ac
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: This property was rezoned from RA, RB, and A to PR up to 2.75 du/ac, subject to 1 condition (9-E-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: Botezat Property - Millertown Pike
No. of Lots Proposed: 91 **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 90 detached dwellings on individual lots and a reduction of the peripheral setback from 35 ft to 25 ft along the western boundary of the development and to 20 ft on the eastern boundary lines of lots 3 and 4, as shown on the concept plan, subject to 1 condition.
Staff Recomm. (Full): 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
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:

PERIPHERAL SETBACK REDUCTION

The applicant is requesting a reduction of the 35-ft peripheral setback to 25 ft on the western boundary of the development and to 20 ft on the eastern boundary lines of lots 3 and 4. The reductions are primarily needed for the lots where the house's side faces the development's external boundary (peripheral setback), which is less impactful to the adjacent property. The lots that back up to the reduced peripheral setback have a depth of at least 120 ft.

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

PR(k) (Planned Residential) up to 2.75 du/ac:

- a) The PR zone allows houses 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(k) zone district is approved for a maximum of 2.75 du/ac, subject to 1 condition. The proposed density is 2.0 du/ac. The condition of the PR zoning has been addressed by the applicant as outlined above in the staff comments and if the conditions are approved as recommended.
- c) The Planning Commission has the authority to reduce the 35 ft peripheral setback to 15 ft when adjacent to residential zones, including the A (Agricultural) zone. The applicant is requesting a 25 ft peripheral setback along the western property boundary and 20 ft on the eastern boundary of lots 3 and 4. See the staff comments above for additional information.

2) GENERAL PLAN – DEVELOPMENT POLICIES

- a) The General Plan's development policy 9.2 encourages residential development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat. The proposed development leaves the upper portion of McAnnally Ridge undisturbed.
- b) The General Plan's development policy 9.3 encourages the scale of new development to be compatible with existing neighborhoods and communities. The development retains two existing houses that will retain the same setback and character that currently exists along the Millertown Pike. The new houses will be of similar scale as nearby residential subdivisions.

3) NORTHEAST COUNTY SECTOR PLAN

- a) The property is classified as LDR (Low Density Residential), which allows consideration of up to 5 du/ac. The proposed density is 2.0 du/ac.
- B) There are 27.4 acres of this 44.9-acre site in the HP (Hillside Protection) area. The slope analysis recommends limiting disturbance in the HP area to 8.7 acres (31.8 percent). This proposal disturbs approximately 10.6 acres (38.7 percent) of the HP area. The upper slopes of McAnnally Ridge remain undisturbed.

4) KNOXVILLE – FARRAGUT – KNOX COUNTY GROWTH POLICY PLAN

a) The property is within the Urban Growth Boundary. The purposes of the Urban Growth Boundary designation are 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 service.

Action: Approved with Conditions **Meeting Date:** 2/8/2024

Details of Action:

Summary of Action: Approve the development plan for up to 90 detached dwellings on individual lots and a reduction of the peripheral setback from 35 ft to 25 ft along the western boundary of the development and to 20 ft on the eastern boundary lines of lots 3 and 4, as shown on the concept plan, subject to 1 condition.

Date of Approval: 2/8/2024 **Date of Denial:** **Postponements:** 12/14/2023,
1/11/2024

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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:**