

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 2-E-22-UR **Related File Number:** 2-SC-22-C
Application Filed: 1/4/2022 **Date of Revision:**
Applicant: EAGLE BEND, LLC

PROPERTY INFORMATION

General Location: Southeast side of S. Northshore Dr., north of Choto Rd.
Other Parcel Info.:
Tax ID Number: 162 062 **Jurisdiction:** County
Size of Tract: 11.4 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: AgForVac
Surrounding Land Use:
Proposed Use: Detached residential subdivision **Density:**
Sector Plan: Southwest County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 12320 S. Northshore D.
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:

PLAN INFORMATION (where applicable)

Current Plan Category:
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:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the development plan for up to 57 attached and detached residential houses on individual lots and the peripheral setback reduction from 35-ft to 25-ft along the S. Northshore Drive frontage, subject to 3 conditions.

Staff Recomm. (Full):

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2) Verifying the proposed number of residential dwellings conforms with the PR up to 5 du/ac density for the property per Concept Plan condition #3 (2-SC-22-C).
- 3) Providing a 10-ft non-disturbance area or a Type 'B' landscape screen (see Exhibit A) along the eastern boundary of the development from Lot 4 to Lot 11.

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

Comments:

Staff is recommending that there be vegetative screening along the eastern boundary of the development from Lot 4 to Lot 5, by either providing a 10' non-disturbance area to protect the existing vegetation or to install a Type 'B' landscape screen. The adjacent property is a large residential lot. The landscape screening is to make the proposed development more compatible with the surrounding development.

The peripheral setback reduction from 35-ft to 25-ft was recommended by staff to simplify the required setbacks on the lots that are adjacent to the 25-ft common area strip along S. Northshore Dr, and because the common area provides a similar or better buffer to the road than the peripheral setback. If the setback is not reduced, the 35-ft peripheral setback would extend 10 ft into Lots 43-49 and would restrict the placement of common accessory structures like sheds which would normally have to be setback 5-8 ft, depending on the situation. In addition, these lots would have a 15-ft rear building setback that would only apply to the principal structure and a 10 ft peripheral setback that applies to accessory structures. The overlapping setbacks is an unnecessary confusion to property owners and for enforcement officials.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The Southwest County Sector Plan recommends LDR (LDR) uses for this site with a maximum density of 5 du/ac. The proposed subdivision has a density of 5 du/ac.

B. Knox County has plans to extend the Concorde greenway through this portion of S. Northshore Drive but the design has not started and the completion date is to still to be determined. This proposal includes a pedestrian facility along its S. Northshore Drive frontage, which is required by the Knox County sidewalk ordinance because the property is within a ¼ mile of commercial development.

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 land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

B. The proposed subdivision includes a mix of detached and attached houses.

C. The property was rezoned to PR up to 5 du/ac and the proposed subdivision has a density of 5 du/ac.

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 attached and detached houses will have a similar character as other residential uses in this area.

B. Staff is recommending a landscape screen along the eastern boundary to help with the compatibility of the development with the adjacent larger lot residential properties.

C. This attached residential development is a transitional use from the commercial establishments to the southwest and the lower density residential uses to the east.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed use of the property for attached and detached residential should not significantly injure the value of the adjacent properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The development will have direct access to S. Northshore Dr, a minor arterial street.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

Action: Approved

Meeting Date: 2/10/2022

Details of Action:

Summary of Action:

Approve the development plan for up to 57 attached and detached residential houses on individual lots and the peripheral setback reduction from 35-ft to 25-ft along the S. Northshore Drive frontage, subject to 3 conditions.

Date of Approval: 2/10/2022

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:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: