

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 2-O-07-UR **Related File Number:**
Application Filed: 1/8/2007 **Date of Revision:**
Applicant: ABTRACK DEVELOPMENT
Owner:

PROPERTY INFORMATION

General Location: East end of Wayne Dr. west of Shangri-La Dr.,
Other Parcel Info.:
Tax ID Number: 70 K E (PART OF) 013 **Jurisdiction:** City
Size of Tract: 22.3 acres
Accessibility: Access is via two sections of Del Mabry Dr. One is a local street with a 26' pavement width within a 50' right-of-way and the other is an unimproved 50' right-of-way, both of which dead-end into the property.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Attached residential development **Density:**
Sector Plan: East City **Sector Plan Designation:** LDR (Low Density Residential) & LI (Light Industrial)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This neighborhood is developed with residential uses under R-1 zoning. To the south and east are various industrial and commercial businesses under 1-2, 1-3, 1-4 and C-3 zoning.

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

Street: 4026 Wayne 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: Rezoned to RP-1 at 5.99 du/ac in 2004. (5-B-04-RZ)

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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the development plan for up to 78 attached residential units in the RP-1 zoning district, subject to the following 14 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
4. Providing a cul-de-sac at the proposed entrance to transition between the public and proposed private streets.
5. Provision of street names which are consistent with the Uniform Street Naming and Addressing system (Ord. 91-1-102).
6. Installing proposed landscaping within six months of the issuance of occupancy permits for each unit.
7. Meeting all applicable requirements of the Knoxville Fire Marshall's Office regarding the turnarounds.
8. The Tenn. Dept. of Environment and Conservation (TDEC) determining whether or not on-site depressions are in fact sinkholes or remaining 50' off last closed contours.
9. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of drainage structures and all other commonly held assets.
10. Prohibiting access to Wayne Dr.
11. Improving the Del Mabry Dr. right-of-way in order to access the development.
12. Place a note on the development plan that all units will have access to public streets.
13. Additional development on this property will required another use-on-review.
14. A revised development plan reflecting the conditions of approval must be submitted to MPC prior to building permit issuance.

With the conditions noted above, this request meets all criteria for a use on review in the RP-1 zoning district.

Comments:

The applicant is requesting approval of a 78 unit condominium residential development. The development will access an unimproved section of Del Mabry Dr., which currently dead-ends into the property from the east of the site. The applicant is proposing to improve this right-of-way for access into the development. According to the Knoxville Engineering Department, the applicant will be required to provide a cul-de-sac at the development's entrance that will serve to dead-end Del Mabry Dr. Since Del Mabry is a public right-of-way, the cul-de-sac is necessary in order to connect to the private driveway into the development. If the applicant decides to develop additional units on the property in the future, they will be required to submit another use-on-review to MPC.

The Knoxville Department of Engineering has required that the applicant contact TDEC regarding the on-site depressions in order to determine whether or not they are sinkholes. If the applicant does not contact TDEC, they will be required to remain 50' off the last closed contour line.

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

1. Public water and sewer utilities are in place to serve the site.
2. The proposal is more dense compared to the scale and intensity of adjacent development and zoning patterns. However, the impact on adjacent properties will be minimal due to the fact that this development will help to provide a transition between the residential and industrial uses surrounding this site.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed condominium development is consistent with all relevant requirements of the RP-1 zoning district, as well as all other criteria for approval of a use on review.
2. The proposed development is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the 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 additional traffic through residential areas.
3. The proposed RP-1 zoning for the property would allow a density up to 5.99 du/ac. At a proposed density of 3.54 du/ac, the development is consistent with the allowed zoning density.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East City One Year Plan proposes low density residential uses for the site, which is consistent with the proposed density of 3.54 du/ac.
2. The Sector Plan proposes light industrial uses for the site.

MPC Action: Approved **MPC Meeting Date:** 2/8/2007

- Details of MPC action:**
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 2. Meeting all applicable requirements of the Knoxville Department of Engineering.
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 4. Providing a cul-de-sac at the proposed entrance to transition between the public and proposed private streets.
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Summary of MPC action: APPROVE the development plan for up to 78 attached residential units in the RP-1 zoning district, subject to the following 14 conditions:

Date of MPC Approval: 2/8/2007 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	
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:	