

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

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File Number: 3-B-07-UR **Related File Number:**
Application Filed: 1/30/2007 **Date of Revision:**
Applicant: DANIEL COX CONSTRUCTION

PROPERTY INFORMATION

General Location: Southeast side of E. Emory Rd., west of Thomas Ln.
Other Parcel Info.:
Tax ID Number: 29 048 **Jurisdiction:** County
Size of Tract: 5.5 acres
Accessibility: Access is via E. Emory Rd., a major arterial street with a 22' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Attached residential development **Density:** 4.73 du/ac
Sector Plan: North County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This site is part of a residential area that has developed along this section of E. Emory Rd., within A, RA, RB and PR zones.

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

Street: 4816 E Emory Rd
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: The Planning Commission recommended approval a rezoning request to PR (Planned Residential) at a density of up to 5 du/ac on January 11, 2007. The Knox County Commission approved the rezoning request on February 26, 2007.

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.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the development plan for up to 26 attached residential dwellings subject to 8 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (Ord. 91-1-102).
3. Working with the Hallsdale-Powell Utility District to ensure that there will be no intrusion of storm water from this development into the sanitary sewer system.
4. Providing design plans for over-detention of on-site drainage or working downstream to mitigate existing drainage problems, subject to approval by the Knox County Department of Engineering and Public Works.
5. Sidewalks are to meet American Disabilities Act standards. Sidewalks shall be installed during the development of the attached residential units.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Establishing a property owners association that will be responsible for maintenance of the common area and drainage system.
8. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR zone of a Use-on-Review.

Comments: The applicant is proposing to develop this 5.5 acre tract with 26 attached residential units at a density of 4.73 du/ac. Access to the property is from E. Emory Rd., a major arterial street. The Planning Commission recommended approval a rezoning request to PR (Planned Residential) at a density of up to 5 du/ac on January 11, 2007. The Knox County Commission approved the rezoning request on February 26, 2007.

Due to down-stream drainage problems, the applicant shall provide design plans for over-detention of on-site drainage or work downstream to mitigate the existing drainage problems. These plans are subject to approval by the Knox County Department of Engineering and Public Works.

The Knox County Board of Zoning Appeals on February 28, 2007 approved a variance reducing the peripheral setback from the 35' to 20'.

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

1. The proposed attached residential development will have minimal impact on local services since utilities are available to serve this site.
2. The proposed attached residential development at a density of 4.73 du/ac, is consistent in use and density (up to 5 du/ac) with the existing zoning. Other subdivision development in the area has occurred under the PR, RB and RA zoning districts at similar densities.
3. Any school age children living in this development are presently zoned to attend Adrian Burnett Elementary and Halls Middle and High Schools.

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

1. The proposed attached residential development meets the standards for development within a PR

(Planned Residential) Zone and all other requirements of the Zoning Ordinance.

2. The proposed subdivision 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The North County Sector Plan designates this property for low density residential with a maximum density of 5 du/ac. The PR zoning approved for the site allows a density up to 5 du/ac. At a proposed density of 4.73 du/ac, the proposed subdivision is consistent with the Sector Plan and zoning designation.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action: Approved **MPC Meeting Date:** 3/8/2007

- Details of MPC action:**
- 1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
 - 2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (Ord. 91-1-102).
 - 3. Working with the Hallsdale-Powell Utility District to ensure that there will be no intrusion of storm water from this development into the sanitary sewer system.
 - 4. Providing design plans for over-detention of on-site drainage or working downstream to mitigate existing drainage problems, subject to approval by the Knox County Department of Engineering and Public Works.
 - 5. Sidewalks are to meet American Disabilities Act standards. Sidewalks shall be installed during the development of the attached residential units.
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Summary of MPC action: APPROVE the development plan for up to 26 attached residential dwellings subject to 8 conditions.

Date of MPC Approval: 3/8/2007 **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:**