CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 3-H-07-UR Related File Number:

Application Filed: 2/5/2007 **Date of Revision:**

Applicant: DAVID R. MIXON FOR GREG FRANKLIN



Suite 403 \bullet City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 \bullet 2 1 5 \bullet 2 5 0 0 F A X \bullet 2 1 5 \bullet 2 0 6 8 w w w \bullet k n o x m p c \bullet o r g

PROPERTY INFORMATION

General Location: North side of Kimberlin Heights Rd., east side of Daytona Ln.

Other Parcel Info.:

Tax ID Number: 124 212.02 & 212.03 Jurisdiction: County

Size of Tract: 4.28 acres

Access is via Kimberlin Heights Rd., a collector street with a pavement width of 24' within a 50' right-of-

way and Daytona Ln., a local street with a pavement width of 11' within a 30' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Attached residential development Density: 4.44 du/ac

Sector Plan: South County Sector Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: Development in the area consists of an attached residential development to the east of the site and a

community swimming pool to the north. Single family dwellings developed at rural densities are

predominant in the area.

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

Street:

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 site was zoned PR (Planned Residential) @ 1-5 du/ac in 2004.

PLAN INFORMATION (where applicable)

Current Plan Category:

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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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for 19 attached residential dwellings as shown on the development plan subject

to conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance

Provision of a 35' front/peripheral setback along Kimberlin Heights Rd
 Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works

4. The Minimum Floor Elevations being verified by the Knox County Dept. of Engineering and Public Works prior to obtaining a grading permit

5. The floor of eachpropsed garage being constructed at an elevation one foot above the projected 25 year flood elevation.

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

Comments:

The applicant is proposing to develop 19 residential condominimums on this 4.28 acre site. Previous to this request, the same applicant has submitted tow other development proposals for MPC review. The latest plan approved by MPC in 2005 would permit two detached dwellings on the site.

No matter what is put on this site, flooding will be an issue. The current plan propses 19 attached residential units. The elevation of the lowest habitable floor will be above the floodway elevation and meet Knox County's standards for development. However, the garage of each unit will only be at an elevation that will be above the anticipated flood level associated with the 25 year storm. This means that these garages will have a one in twenty-five chance of flooding in any year. The development regulations are written to protect the habitabler portion of dwellings from flood waters. The plan as proposed does just that. What is being propoed in this particular case is a common practice in coastal areas.

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

- 1. The proposed residential development will have minimal impact on local services since water and sewer will be provided to this site.
- 2. The proposed residential development at a density of 4.44 du/ac, is consistent in use and density with the approved zoning of the property.
- 3. Any school age children living in this development are presently zoned to attend New Hopewell Elementary School, South-Doyle Middle School and South-Doyle High School.

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

- 1. With the conditions noted, the proposed residential development meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
- 2. The proposed residential development is consistent with the general standards for uses permitted on review:
- A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The South County Sector Plan proposes this site for low low density residential use. The overall development density of the proposed development is 4.44 dwellings per acre.
- B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning

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Ordinance. The proposed development meets all the requirements of the PR (Planned Residential)

- C. The use is compatible with the character of the neighborhood where it is proposed. As previously noted, the proposed development is compatible in use and intensity of development with the surrounding area.
- D. The use will not significantly injure the value of adjacent property.
- E. The use will not draw additional non-residential traffic through residential areas. This is a low density residential development within an area designated for low density residential use. The traffic generated from this project will be similar to the traffic that is generated by other residential developments.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northwest City Sector Plan designates this property for medium density residential use. The RB zoning approved for the property allows consideration of up to 24.0 du/ac. The proposed subdivision with its distribution of density on the site and overall density of 4.28 du/ac is consistent with the Sector Plan and the proposed zoning designation.
- 2. The site is located within the Urban 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:

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- 5. The floor of each propsed garage being constructed at an elevation one foot above the projected 25 vear flood elevation.

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Summary of MPC action:

APPROVE the request for 19 attached residential dwellings as shown on the development plan subject

to conditions

Date of MPC Approval: Date of Withdrawal:

3/8/2007

Date of Denial:

Postponements:

Withdrawn prior to publication?:

Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knox County Board of Zoning Appe	eals
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:

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