

# 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  
4 0 0 Main Street  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

File Number: 4-I-17-UR                      Related File Number:  
Application Filed: 2/27/2017              Date of Revision:  
Applicant: FRED LONG CONSTRUCTION CONCEPTS

## PROPERTY INFORMATION

General Location: Northwest side of Westland Dr, northeast of Vicar Ln.  
Other Parcel Info.:  
Tax ID Number: 133 G C 006, 007, 009, 010, 011                      Jurisdiction: County  
Size of Tract: 2.87 acres  
Accessibility: Access is via Westland Dr., a major collector street with 22' of pavement width within a 56' right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Detached houses  
Surrounding Land Use:  
Proposed Use: Attached residential development                      Density: 7.3 du/ac  
Sector Plan: West City                      Sector Plan Designation: LDR (Low Density Residential)  
Growth Policy Plan: Urban Growth Area  
Neighborhood Context: These properties are part of older single family housing that has developed along this section of Westland Dr. within RA and R-1 zones, with more recent residential development in the area being townhouses built within PR zoning.

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

Street: 7919 Westland Dr  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) 1-8 du/ac  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning: Property was rezoned from RA to PR 1-8 du/ac in 2004 (2-J-04-RZ).

## 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: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the Development Plan for the 21 unit multi-dwelling development and the reduction of the peripheral setback from 35' to 25' along the northeast development boundary, subject to 5 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Installing the driveway with a 4 percent superelevation and the required transitions at the 75-foot radius curves, providing sight distance easements through the curves as required by the Knox County Department of Engineering and Public Works during design plan review, and posting the speed limit as 20 mph.
4. Removing all references to variances requested specifically related to the driveway design and location.
5. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

Comments: The proposed 21 unit multi-dwelling development includes 10 duplex style attached residence and 1 detached residence. This will be a condominium development with all the dwellings being located on the same lot. Each dwelling unit will include a two car garage.

Since this is a condominium development, the access to each unit is provided by a driveway that does not have to meet the design standards for public and private roads. However, the driveway must be drivable, which is the purpose of condition #3. The proposed driveway does not meet the minimum public and private road design standards and would not be acceptable as a public street if proposed to be so in the future.

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

1. The proposed detached residential subdivision will have minimal impact on local services since utilities are available to serve this site.
2. The proposed multi-dwelling development at a density of 7.3 du/ac is compatible with the scale and intensity of development in this area, particularly on the south side of Westland Dr. The Westland Forest subdivision to the southwest is developed at approximately 4.5 du/ac in the PR zone that allows up to 6 du/ac, and the Highland Point development is developed at approximately 5 du/ac in the PR zone that allows up to 8 du/ac.
3. The applicant has requested a peripheral setback reduction from 35' to 25' on the northeast boundary of the development. About two-thirds of this boundary is shared with a lot owned by the developer and the remaining boundary is shared with the rear lot line for a house that faces east. The only detached residential unit in the proposed development (unit 17) is located adjacent to this rear lot line of this house that faces east.

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

1. With the recommended conditions, the proposed residential development is consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use in is harmony with the general purpose and intent of the Zoning Ordinance. The use will not

significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development has access to a major collector street.

3. The proposed residential development at a density of 7.3 du/ac, is consistent in use and density with the PR zoning of the property that was approved at a density of up to 8 du/ac (2-J-04-RZ).

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The West City Sector Plan was adopted in August 2007 and proposes low density residential (LDR) development for this site, however, when the property was rezoned in 2004 to PR up to 8 du/ac, the sector plan was amended to allow medium density residential (MDR) uses. At that time MPC staff recommended approval of MDR because it was adjacent to other PR zoned property and it was the opinion of staff that townhouse (or attached) residences were appropriate for this location as it would be an expansion of the existing uses immediately to the south (across Westland Dr). Being that the property was rezoned by County Commission with a sector plan amendment to MDR, a development for this site can be considered up to 8 du/ac in accordance with the approved zoning.
2. This site is located within the City of Knoxville Urban Growth Boundary on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 5/11/2017

- Details of Action:**
1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
  2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  3. Installing the driveway with a 4 percent superelevation and the required transitions at the 75-foot radius curves, providing sight distance easements through the curves as required by the Knox County Department of Engineering and Public Works during design plan review, and posting the speed limit as 20 mph.
  4. Removing all references to variances requested specifically related to the driveway design and location.
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With the conditions noted, this plan meets the requirements for approval in the PR zoning district and the other criteria for approval of a use-on-review.

**Summary of Action:** APPROVE the Development Plan for the 21 unit multi-dwelling development and the reduction of the peripheral setback from 35' to 25' along the northeast development boundary, subject to 5 conditions.

**Date of Approval:** 5/11/2017 **Date of Denial:** **Postponements:** 4/13/2017

**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:**