

# 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:** 4-M-04-UR

**Related File Number:**

**Application Filed:** 3/9/2004

**Date of Revision:**

**Applicant:** FUAD REVEIZ

**Owner:**

## PROPERTY INFORMATION

**General Location:** South side Hardin Valley Rd., east of Southern Shade Blvd.

**Other Parcel Info.:**

**Tax ID Number:** 104 H A 25, 26

**Jurisdiction:** County

**Size of Tract:** 5.96 acres

**Accessibility:** Access is Hardin Valley Rd., a 4-lane minor arterial street within 200' of right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land

**Surrounding Land Use:**

**Proposed Use:** 38 unit condominium development

**Density:** 6.37 du/ac

**Sector Plan:** Northwest County

**Sector Plan Designation:** Medium Density Residential

**Growth Policy Plan:** Planned Growth Area

**Neighborhood Context:** This vacant property is located adjacent to an office use zoned OA and large residences on large lots, zoned Agricultural.

## 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:** MPC approved a sector plan amendment to MDR and a rezoning to PR on this property on 1/8/04 (1-R-04-RZ/1-D-04-SP).

## 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:** Michael Brusseau

**Staff Recomm. (Abbr.):** APPROVE the development plan for 38 condominium units, subject to 5 conditions:

**Staff Recomm. (Full):**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
4. Installing all landscaping, as shown on the development plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
5. Submitting a plat of the subject properties for MPC review, consolidating the two parcels into one lot of record for this development. This plat must include the recording of a line of sight easement to maintain safe sight lines at the intersection of the stub road directly east of unit 38 on the plans.

With the conditions noted above, this request meets all conditions of the PR zoning district, as well as other criteria for approval of a use on review.

**Comments:**

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

1. The proposed condominiums will add approximately 9 children under the age of 18 to the school system and 380 new trips to the street system. Hardin Valley Rd. has sufficient capacity to handle the additional traffic generated by this development. Public water and sewer utilities are available in the area to serve the site. Sewer will have to be extended approximately 300 feet from the north to serve this development.
2. The site plans show significant landscape screening along the periphery of the site to minimize the impact to surrounding properties. It is staff's understanding that the applicant has worked with surrounding property owners regarding this project since before the rezoning hearing. There was no opposition at the MPC rezoning hearing on 1/8/04.

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

1. The proposed condominium 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.
2. The proposed density of the development is 6.37 du/ac, within the allowable density range of the PR zoning that was approved in January. A BZA variance was granted on 3/24/04 for a reduction of the periphery setback on the south side of the development (Units 1-6, abutting the adjacent office use) from 35 to 25 feet. Other than that variance, the development meets all requirements of the PR zoning district, as well as applicable requirements of Knox County Engineering.

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

1. The Northwest County Sector Plan was amended to medium density residential for this site on 1/8/04, consistent with the proposed development.
2. This site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning and Appeals. The date of the appeal hearing will depend on when the appeal application is filed with the Knox County Codes Administration Department. Appellants have 30 days to appeal an MPC decision in Knox County.

**MPC Action:** Approved

**MPC Meeting Date:** 4/8/2004

**Details of MPC action:**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
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**Summary of MPC action:** APPROVE the development plan for 38 condominium units, subject to 5 conditions:

**Date of MPC Approval:** 4/8/2004

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:**

**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:**