

# 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:** 6-G-08-UR                      **Related File Number:**  
**Application Filed:** 5/5/2008              **Date of Revision:**  
**Applicant:** KL REAL ESTATE CORPORATION

## PROPERTY INFORMATION

**General Location:** South side of Ball Camp Pk., north side of Matlock Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 93 H A 3,3.01-3.09, 7,7.01-7.16                      **Jurisdiction:** City  
**Size of Tract:** 5.29 acres  
**Accessibility:** Access is via Ball Camp Pike, a collector street with a pavement width of 20' within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Developing attached residential project  
**Surrounding Land Use:**  
**Proposed Use:** 29 attached dwellings                      **Density:** 5.49du/ac  
**Sector Plan:** Northwest City              **Sector Plan Designation:** LDR (Low density residential)  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** Property surrounding the site is zoned R-1, R-1A, RP-1, R-2, O-1 and C-3. Development in the area consists of attached and detached single family dwellings, apartments and a plumbing contractors office and warehouse.

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

**Street:**  
**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:** Concept plan and development plans approved in 2005, 2006 & March 2008

## 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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for up to 29 attached dwellings as shown on the development plan subject to 11 conditions

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knoxville, Ord. O-280-90.
3. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation.
4. Meeting all applicable requirements of the Knoxville Department of Engineering
5. Reducing the grade at the intersection of Road A at Ball Camp Pk. To 1% unless otherwise permitted by the Knoxville Dept. of Engineering
6. Approval of the proposed curb and gutter design by the Knoxville Engineering Dept.
7. Approval of a resubdivision of the property combining all existing parcels into one
8. Meeting all applicable requirements of the Tenn. Dept. of Environment and Conservation
9. Provision of a front minimum building setback of 20' from the property line for units with a one-car garage and a 15' building setback for units with a two-car garage
10. Establishment of a homeowners association for the purpose of maintaining all commonly held assets including storm drainage facilities
11. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for review and certification prior to the issuance of any additional grading or building permits

Comments: The applicant is proposing to develop this 5.29 acre tract into 29 attached residential condominiums at a density of 5.49 du/ac. This property was rezoned to RP-1 (Planned Residential) at a density of 1 - 5.9 du/ac by City Council on May 24, 2005. (4-N-05-RZ). Although the property has frontage on Matlock Rd., the applicant is proposing to access the development via Ball Camp Pk.

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

1. The proposed subdivision will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed attached residential development at a density of 5.49 du/ac, is consistent in use and density (up to 5.9 du/ac) with the zoning. Other subdivision development in the area has occurred under the RP-1 zoning regulations (Maple Grove Subdivision to the west).
3. Any school age children living in this development are presently zoned to attend Pleasant Ridge Elementary, Northwest Middle School and West High School.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. The proposed attached residential development meets the standards for development within a RP-1 (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
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 approved zoning density of this site is 1 - 5.9 dwellings per acre. The proposed 5.49 du/ac does

not exceed the proposed zoning density.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest City Sector Plan and Knoxville One Year Plan designates this property for low density residential with a maximum density of 5.9 du/ac. The RP-1 zoning approved for the site allows a density up to 5.9 du/ac. At a proposed density of 5.49 du/ac, the proposed development is consistent with the Sector Plan, One Year Plan and zoning designation.

2. The site is located within the Urban Growth Area inside the City on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**MPC Action:** Approved

**MPC Meeting Date:** 6/12/2008

**Details of MPC action:**

1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
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**Summary of MPC action:** APPROVE the request for up to 29 attached dwellings as shown on the development plan subject to 11 conditions

**Date of MPC Approval:** 6/12/2008

**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:**