

# 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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400 Main Street  
Knoxville, Tennessee 37902  
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**File Number:** 7-A-06-UR                      **Related File Number:**  
**Application Filed:** 6/6/2006                      **Date of Revision:**  
**Applicant:** KING PROPERTIES & DEVELOPMENT, LLC  
**Owner:**

## PROPERTY INFORMATION

**General Location:** Northeast side of Dewine Road, northeast side of Fleetwood Drive  
**Other Parcel Info.:** Rezoning pending City Council Approval (5-U-06-RZ)  
**Tax ID Number:** 93 H C 025                      **Jurisdiction:** City  
**Size of Tract:** 4.6 acres  
**Accessibility:** Access is via Dewine Rd., a minor collector street with 20' pavement width within 50' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Condominiums                      **Density:** 5.99  
**Sector Plan:** Northwest City                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** Single and multi-family residential uses are located adjacent to this site, zoned R-1 and RP-1. Two churches and the Helen Ross McNabb Center are located to the north of the site along Ball Camp Pike, zoned O-1.

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

**Street:** 3242 Dewine Rd  
**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:** 5-U-06-RZ - (Rezoned from R-1 to RP-1 5.99 du/ac)

## 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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for up to 32 attached residential units as shown on the development plan subject to the following 12 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Engineering Department.
3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
4. Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).
5. Installation of proposed landscaping within six months of the issuance of occupancy permits for each unit.
6. Approximately 11 guest parking spaces need to be identified on the site plan (1 space per 3 units).
7. The location of the mail center needs to be relocated closer to the entrance of the development.
8. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of drainage structures and all other commonly held assets.
9. Certification on the final plat by the applicant's surveyor that there is the required site distance in both directions along Dewine Road at the development's entrance and at the shared access drive.
10. Place a note on the final plat that all units will have access only to the internal street system.
11. In regards to the on-site sinkhole, prior to the issuance of a grading permit, the applicant will be required to obtain an off-site drainage easement from adjoining property owner if so required by the Knoxville Department of Engineering.
12. A revised development plan reflecting the conditions of approval must be submitted to MPC prior to building permit issuance.

With the conditions noted above, this request meets all criteria for a use on review in the RP-1 zoning district.

Comments: The applicant is requesting approval of a 32 unit condominium development. The development will access Dewine Road, and have a private interior roadway. The Knoxville Department of Engineering has raised a concern regarding the presence of a sinkhole located in the northwest corner of the property. The applicant will have to receive an off-site drainage easement prior to issuance of a grading permit. Each unit will have a driveway and a one-car garage. According to the Knoxville Zoning Ordinance, since the proposed units will have a one-car garage rather than a two-car garage, 1 guest parking space per 3 units will have to be provided. A revised site plan must be submitted to MPC showing approximately 11 guest parking spaces.

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

1. The proposed condominium development will place minimal additional demand on schools and streets.
2. The proposed development will have minimal impact on local services since all utilities are in place to serve this site.
3. The proposed development is consistent with the use and density of recent zoning changes and subdivision development in the area.

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

1. The proposed condominium development is consistent with all relevant requirements of the RP-1

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 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 a substantial amount of additional traffic through residential areas.

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

1. The Northwest City Sector Plan identifies this property as low density residential. The RP-1 zoning approved for this site allows a density up to 5.99 du/ac. This density is consistent with the Sector Plan and the other development found in the area.

**MPC Action:** Approved

**MPC Meeting Date:** 7/13/2006

**Details of MPC action:**

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2. Meeting all applicable requirements of the Knoxville Engineering Department.
3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
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With the conditions noted above, this request meets all criteria for a use on review in the RP-1 zoning district.

**Summary of MPC action:** APPROVE the request for up to 32 attached residential units as shown on the development plan subject to the following 12 conditions:

**Date of MPC Approval:** 7/13/2006

**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:**