

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
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 8-A-17-UR **Related File Number:**
Application Filed: 6/20/2017 **Date of Revision:**
Applicant: KING PROPERTIES & DEVELOPMENT

PROPERTY INFORMATION

General Location: South side of Bob Kirby Rd., west of Middlebrook Pike
Other Parcel Info.:
Tax ID Number: 104 20908 **Jurisdiction:** County
Size of Tract: 5 acres
Accessibility: Access is via Bob Kirby Rd., a minor collector street with 18' of pavement width within 60' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Attached Residential Development **Density:** 9.6 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** CC
Growth Policy Plan: Planned Growth Area
Neighborhood Context: With the exception of the commercial strip center and grocery store to the east along Middlebrook Pike, Bob Kirby Rd. is developed with residential uses under A, RA and PR zoning.

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

Street: 0 Bob Kirby Rd
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: Property was rezoned from A (Agricultural) to PR up to 10 du/ac in November 2015 (9-C-15-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 up to 48 attached dwellings, and the requested reduction of the peripheral setback from 35' to 25' as identified, subject to 5 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all requirements of the Knox County Department of Engineering and Public Works and ADA standards for sidewalk construction.
3. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
4. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
5. Installation of a sidewalk along the entire Bob Kirby Rd. frontage and along the east side of Road "A" from Bob Kirby Rd. to the first (northern) intersection of Road "A" and Road "B".

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:

In December 2015 the planning commission approved a use-on-review (12-D-15-UR) for a 50 unit attached residential condo development by the same applicant, however, the road layout and unit type have changed, as well has the number of off-street guest parking spaces and the removal a sidewalk along Bob Kirby Rd. and a segment of sidewalk to the first intersection of the development. Because this development proposed at a medium density residential (9.6 du/ac) intensity and is adjacent to a commercial node and major road corridor with sidewalks (Middlebrook Pike), staff is recommending that a sidewalk be installed along the entire Bob Kirby Rd. frontage and along the east side of Road "A" from Bob Kirby Rd. to the first (northern) intersection of Road "A" and Road "B".

The new proposal is for 48 unit condo development with semi-detached (duplex style) homes at a density of 9.6 du/ac. There are 1-story and 2-story units, with each having a 1 car garage and a driveway large enough to accommodate 2 vehicles. There is a centralized community mailbox structure on Road "B" that includes 4 off-street parking spaces.

The internal roads are private and are proposed with a 24' paved surface, which does not meet the recommended minimum width of 26' if on-street parking is to be accommodated. Because of this each unit is proposed with a driveway that can accommodate 2 vehicles, which in combination with the 1 car garage will provide adequate guest parking for the development. The applicant is also requesting the option to install a 26' wide roadway and driveways to accommodate 1 car in lieu of installing the 2 car driveways. In this case guest parking would be accommodated by on-street parking.

The property is located on the southeast side of Bob Kirby Rd., southwest of Middlebrook Pike. The proposed development will be served by private streets with access to Bob Kirby Rd. The applicant has requested a reduction of the peripheral setback from 35' to 25' along all exterior boundaries of this development, with the exception of the southeastern boundary which is adjacent to commercial zoning. The peripheral setback cannot be reduced adjoining the commercial zoning, however, the Planning Commission can approve a peripheral setback reduction down to 15' when the subdivision adjoins specific residential zoning districts. The standard rear yard setback for the RA and RB zone districts is 25'.

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

1. The proposed attached residential development will have minimal impact on local services since utilities are available to serve this site.
2. The proposed medium density residential development is compatible with the scale and intensity of development that has occurred in this area.

3. The proposed attached residential development at a density of 9.6 du/ac, is consistent in use and density with the approved rezoning for the property.

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

1. With the recommended conditions, the proposed 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 minor collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes medium density residential uses for this site. The proposed development at a density of 10 du/ac is consistent with the sector plan.
2. The sector plan identifies approximately 1.3 acres on the south corner of the property being in the Hillside and Ridgetop Protection Area. Most of this area is proposed to be disturbed with the exception of about 5,000 square feet of area in in the southern most corner of the property which does have some of the steepest slopes and is contiguous with undisturbed steep slopes on the adjacent property.
3. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 8/10/2017

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 2. Meeting all requirements of the Knox County Department of Engineering and Public Works and ADA standards for sidewalk construction.
 3. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
 4. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
 5. Installation of a sidewalk along the entire Bob Kirby Rd. frontage and along the east side of Road "A" from Bob Kirby Rd. to the first (northern) intersection of Road "A" and Road "B".

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.

Summary of Action: APPROVE the Development Plan for up to 48 attached dwellings, and the requested reduction of the peripheral setback from 35' to 25' as identified, subject to 5 conditions:

Date of Approval: 8/10/2017 **Date of Denial:** **Postponements:**

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:**