

# CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 9-A-23-DP      Related File Number: 9-SB-23-C  
Application Filed: 8/2/2023      Date of Revision:  
Applicant: IGOR CHEBAN

## PROPERTY INFORMATION

General Location: Northwest of Schaad Road, southeast of Ball Road  
Other Parcel Info.:  
Tax ID Number: 91 16101      Jurisdiction: County  
Size of Tract: 8.38 acres  
Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use: AgForVac  
Surrounding Land Use:  
Proposed Use: Attached residential subdivision      Density: 4.49 du/ac  
Sector Plan: Northwest County      Sector Plan Designation: MU-SD, HP  
Growth Policy Plan: Urban Growth Area (Outside City Limits)  
Neighborhood Context:

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

Street: 0 Ball 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: The property was rezoned in February 2023 from A to PR up to 5 du/ac.

## 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.:

## **PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): Approve the development plan for a residential subdivision with up to 33 attached houses on individual lots, as shown on the plan, subject to 3 conditions.

Staff Recomm. (Full):

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2) The maximum height of the attached dwellings shall be 35 feet.
- 3) Providing a Type 'C' Landscape screening along the west and north boundaries outside of the 50 ft stream buffer. The existing healthy trees along these shared boundaries must be maintained and may count toward the required landscape screening. A landscape plan must be reviewed and approved by Planning staff before grading and clearing activities commence.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a development plan.

### **Comments:**

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)  
In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

#### 1) ZONING ORDINANCE

PR (Planned Residential) up to 5 du/ac:

a) The PR zone allows houses and attached houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B) This PR zone district is approved for a maximum of 5 du/ac. The proposed density for the subdivision is 4.49 du/ac.

C) The maximum height for any use other than houses and duplexes is determined by the Planning Commission. Staff recommends a maximum height of 35 ft for the attached dwellings, consistent with the maximum height allowed on surrounding properties.

#### 2) GENERAL PLAN – DEVELOPMENT POLICIES

a) Policy 4.2, Require vehicular and pedestrian connections between subdivisions to encourage safe access to community facilities and to reduce reliance on the automobile. – Staff is recommending a road stub-out be provided to the eastern property boundary (Concept Plan condition #5).

B) Policy 9.3, Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities – The proposed attached houses are 2 stories with front-facing garages, consistent with most newer houses constructed in the area.

C) Policy 9.8, Encourage a mixture of housing sizes and prices within planned residential developments – The existing residential development in the area consists predominantly of detached houses. This development will help diversify the housing stock in the general area.

D) Policy 10.11, Allow higher densities, smaller yards and narrower lots for portions of planned developments that do not abut or face conventional suburban developments. In exchange, deeper setbacks, wider lots or landscape buffers shall be provided where the new development abuts lower density housing. – Staff is recommending the installation of a landscape buffer on the west and north boundary lines (Development Plan condition #3).

#### 3) NORTHWEST COUNTY SECTOR PLAN

a) The property is classified as MU-SD (Mixed Use Special District), NWCO-9 (Hines Valley/Amherst), which allows consideration of LDR (Low Density Residential) and MDR (Medium Density Residential). These classifications allow consideration of up to 5 du/ac and 12 du/ac. The proposed density is 4.49 du/ac.

B) There are approximately 2.75 acres of Hillside Protection (HP) area on the southern portion of the property, along the Schaad Road frontage. The slope analysis recommends disturbing up to 1.8 acres

in the HP area. The Schaad Road construction project disturbed approximately 0.55 acres of the HP area. According to the preliminary grading plan, approximately 0.43 acres will remain undisturbed. If the area disturbed for the Schaad Road project is not counted against the developer, the proposed disturbance is very close to the recommended maximum disturbance.

4) KNOXVILLE – FARRAGUT – KNOX COUNTY GROWTH POLICY PLAN

a) The property is within the Urban Growth Boundary. The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services.

**Action:** Approved as Modified

**Meeting Date:** 9/14/2023

**Details of Action:** Approve per staff recommendation with the following modification to condition #3: in the event that existing healthy trees along the west and north boundaries outside of the 50 ft. stream buffer are removed by the applicant, the applicant agrees to install a type "B" landscape buffer to replace them in that area.

**Summary of Action:** Approve per staff recommendation with the following modification to condition #3: in the event that existing healthy trees along the west and north boundaries outside of the 50 ft. stream buffer are removed by the applicant, the applicant agrees to install a type "B" landscape buffer to replace them in that area.

**Date of Approval:** 9/14/2023

**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:**