

# 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:** 9-F-06-UR                      **Related File Number:**  
**Application Filed:** 8/7/2006              **Date of Revision:**  
**Applicant:** CONSTRUCTION INNOVATORS - GARY SMITH  
**Owner:**

## PROPERTY INFORMATION

**General Location:** South side of Hammer Rd., east of Pratts Chapel Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 72 261                      **Jurisdiction:** County  
**Size of Tract:** 11.72 acres  
**Accessibility:** Access is via Hammer Rd., a collector street with a pavement width of 16' within a right-of-way of unknown width

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Attached residential condominium development                      **Density:** 6.23 du/ac  
**Sector Plan:** East County                      **Sector Plan Designation:** MDR (Medium Density Residential)  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** The site is within an agriculturally zoned, rural residential area located north of the I-40/Strawberry Plains interchange.

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

**Street:** 7216 Hammer 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 zoned PR at up to 8 du/ac in November, 2005 (10-T-05-RZ)

## 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:

Dan Kelly

Staff Recomm. (Abbr.):

APPROVE the request for up to 73 attached residential condominiums as shown on the development plan subject to 13 conditions

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (91-1-102)
3. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
4. Prior to obtaining any building permits, the applicant must widen Hammer Rd. from the western edge of the site to Brakebill to a minimum width of 20'. Plans for the widening must be reviewed and approved, by the Knox County Dept. of Engineering and Public Works. All road widening work must be done under the supervision of the Knox county Dept. of Engineering and Public Works
5. Prior to obtaining a grading permit, the applicant's engineer must certify that there is 300' of sight distance in both directions on Hammer Rd.
6. Elimination of the proposed guest parking on Road A that is directly across from Road D
7. Prior to obtaining any certificates of occupancy, establish a homeowners association for the purpose of maintaining the streets, buildings, landscaping stormwater drainage system and any other commonly held assets
8. Establishing a minimum 20' building setback from the proposed streets
9. provision of 2 off street parking spaces per dwelling
10. Revise the plan to provide a 3% or less grade at the intersection of Road C with Road A
11. Shorten the depth of the proposed turn arounds at the end of each street. The revised plans for these turn arounds must be approved by the Knox County Dept. of Engineering and Public Works
12. Installation of the landscaping, as shown on the development plan, within 6 months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation
13. A revised site plan must be submitted to MPC staff for certification prior to obtaining any grading or building permits

Comments:

The applicant is proposing to develop this 11.72 acre site with 73 attached residential condominiums. The site was rezoned PR (Planned Residential) at up to 8 du/ac late last year. The development will have access to Hammer Rd. At present, the pavement width of Hammer Rd. back to Brakebill Rd. varies from 16' to 19'. It has been the policy of the MPC to require widening of access roads when the pavement width is below 18'. Staff will require this applicant to widen Hammer Rd. to 20' in width from the western property line of the site to Brakebill Rd. Additionally, staff will require the applicant's engineer to certify that there is 300' of sight distance in each direction at the proposed intersection of the new entrance road and Hammer Rd.

The architectural elevations provided with this plan calls for each unit to have a one car garage. Each unit must be provided with two off street parking spaces. In order to provide the second parking space, outside of the garage, the units will have to be setback a minimum of 20' from the proposed streets. Staff will also request that the proposed guest parking that is currently shown at the intersection of Road with Road A be eliminated. Parking at that location would create a potential traffic hazard. Additionally, staff will require the proposed turn-arounds at the ends of the street be shortened. This will prevent the turn-arounds from being used for parking.

As noted previously in the report, this site was zoned PR (Planned Residential) at up to 8 du/ac in 2005. The East County Sector Plan calls for this area along Hammer Rd. in the vicinity to transition from its present rural character to a mix of medium density housing and office uses. While this plan does not appear to be compatible with the surrounding area, it does comply with the Sector Plan

recommendations and the approved zoning of the site.

The preliminary drainage plan submitted with this plan provides sufficient detail for the consideration of the use on review. At this level, the applicant provides the locations of the proposed detention basins and a general plan as to how the storm water will be directed to the detention facilities. The detailed drainage plan comes under the purview of the Knox County Dept. of Engineering and Public Works. The detailed grading and drainage plan will be submitted to the County Engineer as part of the design plan process which is the next step in the development review process if this plan is approved.

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

1. The proposed development will require the extension of water and sewer service to the site.
2. The proposed attached residential condominiums at a density of 6.23 du/ac, is consistent in use and density with the approved zoning of the property.
3. Any school age children living in this development are presently zoned to attend Sunnyview Primary, Chilhowee Intermediate, Carter Middle School and Carter High School.

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

1. The proposed attached residential development meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed residential development is consistent with the general standards for uses permitted on review:
  - A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The East County Sector Plan proposes this site for medium density residential or office use with a maximum residential density of 12 dwellings per acre. The overall development density of the proposed development is 6.23 dwellings per acre.
  - B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance. The proposed development meets all the requirements of the PR (Planned Residential District).
  - C. The use appears to be incompatible with the character of the neighborhood where it is proposed. However, this area is shown on the sector plan to change from its present rural character to an urban mix of medium density house and office uses.
  - D. The use will not significantly injure the value of adjacent property.
  - E. The use will not draw additional non-residential traffic through residential areas. This is a medium density residential development within an area designated for medium density residential use. The traffic generated from this project will be similar to the traffic that is generated by other similar residential developments. Hammer is classified as a collector street. With that classification, it is expected to collect traffic from this and the surrounding development and provide a route to other major streets in the area.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East County Sector Plan designates this property for mixed use limited to medium density residential and office use. The PR zoning approved for the property allows consideration of up to 8.0 du/ac. The proposed development with its distribution of density on the site and overall density of 6.23 du/ac is consistent with the Sector Plan and the proposed zoning designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**MPC Action:**

Approved

**MPC Meeting Date:** 9/14/2006

**Details of MPC action:**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (91-1-102)
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12. Installation of the landscaping, as shown on the development plan, within 6 months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation
13. A revised site plan must be submitted to MPC staff for certification prior to obtaining any grading or building permits

**Summary of MPC action:** APPROVE the request for up to 73 attached residential condominiums as shown on the development plan subject to 13 conditions

**Date of MPC Approval:** 9/14/2006                      **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:**