

# 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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www.knoxmpc.org

**File Number:** 9-R-07-UR  
**Application Filed:** 8/10/2007  
**Applicant:** ROD TOWNSEND

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** Southeast side E. Beaver Creek Dr., northeast of Ghiradelli Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 47 228 **Jurisdiction:** County  
**Size of Tract:** 2.633 acres  
**Accessibility:** Access is via E. Beaver Creek Dr., a major collector street with 19' of pavement width within 50' of right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Attached and detached residential development **Density:** 5 du/ac  
**Sector Plan:** North County **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with residential uses, under A, PR, RA and RB zoning.

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

**Street:** 916 E Beaver Creek Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential) pending  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** MPC denied MDR and approved PR at 5 du/ac for this site at the August 9, 2007 meeting (8-K-07-RZ/8-D-07-SP). The applications are scheduled to be considered by Knox County Commission on 9/24/07.

## 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:** Michael Brusseau

**Staff Recomm. (Abbr.):** APPROVE the development plan for 1 detached and 12 attached dwelling units in the PR (Planned Residential) zoning district, subject to the following 10 conditions:

**Staff Recomm. (Full):**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting all applicable requirements of the Knox County Engineering Department.
3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
4. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System Ordinance (Ord. 91-1-102).
5. The applicant must install a continuous evergreen screen within the northeast, southeast and southwest boundaries' setback areas, as shown on the development plan. Landscaping must be installed within six months of the issuance of occupancy permits for the project, or the developer must post a bond with Knox County Engineering guaranteeing such installation.
6. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of drainage structures and all other commonly held assets.
7. Certification on the final plat by the applicant's surveyor that there is adequate sight distance in both directions along E. Beaver Creek Dr. at the development's entrance.
8. Place a note on the final plat that all units will have access only to the internal street. No private driveways shall have direct access to E. Beaver Creek Dr.
9. Approval by Knox County Commission of the pending rezoning of the site to PR at a minimum density of up to 5 du/ac (8-K-07-RZ).
10. BZA approval of a variance for a reduction in the required periphery setback from 35' to 25' along the northeast, southeast and southwest property lines.

With the conditions noted above, this proposal meets all requirements for approval in the PR zoning district, as well as other criteria for approval of a use on review.

**Comments:**

The applicant is requesting approval of six duplexes (12 attached units) and 1 detached dwelling on this 2.43 acre site, for a density of 4.94 du/ac. The applicant will be requesting a variance of the PR peripheral setback from 35' to 25' from the Knox County Board of Zoning Appeals (BZA). With BZA approval of the variance request, staff can support the proposal because of the limited site size and because the applicant will install a continuous evergreen screen within the reduced setback area.

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

1. The proposed development will place minimal additional demand on schools and streets. It will generate about 157 trips per day and add about 2 school-aged children to the school system.
2. The proposed development will have a minimal impact on local services since all utilities are in place to serve this site.
3. The development density is consistent with the sector plan designation for the site.

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

1. With approval of the required BZA variance, 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 is in 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 a substantial amount of additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The North County Sector Plan proposes low density residential uses for this property, consistent with this proposal. The pending PR zoning proposed for this site allows a density of up to 5 du/ac, which is the upper limit of the low density residential density range.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

**MPC Action:** Approved

**MPC Meeting Date:** 9/13/2007

**Details of MPC action:**

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- 3. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
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**Summary of MPC action:**

APPROVE the development plan for 1 detached and 12 attached dwelling units in the PR (Planned Residential) zoning district, subject to the following 10 conditions:

**Date of MPC Approval:** 9/13/2007

**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:**