



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
USE ON REVIEW REPORT**

▶ **FILE #:** 10-N-06-UR

AGENDA ITEM #: 111

AGENDA DATE: 10/12/2006

▶ **APPLICANT:** **BENCHMARK ASSOCIATES, INC.**

OWNER(S): VICTOR JERNIGAN

TAX ID NUMBER: 137 25 & 31 PORTIONS OF 22.01, 23.03-23.06

JURISDICTION: County Commission District 9

▶ **LOCATION:** **South side of W. Governor John Sevier Hwy., east of Winkle Ln.**

▶ **APPX. SIZE OF TRACT:** **16.418 acres**

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W. Governor John Sevier Hwy., a major arterial street with a pavement width of 24' within a 165' wide right-of-way

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

▶ **ZONING:** **PR (Planned Residential)**

▶ **EXISTING LAND USE:** **Detached dwellings and vacant land**

▶ **PROPOSED USE:** **Attached residential development**

DENSITY PROPOSED: 4.99 du/ac

HISTORY OF ZONING: The property was rezoned to PR (Planned Residential) @ up to 5 du/ac in December 2005

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / A agricultural

South: Detached dwellings / A agricultural

East: Detached dwellings / A agricultural

West: Detached dwellings / A agricultural

NEIGHBORHOOD CONTEXT: The site was rezoned to PR (Planned Residential) at up to 5 du/ac in late 2005. The area surrounding this site is zoned A agricultural and it is developed with detached dwellings on lots that are generally larger than one acre in size.

STAFF RECOMMENDATION:

▶ **APPROVE the request for up to 82 attached residential condominiums as shown on the development plan subject to 11 conditions**

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 construct a west bound left turn lane in W. Governor John Sevier Hwy. as called for in the traffic impact study. Plans for the turn lane must be reviewed and approved, by the Knox County Dept. of Engineering and Public Works and the Tenn. Dept. of

Transportation. All work done in the right-of-way of W. Governor John Sevier Hwy. must be done under the supervision of the Tenn. Dept. of Transportation

5. Removing the proposed boulevard median from the right-of-way of W. Governor John Sevier Hwy. and improving the turning radius at the entrance to the project as may be required by the Tenn. Dept. of Transportation

6. Provision of facilities for mail delivery that are convenient to the proposed guest parking

7. All sidewalk and walking trail construction to be compliant with the requirements of the Americans With Disabilities Act

8. 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

9. Change note #13 to say that concrete patios may not extend into the required setbacks more than 10'

10. 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

11. 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 16.41 acre site with 82 attached residential condominiums. The site was rezoned PR (Planned Residential) at up to 5 du/ac late last year. The development will have access to W. Governor John Sevier Hwy.

The architectural elevations provided with this plan calls for each unit to have a one or two car garage. Each unit must be provided with two off street parking spaces. In order to provide the second parking space, outside of the units with a one car garage, the setback will have to be a minimum of 20' from the proposed streets. The applicant will also have to provide a convenient location for the residents of this development to pick up their mail. This should be done in a location that will be convenient to parking.

As noted previously in the report, this site was zoned PR (Planned Residential) at up to 5du/ac in 2005. The South County Sector Plan calls for this area along W. Governor John Sevier Hwy. to transition from its present rural character to a low density housing. While this plan does not appear to be compatible with the zoning and development in the immediate 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 4.99 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 Bonny Kate Elementary, South-Doyle Middle School and South Doyle High Schools

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 South County Sector Plan proposes this site for low density residential use with a maximum residential density of 5 dwellings per acre. The overall development density of the proposed development is 4.99 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 is compatible with the character of the neighborhood where it is proposed.

D. The use will not significantly injure the value of adjacent property.

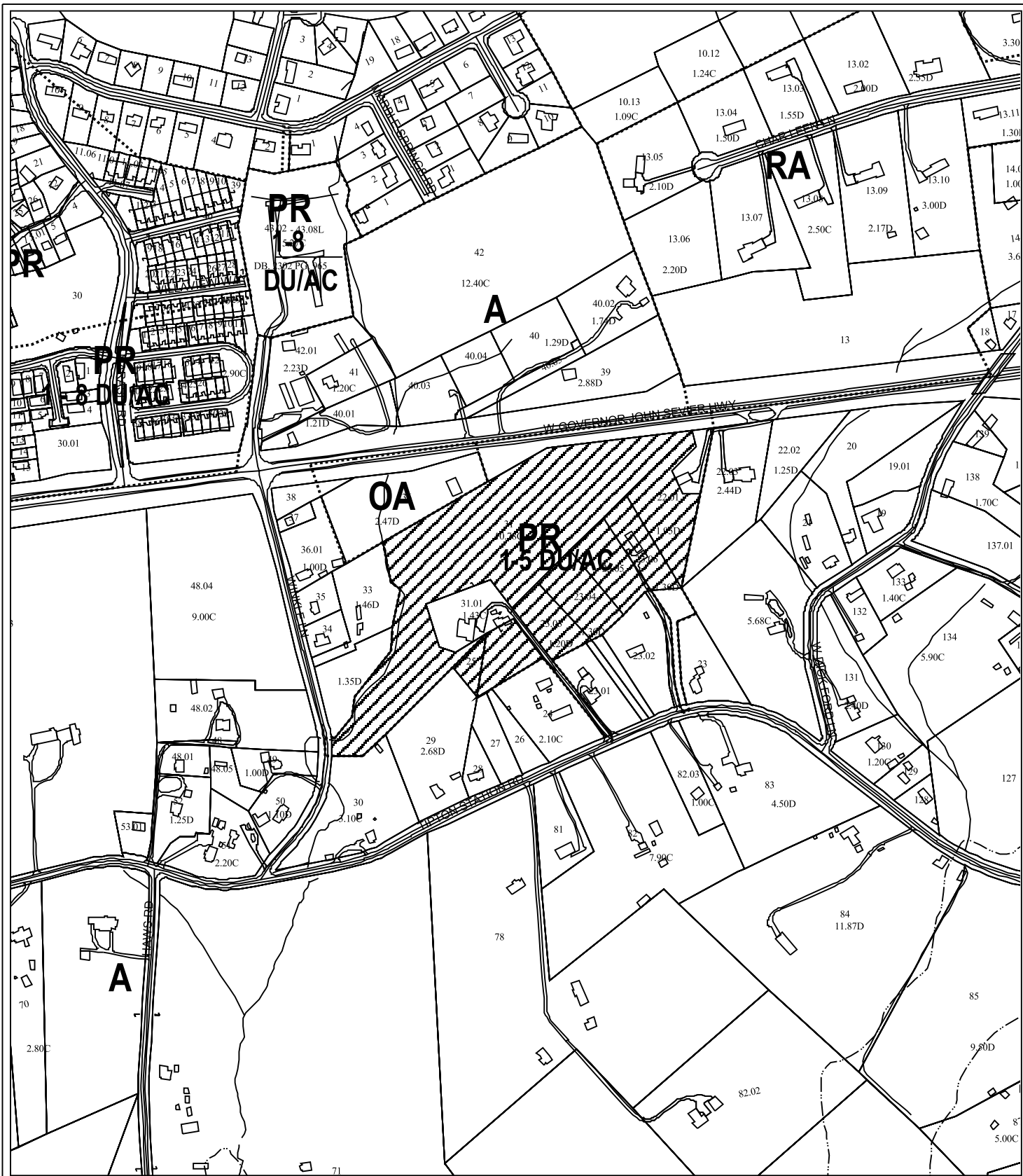
E. The use will not draw additional non-residential traffic through residential areas. This is a low density residential development within an area designated for low density residential use. The traffic generated from this project will be similar to the traffic that is generated by other similar residential developments. W. Governor John Sevier Hwy is classified as an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS


1. The South County Sector Plan designates this property for low density residential use. The PR zoning approved for the property allows consideration of up to 5.0 du/ac . The proposed development with its distribution of density on the site and overall density of 4.99 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's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



10-N-06-UR
 USE ON REVIEW

 Attached residential development in

Original Print Date: 09/27/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Benchmark Associates, Inc.

Map No: 137

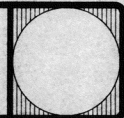
Jurisdiction: County



| NO. | REVISIONS | BY |
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 KNOXVILLE, TENNESSEE 37919
 PHONE: 865-584-5712 FAX: 865-586-5919
 E MAIL: rmm@wystwynd.com

WELLSLYN CREEK
 A PROPOSED CONDOMINIUM PROJECT
 KNOX COUNTY, TENNESSEE
 DEVELOPED BY: VICTOR JERENIGAN



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| DATE | 10-22-06 |
| BY | RJC |
| SCALE | AS SHOWN |
| PROJECT NO. | 78000000 |
| SHEET | 1 |

