

▶ **FILE #:** 8-G-07-UR

AGENDA ITEM #: 68

AGENDA DATE: 8/9/2007

▶ **APPLICANT:** DLM CONSTRUCTION

OWNER(S): METRO PROPERTIES, INC.

TAX ID NUMBER: 71 A L 063

JURISDICTION: City Council District 2

▶ **LOCATION:** South side of Blue Star Dr., west side of Spring Park Rd.

▶ **APPX. SIZE OF TRACT:** 8500 square feet

SECTOR PLAN: East City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Blue Star Dr., a local street with a 26' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **ZONING:** RP-1 (Planned Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Reduction of the required front yard setback from 30' to 20' & reduction of the rear yard setback from 25' to 12'.

HISTORY OF ZONING: The property was zoned to RP-1 in 1998. The final plat was approved in December 2002.

SURROUNDING LAND USE AND ZONING: North: Residences / RP-1 (Planned Residential)

South: Residences / RP-1 (Planned Residential)

East: Residences / RP-1 (Planned Residential)

West: Residences / RP-1 (Planned Residential)

NEIGHBORHOOD CONTEXT: This is a lot located within the existing Spring Hill Subdivision that contains both attached and detached dwellings on individual lots. Neighborhoods surrounding this subdivision have been developed with residential uses under R-1 and RP-1 zoning.

STAFF RECOMMENDATION:

▶ **APPROVE** the request to reduce the front yard setback from 30' to 20' and to reduce the rear yard setback from 25' to 12' as shown on the development plan, subject to the following 3 conditions:

1. Meeting all applicable requirements of the Knoxville Dept. of Engineering.
2. Meeting all requirements of the approved concept plan/use on review and final plat.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

COMMENTS:

The applicant is requesting a front yard setback reduction from 30' to 20' and a rear yard setback reduction from 25' to 12' on a corner lot located in the Spring Hills Subdivision. The concept plan/use-on-review for this project was approved in February of 1999 (11-SF-98-C/11-R-98-UR). A final plat was approved in January of 2003. According to the applicant, the front and rear yard setback reductions are necessary in order to accommodate the proposed building design on this corner lot. Due to an amendment to the RP-1 (Planned Residential) zoning regulations, MPC reviews all revised development plan requests for the City's planned residential districts. Requests made for setback reductions are now considered as a use-on-review.

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

1. The proposal will have no impact on schools.
2. No additional traffic will be added to Blue Star Dr. with the approval of this request.
3. Public water and sewer utilities are available to serve the development.
4. Staff does not believe that a 20' front yard setback and a 12' rear yard setback will negatively affect the character of the neighborhood. Since this property is one of the last buildable lots in the subdivision, these reductions will not set precedence for future development.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed dwelling is consistent with the general standards for uses permitted on review: The proposed development 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 is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.
2. The proposal meets all requirements of the RP-1 zoning district and a use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The East City Sector Plan proposes low density residential uses for this site.

ESTIMATED TRAFFIC IMPACT: 15 (average daily vehicle trips)

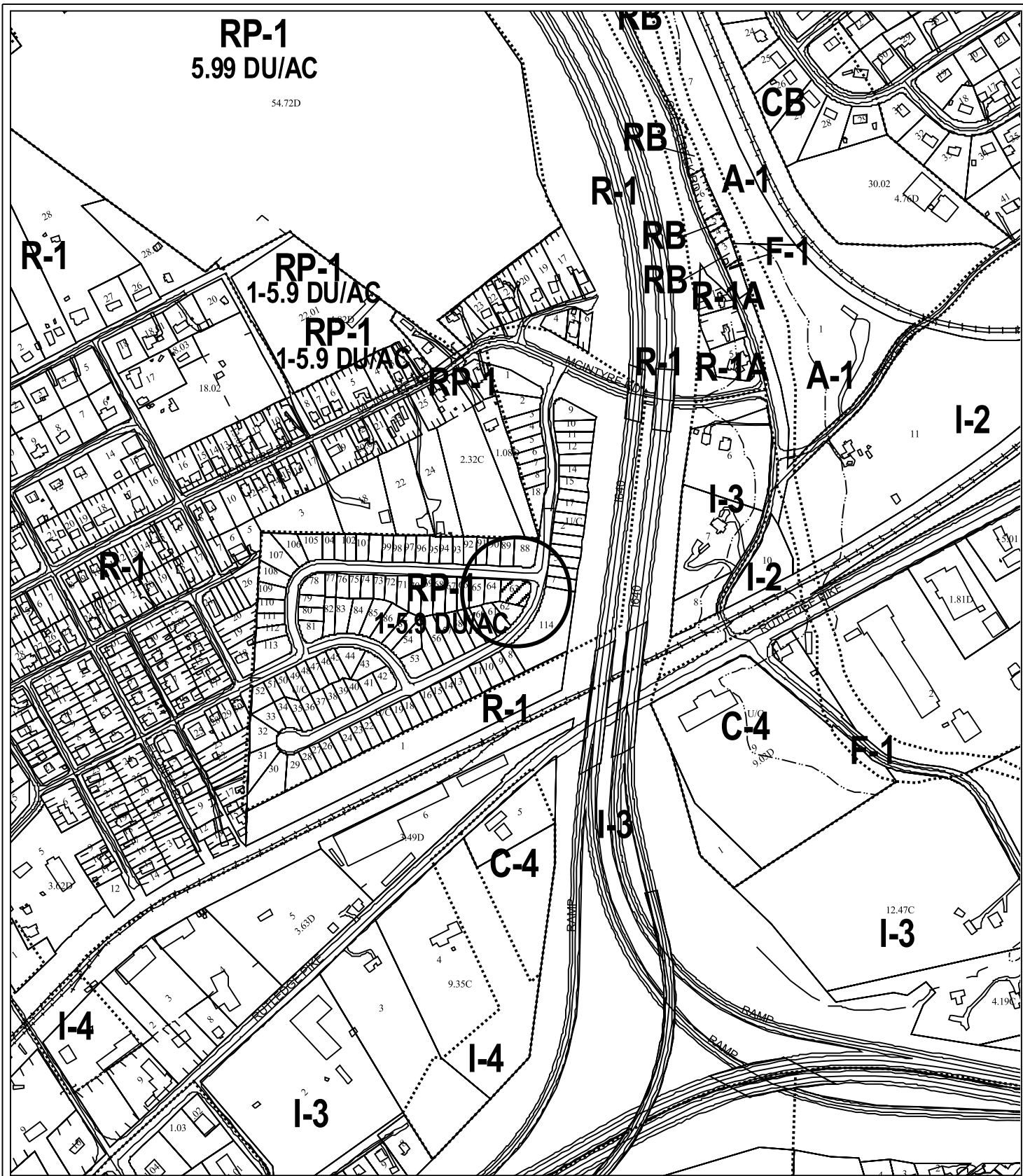
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 0 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Spring Hill Elementary, Holston Middle, and Fulton High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



8-G-07-UR
 USE ON REVIEW



Reduction of the required front yard setback from 30' to 20' & reduction of the rear yard setback from 25' to 12'. in RP-1 (Planned Residential)

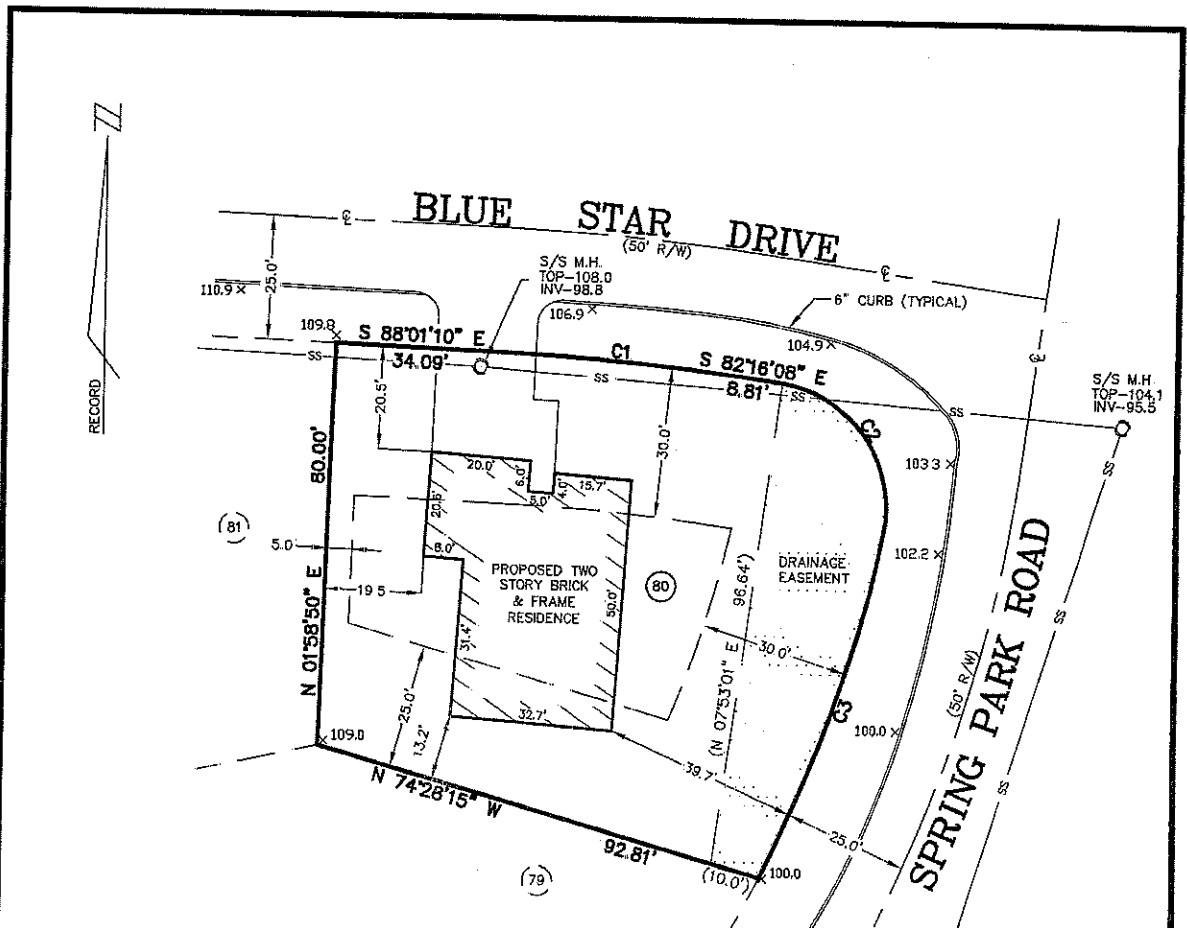
Original Print Date: 08/02/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: DLM Construction

Map No: 71

Jurisdiction: City





NOTES

- 1) Minimum building setbacks for detached homes:
 Front 30'
 Side..... 5'
 Rear..... 25'
- 2) 10' utility and drainage easements inside all boundaries, 5' each side of interior lot lines, except under attached condo units
- 3) The property owners are responsible for maintaining stormwater facilities on this property.
- 4) All lots have vehicular access from roads within the subdivision. none from existing roads
- 5) Property is subject to all restrictive covenants and easements of record
- 6) Record North references the subdivision plat of record referenced as Instrument # 200301160062223 of record in the Register's Office of Knox County Tennessee
- 7) Property is zoned RP-1
- 8) Elevations shown hereon are assumed and site relative

CURVE TABLE

CURVE	RADIUS	AL	CHORD BEARING	CHORD
C1	475.00'	47.67'	S 85°08'39" E	47.65'
C2	25.00'	38.72'	S 36°37'49" E	34.97'
C3	276.51'	74.71'	S 35°48'08" W	74.48'

U.O.R.

PLOT PLAN

DATE

LEGEND 7/2/07

BUILDER D.L.M. Construction
 LOCATION 5330 Blue Star Drive, Knoxville, Tennessee 37914
Seventh Civil District of Knox County, Tennessee
32 Ward, City of Knoxville, Tennessee
 SUBDIVISION Spring Hill Villas Phase II
 LOT NUMBERS 80 SCALE 1"=30'
 BM# 07181 DATE 25 June 2007

S 42°18'16" W RECORD CALLS
 — SS — SANITARY SEWER LINE
 ○ SANITARY SEWER MANHOLE
 106.8 X SPOT ELEVATIONS
 (74) LOT NUMBERS

8-6-07-UR



BENCHMARK ASSOCIATES, INC.

10308 Hardin Valley Road
 Knoxville Tennessee 37932

Land Planners • Land Surveyors

Phone (865) 692-4090
 Facsimile (865) 692-4091
Agenda Item # 68
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MPC August 9, 2007

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DECLARATION OF OWNER AND GENERAL DESCRIPTION
 I, the undersigned, hereby certify that the above described property is a **RESIDENT** subdivision and that the same is being subdivided for the purpose of subdividing the same into lots for residential purposes. I hereby certify that I am a single person and that I am the owner of the property and that I am the person who has caused this subdivision to be prepared and that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee.

RESIDENT

DECLARATION OF OWNER AND GENERAL DESCRIPTION
 I, the undersigned, hereby certify that the above described property is a **RESIDENT** subdivision and that the same is being subdivided for the purpose of subdividing the same into lots for residential purposes. I hereby certify that I am a single person and that I am the owner of the property and that I am the person who has caused this subdivision to be prepared and that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee.

FINAL PLAT - CONSTRUCTION COMPLETE
 I hereby certify that I am a single person and that I am the owner of the property and that I am the person who has caused this subdivision to be prepared and that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee.

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OWNER - DEVELOPER
 NAME: **Mark E. Jones**
 ADDRESS: **1234 Main St, Nashville, TN 37203**
 PHONE: **615-555-1234**

ENGINEER
 NAME: **Ronnie Keener**
 ADDRESS: **5678 Oak St, Nashville, TN 37203**
 PHONE: **615-555-5678**

SURVEYOR
 NAME: **David B. McAnally**
 ADDRESS: **9012 Pine St, Nashville, TN 37203**
 PHONE: **615-555-9012**

LOCATION (NTS)
 A location map showing the location of the property within the city limits of Nashville, Tennessee.

LEGEND
 * BOUNDARY
 * RIGHT OF WAY
 * EASEMENT
 * OTHER NOTES

TAXES AND ASSESSMENTS
 This is to certify that all property taxes and assessments due on this property have been paid.

CERTIFICATION OF CLASS AND ACCURACY OF SURVEY
 I hereby certify that this is a **RESIDENT** subdivision and that the same is being subdivided for the purpose of subdividing the same into lots for residential purposes. I hereby certify that I am a single person and that I am the owner of the property and that I am the person who has caused this subdivision to be prepared and that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee. I hereby certify that I am the person who has caused this subdivision to be recorded in the public records of the State of Tennessee.

DATE 12-3-02
BY *Mark E. Jones*
DATE 12-3-02
BY *David B. McAnally*

DATE 12-3-02
BY *Ronnie Keener*

DATE 12-3-02
BY *David B. McAnally*

PROFESSIONAL LAND SURVEYOR
 NAME: **RONNIE KEENER**
 ADDRESS: **5678 Oak St, Nashville, TN 37203**
 PHONE: **615-555-5678**

PROFESSIONAL LAND SURVEYOR
 NAME: **DAVID B. McANALLY**
 ADDRESS: **9012 Pine St, Nashville, TN 37203**
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32730-C

8-G-07-UR

32730-C

DRWG. & PLOT-02

NOVEMBER 16, 2002

GRAPHIC SCALE 1"=100'

NOVEMBER 16, 2002

NOVEMBER 16, 2002