



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

▶ **FILE #:** 12-G-07-UR

AGENDA ITEM #: 117

AGENDA DATE: 12/13/2007

▶ **APPLICANT:** NMC PROPERTIES

OWNER(S): NMC PROPERTIES

TAX ID NUMBER: 70 G A 008

JURISDICTION: City Council District 4

▶ **LOCATION:** South side of Fairmont Blvd., southeast of Gary Rd.

▶ **APPX. SIZE OF TRACT:** 16308 square feet

SECTOR PLAN: East City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Fairmont Blvd, a street with a 20' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **ZONING:** R-1 (Low Density Residential)

▶ **EXISTING LAND USE:** Duplex under construction

▶ **PROPOSED USE:** Duplex

HISTORY OF ZONING: None noted

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

South: Residences / R-1 (Low Density Residential)

East: Multi-dwelling units / R-1 (Low Density Residential)

West: Residences / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area has been developed with multi-dwelling structures, duplexes and residences. The Whittle Springs Golf Course is located directly across from the subject property.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a duplex in the R-1 (Low Density Residential) zoning district, subject to the following 4 conditions:**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knox County Health Department.
4. Providing 2 off-street parking spaces for each unit (4 total).

With the conditions noted, this request meets the requirements for approval of a duplex in the R-1 zoning district and all other criteria for approval of a use on review.

COMMENTS:

The applicant is seeking to bring an existing structure that has been used for a duplex since 1980 into compliance under the current zoning regulations. Under the R-1 zoning regulations, duplexes are a use permitted on review. The minimum lot size for a duplex in the R-1 zoning district is 15,000 square feet, and the subject parcel has 16,308 square feet. There are a number of multi-dwelling structures and duplexes that are adjacent to this property, which are non-conforming according to the zoning regulations. The applicant will be required to provide 4 off-street parking spaces.

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

1. The proposed use will have minimal impact on local services since all utilities are in place to serve this site.
2. The impact on adjacent properties will be minimal since this site has been used as a duplex since the 1980's. Significant maintenance will be required in order to bring the existing structure into compliance with current building codes.
3. This request will have minimal impact on schools and streets as a result of this proposal. Fairmont Blvd. is a classified as a collector street and according to the policies set forth by the General Plan, duplexes and other multi-dwelling structures are encouraged when that are proposed on collector streets and nearby other multi-dwelling structures.

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

1. The proposed duplex is consistent with the following general standard for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use in is harmony with the general purpose and intent of the Zoning Ordinance. After reconstruction, the outside appearance of the structure will be similar to how it was previously; the use will be compatible with surrounding multi-dwellings units and the overall character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas.
2. The plan meets all of the requirements of the Knoxville Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The North City One Year Plan proposes low density residential uses for this site.
2. The current R-1 zoning of the property permits consideration of duplexes as a use on review.
3. Since the proposed duplex is located on a collector street and nearby other multi-dwelling structures, its meets the suggested guidelines outlined in the General Plan regarding the placement of duplexes.

ESTIMATED TRAFFIC IMPACT: 28 (average daily vehicle trips)

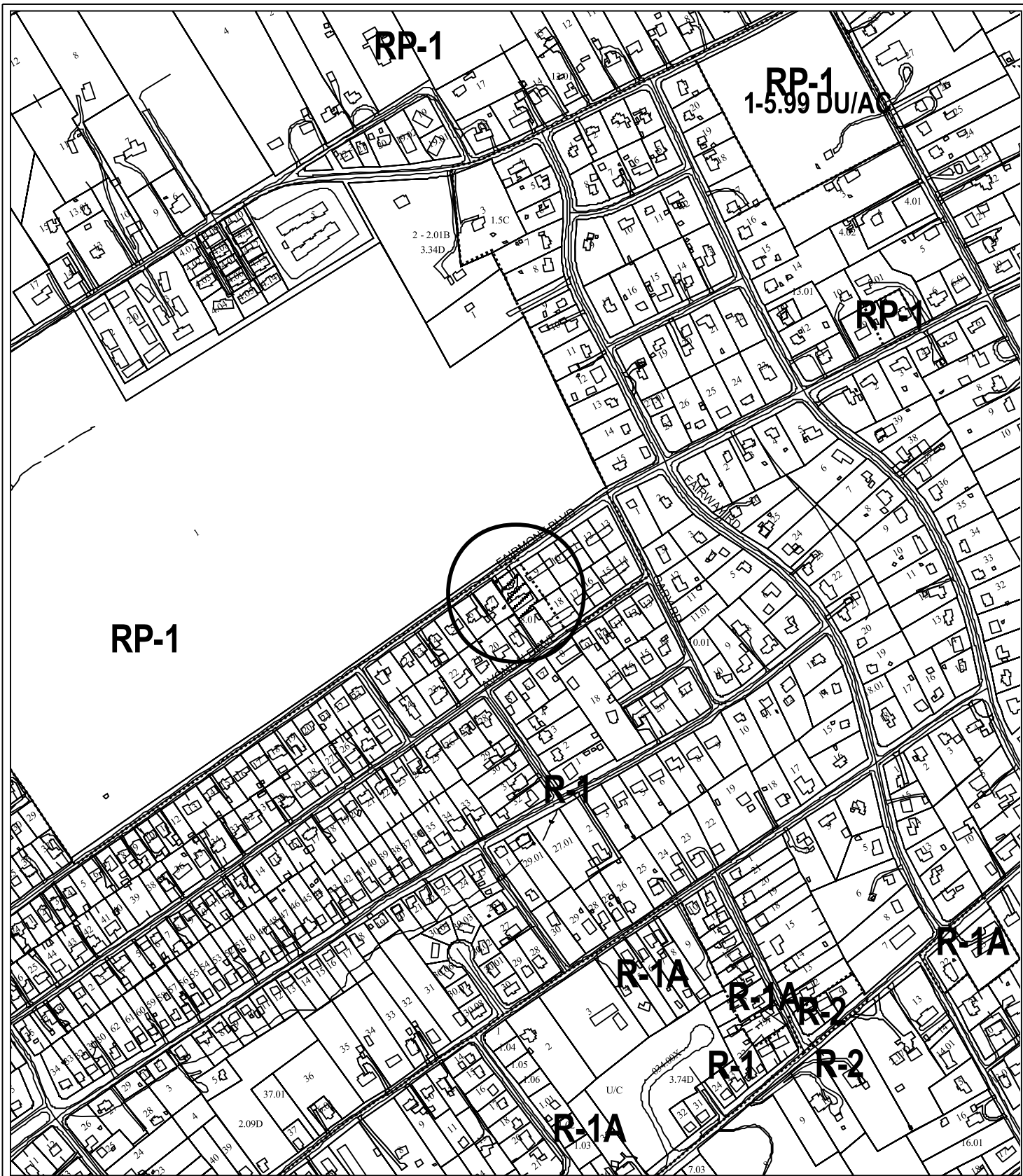
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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, Whittle Springs 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.



12-G-07-UR
 USE ON REVIEW



Duplex in a R-1 (Low Density Residential) Zoning District

Original Print Date: 11/28/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

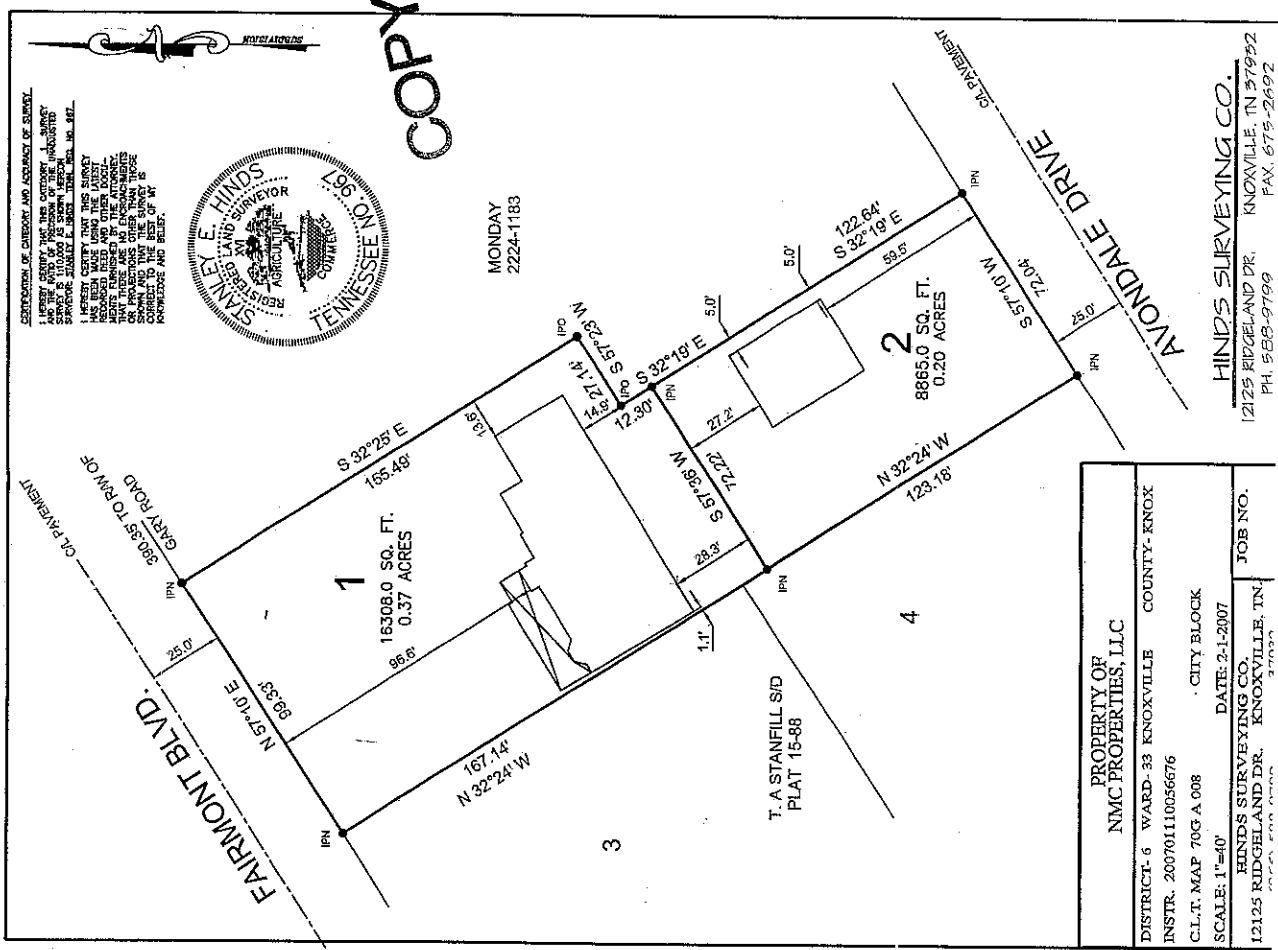
Petitioner: NMC Properties

Map No: 70

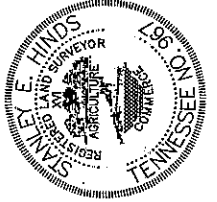
Jurisdiction: City



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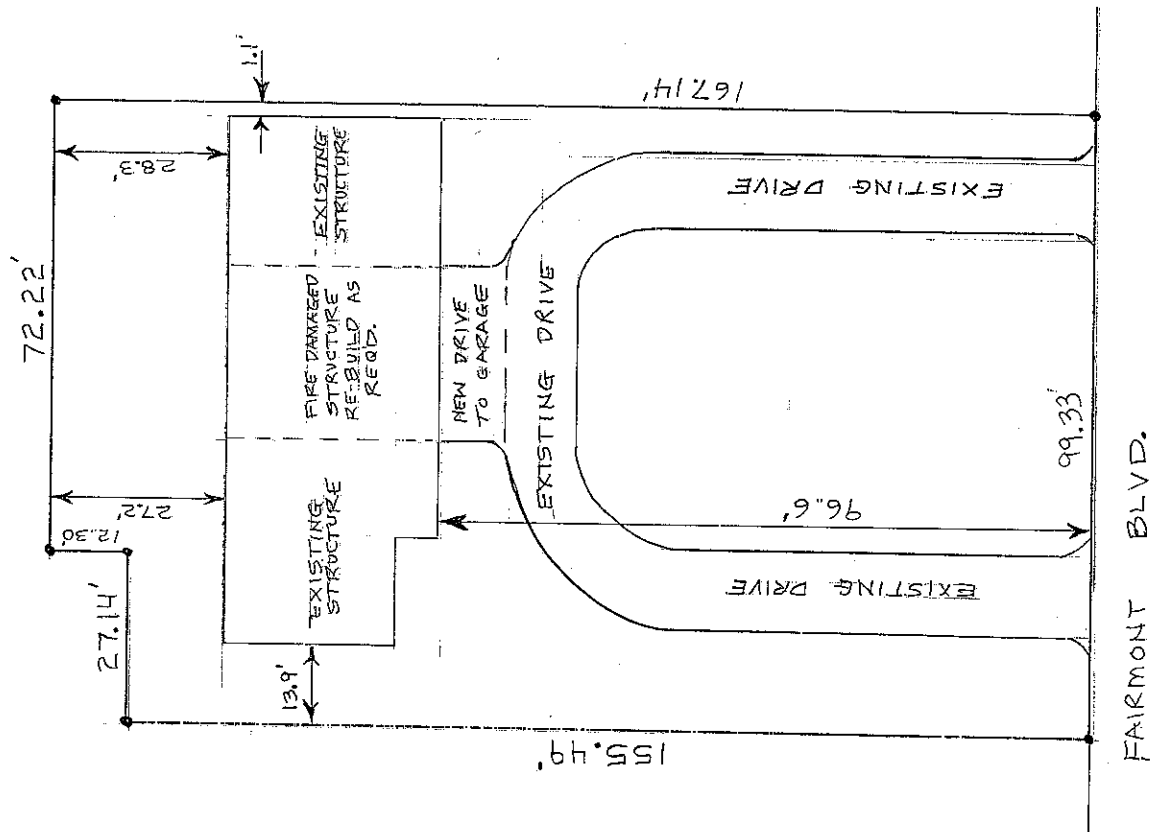


GENERAL OF COURSE AND AGENCY OF SURVEY.
 I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY AND THE ACTS OF THE BOARD OF SURVEYORS AS APPROVED BY THEM. IN WITNESS WHEREOF, I HAVE HEREON SET MY HAND AND SEAL OF OFFICE AT KNOXVILLE, TENNESSEE, THIS 21ST DAY OF FEBRUARY, 2007.

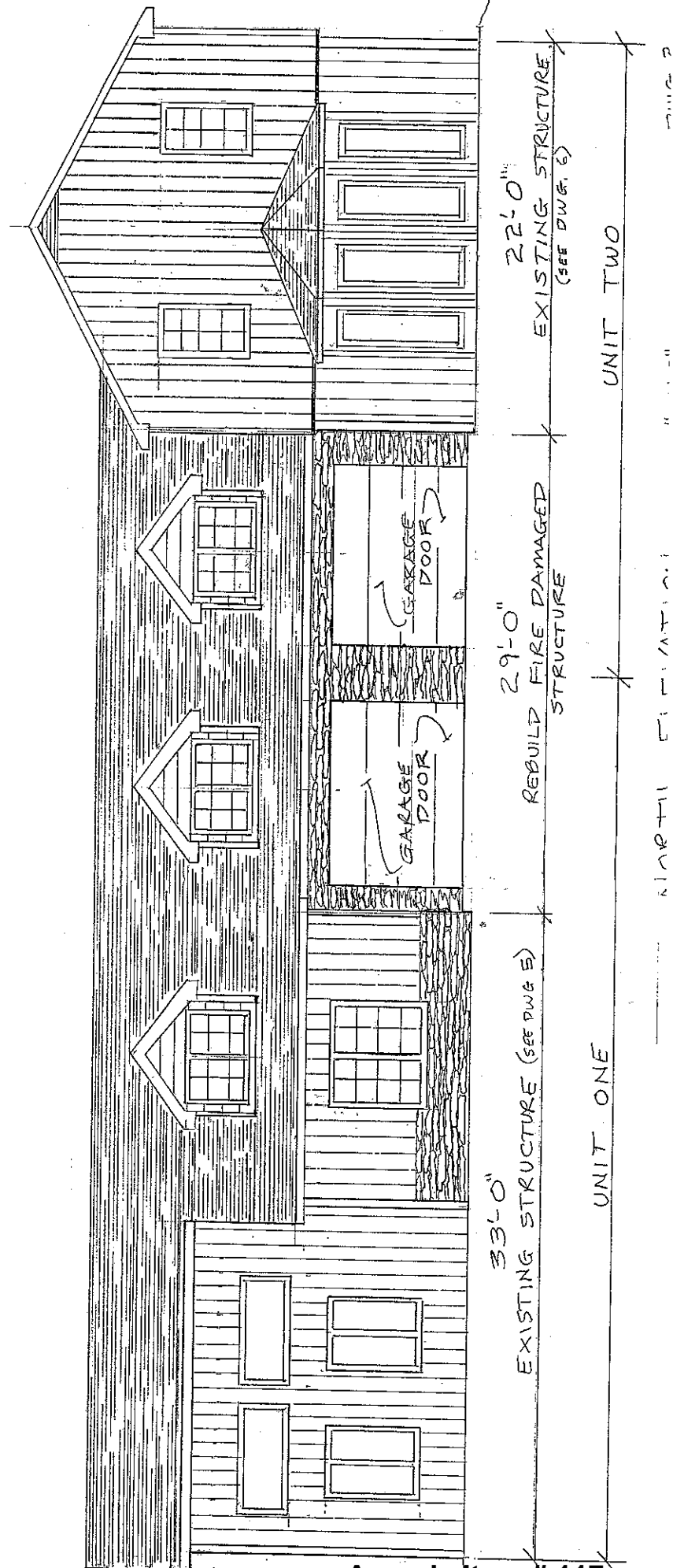


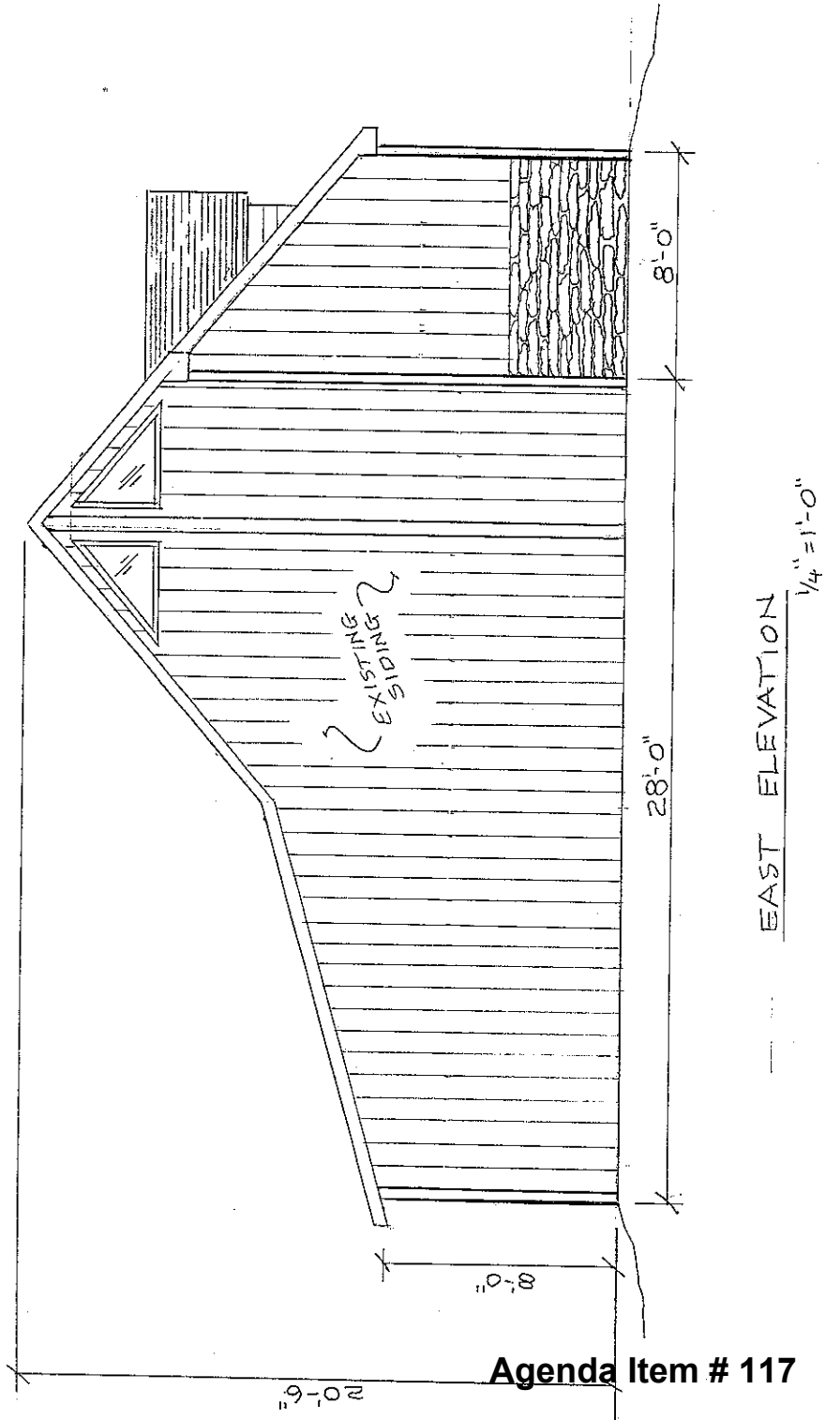
COPY

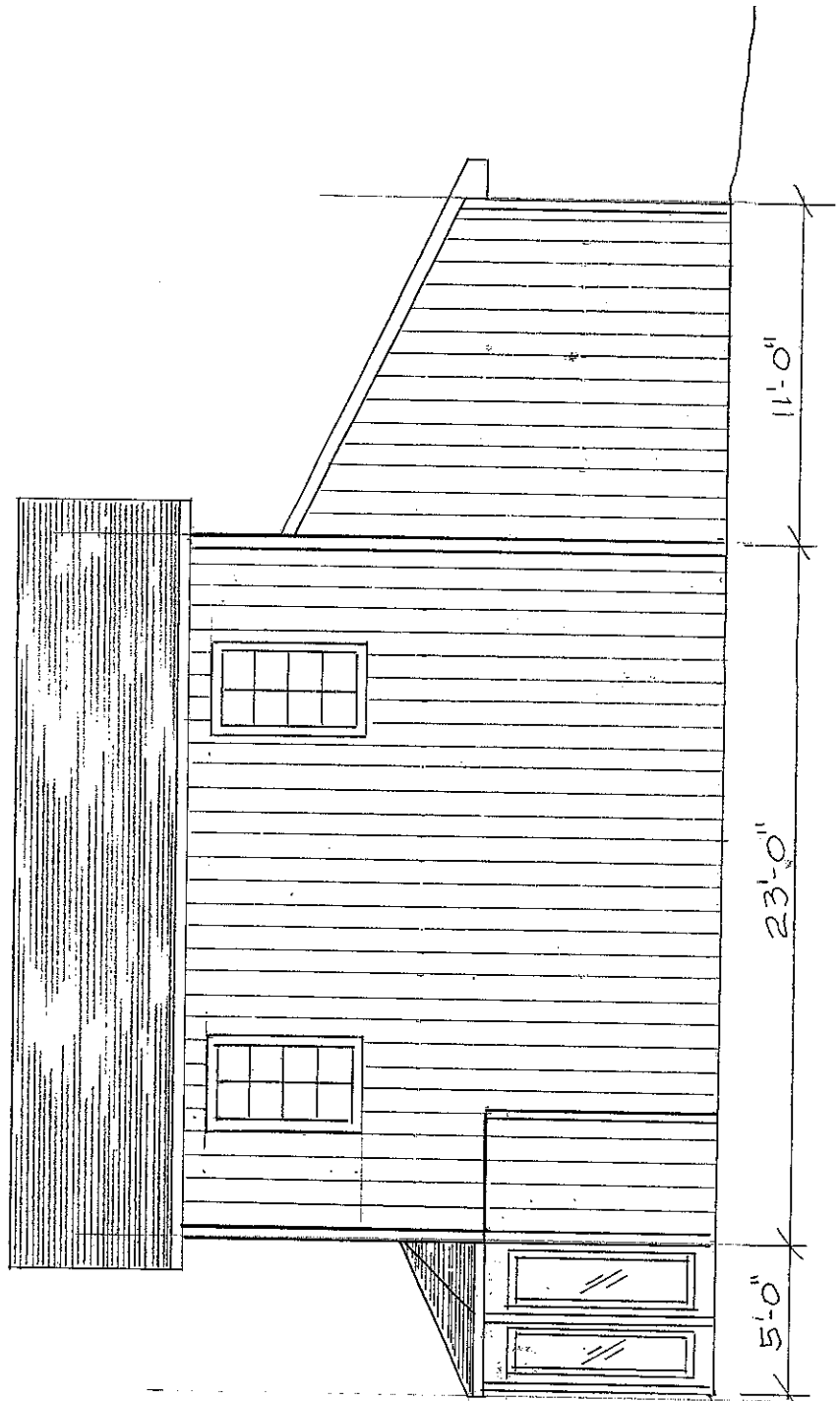
MONDAY
2224-1183



SITE PLAN 1"=20.0'

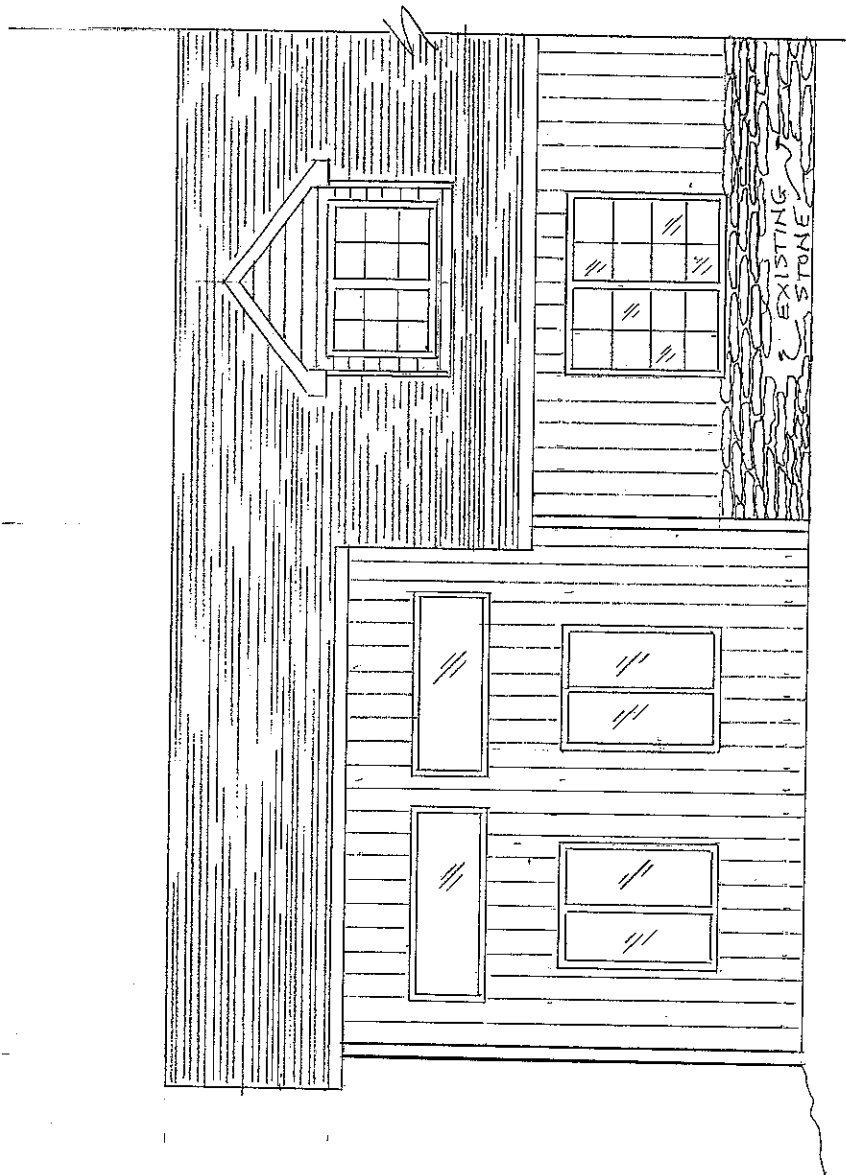






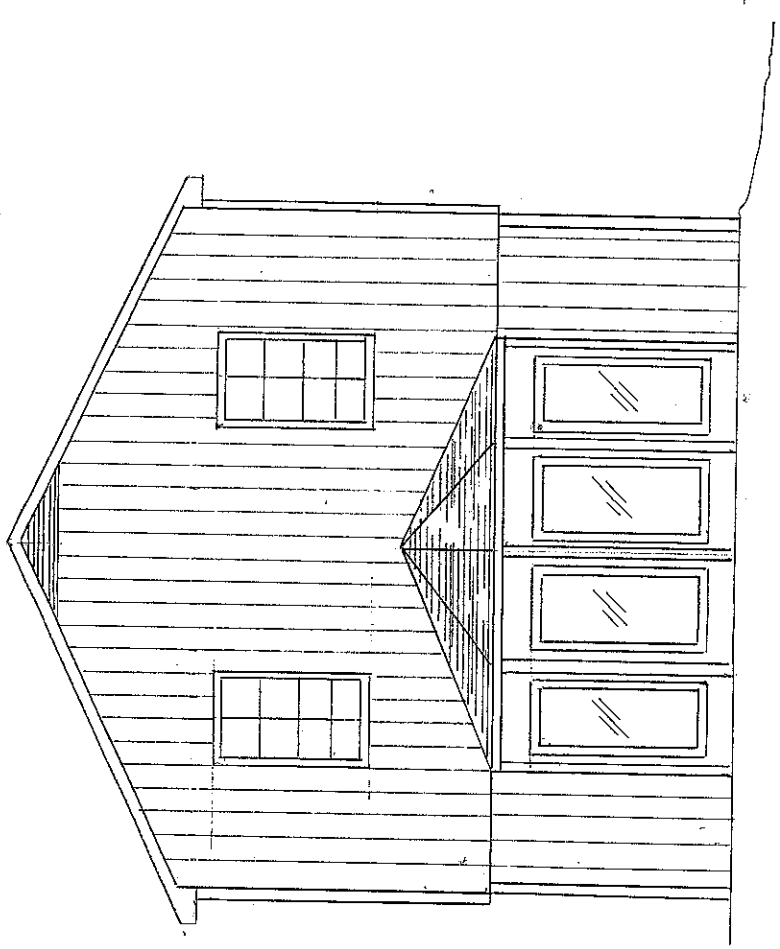
WEST ELEVATION

1/4" = 1'-0"



NORTH ELEVATION (LEFT SIDE)

1/4" = 1'-0"



NORTH ELEVATION (RIGHT SIDE)

1/4" = 1'-0"