



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

▶ **FILE #:** 2-C-07-UR

AGENDA ITEM #: 87

AGENDA DATE: 2/8/2007

▶ **APPLICANT:** AARRON GRAY

OWNER(S): DISNEY JOINT VENTURE

TAX ID NUMBER: 78 24.07, 26, 27 & 29

JURISDICTION: County Commission District 6

▶ **LOCATION:** North side of W. Emory Rd., east of Yount Rd.

▶ **APPX. SIZE OF TRACT:** 25.52 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W. Emory Rd., a major arterial street with 23' of pavement width within 50' of right of way.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

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

▶ **EXISTING LAND USE:** Residence and vacant land

▶ **PROPOSED USE:** Attached residential development

DENSITY PROPOSED: 4.04 du/ac

HISTORY OF ZONING: Knox County Commission approved the rezoning of this property to PR at up to 5 du/ac on October 23, 2006. The Planning Commission is considering a rezoning of Parcel 027 to PR at up to 5 du/ac at the February 8, 2007 meeting.

SURROUNDING LAND USE AND ZONING: North: Vacant land / PR (Planned Residential)
South: Residences / A (Agricultural)
East: Residences / A (Agricultural) & PR (Planned Residential)
West: Residences and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is being developed with low density residential uses under A, RA and PR zoning.

STAFF RECOMMENDATION:

▶ **APPROVE the request for up to 103 attached residential units as shown on the development plan subject to 11 conditions**

1. Approval of the rezoning request for Tax Parcel 027 to PR at a density of up to 5 du/ac by the Knox County Commission (2-G-07-RZ).
2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (91-1-102)
4. Constructing an east bound left turn lane in W. Emory Rd. at the development entrance subject to approval by the Knox County Department of Engineering and Public Works and the Tennessee Department of

Transportation (TDOT). The plans for the turn lane shall be submitted to and approved by County Engineering and TDOT prior to obtaining a grading permit for this project. The timing of the construction of the turn lane shall also be addressed at that time. All work done in the right-of-way of W. Emory Rd. must be done under the supervision of the TDOT.

5. Detailed design plans of the entrance and gate area shall be submitted to the Knox County Department of Engineering and Public Works for approval prior to obtaining a grading permit.

6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works

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

8. Obtaining approval of and recording a final plat combining all Tax Parcels into a single lot.

9. 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.

10. Installation of the landscaping, as shown on the landscape plan, within 6 months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.

11. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval within a PR (Planned Residential) district and the criteria for approval of a use on review.

COMMENTS:

The applicant has submitted a revised development plan for this site with the addition of Parcel 027 (0.46 acres) and two attached dwelling units. The original development plan was approved by the Planning Commission on October 12, 2006 for up to 102 attached residential units. While the applicant is adding two units in the area of the additional parcel, there is only a net increase of one unit due to the reduction of one unit in an other area of the site. The overall density of the site is 4.04 du/ac.

The Planning Commission is considering a rezoning of Tax Parcel 027 to PR (Planned Residential) zoning at up to 5 du/ac at the February 8, 2007 meeting. If recommended for approval, Knox County Commission will consider the request on March 26, 2007.

The development will have access to W. Emory Rd. The traffic study submitted with the previous development application identified that an east bound left turn lane at the development entrance was marginally warranted and recommended that crash experience be monitored at the entrance to anticipate the need for the turn lane. Following a review of the study, Knox County Engineering and Planning Commission Staff recommended that the applicant install the turn lane now as a part of the development of the site.

The applicant had submitted proposed floor plans that include two car garages for each unit. All units have a parking area with a depth of at least 20' between the unit and the private access drives serving the development. Trash pick-up and mail delivery will be provided at each unit.

The proposed development also includes recreational amenities including a walking trail and clubhouse.

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

1. The proposed residential development will have minimal impact on local services since all utilities are available to serve this site.
2. With the addition of the left turn lane on W. Emory Rd. at the development entrance there should be adequate capacity on the existing roadway to handle the projected traffic.
3. Any school age children living in this development are presently zoned to attend Karns Elementary, Middle and High Schools.

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

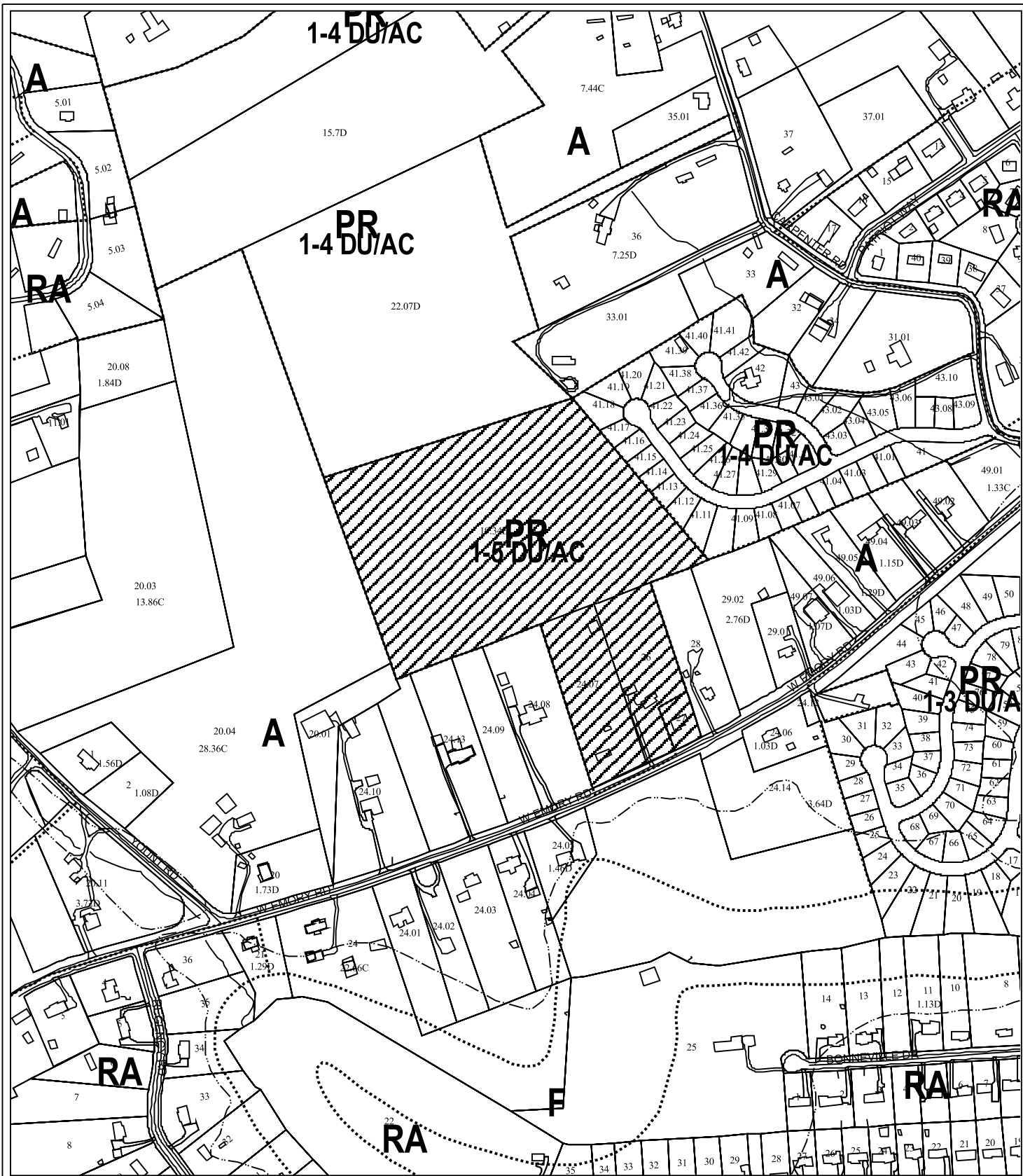
1. With the stated conditions, the proposed attached residential development meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed subdivision is consistent with the general standards for uses permitted on review: 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 since the subdivision has direct access to a major arterial street.


CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan identifies this property as low density residential. The site is located in the Planned Growth Area of the Growth Policy Plan. The PR zoning approved and proposed for this site will allow a density up to 5 du/ac. With a density of 4.04 du/ac, the proposed development is consistent with the Sector Plan and Growth Policy Plan.

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.



2-C-07-UR
USE ON REVIEW

 Attached residential development in PR (Planned Residential) & PR (Planned Residential) pending

Original Print Date: 01/23/07 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Aarron Gray

Map No: 78

Jurisdiction: County



