



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

▶ **FILE #:** 6-F-07-UR

AGENDA ITEM #: 105

AGENDA DATE: 6/14/2007

▶ **APPLICANT:** JAMES R. WHITE

OWNER(S): JAMES R. WHITE

TAX ID NUMBER: 153 L A 007

JURISDICTION: County Commission District 5

▶ **LOCATION:** Northeast side of S. Northshore Dr., southeast of Sandpiper Ln.

▶ **APPX. SIZE OF TRACT:** 2.01 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via S. Northshore Drive, a major arterial street with a 22' pavement width within 100' of right-of-way.

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

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

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Attached Residential Subdivision

DENSITY PROPOSED: 3.98 du/ac

HISTORY OF ZONING: This property was rezoned to PR in January of 2006 (1-S-06-RZ).

SURROUNDING LAND USE AND ZONING:
North: Residence / PR (Planned Residential)
South: Residence / A (Agriculture)
East: Residence / A (Agriculture)
West: Residence / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area has been developed with residential uses under A, PR and RA zoning.

ESTIMATED STUDENT YIELD: 1 (public and private school children, ages 5-18 years)

STAFF RECOMMENDATION:

▶ **APPROVE the development plan for up to 8 attached residential units, subject to the following 11 conditions:**

1. Connecting 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 Knoxville (City Ord. 0-280-90).
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Certification on the development plan by the applicant's surveyor that there is the required sight distance in both directions along S. Northshore Dr. at the subdivision entrance and at the shared access drive.
5. Place a note on the development plan that all lots will have access only to the internal street system.
6. Place a note on the development plan that all intersection grades will have to be approved by the Knox

County Dept. of Engineering and Public Works.

7. Meeting all applicable requirements of the Knox County Zoning Ordinance.
8. Establishing a continuous landscaped buffer along the northwest and southeast property lines. This buffer needs to be identified on the development plan.
9. Installation of the proposed landscaping within six months of the issuance of occupancy permits for each unit, or posting a bond with Knox County Engineering guaranteeing such installation.
10. Obtaining a variance from the Knox County Board of Zoning Appeals to reduce the intersection spacing between the proposed driveway and Sandpiper Ln. if deemed necessary.
11. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of drainage structures and all other commonly held assets.

With the conditions noted above, this request meets all criteria for a use on review in the PR zoning district.

COMMENTS:

The applicant is requesting approval of a 8 unit condominium development on this 2.01 acre site. A concept plan/use-on-review for 8 detached residential lots was approved for this site in June of 2006 (6-SE-06-C/6-G-06-UR). The applicant was required to revise their previously approved plan since they are now requesting attached residential units. Access to the 8 units will be through an internal joint permanent easement off S. Northshore Drive. Residential development in this area has also been developed under PR zoning. The site does not have steep slope characteristics, which makes it appropriate for development at the approved density of 4.5 du/ac. Since the property adjoins low density residential development to the northwest and southeast, a 35' landscaped buffer must be maintained along those two property lines. This buffer will lessen the potential impact on adjoining property owners.

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

1. The proposed condominium development will have minimal impact on local services since water and sewer utilities are in place to serve this site.
2. The proposed development is consistent in use and density with the zoning designation.
3. Any school age children living in this development are presently zoned to attend A.L. Lotts Elementary, West Valley Middle, and Farragut High Schools.
4. The required landscaped buffer along the northwest and southeast property lines will lessen the impact on adjoining low density residential developments.

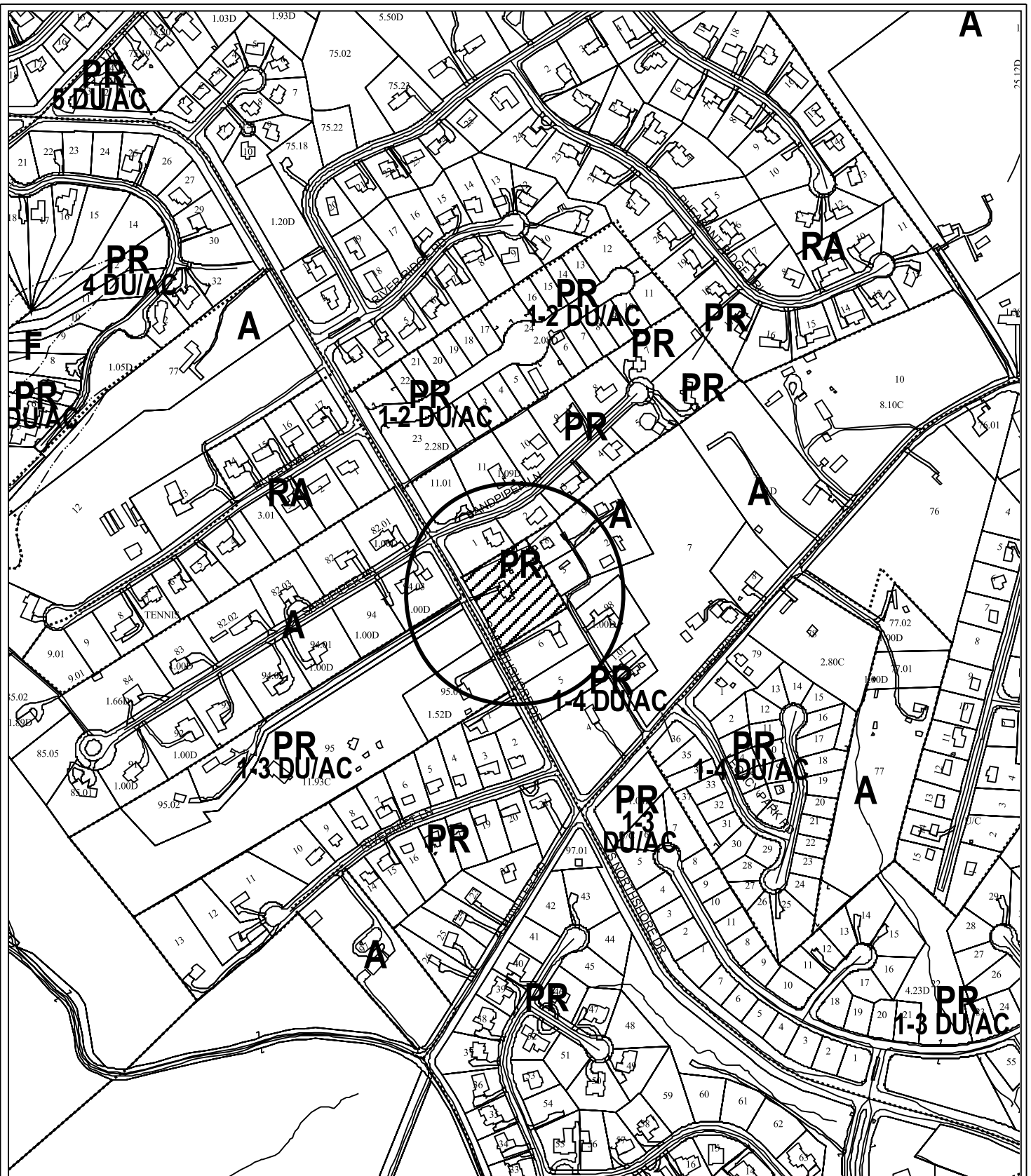
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the stated conditions, the proposed development meets the standards for development within the PR (Planned Residential) zoning district and all other requirements of the Knox County Zoning Ordinance.
2. The proposed development 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 area since the subdivision has direct access to a major arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan identifies this property for low density residential use. The PR zoning approved for this site will allow a density up to 4.5 du/ac. With the proposed density of 3.98 du/ac. the proposed subdivision is consistent with the Sector Plan.
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.



6-F-07-UR
 USE ON REVIEW



Attached Residential Subdivision in PR (Planned Residential)

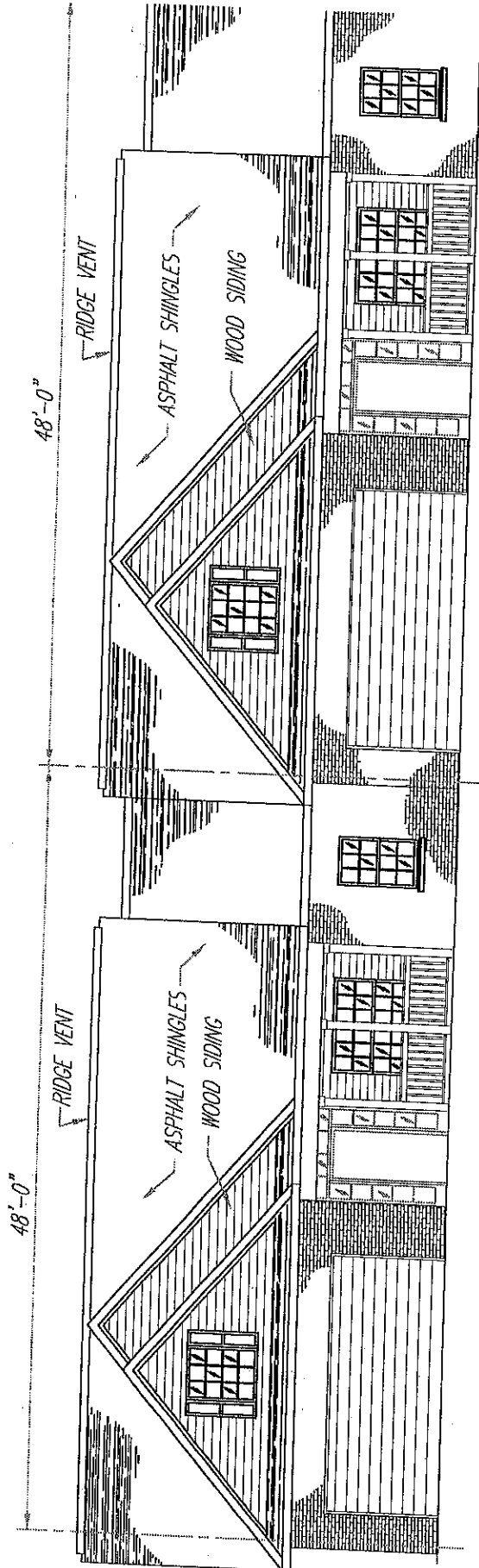
Original Print Date: 05/31/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: James R. White

Map No: 153

Jurisdiction: County





6-50-07-C / 6-F-07-WR

From: "REXANA JOHNSON" <johnsonbobandrex@msn.com>
To: <contact@knoxmpc.org>
Date: 6/4/2007 7:33:58 AM
Subject: MPC Agenda Item #6-F-07-UR

ATTN: Kelley Schlitz

Metropolitan Planning Commission

Suite 403 City County Bldg.

400 Main St.

Knoxville, TN 37902

RE: MPC File No. 6-F-07-UR

We request that our letter be included in the MPC agenda package and reviewed by the MPC Commissioners prior to making their decision on this item.

As neighbors of the Use on Review site of 10419 S. Northshore Drive, we ask that MPC deny the proposed development of condos/multifamily dwelling units under a shared roof.

We ask that you assist us in maintaining the integrity of the existing neighborhood which is individual houses on separately deeded lots. This is true for each adjacent side of this building site.

As the record shows, the community has repeatedly expressed its concerns at the multitude of public hearings from May 2006 through the most recent Variance hearing in March of 2007 for this 1.8 acre lot. The neighbors have been consistent in their concerns.

The developer however keeps submitting request after request for changes in direction in their plan --or lack of.

We again want to re-express our concerns:

a.. We request that any development be of separate homes to be compatible with existing homes

b.. We are concerned that condos may be converted to rental apartments--as reported in USA Today by Noelle Knox over 40% of condos are being put back on the market as rentals. Also reported this week in MSN Real Estate by Melinda Fulmer that "the condo market has gone belly up" and that a "flood of unsold condo units return to the market as rental apartments."

c.. We also feel that the large areas of paved surfaces associated with condos will add to a historical water runoff problem area. I suppose our current drought has been a windfall for the developer since they have not had the required regulatory groundcover in place for the past five months.

d.. As stated by the MPC Commissioner at an earlier meeting, the developer is not mandated to build to the maximum density of the zoning of the site and we concur. As the adage states "two wrongs do not make a right". In this case many wrongs. We had hoped that when the MPC sign went up on the site that the developer had truly reviewed the site and reduced the number of homes to match the character of the neighborhood (4 or 5 nice homes on the 1.8 acre plot)-which was disappointedly not the case.

We are here again trying to avoid something being forced upon us that is not complimentary to or desired by the neighbors of this site.

Again we ask you deny this proposal. Thank you. -R.L. Johnson 10643 Sandpiper Ln