



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

▶ **FILE #:** 3-B-07-UR

AGENDA ITEM #: 76

AGENDA DATE: 3/8/2007

▶ **APPLICANT:** DANIEL COX CONSTRUCTION

OWNER(S): DANIEL COX CONSTRUCTION

TAX ID NUMBER: 29 048

JURISDICTION: County Commission District 7

▶ **LOCATION:** Southeast side of E. Emory Rd., west of Thomas Ln.

▶ **APPX. SIZE OF TRACT:** 5.5 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E. Emory Rd., a major arterial street with a 22' pavement width within a 40' right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Attached residential development

DENSITY PROPOSED: 4.73 du/ac

HISTORY OF ZONING: The Planning Commission recommended approval a rezoning request to PR (Planned Residential) at a density of up to 5 du/ac on January 11, 2007. The Knox County Commission approved the rezoning request on February 26, 2007.

SURROUNDING LAND USE AND ZONING: North: Residences / PR (Planned Residential), RA (Low Density Residential) & A (Agricultural)

South: Vacant land / PR (Planned Residential)

East: Church, cemetery and vacant land / A (Agricultural) & PR (Planned Residential)

West: Residences / RB (General Residential)

NEIGHBORHOOD CONTEXT: This site is part of a residential area that has developed along this section of E. Emory Rd., within A, RA, RB and PR zones.

STAFF RECOMMENDATION:

▶ **APPROVE the development plan for up to 26 attached residential dwellings subject to 8 conditions.**

1. Connection to sanitary sewer and meeting any other relevant requirement 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 (Ord. 91-1-102).
3. Working with the Hallsdale-Powell Utility District to ensure that there will be no intrusion of storm water from this development into the sanitary sewer system.
4. Providing design plans for over-detention of on-site drainage or working downstream to mitigate existing

- drainage problems, subject to approval by the Knox County Department of Engineering and Public Works.
5. Sidewalks are to meet American Disabilities Act standards. Sidewalks shall be installed during the development of the attached residential units.
 6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 7. Establishing a property owners association that will be responsible for maintenance of the common area and drainage system.
 8. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR zone of a Use-on-Review.

COMMENTS:

The applicant is proposing to develop this 5.5 acre tract with 26 attached residential units at a density of 4.73 du/ac. Access to the property is from E. Emory Rd., a major arterial street. The Planning Commission recommended approval a rezoning request to PR (Planned Residential) at a density of up to 5 du/ac on January 11, 2007. The Knox County Commission approved the rezoning request on February 26, 2007.

Due to down-stream drainage problems, the applicant shall provide design plans for over-detention of on-site drainage or work downstream to mitigate the existing drainage problems. These plans are subject to approval by the Knox County Department of Engineering and Public Works.

The Knox County Board of Zoning Appeals on February 28, 2007 approved a variance reducing the peripheral setback from the 35' to 20'.

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

1. The proposed attached residential development will have minimal impact on local services since utilities are available to serve this site.
2. The proposed attached residential development at a density of 4.73 du/ac, is consistent in use and density (up to 5 du/ac) with the existing zoning. Other subdivision development in the area has occurred under the PR, RB and RA zoning districts at similar densities.
3. Any school age children living in this development are presently zoned to attend Adrian Burnett Elementary and Halls Middle and High Schools.

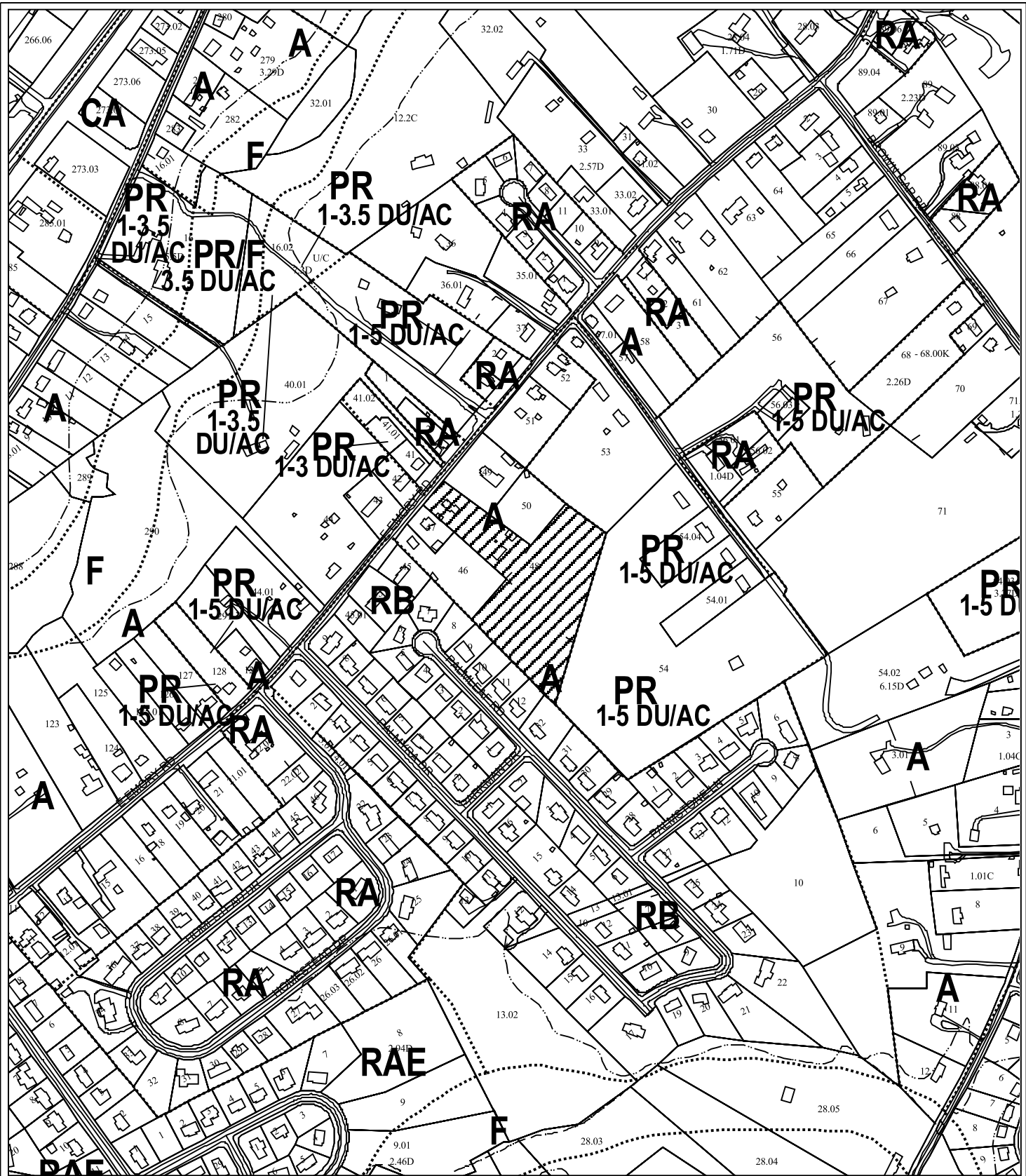
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed attached residential development meets the standards for development within a PR (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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan designates this property for low density residential with a maximum density of 5 du/ac. The PR zoning approved for the site allows a density up to 5 du/ac. At a proposed density of 4.73 du/ac, the proposed subdivision is consistent with the Sector Plan and 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.



3-B-07-UR
 USE ON REVIEW



Attached residential development in PR (Planned Residential)

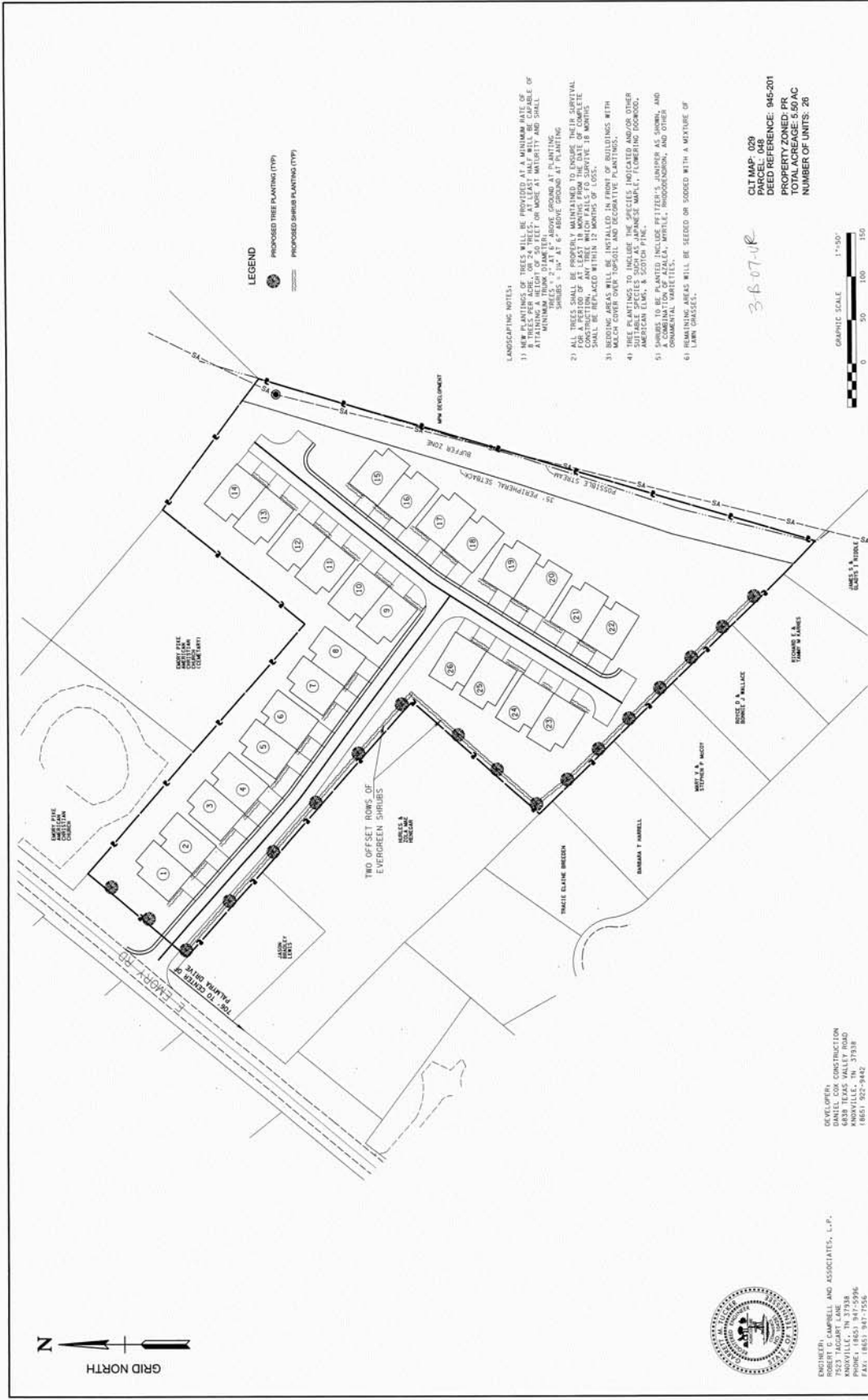
Original Print Date: 02/22/07 Revised: 03/01/07
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Daniel Cox Construction

Map No: 29

Jurisdiction: County





LANDSCAPING NOTES:

- 1) ALL TREES WILL BE PROVIDED AS A MINIMUM RATE OF 1" DBH PER TREE. ON 2" TREES, AT LEAST HALF WILL BE CAPABLE OF ATTAINING A HEIGHT OF 20 FEET.
- 2) ALL TREES SHALL BE PROPERLY MAINTAINED TO ENSURE THEIR SURVIVAL FOR A PERIOD OF AT LEAST 18 MONTHS FROM THE DATE OF COMPLETE INSTALLATION. TREES THAT DO NOT SURVIVE WITHIN 18 MONTHS SHALL BE REPLACED WITHIN 12 MONTHS OF LOSS.
- 3) BEDDING AREAS WILL BE INSTALLED IN FRONT OF BUILDINGS WITH MULCH COVER OVER TOPSOIL AND DECORATIVE PLANTINGS.
- 4) TREE PLANTINGS TO INCLUDE THE SPECIES INDICATED AND OTHER DECORATIVE VARIETIES, SUCH AS: AMERICAN ELM, LINDEN, GINKGO, AMERICAN ELM, & SCOTCH PINE.
- 5) SHRUBS TO BE PLANTED INCLUDE PETER'S JASMINE AS SHOWN, AND OTHER DECORATIVE VARIETIES, SUCH AS: HYDRANGEA, AND OTHER.
- 6) REMAINING AREAS WILL BE SEEDED OR SODDED WITH A MIXTURE OF LAWN GRASSES.

CLT MAP: 029
 PARCEL: 048
 DEED REFERENCE: 945-201
 PROPERTY ZONED PR
 PLANNING DISTRICT
 NUMBER OF UNITS: 26

3-6-07-UR



NO.		DATE	DESCRIPTION	BY	CHKD.
REVISIONS					
ENGINEER: ROBERT G. CAMPBELL AND ASSOCIATES, L.P. 7523 TACKETT LANE KNOXVILLE, TN 37938 PHONE: (865) 947-5996 FAX: (865) 947-1556					
DEVELOPER: ROBERT G. CAMPBELL & ASSOC., L.P. 6438 TEXAS VALLEY ROAD KNOXVILLE, TN 37938 (865) 922-9442					
 ROBERT G. CAMPBELL & ASSOC., L.P. CONSULTING ENGINEERS KNOXVILLE, TENNESSEE			TYLER'S GARDEN USE ON REVIEW		
LANDSCAPING PLAN				SCALE: 1" = 50'	SHEET NO. 2A
DESIGNED BY: RGC	DRAWN BY: JMD	DATE: 03/27/07	FILE NO.: 07004	OF 514 SHEETS	

