

▶ **FILE #:** 3-H-07-UR

AGENDA ITEM #: 82

AGENDA DATE: 3/8/2007

▶ **APPLICANT:** DAVID R. MIXON FOR GREG FRANKLIN

OWNER(S): GREG FRANKLIN

TAX ID NUMBER: 124 212.02 & 212.03

JURISDICTION: County Commission District 9

▶ **LOCATION:** North side of Kimberlin Heights Rd., east side of Daytona Ln.

▶ **APPX. SIZE OF TRACT:** 4.28 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Kimberlin Heights Rd., a collector street with a pavement width of 24' within a 50' right-of-way and Daytona Ln., a local street with a pavement width of 11' within a 30' right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Attached residential development

DENSITY PROPOSED: 4.44 du/ac

HISTORY OF ZONING: The site was zoned PR (Planned Residential) @ 1-5 du/ac in 2004.

SURROUNDING LAND USE AND ZONING: North: Private recreational facility / A agriculture

South: Detached dwellings / A Agriculture

East: Attached dwellings / PR residential

West: Detached dwellings / A agriculture & CA commercial

NEIGHBORHOOD CONTEXT: Development in the area consists of an attached residential development to the east of the site and a community swimming pool to the north. Single family dwellings developed at rural densities are predominant in the area.

STAFF RECOMMENDATION:

▶ **APPROVE** the request for 19 attached residential dwellings as shown on the development plan subject to conditions

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Provision of a 35' front/peripheral setback along Kimberlin Heights Rd
3. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
4. The Minimum Floor Elevations being verified by the Knox County Dept. of Engineering and Public Works prior to obtainnig a grading permit
5. The floor of eachprosped garage being constructed at an elevation one foot above the projected 25 year flood elevation.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria

for approval of a use on review.

COMMENTS:

The applicant is proposing to develop 19 residential condominiums on this 4.28 acre site. Previous to this request, the same applicant has submitted two other development proposals for MPC review. The latest plan approved by MPC in 2005 would permit two detached dwellings on the site.

No matter what is put on this site, flooding will be an issue. The current plan proposes 19 attached residential units. The elevation of the lowest habitable floor will be above the floodway elevation and meet Knox County's standards for development. However, the garage of each unit will only be at an elevation that will be above the anticipated flood level associated with the 25 year storm. This means that these garages will have a one in twenty-five chance of flooding in any year. The development regulations are written to protect the habitable portion of dwellings from flood waters. The plan as proposed does just that. What is being proposed in this particular case is a common practice in coastal areas.

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 water and sewer will be provided to this site.
2. The proposed residential development at a density of 4.44 du/ac, is consistent in use and density with the approved zoning of the property.
3. Any school age children living in this development are presently zoned to attend New Hopewell Elementary School, South-Doyle Middle School and South-Doyle High School.

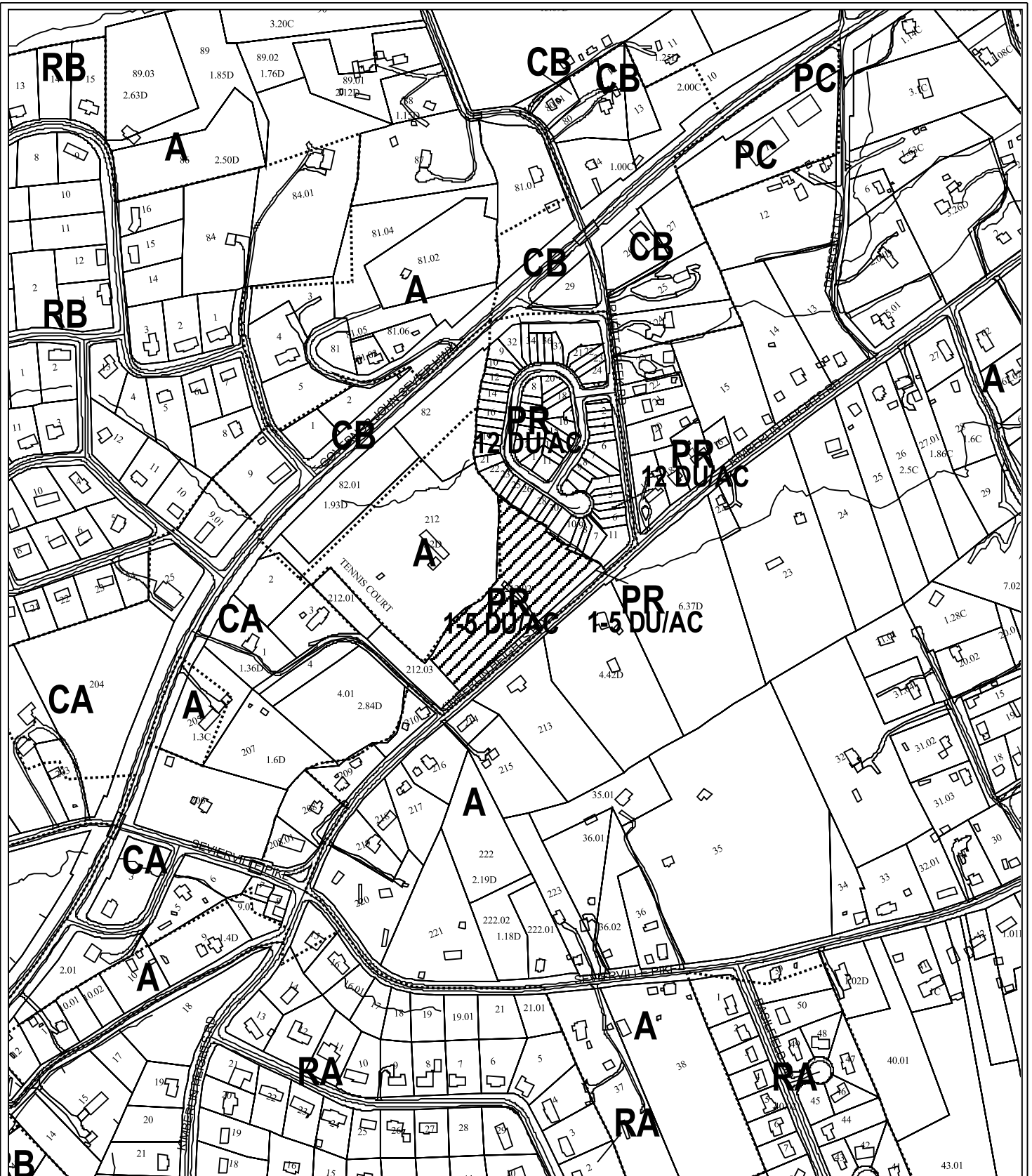
CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the conditions noted, the proposed residential development meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed residential development is consistent with the general standards for uses permitted on review:
 - A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The South County Sector Plan proposes this site for low density residential use. The overall development density of the proposed development is 4.44 dwellings per acre.
 - B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance. The proposed development meets all the requirements of the PR (Planned Residential) zone.
 - C. The use is compatible with the character of the neighborhood where it is proposed. As previously noted, the proposed development is compatible in use and intensity of development with the surrounding area.
 - D. The use will not significantly injure the value of adjacent property.
 - E. The use will not draw additional non-residential traffic through residential areas. This is a low density residential development within an area designated for low density residential use. The traffic generated from this project will be similar to the traffic that is generated by other residential developments.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest City Sector Plan designates this property for medium density residential use. The RB zoning approved for the property allows consideration of up to 24.0 du/ac. The proposed subdivision with its distribution of density on the site and overall density of 4.28 du/ac is consistent with the Sector Plan and the proposed zoning designation.
2. The site is located within the Urban 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-H-07-UR
USE ON REVIEW



Attached residential development in PR (Planned Residential)

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

Petitioner: David R. Mixon
for Greg Franklin

Map No: 124

Jurisdiction: County





AEMC
 Applied Engineering & Management Corporation
 Knoxville, TN

APPLIED ENGINEERING & MANAGEMENT CORPORATION
 2111 WOODSON DRIVE, SW
 KNOXVILLE, TN 37920
 (865) 588-8355

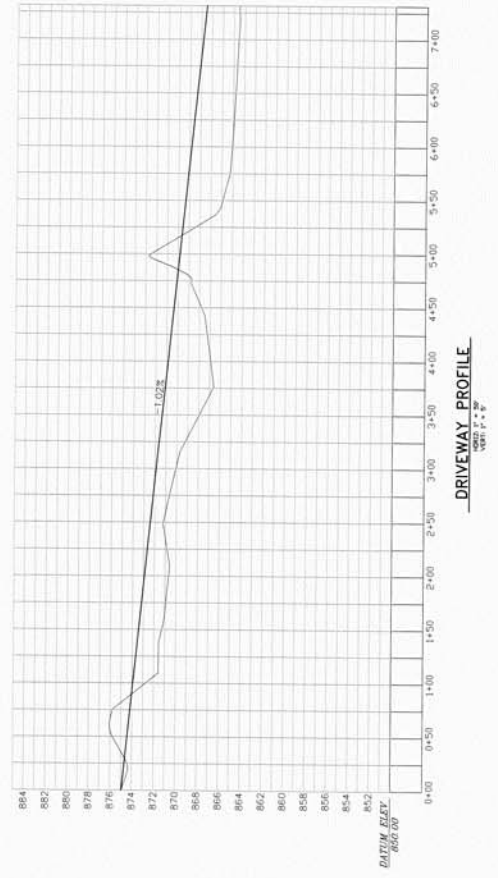
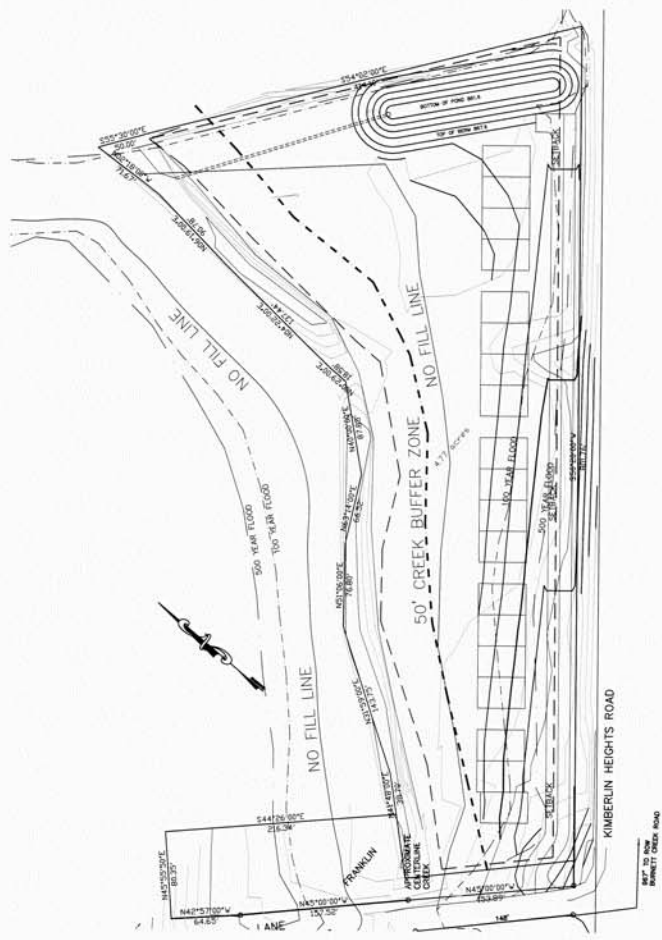
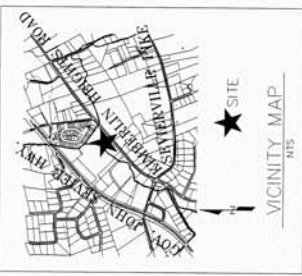
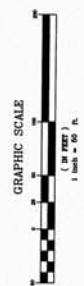
SITE DEVELOPMENT PLAN
 KIMBERLIN CREEK CONDOS II
 KNOX COUNTY
 TENNESSEE

DATE	3/24/07
SCALE	1" = 50'
DRAWN BY	JT
CHECKED BY	JBT
REVISIONS	
SHEET	CPI
OF	1

U.O.R.
 DATE: 3/24/07
 3-4-07-2-4K

OWNER:
 FRANKLIN DEVELOPMENT, LLC
 1019 E. RED BUD ROAD
 KNOXVILLE, TN 37920
 865-919-0699
 CONTACT: GREG FRANKLIN

ZONING: PR 1-5 DU/AC
 CLI: 124 21202, 124 21203
 TOTAL ACRES: 4.28
 TOTAL UNITS: 19
 DEVELOPMENT DENSITY: 4.4 DU/AC

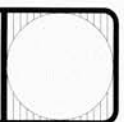


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WYATT AND ASSOCIATES, INC.
 481 FOXKON, ARCHITECT
 481 FOXKON, ARCHITECT
 KNOXVILLE, TN 37918
 PHONE (606) 541-1111 FAX (606) 541-8818

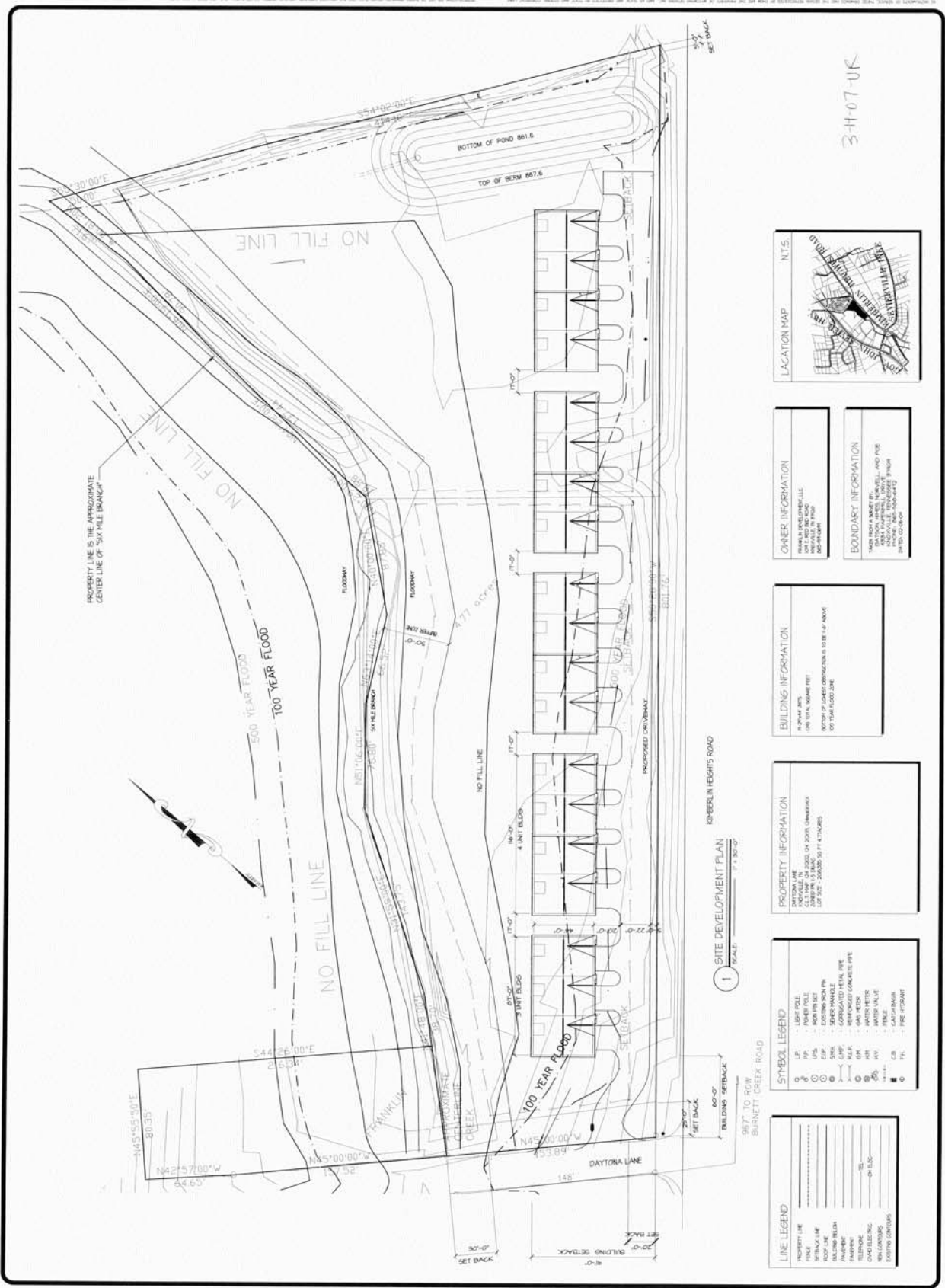
KIMBERLAND CREEK CONDOS II

KIMBERLIN HEIGHTS RD
 KNOXVILLE, TENNESSEE



SD-1

DATE: 03/07/07
 DRAWN BY: J. W. WOOD
 CHECKED BY: J. W. WOOD
 PROJECT NO: 34-07-UK



OWNER INFORMATION
 FRANKLIN DEVELOPMENT, LLC
 1000 N. W. 10TH AVENUE, SUITE 100
 MIAMI, FL 33136

BOUNDARY INFORMATION
 1. KIMBERLIN HEIGHTS RD
 2. DAYTONA LANE, KIMBERLIN BLVD AND POE
 3. KIMBERLIN CREEK
 4. KIMBERLIN CREEK
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BUILDING INFORMATION
 1. 100 YEAR FLOOD
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PROPERTY INFORMATION
 1. KIMBERLIN HEIGHTS RD
 2. DAYTONA LANE
 3. KIMBERLIN BLVD
 4. KIMBERLIN CREEK
 5. KIMBERLIN CREEK
 6. KIMBERLIN CREEK
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 9. KIMBERLIN CREEK
 10. KIMBERLIN CREEK

SYMBOL LEGEND

- 1. EXISTING FILL
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LINE LEGEND

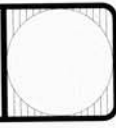
- 1. PROPERTY LINE
- 2. SERVICE LINE
- 3. ROOF LINE
- 4. EXISTING FILL
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- 10. EXISTING FILL

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WYATWIND DESIGNS, INC.
 401 FOREST PARK BLVD.
 KNOXVILLE, TN 37918
 PHONE (606) 624-9115 FAX (606) 624-6818

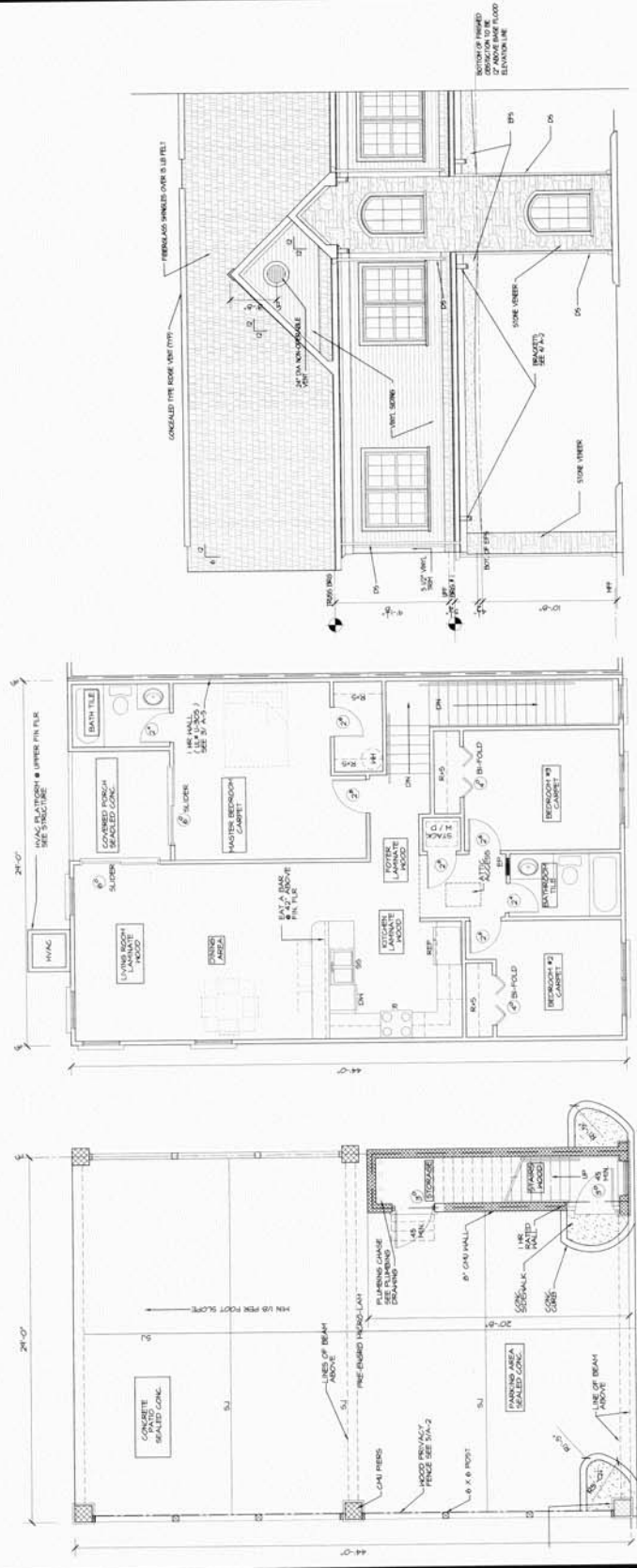
KIMBERLIN CREEK CONDOS II

KIMBERLIN HEIGHTS RD
 KNOXVILLE, TENNESSEE



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34-07-UR

NO.	REVISIONS

WYWARD DESIGN, INC.
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 KNOXVILLE, TN 37918
 PHONE 603-564-9711 FAX 603-564-9515

KIMBERLIN CREEK CONDOS II
 KIMBERLIN HEIGHTS RD.
 KNOXVILLE, TENNESSEE



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