

▶ **FILE #:** 9-C-07-UR

AGENDA ITEM #: 84

AGENDA DATE: 9/13/2007

▶ **APPLICANT:** BENCHMARK ASSOCIATES, INC.

OWNER(S): DENNIS BARGER / DLM CONSTRUCTION

TAX ID NUMBER: 71 A L 032

JURISDICTION: City Council District 4

▶ **LOCATION:** Terminus of Spring Park Rd., southwest of Sinclair Dr.

▶ **APPX. SIZE OF TRACT:** 9300 square feet

SECTOR PLAN: East City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Spring Park Rd., a local street with a 26' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **ZONING:** RP-1 (Planned Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Reduction of the required front yard setback from 30' to 20'.

HISTORY OF ZONING: The property was zoned to RP-1 in 1998. The final plat was approved in December 2002.

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

South: Residences / RP-1 (Planned Residential)

East: Residences / RP-1 (Planned Residential)

West: Residences / RP-1 (Planned Residential)

NEIGHBORHOOD CONTEXT: This is a lot located within the existing Spring Hill Subdivision that contains both attached and detached dwellings on individual lots. Neighborhoods surrounding this subdivision have been developed with residential uses under R-1 and RP-1 zoning.

STAFF RECOMMENDATION:

▶ **APPROVE the request to reduce the front yard setback from 30' to 20' as shown on the development plan, subject to the following 3 conditions:**

1. Meeting all applicable requirements of the Knoxville Dept. of Engineering.
2. Meeting all requirements of the approved concept plan/use-on-review and final plat.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

COMMENTS:

The applicant is requesting a front yard setback reduction from 30' to 20' on lot located on a cul-de-sac in the

Spring Hills Subdivision. The concept plan/use-on-review for this project was approved in February of 1999 (11-SF-98-C/11-R-98-UR). A final plat was approved in January of 2003. According to the applicant, the front yard setback reduction is necessary in order to accommodate the proposed building design on this lot. Due to an amendment to the RP-1 (Planned Residential) zoning regulations, MPC reviews all revised development plan requests for the City's planned residential districts. Requests made for setback reductions are now considered as a use-on-review.

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

1. The proposal will have no impact on schools.
2. No additional traffic will be added to Spring Park Rd. with the approval of this request.
3. Public water and sewer utilities are available to serve the development.
4. Staff does not believe that a 20' front yard setback will negatively affect the character of the neighborhood. Since this property is one of the last buildable lots in the subdivision, these reductions will not set precedence for future development.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed dwelling 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.
2. The proposal meets all requirements of the RP-1 zoning district and a use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The East City Sector Plan proposes low density residential uses for this site.

ESTIMATED TRAFFIC IMPACT: 15 (average daily vehicle trips)

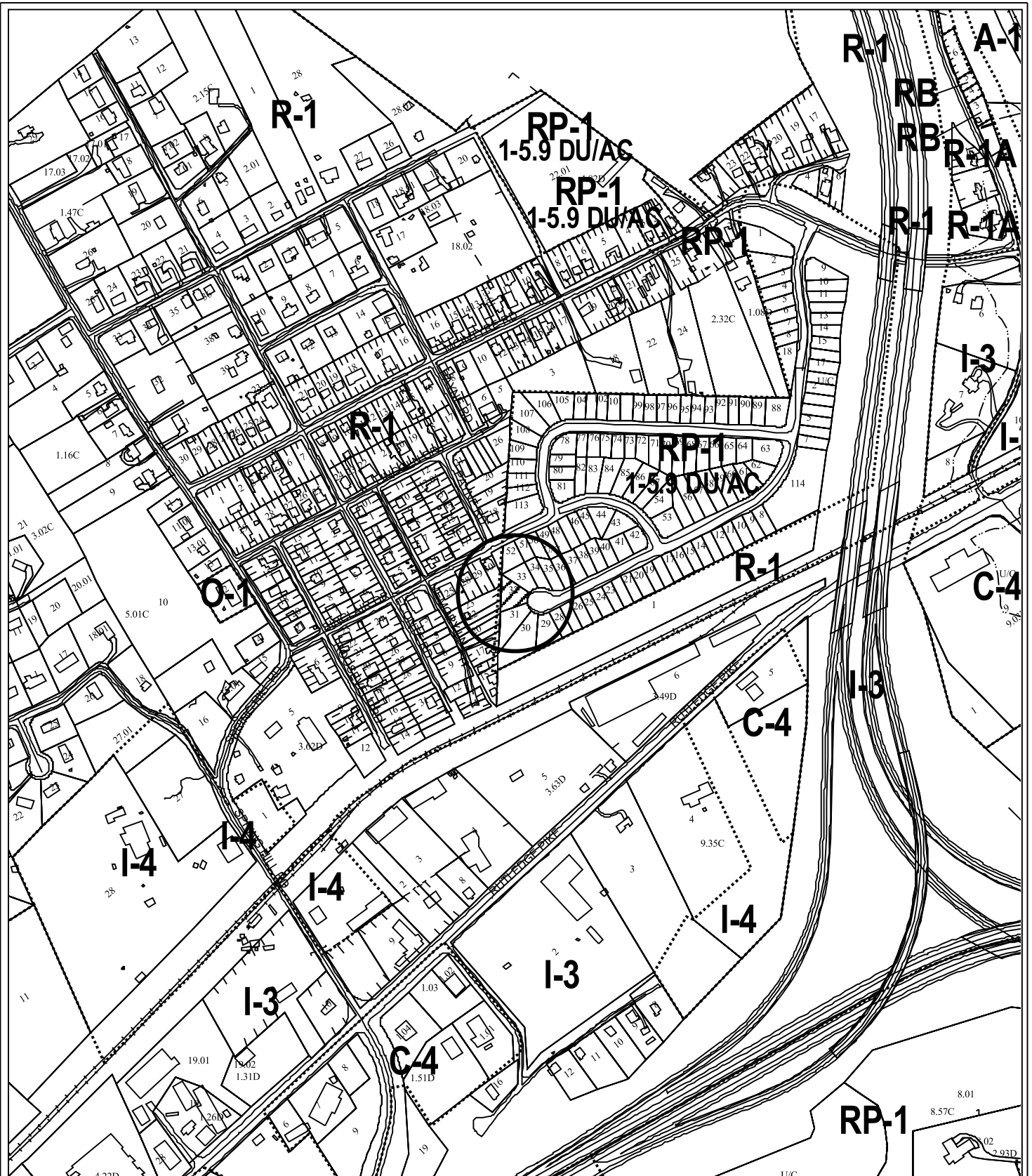
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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



9-C-07-UR
 USE ON REVIEW



Reduction of the required front yard setback from 30' to 20'. in RP-1 (Planned Residential)

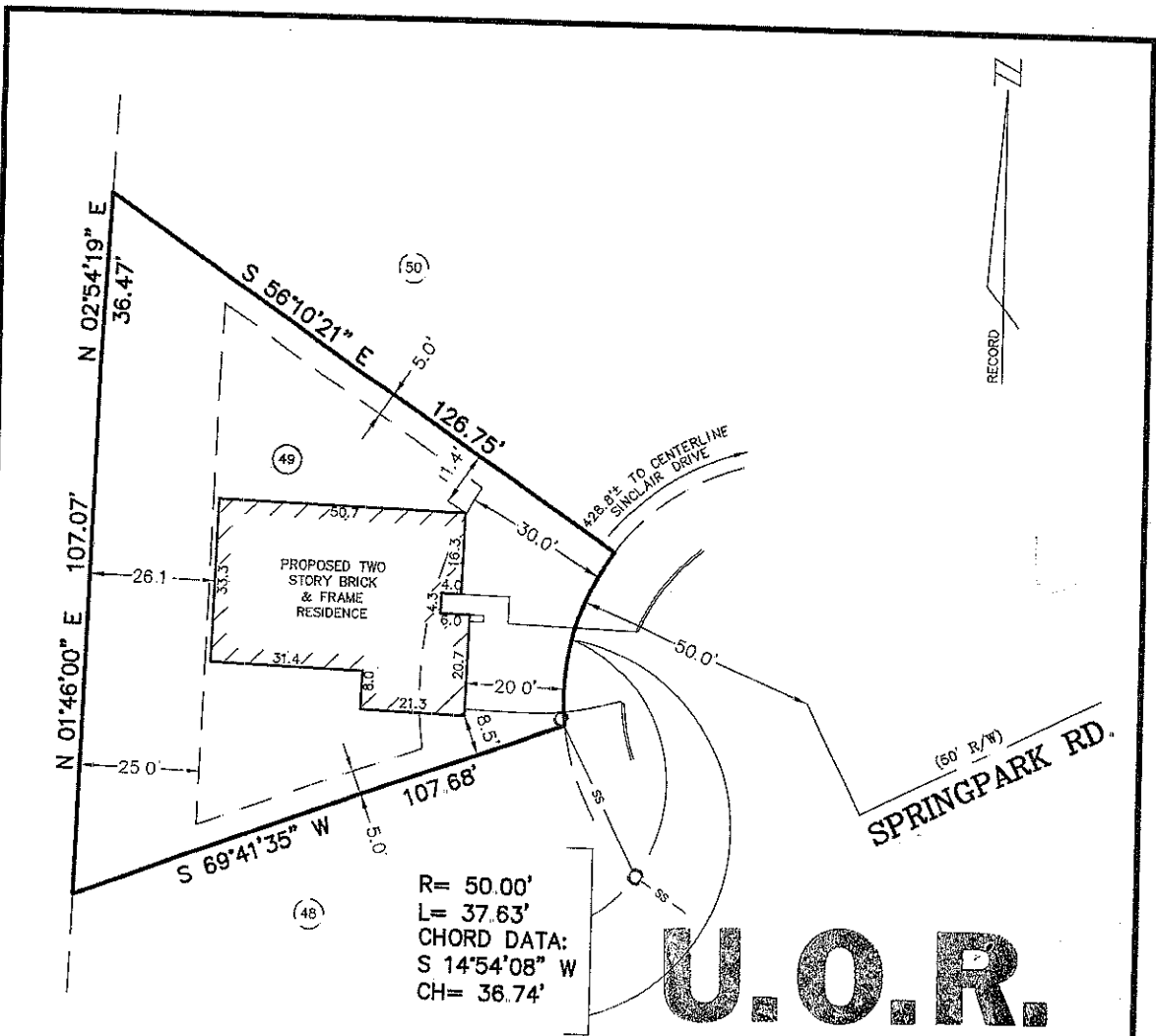
Original Print Date: 08/28/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Benchmark Associates, Inc.

Map No: 71

Jurisdiction: City





U.O.R.

DATE 7/30/07

NOTES

- 1) Minimum building setbacks for detached homes:
 Front 30'
 Side 5'
 Rear 25'
- 2) 10 utility and drainage easements inside all boundaries. 5' each side of interior lot lines, except under attached condo units
- 3) The property owners are responsible for maintaining stormwater facilities on this property.
- 4) All lots have vehicular access from roads within the subdivision none from existing roads
- 5) Property is subject to all restrictive covenants and easements of record
- 6) Record North references the subdivision plat of record referenced as Instrument # 200301160062223 of record in the Register's Office of Knox County Tennessee
- 7) Property is zoned RP-1

USE ON REVIEW

BUILDER D.L.M. Construction
 LOCATION 705 Spring Park Road, Knoxville, Tennessee 37914
Seventh Civil District of Knox County, Tennessee
32 Ward, City of Knoxville, Tennessee
 SUBDIVISION Spring Hill Villas Phase II
 LOT NUMBERS 49 SCALE 1"=30'
 BM# 07181 DATE 30 July 2007

9-C-07-WR

LEGEND

- S 42°18'16" W RECORD CALLS 7/30/07
- ss — SANITARY SEWER LINE
 - SANITARY SEWER MANHOLE
 - 106.8 X SPOT ELEVATIONS
 - ⑦④ LOT NUMBERS



BENCHMARK ASSOCIATES, INC.

10308 Hardin Valley Road
Knoxville, Tennessee 37932

Land Planners ♦ Land Surveyors

Phone (865) 692-4090
Facsimile (865) 692-4091