

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION USE ON REVIEW REPORT

► **FILE #:** 1-C-18-UR

AGENDA ITEM #: 45

AGENDA DATE: 1/11/2018

► **APPLICANT:** MIKE STEVENS HOMES

OWNER(S): NTC Enterprises LP

TAX ID NUMBER: 154 098.04 SEE MAP ON FILE

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS:

► **LOCATION:** North terminus of Thunderhead Rd, west of Pellissippi Pkwy

► **APPX. SIZE OF TRACT:** 54.2 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Thunderhead Rd., a local street with 20' of pavement width within 55' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

► **ZONING:** TC-1 (Town Center)

► **EXISTING LAND USE:** Single Family & Multi Family Residential

► **PROPOSED USE:** Amendment to the Development Plan and Standards for Northshore Town Center, for Single-Family Type I, Single-Family Type II and Townhouse development.

HISTORY OF ZONING: TC-1 zoning and mixed use plan designations were established in 2001 (4-Q01-RZ/4-J-01-PA/5-A-01-SP).

SURROUNDING LAND USE AND ZONING: North: Houses / PR (Planned Residential)
South: Elementary school, retail, vacant land / TC-1 (Town Center)
East: Pellissippi Pkwy / OS-1 (Open Space Preservation)
West: Houses / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: The Beau Monde Subdivision is the residential neighborhood within the Northshore Town Center development, which is developed with a mix of office, commercial, a school and various types of residential uses.

STAFF RECOMMENDATION:

► **APPROVE** the text amendments to the Development Plan and Standards for Northshore Town Center, subject to 2 conditions.

1. The maximum number of stories for a townhome (attached house) may be increased from 2.5 to 3 where no Type I or II house has common frontage on the same block-face.
2. Front facing garage doors that have a setback less than 20' beyond the setback of the primary structure shall have garage door opening width of no more than 18' cumulatively.

COMMENTS:

The TC-1 (Town Center) zone requires that a development plan and (design) standards be approved by the Planning Commission. The design standards can be stricter than those of the zoning ordinance but not less strict. Shortly after the development plan and design standards were approved, the residential portion of Northshore Town Center, called Beau Monde, began construction and received several zoning variances that amended the design standards for permitting purposes but not the adopted standards document. This has resulted in confusion for which standards apply and the proposed text amendments will help clarify this issue.

The applicant (developer of Beau Monde) is also proposing three additional changes to the design standards; 1) allowing front facing garages to be located closer to the front property line for Type II (larger lot) houses, 2) allowing townhomes (attached houses) to have a maximum of 3 stories vs. 2.5 stories, and 3) deleting the requirement Type I and II houses have a minimum raised foundation height of 18". These requests will allow specifically permit the type of construction that had been mistakenly permitted in the past. The 18" raised foundation height is a requirement of the zoning standards for townhomes only, however, the adopted Development Plan and Standards made this a requirement for all housing types.

The TC-1 zone uses the TND-1 (Traditional Neighborhood Development) area regulations for houses, attached houses (townhomes), and duplexes, such as minimum building setback, lot sizes, building heights. The TND-1 standards also regulate where garages can be located, stating "Garage doors which face the front of the property shall be placed twenty (20) feet beyond the setback of the principle structure." However, it also provides an exception stating "The Planning Commission may modify this requirement for no more than twenty (20) percent of the dwelling units in a development if warranted by topography or other environmental conditions." The applicant is requesting that 25 lots (approximately 16.5% of the total lots) be allowed to have a front facing garage with a minimum 2' setback from the forward most portion of the house (porch or main structure). These 25 lots are for Type II houses (larger lots) that do not have alley access to the rear and generally have yards that slope up or down from the street. Of the 25 lots, 10 have existing houses that do not meet the standard, so this amendment will only be applicable to 15 undeveloped lots.

The applicant also proposes to increase the maximum number of stories for townhomes from 2.5 to 3. The maximum overall height will remain the same, 35 feet. Several 3 story townhomes have been built dating back to 2006. Staff is recommending that 3 story townhomes be allowed on block-faces that do not also contain have Type I or II (detached) houses. Block-face is not defined by the City of Knoxville Zoning Ordinance, however, this term is to be defined the same as "frontage" by the Knoxville-Knox County Minimum Subdivision Regulations (as amended through June 14, 2012).

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

1. The proposed amendments to the residential development standards of the Development Plan and Standards for Northshore (Town Center) will have minimal impact on the neighborhood because the standards document will now be in conformity with approved zoning variances and the established development pattern.

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

1. The proposed amendments to the Development Plan and Standards meets the standards for development within a TC-1 zone and all other requirements of the Zoning Ordinance.

2. The residential 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 areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The proposed development is consistent with the Southwest County Sector Plan proposal of MU-CC (Community Mixed Use Commercial) uses consisting of residential, office and commercial development.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

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.