



USE ON REVIEW REPORT

► **FILE #:** 6-G-21-UR

AGENDA ITEM #: 30

AGENDA DATE: 6/10/2021

► **APPLICANT:** DANIEL GETTINGS

OWNER(S): Dana Ellerby / Strata Eagle, LLC

TAX ID NUMBER: 105 15804

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 8810 Courtyard Way

► **LOCATION:** East side of Courtyard Way, North of Middlebrook Pike, west of Joe Hinton Road

► **APPX. SIZE OF TRACT:** 18 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: This property has frontage on Courtyard Way. Courtyard Way is a private road with 27.5 ft of pavement width with 60 ft of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Ten Mile Creek

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

► **EXISTING LAND USE:** Existing apartment complex

► **PROPOSED USE:** Change of use - clubhouse to apartment

HISTORY OF ZONING: 6-AA-80-RZ

SURROUNDING LAND USE AND ZONING:

North:	Single family dwellings - RA (Low Density Residential)
South:	Small apartment complex and a commercial building - RN-5 (General Residential) and CA (General Business)
East:	Single family dwellings and a small apartment complex - PR (Planned Residential) and RB (General Residential)
West:	Single family dwellings - PR (Planned Residential)

NEIGHBORHOOD CONTEXT: The subject property is located in a residential neighborhood with a collection of commercial zoned properties located along Middlebrook Pike.

STAFF RECOMMENDATION:

► **APPROVE the request to change the existing clubhouse into an additional dwelling unit for a total of 165 multi-family dwelling units, subject to 1 condition.**

1) Meeting all appropriate requests of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requests for approval in the PR zone and the criteria for approval of a use on review.

COMMENTS:

The applicant is requesting to convert an existing clubhouse to an additional dwelling unit. The existing clubhouse is located near the south entrance of this residential subdivision along Courtyard Way. The existing unit mix of this residential development consists of 12 - 1-bedroom townhomes, 98 - 2-bedroom townhomes, 54 - 3-bedroom townhomes. There is an existing pool and basketball court that are located north of the clubhouse. These two amenity features will not be altered in any way. If this request is approved, this development will continue to meet the standards of the PR (Planned Residential) zone.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 - SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. The Northwest County Sector Plan recommends MDR (Medium Density Residential) uses for this site with a maximum of 5-12 dwelling units per acre. The proposed conversion of the club house to an additional dwelling unit meets the 9 dwelling units per acre approved as a use on review in 1994.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The PR (Planned Residential) zoning for this site allows for a mix of housing types including houses, duplexes, and multi-family dwelling structures and developments.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed conversion of the existing clubhouse to an additional dwelling unit is compatible with the existing residential development of the neighborhood. The design of the clubhouse is compatible with the existing residential development.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The addition of 1 dwelling unit is not expected to cause adverse impacts for surrounding properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. This additional dwelling unit will have direct access to Courtyard Way. Traffic volume in this neighborhood will not be substantially increased as a result of this additional dwelling unit.

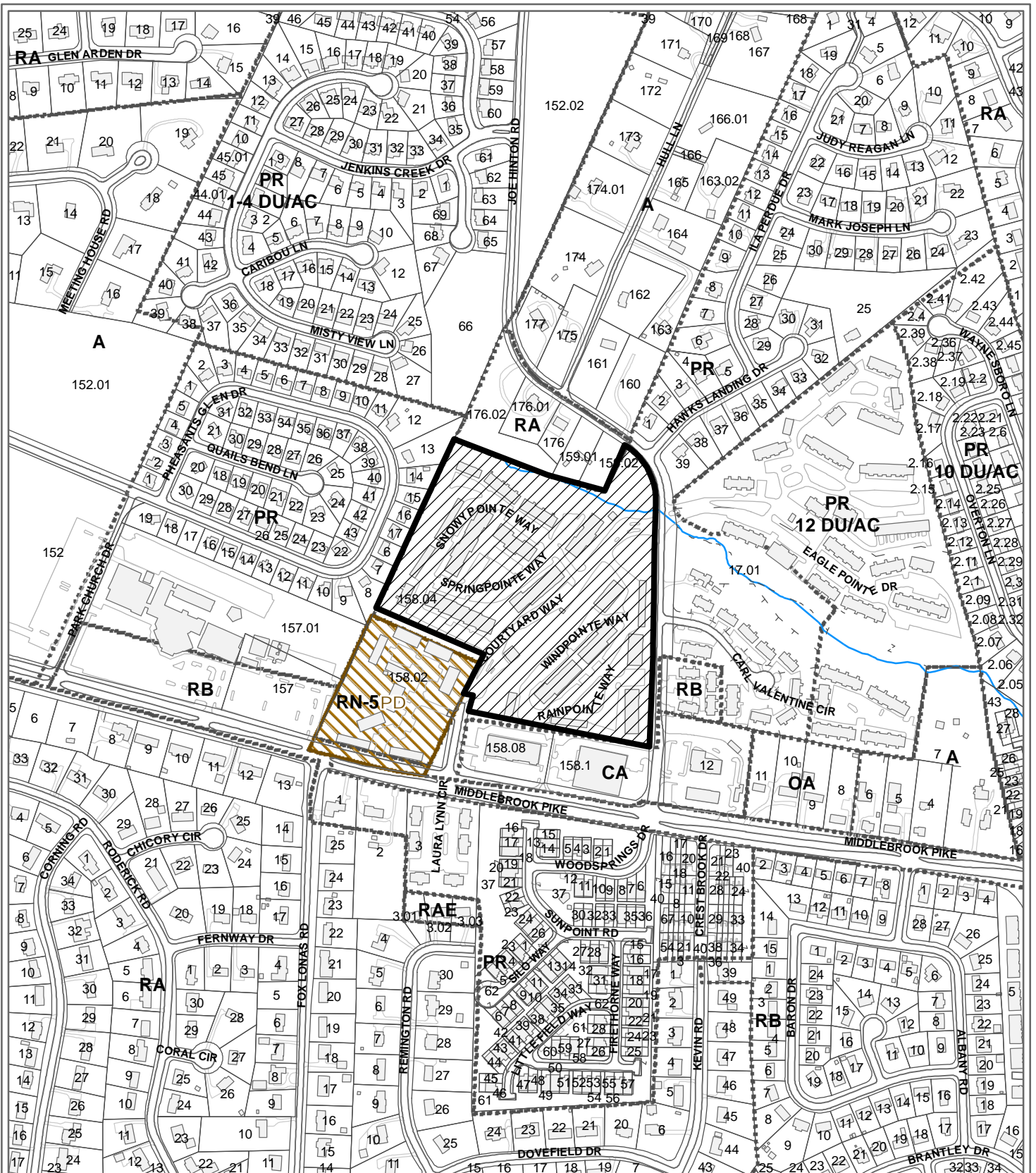
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

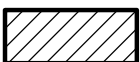
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission'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 a Planning Commission decision in the County.



**6-G-21-UR
USE ON REVIEW**



Change of use - clubhouse to apartment in PR (Planned Residential)

Original Print Date: 5/6/2021
Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Gettings, Daniel

Map No: 105

Jurisdiction: County

0 500
Feet

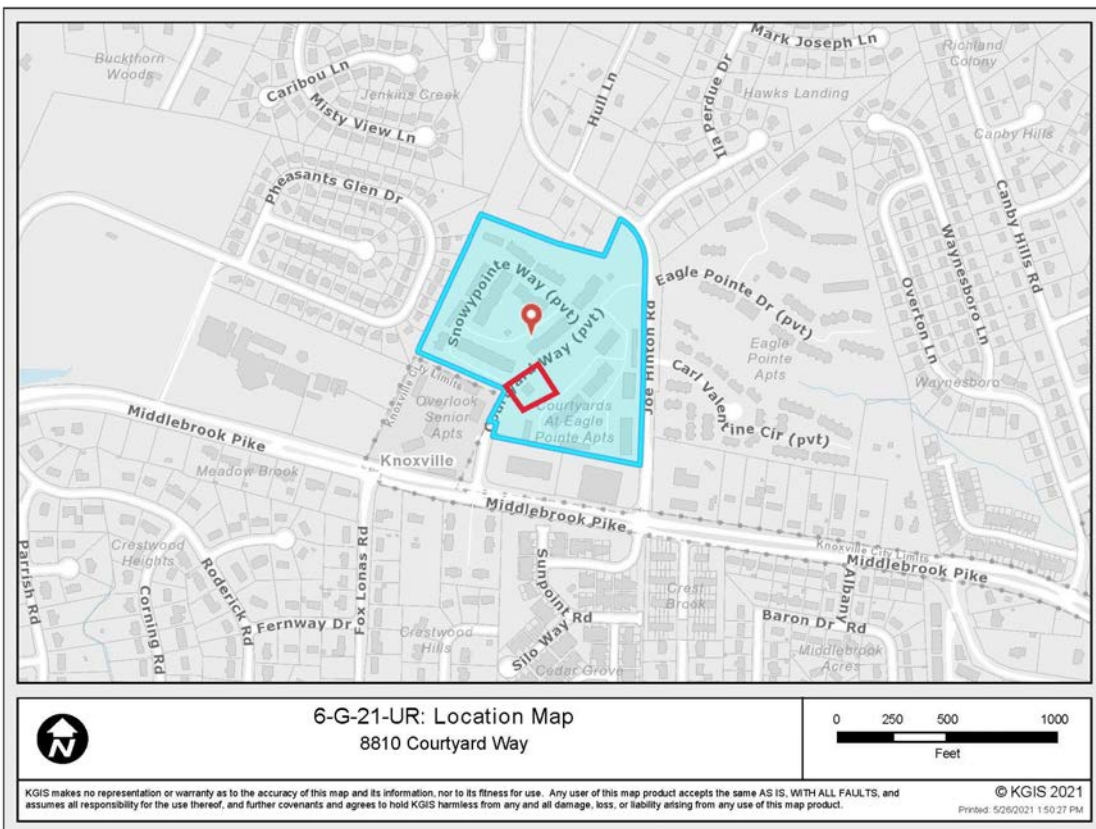
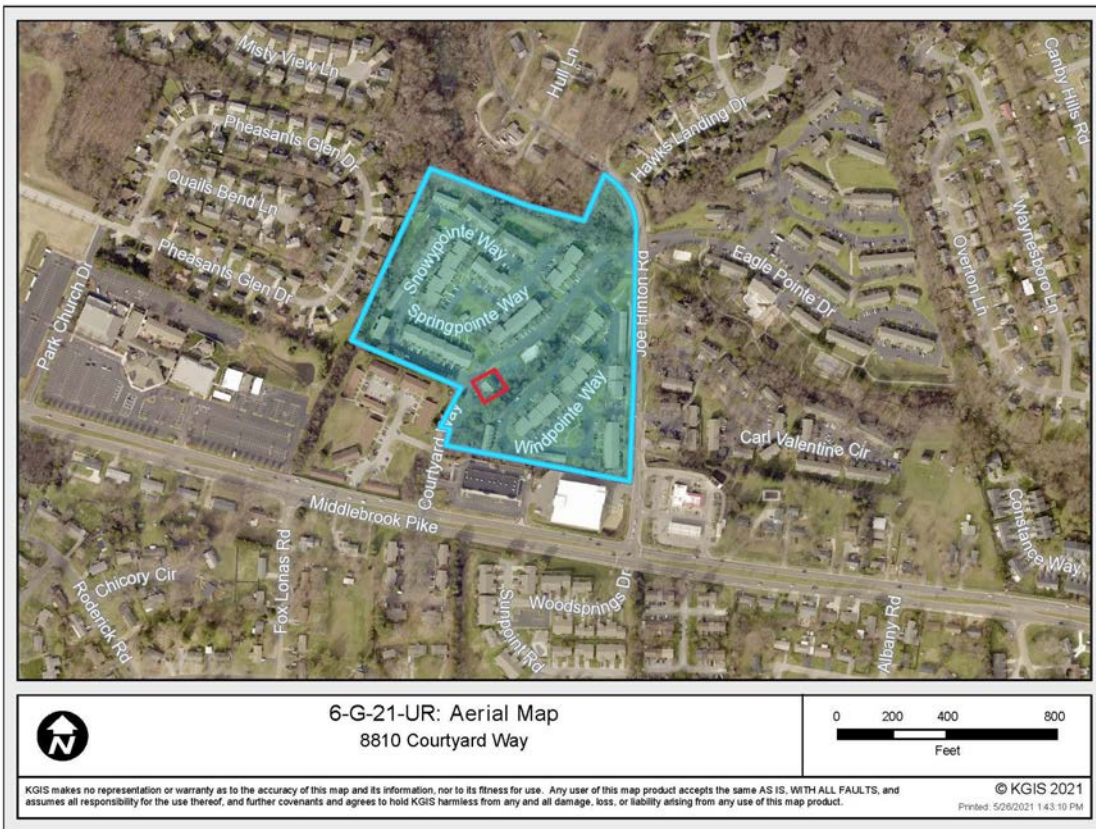


Eagle Point Apartments Clubhouse to Apartment change of use application:

8608 Eagle Pointe Dr., Knoxville, TN. 37931

- Total number of units will be 165.
- Common amenities that will be remaining are:
 - o Pool
 - o Playground
 - o Fitness Center
 - o Clubhouse
 - o Package Service
 - o Volleyball Court
 - o Picnic Area
 - o Tennis / Basketball Court
- The club house has 5 parking spaces in front of the building.

6-G-21-UR
EXHIBIT A. Contextual Images



8810 Courtyard Way Aerial



02/15/2020



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☒ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

Daniel Gettings

Contractor

Applicant Name

6/10/2021

Affiliation

4/26/21

~~6/15/21~~

File Number(s)

Date Filed

Meeting Date (if applicable)

6-G-21-UR

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☒ Applicant ☐ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Daniel Gettings

American Platinum Builders, Inc.

Name

Company

581 Technology Park Dr. #1009

Lake Mary

FL

32746

Address

City

State

ZIP

407-925-3605

dgettings@apbuilders.co

Phone

Email

CURRENT PROPERTY INFO

Dana

Ellerby

Strata Eagle, LLC

352-631-4911

Owner Name (if different)

Owner Address

Owner Phone

8810 Courtyard Way

~~8608 Eagle Pointe Dr~~, Knoxville, TN 37931

105-15804

Property Address

Parcel ID

West Knox

West Knox

No

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Courtyard Way, North of Middlebrook Pike, West of Joe Hinton Road

18 acres

General Location

Tract Size

☐ City ☒ County

3rd
District

PR < 12 du/ac

Zoning District

Multi-family

Existing Land Use

Northwest County

MDR, HP

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST☐ Development Plan ☒ Use on Review / Special Use ☐ Hillside Protection COA☒ Residential ☐ Non-ResidentialHome Occupation (specify) **Clubhouse to Apartment change of use.**

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST**Eagle Point Apartments**

Proposed Subdivision Name

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☐ Zoning Change

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

STAFF USE ONLY**PLAT TYPE**☐ Staff Review ☐ Planning Commission**ATTACHMENTS**☐ Property Owners / Option Holders ☐ Variance Request**ADDITIONAL REQUIREMENTS**☐ Design Plan Certification (*Final Plat*)
☐ Use on Review / Special Use (*Concept Plan*)
☐ Traffic Impact Study
☐ COA Checklist (*Hillside Protection*)

Fee 1

0405

Fee 2

Fee 3

Total

\$1,300**AUTHORIZATION**

By Signing Below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

407-925-3605

Phone Number

Daniel Gettings

Please Print

dgettings@apbuilders.co

Email

4/26/21

Date

Staff Signature

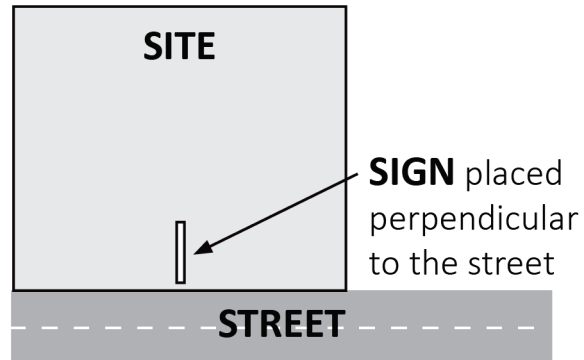
Michael Reynolds

Please Print

4/26/2021

Date

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

5/26/2021 (To be posted by staff) and 6/11/2021
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Daniel Gettings

Date: 6/26/2021

File Number: 6-G-21-UR



Sign posted by Staff



Sign posted by Applicant