

CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 1-C-25-DP **Related File Number:**
Application Filed: 11/26/2024 **Date of Revision:**
Applicant: GEORGES H. BRANDAN

PROPERTY INFORMATION

General Location: North side of Dutchtown Rd, west side of Bob Kirby Rd
Other Parcel Info.:
Tax ID Number: 118 150 **Jurisdiction:** County
Size of Tract: 2.13 acres
Accessibility: Access is via Bob Kirby Road, a minor collector street with a 37-ft pavement width within a 75-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Attached residential **Density:** 9.39
Planning Sector: Northwest County **Plan Designation** CMU (Corridor Mixed-use)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is approximately one mile east of Pellissippi Parkway and largely consists of single family residential and institutional uses with a few multifamily developments. There are several private schools within 0.5 miles of the subject property (Webb School, Christian Academy of Knoxville, and Peer Academy).

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 801 BOB KIRBY RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 10 du/ac
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: A request to rezone from A to CA was denied in 2008 (6-E-08-RZ); rezoned from A to CN in 2009 (11-B-09-RZ); rezoned from CN to PR up to 5 du/ac in 2020 (4-E-20-RZ); density increased when rezoned to PR up to 10 du/ac in 2024. (The TO (Technology Overlay) zone was adopted for a large area including this parcel in 1983 (12-FF-83-RZ); the TO zone was subsequently removed in 1992 (10-W-92-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): Approve the development plan for up to 20 attached dwelling units and a reduction of the 35-ft peripheral setback to 15 ft along the western boundary line, 25 ft along the northern boundary line, and 20 ft along the eastern boundary line, subject to 8 conditions.

- Staff Recomm. (Full):**
- 1) Connecting to sanitary sewer and meeting other relevant utility provider requirements.
 - 2) Providing street names consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
 - 3) If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, the developer will either enter into a memorandum of understanding (MOU) with the County for these improvements or reimburse the County for their direct expenses (if completed by County crews) to make corrections deemed necessary.
 - 4) Provide a paved pedestrian connection (“sidewalk”) between the internal sidewalk and the public sidewalk along Dutchtown Rd.
 - 5) Providing a Type ‘B’ landscape screen between the building(s) along the west and north boundaries (see Exhibit B). Existing trees that remain can count toward this requirement. A landscape plan must be submitted to Planning staff for review and approval before building permits are issued.
 - 6) The maximum height of the attached dwellings shall be 35 feet.
 - 7) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 - 8) Meeting all applicable requirements of the Knox County Zoning Ordinance, including but not limited to the driveway opening standards in Article 3.51.02.

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) district and the criteria for approval of a development plan.

Comments: This proposal is for 20 townhomes on approximately 2.13 acres. The property is zoned PR (Planned Residential) up to 10 du/ac. With the 20 dwelling units proposed, the project yields a density of 9.39 du/ac.

The property would be accessed off Bob Kirby Road near the northern property line to obtain the minimum 150-ft intersection separation from Dutchtown Road. This allows for as much spacing as possible for cars queuing to turn onto Dutchtown Road.

The driveway is located to the rear of the structures, similar to an alley, to allow rear-facing garages. Each unit has a one-car garage and a driveway, which together account for the required 2 parking spaces per unit. Guest parking is not required but the driveway is wide enough to accommodate cars parked along the side and still provide adequate space for cars coming into and out of the development. A turnaround large enough for fire trucks is provided.

The townhouses front along Dutchtown Road but are set back farther than the minimum 35-ft setback required. The development will be built in a condo style, meaning the townhouses are not on individual lots but instead feature common area for the land surrounding the units. Several trees and the detention pond will be located between the townhouse units and Dutchtown Road, providing visual relief to the dwelling units from passing traffic.

PERIPHERAL SETBACK REDUCTION

- A. Western boundary line - A 15-ft peripheral setback is requested where this property is adjacent to two properties approved for attached housing (9-G-24-DP and 9-E-24-DP). These were approved with a 20-ft peripheral setback and a Type 'B' landscape screen.
- B. Northern boundary line - A 25-ft peripheral setback is requested where adjacent to three properties approved for duplexes (11-A-23-UR). The shared driveway for the duplexes is along the shared lot line.
- C. Eastern boundary line - A 20-ft peripheral setback is requested along the Bob Kirby Road frontage, which has a wider than normal right-of-way because of turn lane improvements constructed in 2009. The reduced setback along this frontage should not create issues with future road improvements or sight distance at the driveway.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)
 In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) 10 du/ac

- A. This PR zone district is zoned for a maximum of 10 du/ac. The proposed density is 9.39 du/ac.
- B. The PR zone allows houses, attached houses, duplexes, and multi-dwelling developments as permitted uses. This development aligns with those uses.
- C. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15). With this approval, the applicant could begin to work with Knox County through the permitting process.
- D. The Planning Commission determines the maximum height for any use other than houses and duplexes (Article 5, Section 5.13.12). Staff recommends a maximum height of 35 ft for the proposed development, consistent with the maximum height allowed on surrounding properties. The elevations provided show the units will be 3 stories, which can be accommodated within the 35-ft maximum height.
- E. The Planning Commission has the authority to reduce the 35-ft peripheral setback to 15 ft when the subject property is adjacent to certain zones, including the adjacent PR and RA (Low Density Residential) zones.

**2) KNOX COUNTY COMPREHENSIVE PLAN - FUTURE LAND USE MAP
 Corridor Mixed-Use (CMU)**

- A. Attached residential is a secondary use in the CMU place type, and a range of housing may be considered, including townhomes.

3) KNOX COMPREHENSIVE PLAN - IMPLEMENTATION POLICIES

- A. This development is consistent with Implementation Policy 2, to ensure that development is sensitive to existing community character. - The proposed height of the buildings is not out of character with development in the area.
- B. The development also meets Policy 6, which encourages the promotion of attainable housing. - Townhomes provide a transitional housing type between multifamily housing and single family detached housing.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

- A. The property is within the Planned Growth Area. The purposes of the Planned Growth Area designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. This proposal is in keeping with these purposes.

Action: Approved with Conditions **Meeting Date:** 1/9/2025

Details of Action:

Summary of Action: Approve the development plan for up to 20 attached dwelling units and a reduction of the 35-ft peripheral setback to 15 ft along the western boundary line, 25 ft along the northern boundary line, and 20 ft along the eastern boundary line, subject to 8 conditions.

Date of Approval: 1/9/2025 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville-Knox County Planning Commission

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case:

If "Other":

Amendments:

Date of Legislative Appeal:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: