CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



FAX•215•2068

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File Number:	9-F-02-UR
Application Filed:	8/8/2002
Applicant:	VICTOR JERNIGAN
Owner:	

PROPERTY INFORMATION

General Location:	South side of E. Emory Rd., east side of Birdie Ln.		
Other Parcel Info.:			
Tax ID Number:	38 037	Jurisdiction:	County
Size of Tract:	9.5 acres		
Accessibility:	Access is via Birdie Ln., a local street with a 26' wide pavemer	nt width within a 5	i0' right-of-way.

Related File Number:

Date of Revision:

GENERAL LAND USE INFORMATION

Existing Land Use:	Single-family residence and vacant land		
Surrounding Land Use:			
Proposed Use:	Multi-family townhouses		Density: 4.0 du/ac
Sector Plan:	North County	Sector Plan Designation:	
Growth Policy Plan:	Planned Growth Area		
Neighborhood Context:	The site is located in an area of low density residential development along E. Emory Rd.		

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

2936 E Emory Rd

Street: Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning:PR (Planned Residential)Former Zoning:Previous Requested Zoning:Previous Requests:Extension of Zone:History of Zoning:None noted

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested: S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

	MPC ACTION AND DISPOSITION			
Planner In Charge:	Tom Brechko			
Staff Recomm. (Abbr.):	APPROVE the request for up to 38 attached residential condominiums on this site as shown on the development plan subject to 10 conditions			
Staff Recomm. (Full):	 Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Dept. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works. Provision of street names which are consistent with Uniform Street Naming and Addressing System in Knox County (County Ord. 91-1-102). Installing all landscaping, as shown on the development plan, within six months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation. Working with the Knox County Greenways and Parks Coordinator to determine if a greenway easement is needed on this side of Beaver Creek, and if needed establishing the width and location for the easement. The dedication of any easement shall occur prior to the issuance of any occupancy permits for this project. Revising the development plan to add the minimum floor elevations (MFE) for all units within the 500 year flood fringe. Revising the development plan to provide at least 85' of sight distance from the driveways of Units 15 - 18 to the north along Ripple Creek Way and posting a 15 mph speed limit sign at the entrance onto Ripple Creek Way. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of the exterior of the dwellings, grounds, drainage systems and other commonly held assets. Meeting all applicable requirements of the Knox County Zoning Ordinance. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits. 			
	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 a 38-unit multi-family townhouse development on this 9.5 acre parcel, at a density of 4.0 du/ac. The development will have access to Birdie Ln., a local street off of E. Emory Rd., that serves The Village at Beaver Creek Subdivision. The property which is zoned PR (Planned Residential) allows a density of 1 - 4 du/ac. The original concept plan that was submitted for The Village at Beaver Creek Subdivision identified this area as single-family lots. That concept plan has expired. Approximately half of this site includes the floodway and 500' flood fringe for Beaver Creek. As designed, only a small section of the proposed development extends into the 500 year flood fringe.			
	The Knox County Parks Plan identifies a proposed greenway along Beaver Creek. Staff is recommending a condition that the applicant work with the Knox County Greenways and Parks Coordinator to determine if a greenway easement is needed on this side of Beaver Creek and to establish the width and location for the easement if needed.			
	EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE			
	 The proposed residential development will have minimal impact on local services since facilities (water, sewer and street access) are already in place to serve this site. While there is no multi-family development in the immediate vicinity, the proposed development is consistent with the low density designation for this area. The proposed development will serve as a 			

	transitional use between the single-family residences to the south and E. Emory Rd., a major arterial street.				
	CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE				
	1. The proposed correview.	ondominium project is con	sistent with the general standards for	uses permitted on	
			density of this site of 1 - 4 dwellings po quirements of the Knox County Zoning		
	CONFORMITY OF	THE PROPOSAL TO A	OOPTED PLANS		
	 At a proposed density of 4 du/ac, the development conforms with the North County Sector Plan which designates this area as low density residential at a density of up to 5 du/ac. With the dedication of a greenway easement along Beaver Creek, the proposed subdivision will conform to the Knox County Parks Plan. 				
MPC Action:	Approved		MPC Meeting Date	: 1/9/2003	
Details of MPC action:	PC action: 1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox C Dept.				
	2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.				
	 Provision of street names which are consistent with Uniform Street Naming and Addressing System in Knox County (County Ord. 91-1-102). 				
	occupancy permits	for this project, or posting	e development plan, within six months a bond with the Knox County Dept. o		
	 Public Works to guarantee such installation. 5. Working with the Knox County Greenways and Parks Coordinator to determine if a greenway easement is needed on this side of Beaver Creek, and if needed establishing the width and location for the easement. The dedication of any easement shall occur prior to the issuance of any occupancy permits for this project. 6. Revising the development plan to add the minimum floor elevations (MFE) for all units within the 500 year flood fringe. 7. Revising the development plan to provide at least 85' of sight distance from the driveways of Units 15 - 18 to the north along Ripple Creek Way and posting a 15 mph speed limit sign at the entrance onto Ripple Creek Way. 8. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of the exterior of the dwellings, grounds, drainage systems and other commonly held assets. 				
 Meeting all applicable requirements of the Knox County Zoning Ordinance. A revised site plan reflecting the conditions of approval must be submitted to MPC issuance of any building permits. 				MPC staff prior to	
	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.				
Summary of MPC action:		uest for up to 38 attached subject to 10 conditions	residential condominiums on this site	as shown on the	
Date of MPC Approval:	1/9/2003	Date of Denial:	Postponements:	9/12/2002 - 11/14/02	
Date of Withdrawal:		Withdrawn prior to p	ublication?: Action Appealed?:		
	LEGISL	ATIVE ACTION AN	D DISPOSITION		
Legislative Body:					
Date of Legislative Action:	Date of Legislative Action, Second Reading:				
Ordinance Number:	Other Ordinance Number References:				
Disposition of Case:	Disposition of Case, Second Reading:				

If "Other":

Amendments:

Effective Date of Ordinance:

If "Other":

Amendments:

Date of Legislative Appeal:

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