



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
SUBDIVISION REPORT - CONCEPT/USE ON REVIEW**

▶ **FILE #:** 11-SA-06-C
11-D-06-UR

AGENDA ITEM #: 15
AGENDA DATE: 11/9/2006

▶ **SUBDIVISION:** DON DUNCAN
▶ **APPLICANT/DEVELOPER:** DUNCAN CONSTRUCTION
OWNER(S): DON DUNCAN

TAX IDENTIFICATION: 162 058.10, 058.01, 060.01 & 62.02
JURISDICTION: County Commission District 5

▶ **LOCATION:** Southeast side of S. Northshore Dr., northwest of Choto Rd.

SECTOR PLAN: Southwest County
GROWTH POLICY PLAN: Planned Growth Area

▶ **APPROXIMATE ACREAGE:** 24.25 acres

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

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING:
North: Residences / A (Agricultural) & PR (Planned Residential)
South: Residences and Fort Loudoun Reservoir / A (Agricultural) & F (Floodway)
East: Residences and Fort Loudoun Reservoir / A (Agricultural) & F (Floodway)
West: Residences / A (Agricultural)

▶ **NUMBER OF LOTS:** 42

SURVEYOR/ENGINEER: Robert G. Campbell and Associates

ACCESSIBILITY: Access is via Choto Rd., a minor collector street with a 21' pavement width within a 50' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:**
1. Vertical curve variance on Road A at STA 10+50, from 50' to 40'.
2. Intersection spacing variance on Road B between Roads E and F, from 125' to 101.11'

STAFF RECOMMENDATION:

▶ **APPROVE** variances 1 and 2 because the site's shape and topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 9 conditions:

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Revising the notation on the common area and access strip out to S. Northshore Dr. to common area only.

If the Garlands do not release the access rights under the previous easement in lieu of the new access, the concept plan will have to be revised allowing for the existing access easement with no other lots having access to S. Northshore Dr. The revised concept plan can be approved by Planning Commission Staff unless Staff determines that Planning Commission review is needed.

4. Placing a note on the final plat that all lots will have access from the internal road system only.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation, Tennessee Valley Authority and U.S. Army Corps of Engineers.
7. Prior to or concurrent with recording of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area, recreational amenities and drainage system.
8. Meeting all requirements of the approved use-on-review development plan.
9. A final plat application based on this concept plan will not be accepted for review by the MPC until certification of design plan approval has been submitted to the MPC staff.

► **APPROVE the development plan for up to 42 detached dwellings on individual lots subject to 3 conditions.**

1. Approval by Knox County Commission of the rezoning to PR (Planned Residential) at a density up to 3 du/ac for tax parcels 58.01, 58.10 and 60.01 (10-G-06-RZ)
2. Meeting all applicable requirements of the approved concept subdivision plan.
3. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan and a Use-on-Review.

COMMENTS:

The applicant is proposing to subdivide this 24.25 acre site into 42 detached residential lots at an overall density of 1.73 du/ac.

The Planning Commission recommended approval of a rezoning request for a portion of this site (approximately 15.60 acres - area above the floodway) to PR (Planned Residential) at a density of up to 3 du/ac on October 12, 2006. The Knox County Commission will consider the request on November 27, 2006. The only access to the property that was considered under the rezoning was at a location on S. Northshore Dr. that has multiple street and driveway cuts within a very short distance. The access to this site is within 75' of the street entrances for Montgomery Cove and Bayou Bend Subdivisions. The Staff report for the rezoning identified the potential traffic conflicts and safety issues related to the development of the property. The available sight distance to the west along S. Northshore Dr. is also complicated by a rise in the road and speeding vehicles.

The initial concept plan application proposed a subdivision of 37 lots for this site. On reviewing the request with the applicant, both Planning Commission and Knox County Engineering Staff advised the applicant that Staff could not support a subdivision with that many lots with the proposed access out to S. Northshore Dr. The applicant has submitted a revised concept plan that includes an additional 8.65 acre parcel that has frontage on Choto Rd. allowing the subdivision to have access from Choto Rd. Since the additional parcel is zoned A (Agricultural) the lots in that portion of the property are all one acre or larger. It is the intent of the applicant to request a rezoning of that property to PR. The PR portion of the site with 38 lots on 15.60 acres has a density of 2.44 du/ac which falls within the recommended maximum density of 3 du/ac.

The portion of the site that extends out to S. northshore Dr. includes an existing access easement for tax parcel 58.09 which is owned by Garland. The revised concept plan shows a new access easement that ties parcel 58.09 into the subdivision streets (Joint Permanent Easements) with access to Choto Rd. Approval of the concept plan is subject to agreement by the Garlands on the new access and the release of the existing easement. If the Garlands do not release the access rights under the previous easement in lieu of the new access, the concept plan will have to be revised allowing for the existing access easement with no other lots having access to S. Northshore Dr.

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

1. The proposed subdivision will have minimal impact on local services since utilities are available to serve this site.
2. The proposed detached residential subdivision at a density of 2.44 du/ac for the PR portion of the property,

is consistent in use and density (up to 3 du/ac) with the recommended zoning. Other subdivision development in the area has occurred under the PR zoning regulations at similar densities.

3. With the addition of the property fronting on Choto Rd., a much safer access is being provided for the subdivision.

4. Any school age children living in this development are presently zoned to attend Farragut Primary, Intermediate, Middle and High Schools.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed detached residential subdivision meets the standards for development within the PR (Planned Residential) and A (Agricultural) Zones and all other requirements of the Zoning Ordinance.

2. The proposed subdivision 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. With direct access to a collector street, the proposed subdivision will not draw additional traffic through residential neighborhoods.

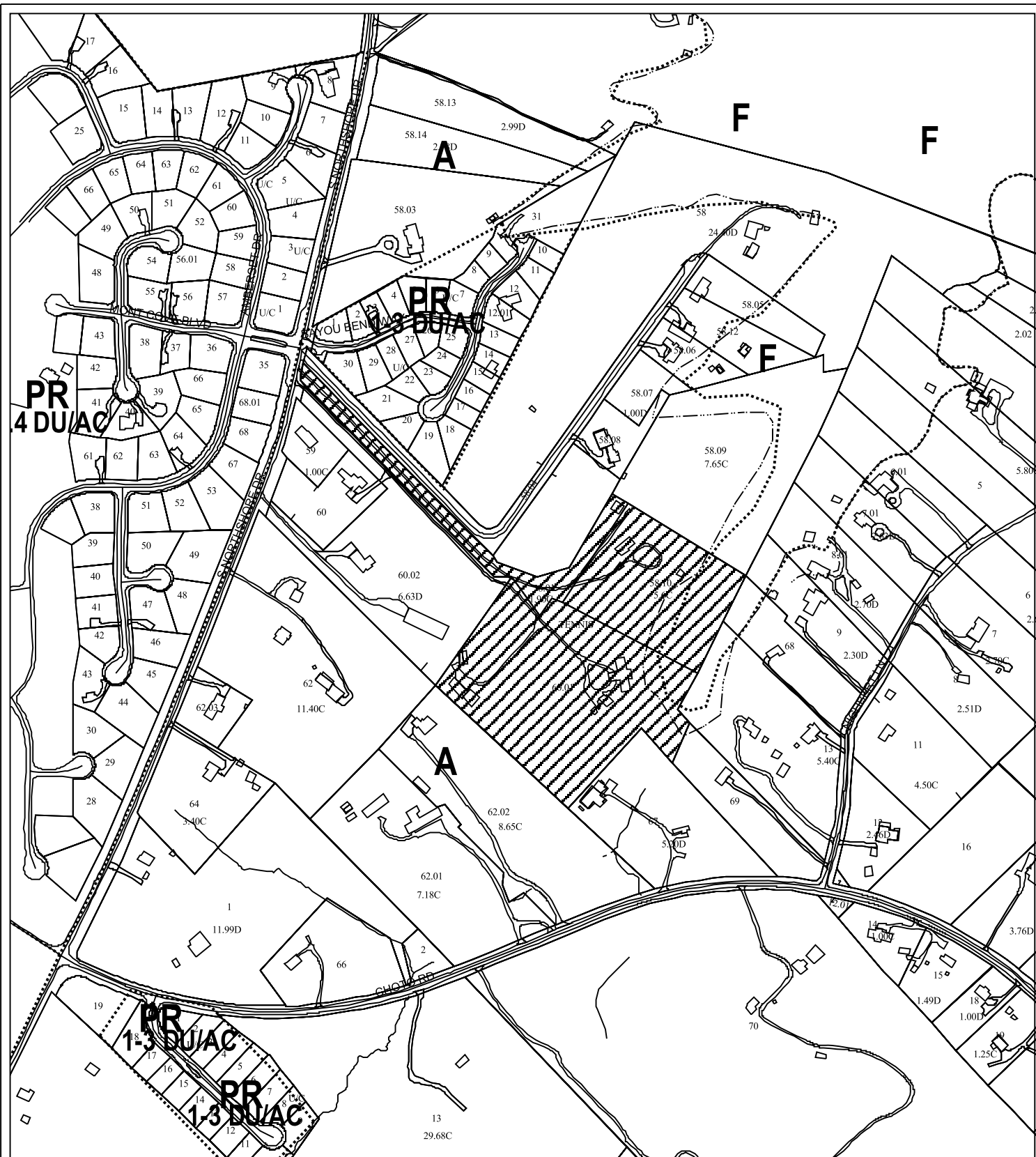
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan designates this property for low density residential uses and stream protection area. The recommended PR zoning for the site would allow a density up to 3 du/ac. At a proposed density of 2.44 du/ac, the proposed subdivision is consistent with the Sector Plan and zoning designation.

2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

MPC's approval or denial of this use on review 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.



11-SA-06-C/11-D-06-UR
 CONCEPT PLAN/USE ON REVIEW

 Detached Residential Development in PR (Planned Residential)

Original Print Date: 10/25/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Don Duncan
 Duncan Construction

Map No: 162

Jurisdiction: County



CONCEPT PLAN
DON DUNCAN SUBDIVISION
DISTRICT NO. FIVE
KNOX COUNTY, TENNESSEE
CLT: 162
PARCELS: 058.10, 058.01, 060.01, 062.02



I HEREBY CERTIFY THAT I AM A LICENSED ENGINEER TO PREPARE
 THIS PLAN AND ACCOMPANYING INSTRUMENTS AND THAT I
 HAVE REVIEWED THE SAME AND AM Satisfied THAT THEY
 ACCURATELY REPRESENT THE INFORMATION SUBMITTED TO ME
 AND THAT THEY COMPLY WITH ALL APPLICABLE LAWS AND
 REGULATIONS. I AM NOT PROVIDING ANY GUARANTEE OR
 WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, FOR THE
 PLANNING CONCEPTS.
 SIGNATURE: *Robert G. Campbell*
 TENNESSEE CERTIFICATE NO. 19447



10/29/06
CONCEPT PLAN
 REVISED
 11-5A-06-C
 11-D-06-01



ROBERT G. CAMPBELL & ASSOCIATES, L.P.
CONSULTING ENGINEERS
KNOXVILLE, TENNESSEE

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