

▶ **FILE #:** 12-SF-06-C **AGENDA ITEM #:** 13
 12-H-06-UR **AGENDA DATE:** 4/12/2007

POSTPONEMENT(S): 12/14/2006-1/11/2007

▶ **SUBDIVISION:** WESTLAND FOREST
 ▶ **APPLICANT/DEVELOPER:** EAGLE BEND REALTY
 OWNER(S): EAGLE BEND REALTY

TAX IDENTIFICATION: 133 G D 12, 12.01, 18, 18.02 & 18.03, 18.04 & 18.05

JURISDICTION: County Commission District 4

▶ **LOCATION:** South side of Westland Dr., east and south of Montacres Ln.

SECTOR PLAN: West City

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

▶ **APPROXIMATE ACREAGE:** 7.18 acres

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

▶ **EXISTING LAND USE:** Residence and vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING: North: Residences / RA (Low Density Residential) & PR (Planned Residential)
 South: Residence / RA (Low Density Residential)
 East: Residences / PR (Planned Residential)
 West: Residences / RA (Low Density Residential)

▶ **NUMBER OF LOTS:** 34

SURVEYOR/ENGINEER: Jim Sullivan

ACCESSIBILITY: Access is via Westland Dr., a minor arterial street with a 22' pavement width within a required 88' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:**
 1. Vertical curve variance at STA 0+70 from 217.5' to 140'
 2. Broken back curve tangent variance STA 2+95 to STA 4+40 150' to 145'

STAFF RECOMMENDATION:

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

APPROVE the Concept Plan subject to 5 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. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Placing a note on the final plat that all lots will have access only to the internal street system.
5. The 10' side yard setback required for those lots that front along street grades exceeding 10% may be reduced to 5' subject to approval by Planning Commission and County Engineering Staff upon receipt of detailed grading plan for those lots showing that the proposed house plans will work on the lots with the reduced setback.

► **APPROVE the development plan for up to 34 detached residential units on individual lots subject to 1 conditions.**

1. 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 use on review in the PR zoning district.

COMMENTS:

The applicant is requesting a revision to the concept plan approved for this site (5-SF-06-C/5-K-06-UR) which included 30 detached residential lots on 7.18 acres. With the recent approval for an increase in density for a portion of the property, the applicant has submitted a revised concept plan with 34 lots at a density of 4.74 du/ac. The proposed subdivision will have access from Westland Dr. This proposed subdivision will not have access to Montacres Ln.

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 water and sewer utilities are available to serve this site.
2. The proposed detached residential subdivision at a density of 4.74 du/ac, is consistent in use and density with the approved rezoning of the property.
3. Any school age children living in this development are presently zoned to attend Rocky Hill Elementary and Bearden Middle and High Schools.

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

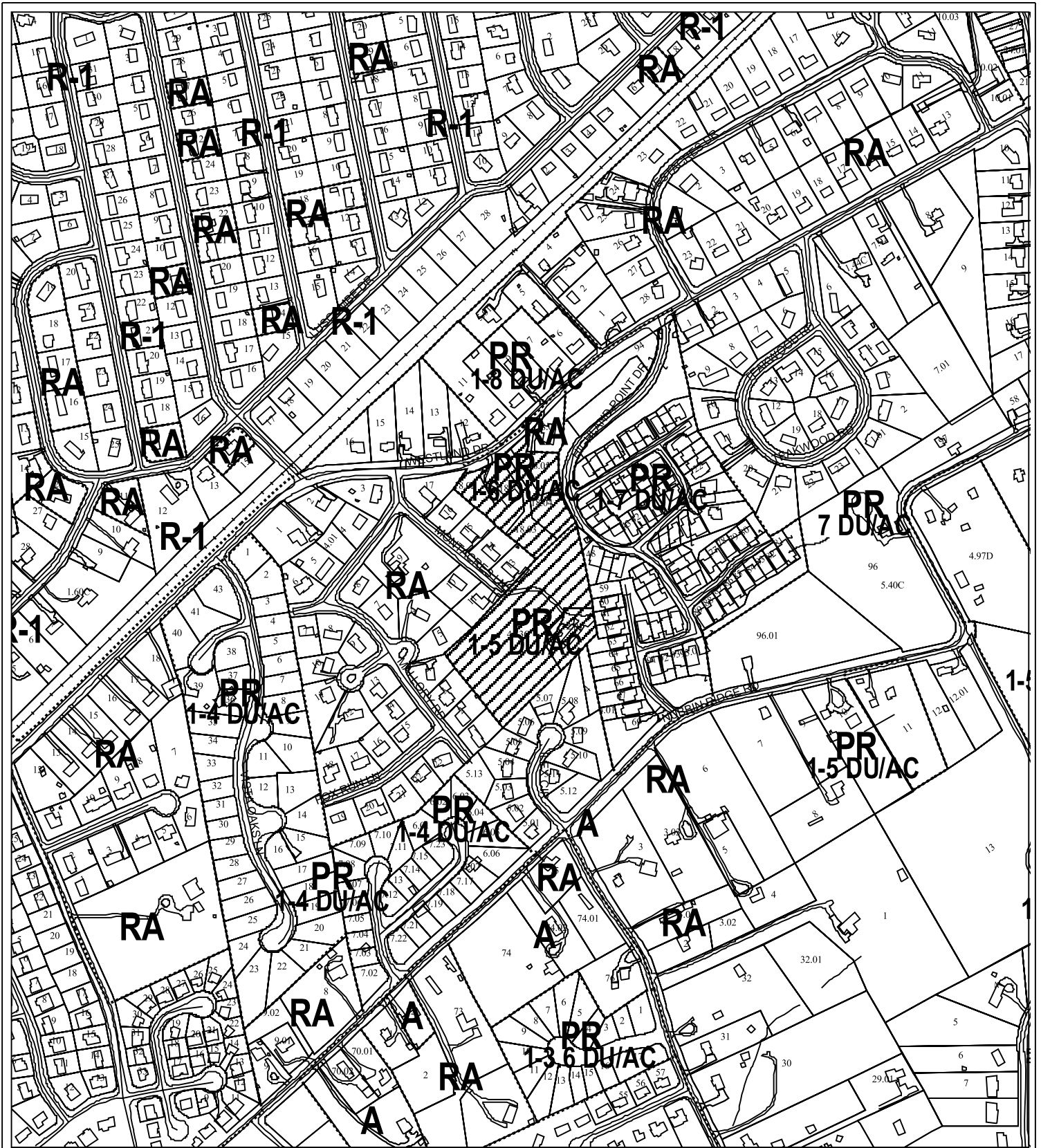
1. The proposed detached single-family subdivision meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed subdivision is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan (See comments below). The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use will not draw additional traffic through residential areas since access is to an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS


1. The West City Sector Plan as amended designates this property for low and medium density residential use. The PR zoning approved for the property allows consideration of up to 5 du/ac on the rear portion of the property and up to 6 du/ac on the portion of the property fronting on Westland Dr. The proposed subdivision with an overall density of 4.74 du/ac is consistent with the Sector Plan and zoning designations.
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.



12-SF-06-C/12-H-06-UR
 CONCEPT PLAN/USE ON REVIEW

 Detached Residential Subdivision in PR (Planned Residential)

Original Print Date: 11/21/06 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Westland Forest
 Eagle Bend Realty

Map No: 133

Jurisdiction: County





CONCEPT PLAN
 SHEET ONE
 WESTLAND FOREST
 Knox County, Tennessee

Prepared For:
 Eagle Bend Properties
 P.O. Box 11315
 Knoxville, Tennessee 37939
 (865) 806-8008

Planning Agency:
 Knoxville—Knox County MPC
 400 Main Street, Suite 403
 Knoxville, Tennessee 37902
 (865) 215-2500

Surveyor:
 Jim Sullivan
 1607 Bexhill Drive
 Knoxville, Tennessee 37922
 (865) 690-4709

CONCEPT PLAN
 12-25-06-C
 12-21-06-VCC

U.O.R.

DATE: _____
 SCALE IN FEET: 3"=30'-0"

REVISIONS: 3-30-07

SCALE: 1"=10' VERTICAL

100' 200' 300' 400' 500' 600' 700' 800' 900' 1000'
 DISTANCE IN FEET

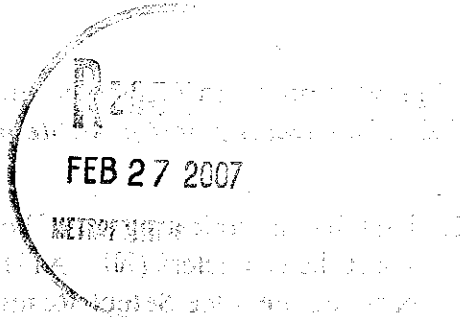
CERTIFICATION OF CONCEPT PLAN
 I, HEREBY CERTIFY THAT I AM A SURVEYOR LICENSED TO DO BUSINESS IN THE STATE OF TENNESSEE. I HAVE REVIEWED THE PLANS, SPECIFICATIONS, DOCUMENTS AND STATEMENTS CONTAINED HEREON AND AM Satisfied THAT THEY COMPLY WITH ALL APPLICABLE REGULATIONS EXCEPT AS HAS BEEN INDICATED AND DESCRIBED IN THE COMMENTS. I HAVE REVIEWED THE PLANS AND SPECIFICATIONS AND AM Satisfied THAT THEY COMPLY WITH THE REGULATIONS OF THE METROPOLITAN PLANNING COMMISSION.

JIM SULLIVAN
 SURVEYOR
 LICENSE NO. 13,356

ALL INFORMATION IS RESPONSIBLE FOR ALL INFORMATION CONTAINED HEREON. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE SITE. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE SITE. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE SITE.

SHEET NO. 1 OF 1
 DATE: 12-25-06

Highland Point at Westland
Homeowners Association
P.O. Box 52366
Knoxville, TN 37950-2366
February 28, 2007



Mr. Thomas Brechko
Metropolitan Planning Commission
400 Main Street - City Country Building, Suite 403
Knoxville, TN 27902

Re: Westland Forest - Eagle Bend Realty, File No. 12-SF-06-C (at 2/8/02 MPC Mtg.)
South side of Westland Dr., east and south of Montacres Ln.

Dear Mr. Brechko:

We, the undersigned, all resident owners at Highland Point at Westland, do hereby express our objection to a revised change in plans to reduce the peripheral 35 foot setback, approved at MPC's May 11, 2006 meeting, to the proposed 15 foot setback along the east side of the property as it adjoins our properties at Highland Point.

Such a reduction in the setback would severely impact negatively all property values at HP@W, reduce privacy, result in overcrowding, destroy what remains of the now scant hardwood and pine buffer between the properties, and position new homes within a few feet of our now 20+ year old development's beautiful entry boulevard.

For all of these reasons, we respectfully request that the MPC reject this or any subsequent requests for any reductions in offsets.

Sincerely,

Germaine W. Bousharts
Wendy J. Soland
Joseph & Bacon
Bette A. Bacon
Anna Tucker
E. G. Phillips
Thomas J. O'Neil Jr.
Gue D. Monroe
Richard Van Siclen
John K. Tucker
Ralph Norman

Neil Gullegue
Jerry Burdette
Carter Skelton
Sherril Baberman

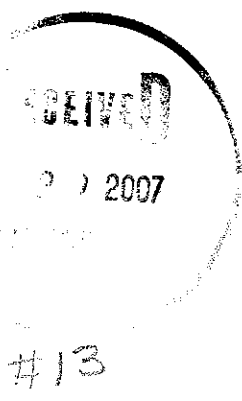
Grier Norweger
Barbara Hein
W.W. Datterweich
Fran Datterweich
Frankie Samy
Christine Acuff
Edward A. Hein
Catherine Gettys
Henry C. Buchanan
James L. Fry for 11
Paul [unclear]

MPC April 12, 2007

CON'T'D →
Agenda Item # 13

Dr. James A. Bendette
 Dr. Julian D. Wick
 Judy Sabo
 Linda Pinkstaff
 Dr & Mrs. H.C. Garland
 John H. Bull, Jr.
 Janice H. Phillips
 The Rev. Dr. and Mrs. G. Caswell Hughes
 C. Naif Sultan
 Oscar F. Fowler
 Betty G. Fowler
 Dr. Diana Sarkar
 James H. Swann
 M. Naif Sultan
 Lorraine W. Lester
 Jenni Wyhe + Jandy Wyhe
 Michael + Angel King
 Vaughn + Bernh
 Nancy H. Worslow

Connie M. Swann
 Jeff Fine
 Stephen Olson
 Wayne Cutler
 A. Brophy
 Virginia M. Miga
 L. Trent Davis
 Julian D. Wick
 Gita Coe
 Betty Lovestadt
 Peter J. Cain
 M. F. Dempster



27 March 2007

Mr. Thomas Brechko
Metropolitan Planning Commission
400 Main Street - City County Building, Suite 403
Knoxville, TN 27902

Re: Westland Forest - Eagle Bend Reality, File No. 12-SF-06-C /12-H-06-UR
South side of Westland Dr , east and south of Montacres Ln , Commission District 4.

Dear Mr. Brechko,

I live at Highland Point, and my property is adjacent to the east boundary of Westland Forest. Although the 35 foot rear setback approved at the May 11, 2006 MPC meeting (FILE #: 5-SF-06-C) is not desirable, never-the-less I feel it is reasonable. However, the 15 foot rear setback requested at the February 2, 2007 MPC meeting is unreasonable. Placing a house that close to my house will result in the devaluation of both properties. Westland Drive is a Knoxville show place, but this can be diminished by over crowding and over building.

I ask you to continue your support of thoughtful and conscientious development of Westland Drive, and oppose establishing a precedent for 15 foot rear setbacks.

Sincerely,

Carmen J. Nappo
907 Heather Way
Knoxville, TN 37919
(865) 531 - 7881