



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

▶ **FILE #:** 2-SH-07-C **AGENDA ITEM #:** 28
 2-H-07-UR **AGENDA DATE:** 2/8/2007

▶ **SUBDIVISION:** HAMPTON COURT
 ▶ **APPLICANT/DEVELOPER:** EAGLE BEND REALTY
 OWNER(S): EAGLE BEND REALTY

TAX IDENTIFICATION: 118 116 & 116.02
 JURISDICTION: County Commission District 5

▶ **LOCATION:** West side of Bob Kirby Rd., north of Dutchtown Rd.

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

▶ **APPROXIMATE ACREAGE:** 10.09 acres

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

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

▶ **PROPOSED USE:** Detached residential subdivision

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

▶ **NUMBER OF LOTS:** 45
 SURVEYOR/ENGINEER: Jim Sullivan

ACCESSIBILITY: Access is via Bob Kirby Rd., a minor collector street with 21' of pavement width within 60' of right of way.

▶ **SUBDIVISION VARIANCES REQUIRED:** 1. Intersection spacing variance from the proposed entrance to Cortez Drive, from 300' to 130'.
 2. Intersection spacing variance from the proposed entrance to Tallahassee Drive, from 300' to 280'.

STAFF RECOMMENDATION:

▶ **APPROVE** variances 1 and 2 because the property's location 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 requirement 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 (Ord. 91-1-102).
3. Placing a note on the final plat that all structures will have to be located at least 50' from the top of the sinkhole (closed contour area) identified on the plat in the area of Lot 27. Construction within the 50' setback

may be permitted if a geotechnical study prepared by a registered engineer states that building within the 50' sinkhole buffer is acceptable and the study is approved by the Knox County Department of Engineering and Public Works. Construction is not permitted within the hatched contour area of the sinkhole. Engineered footings may be required for any structures within the 50' sinkhole buffer. If a determination is made by the Tennessee Department of Environment and Conservation that this feature is not a sinkhole, this condition would not apply.

4. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
5. Obtaining off-site drainage easements for the outfall from the detention basin as determined by the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Certification on the final plat by the applicant's surveyor that there is at a minimum, 300 feet of sight distance in both directions along Bob Kirby Rd.
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 45 detached dwellings on individual lots subject to 2 conditions.**

1. Meeting all applicable requirements of the approved concept subdivision plan.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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

COMMENTS:

The applicant is proposing to subdivide this 10.09 acre tract into 45 detached residential lots at a density of 4.46 du/ac. The majority of this property (Parcel 116) was rezoned to PR (Planned Residential) at a density of up to 4.5 du/ac by Knox County Commission on May 23, 2005. (3-K-05-RZ). Tax Parcel 116.02 was rezoned to PR (Planned Residential) at a density of up to 4.5 du/ac by Knox County Commission on January 22, 2007 (12-T-06-RZ).

There is a hatched contour area designated on the KGIS database in the area of proposed Lots 12 and 13. The sinkhole and 50' building setback from the top of the sinkhole (closed contour area) shall be designated on the final plat. All lots in the area of the sinkhole must have a suitable building area outside of the setback area. An option would be to have a geotechnical study conducted by a registered engineer that would identify that building within the 50' sinkhole buffer is acceptable, and the study is approved by the Knox County Department of Engineering and Public Works. Engineered footings may be required for any structures within the 50' sinkhole buffer. If a determination is made by the Tennessee Department of Environment and Conservation that this feature is not a sinkhole, this condition would not apply.

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 all utilities are in place to serve this site.
2. The proposed detached residential subdivision at a density of 4.46 du/ac, is consistent in use and density (up to 4.5 du/ac) with the recent rezonings. Other subdivision development in the area has occurred under the PR zoning regulations (Greenwood Crossing to the north was developed at a density of 4.9 du/ac). Rennboro Subdivision to the west, which is zoned RA (Low Density Residential), was developed at a density of 2.15 du/a
3. The proposed subdivision entrance has been shifted approximately 10' to the north from the previous plan in order to meet the required sight distance. The sight distance was verified in the field by the applicant's surveyor.
4. Any school age children living in this development are presently zoned to attend Cedar Bluff Primary, Intermediate and Middle Schools and Karn High School.

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 a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed subdivision is consistent with the general standards for uses permitted on review: The

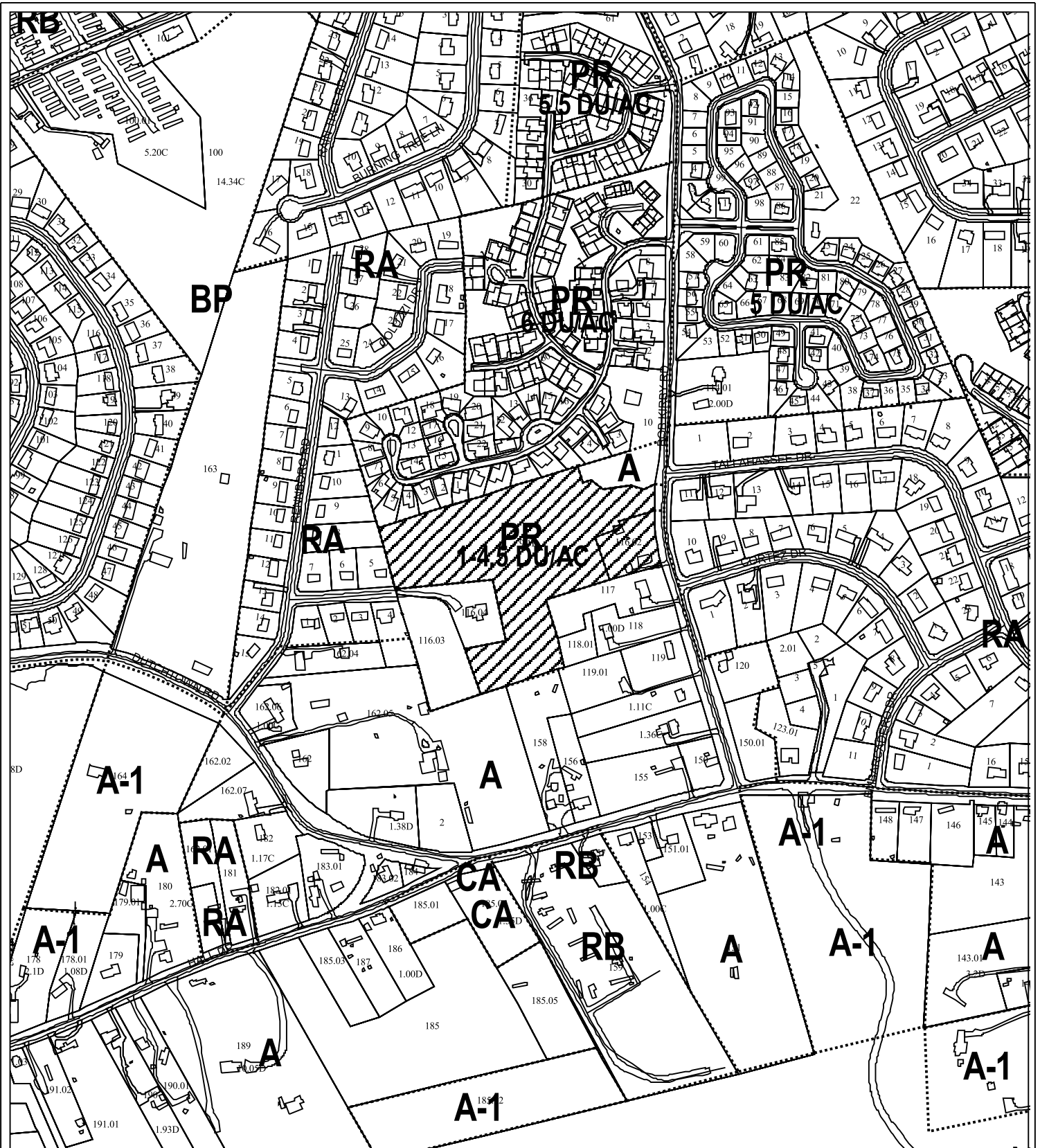
proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since it is located on a minor collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan designates this property for low density residential with a maximum density of 5 du/ac. The PR zoning approved for the site allows a density up to 4.5 du/ac. At a proposed density of 4.46 du/ac, the proposed subdivision is consistent with the Sector Plan and zoning designation.
2. The site is located within the Planned 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.



2-SH-07-C/2-H-07-UR
 CONCEPT PLAN/USE ON REVIEW



Detached residential subdivision in PR (Planned Residential) & PR (Planned Residential) pending

Original Print Date: 01/22/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

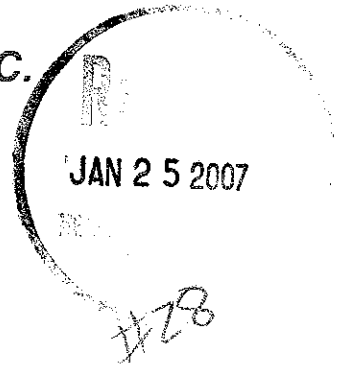
Petitioner: Hampton Court
 Eagle Bend Realty

Map No: 118

Jurisdiction: County



THE CLUSTERS OWNERS ASSOCIATION, INC.
% HOA MANAGEMENT
P O BOX 32627
KNOXVILLE, TENNESSEE 37930
(865) 558-3030 EXT #1



January 23, 2007

Metropolitan Planning Commission
ATTN: Mr. Tom Brechko

VIA FAX

Subject: Safety Issues with Proposed Hampton Court Subdivision Concept Plan

References: Subdivision Concept Plan File: 2-SH-07-C
Use On Review File: 2-H-07-WR
Location: Bob Kirby Road North of Dutchtown Road

Dear Mr. Brechko:

The Clusters Owners Association at Greywood Crossing, by unanimous resolution of the Board of Directors, objects to the Concept Plan for Hampton Court Subdivision as proposed by developer, Scott Davis. The property planned for development comprises the entire southern border of our community, and this development will greatly exacerbate already dangerous conditions.

The proposed subdivision entrance road will be a severe traffic and school child safety hazard.

- (1) The half-mile section of Bob Kirby Road between Dutchtown Road and Bob Gray Road already contains:
 - (a) Six offset street intersections.
 - (b) Seventeen (17) private driveways.
- (2) The proposed subdivision entrance at the top of a hill is in an unsafe location. (See attached photographs) Bob Kirby Road is a narrow road with blind curves and hills; however, it is used by official school buses and parents/students driving to/from nearby schools. School busses now stop at the intersection of Bob Kirby Road and Knottingwood.
- (3) The development plan would add approximately 450 more vehicle transits of Bob Kirby Road per day and add approximately 34 more school-age children. A school bus stop at the new subdivision entrance would probably be required.
- (4) A review was made of law enforcement records for the half mile section of Bob Kirby Road, inclusive of the intersections with Dutchtown Road and Bob Grey Road. The records show that for the 12 months December 2005 – December 2006, there were 20 traffic collisions—6 with injuries. Neighbors

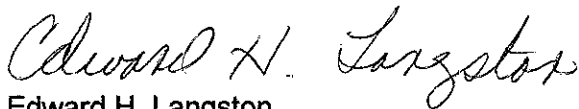
observed frequent vehicle collisions that were not reported or investigated by law enforcement. (Unable to estimate number)

(5) Radar speed measurements taken on the 3 separate dates in December 2006 at 901 Bob Kirby Road (the proposed subdivision entrance location) show average vehicle speeds of 13-18 miles per hour over the posted speed limit.

(6) Mr. Davis stated that he does not intend to install acceleration and deceleration lanes on Bob Kirby Road as part of his development operation because these safety improvement features are not required by Knox County.

A Clusters' representative intends to speak in opposition to this development at the February 2007 MPC public meeting. Questions or comments regarding the Clusters' position on this matter may be addressed to the undersigned at the above address or by phone at 865-805-8573 or e-mail at ed.langston@comcast.net.

Sincerely,



Edward H. Langston
President, The Clusters Owners Association



Attachments: Photographs (PowerPoint)

UNSAFE HAMPTON COURT

- Looking South on Bob Kirby Road from Knottingwood intersection area. Hill Crest Not Visible.



UNSAFE HAMPTON COURT

– Unsafe Entrance at
Crest of Blind Hill.

