



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 4-P-07-RZ  
4-F-07-SP

**AGENDA ITEM #:** 75  
**AGENDA DATE:** 6/14/2007

POSTPONEMENT(S): 4/12/2007-5/10/2007

▶ **APPLICANT:** BARGE WAGGONER SUMNER & CANNON  
**OWNER(S):** WESLEY DEVELOPMENT CORPORATION

**TAX ID NUMBER:** 119 C G 033  
**JURISDICTION:** Commission District 5

▶ **LOCATION:** Southeast side Fox Lonas Rd., northeast of West Meadecrest Dr.

▶ **TRACT INFORMATION:** 5.37 acres.

**SECTOR PLAN:** Northwest County

**GROWTH POLICY PLAN:** Planned Growth Area

**ACCESSIBILITY:** Access is via Fox Lonas Rd., a two lane, minor collector street with 20' of pavement within a 40' right-of-way.

**UTILITIES:** Water Source: West Knox Utility District  
Sewer Source: West Knox Utility District

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RA (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Condominiums

**DENSITY PROPOSED:** 7 du/ac

**EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING**  
North: Residences / LDR/RA and RB Residential  
South: Residences / LDR/RA Residential  
East: Residences / RA Residential  
West: Duplexes four-plexes / LDR/RB Residential

**NEIGHBORHOOD CONTEXT:** This site is within an established low density residential area that consists of single family, duplex and four-plex units developed under RA, RAE and RB zones.

**ESTIMATED STUDENT YIELD:** 6 (public and private school children, ages 5-18 years)

**STAFF RECOMMENDATION:**

▶ **DENY MDR (Medium Density Residential) designation**

An MDR designation is out of character with the established residential pattern surrounding this site. The sector plan proposes low density residential use of this site.

► **APPROVE PR (Planned Residential) zoning .  
APPROVE a density up to 5 du/ac.**

PR zoning at a density up to 5 du/ac. is consistent with surrounding residential development and RAE, RA and RB zoning.

**COMMENTS:**

A. Need and Justification for Proposal

1. The majority of the residential development in the vicinity of this site consists of low density units developed on large lots and in subdivisions.
2. Properties to the northwest were developed with duplex and four-plex units under RB zoning in the 1970' and 80's.
3. This and other properties along this section of Fox Lonas Rd. have been zoned RA for many years.

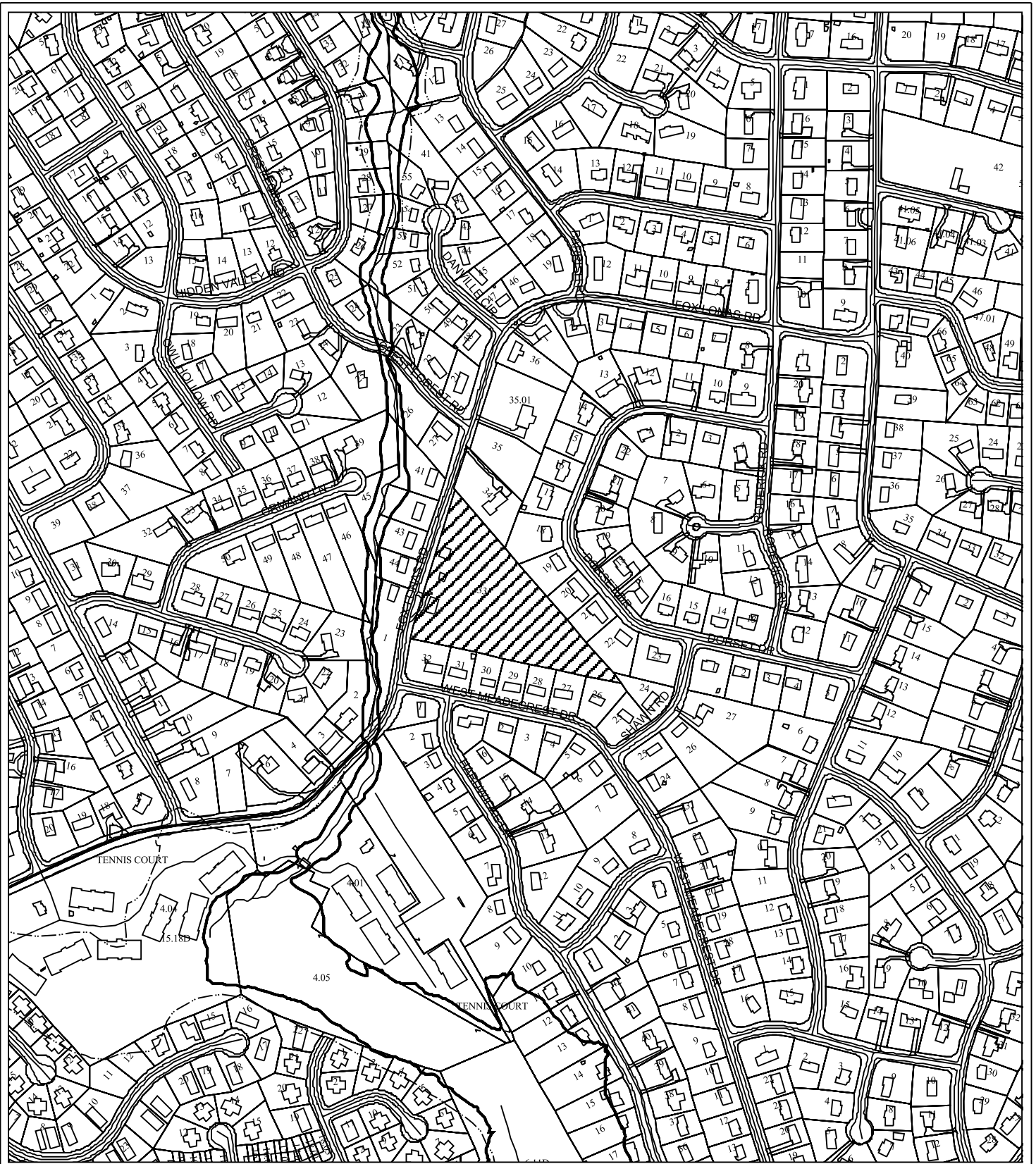
B. Effects of Proposal

1. An MDR designation would be more intense and out of character with the majority of surrounding residential development and RA zoning.
2. Medium density development on this site will lead to increased traffic and turning movements in this section of Dick Lonas Rd and place a greater burden on public utilities. The site is situated on a hazardous section of Fox Lonas Rd., a heavily traveled east/west minor collector street. Approximately 370 vehicle trips per day will be added to area roads if the property is developed at the requested medium density of 7 du/ac. The staff recommendation of 5 du/ac. Would generate 265 trips per day. The maximum density would add approximately 9 school aged children to the area schools, while the staff recommendation would add 6 children.
3. Approval would create an island of medium density residential in the middle of an established low density zoning and development pattern.

C. Conformity to the General Plan

1. This request is contrary to the goal of protecting single family development from incompatible, more intense land uses.
2. The sector plan designates this property for low density residential uses.
- 3 Approval of an MDR designation would allow more intense residential development and would be out of character with surrounding, residential uses.
4. This site's location on a minor collector street with public water and sewer service would support low density residential development at this location.

If approved, this item will be forwarded to Knox County Commission for action on 7/23/2007. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.




**4-F-07-SP/4-P-07-RZ  
SECTOR PLAN AMENDMENT  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Barge Waggoner  
Sumner & Cannon

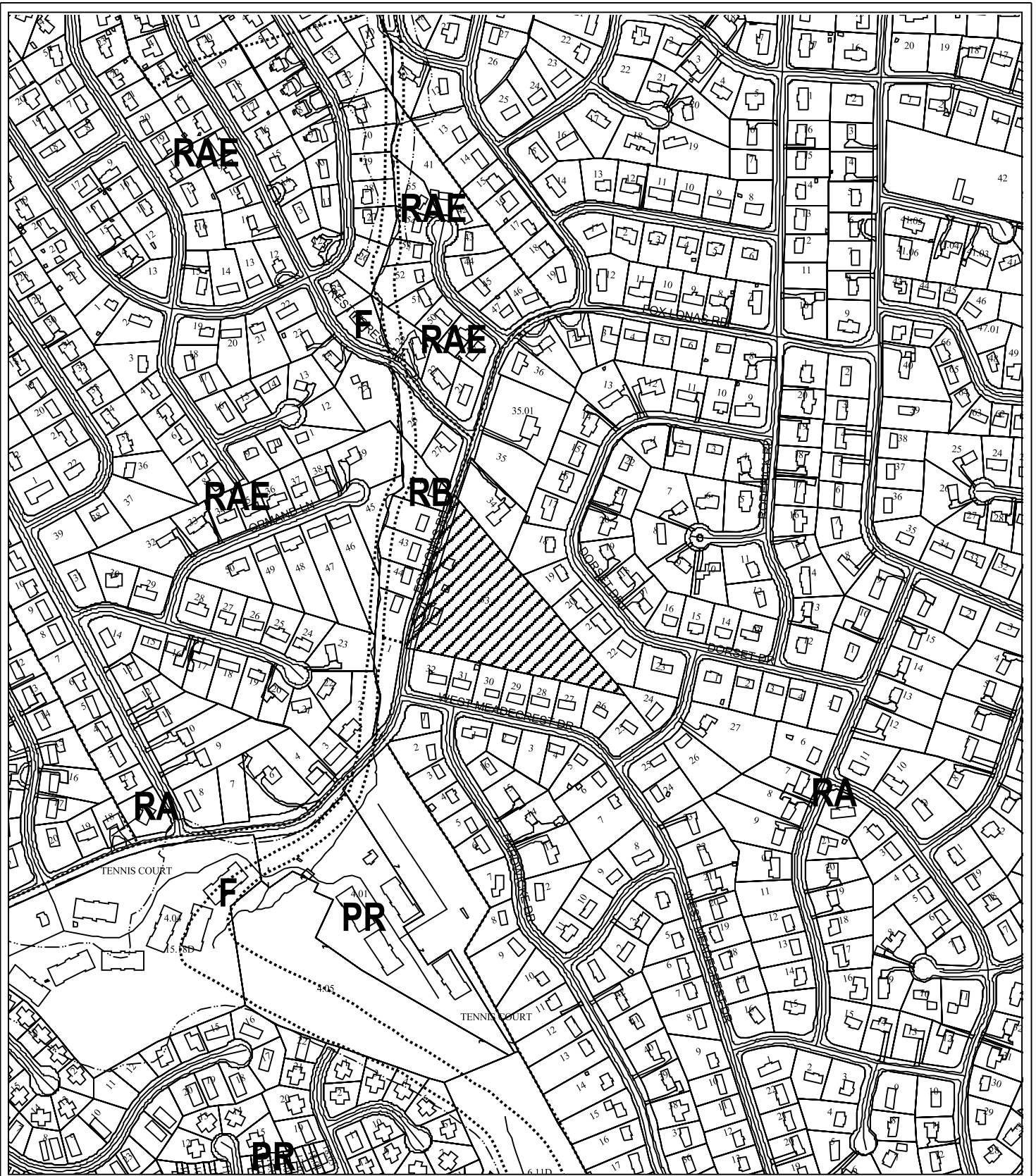
Map No: 119

Jurisdiction: County

 From: LDR (Low Density Residential)  
To: MDR (Medium Density Residential)

Original Print Date: 03/21/07 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902






4-P-07-RZ  
REZONING

Petitioner: Barge Waggoner  
Sumner & Cannon

Map No: 119

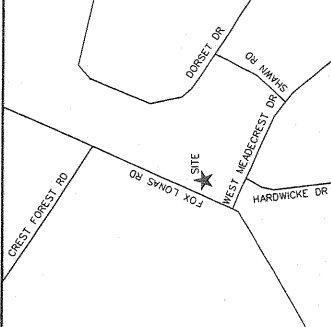
Jurisdiction: County



 From: RA (Low Density Residential)  
To: PR (Planned Residential)

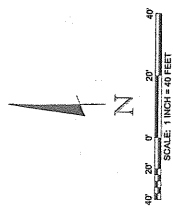
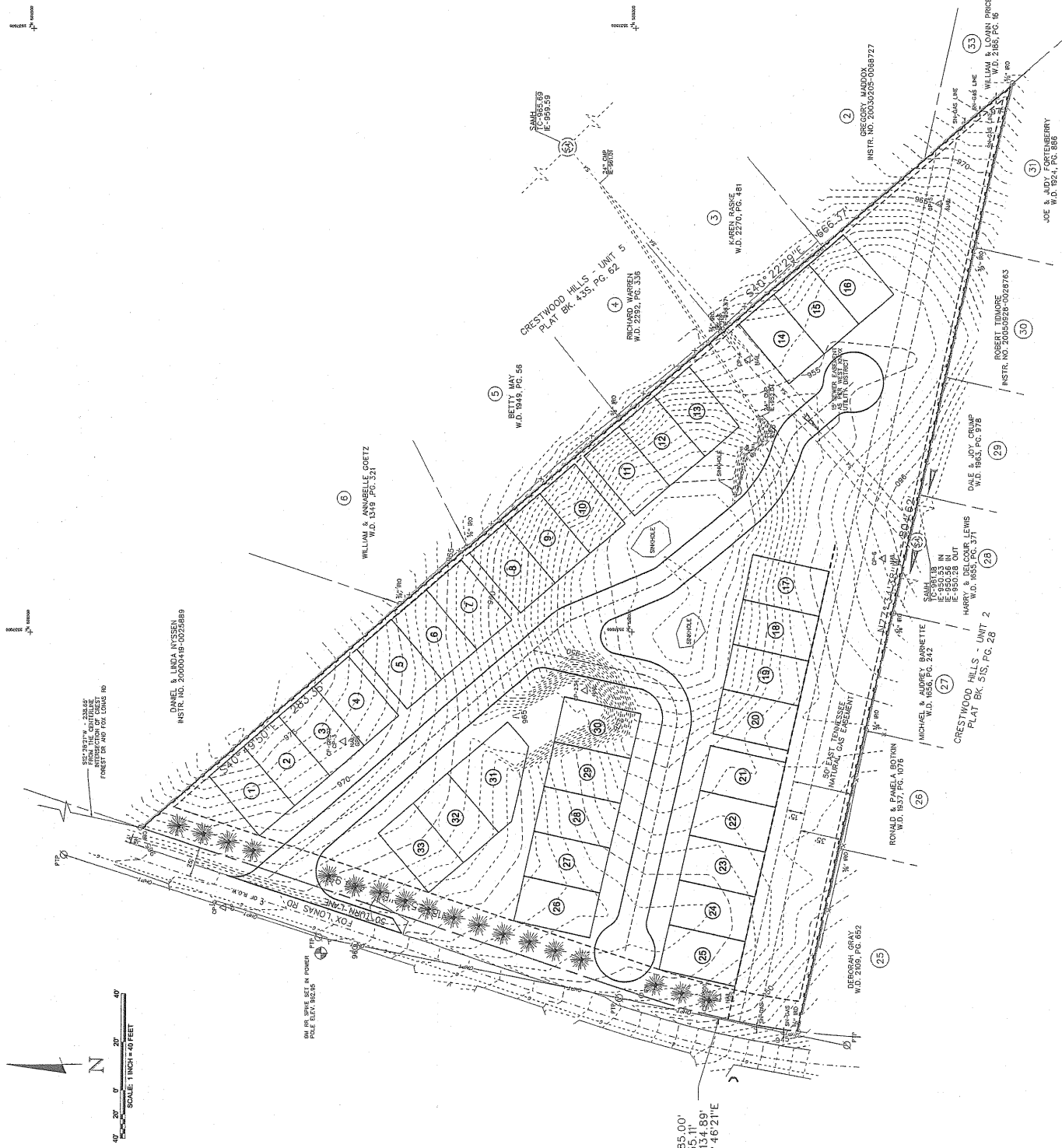
Original Print Date: 03/20/07 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

DR	CRK	DATE	DESCRIPTION
DRS	K	09-12-06	DRAWING ISSUE
DRS	K	04-23-07	LAYOUT REVISION FOR FINAL DESIGN
DRS	KP	05-14-07	ADDED TURN LANE



VICINITY MAP  
 NOT TO SCALE

4-F-07-SSP / 4-P-07-RZ  
**REVISED**  
 5/30/2007



R=685.00'  
 L=135.11'  
 CH=134.89'  
 N12°46'21"E

# WESLEY DEVELOPMENT CORPORATION

RONALD C. FRYE  
CHAIRMAN AND CHIEF EXECUTIVE OFFICER

April 30, 2007



Mr. Ken Pruitt  
MPC  
Suite 403  
Main Street  
Knoxville, TN 37902

IN RE: Barge Waggoner Sumner & Cannon  
Application # 4-P-07-RZ - # 4-F-07-SP

Dear Ken:

This letter is to confirm my conversation with you Friday, April 27, 2007.

Wesley Development offers the following response to MPC's staff comment letter

The application submitted by Barge Waggoner on March 5, 2007 requested a rezoning from RA to PR. It listed a density of 6.52 pursuant to the initial concept plan which was submitted along with the application. We expected to lose 2 units, (14&18) perhaps 3 during final design which would result in a density of 6du/ac. This is the density we are seeking, not 7, as listed on the comment letter. This is the same density we have requested and received over the past ten years on PR applications for condominium developments. Enclosed is a list of these developments, plus several others that were approved for 6du/ac or more, all located near the Fox Lonas project.

When I handed the application and site layout plan to Dan Kelly, he asked me the density and I responded 6.52. What I failed to say was "per our concept plan," so quite naturally he must have assumed that this was our rezoning request leading him to say that we would have to file a plan amendment. He then proceeded to mark that box on the application and fill in the necessary information. A check for \$665.00 had already been written for the rezoning fee application. A second check for the plan amendment was delivered the following Monday. Subsequently, the density 6.52 listed on the application was rounded up to 7 by MPC.

Regarding MPC's comment letter, a couple of points noteworthy of mention:

1) Paragraph C, Conformity to the General Plan, Sect. 1. "This request is contrary to the goal of protecting single family development from incompatible, more intense land use."

Fox Lake Condominiums/Apartments are located only about 300 feet to the west of our site. It consists of 350 units, sitting on approximately 15 acres, 5 of which are a lake.

2) Paragraph B, "The site is situated on a hazardous section of Fox Lonas road."  
A review of a map of the 8700 block of Gleason Rd, between our Madison Square development and Brookshire Commons, is a section of road arguably more hazardous than the section referenced on Fox Lonas west of our proposed development. Brookshire Commons has a density of 10 units per acre and Madison Square 6 per acre without any major traffic problems on that section of road.

Sincerely,

A handwritten signature in black ink that reads "Ron Frye". The signature is written in a cursive style with a long horizontal flourish extending to the right.

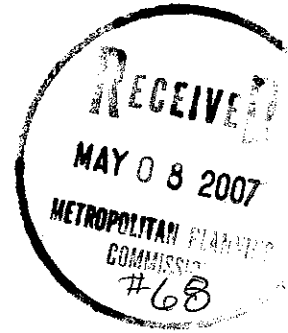
Ronald C. Frye

	<u>Units</u>	<u>Acres</u>	<u>APPROVED Density-du/ac</u>
Anderson Ridge * 8741 Gleason Rd	59	10.3	6
Cleveland Park 7700 Dean Hill Dr	28	4.7	6
Madison Square * 8700 Gleason Rd	27	4.6	6
Windtree Oaks * John Sevier Hwy	32	5.3	6
Brookshire Commons 8700 Gleason Rd	72	7.4	10
Creston Court 8400 Old Middlebrook Pk	32	4.3	7.5
Fox Lonas *	27	5.4	5 Recommended



May 7, 2007

To: Metropolitan Planning Commission  
RE: May 10, 2007 Agenda item #68 ( 4-F-07-SP, 4-P-07-RZ)



My name is Karen Raske. My property is located at 833 Dorset Drive and it backs to the development under review. I have lived and paid taxes on my home for over 10 years. I appreciate Mr. Frye's (Wesley Development) good faith opportunity to review his condominium plans. However, being a normal homeowner who does not understand all the nuances of the development process, I wanted to ensure my concerns, which affect not only me and my immediate neighbors but also for my neighbors not directly surrounding this property, were identified to the Metropolitan Planning Commission.

I respect and support the staff recommendation of changing the zoning to PR and maintaining the existing low density residential zoning. I believe that any development MPC approves should mimic the immediate neighborhood. My concerns are as follows:

1. My greatest concern is in regards to the existing natural sinkhole and detention basin and channel used to drain storm water. I feel strongly that this should not be modified. This natural storm drainage has been removing water from the neighborhood since the early 1960's. I am not overly anxious by the flooding that occurs on my property during rainstorms because I know the detention basin works and the water moves quickly and it has never entered my house. If any changes are made to this sinkhole/basin, I would be concerned not only with the homes directly surrounded the property but the homes, schools, churches, and businesses in the Cedar Bluff/Dutchtown areas (which already have experience flooding issues). To what I understand, the storm engineers have been able to identify a complex network of natural underground streams and basins that interconnect this area of Knox County. I believe this might be an "environmentally sensitive" area. Due to the strict draining ordinances, the developer would have to work with multitudes of entities and agencies to ensure integrity of the storm drainage system is maintained. If the existing water flow was redirected – *where would it be redirected? What is the plan?* We have heard that the current drainage would be diverted to the creek on the other side of Fox Lonas ending at the property across from the Catholic School on Cedar Bluff. *If water is redirected what is the direct result to other areas that already have flooding issues? Would this add additional overflow to the area outside of the Cedar Bluff post office and retirement center? Will the communities in those areas be notified if storm drainage is going to be rerouted? Will the 50ft easement surrounding the natural water detention site be maintained?*
2. Sinkholes- restrict any grading within the area of the sinkholes at the bottom of the detention basin I would not want developer to inadvertently turn the sinkhole into a sedimentary pool That would interfere with the existing flow of water potentially causing a pond or other issues because of poor drainage.
3. Would the natural basin need to be enlarged or an additional detention basin be developed to respond in the increase of water drainage caused by the new development?

Additional concerns:

1. There is currently a 35ft easement for this subdivision area. Looking at the unapproved plan, the "squares" (footprint of building) appear to be 5ft away from my property line. Mr. Frye has said that his dwellings would be 15ft from our property line.
2. The storm drain is located on my property. We have been advised from the developer that they would like to increase the size of the storm drain. The drain is not the issue- the

issue is the changing of the detention basin (see #1 above) I would prefer to not have digging in my yard.

3. Traffic- visibility will be dangerous for the families turning onto Fox Lonas from the new condominium development. How will the developer enhance the entrance to allow for a clear view of both ways of traffic?
4. New residents will take shortcuts through the existing neighborhood. There will be larger increase in traffic with builder's proposal for med density as opposed to MPC staff recommendation of low density. Roderick would probably be the street most affected. Currently, there are no speedhumps on Roderick.
5. The property in question is surrounded on all sides by existing single family dwellings. It would be preferable to maintain the single family detached home (2-story).

Thank you for your time and patience

Karen Raske

833 Dorset Drive  
Knoxville, TN 37923  
(865) 342-5133 (wk)  
(865) 924-8077 (hm)  
email: kraske@edfinancial.com

716 W. Meadecrest Dr.  
Knoxville, TN 37923  
May 6, 2007



Metropolitan Planning Commission  
Attn: Buz Johnson, Assistant Director  
City County Building  
400 Main Street, Room 403  
Knoxville, TN 37902

RE: #<sup>6</sup>28 -- Barge Waggoner Sumner & Cannon Engineers Architects & Planners

Dear Mr. Johnson:

We are writing this letter with concerns about the Wesley Development Project at Fox Lonas and West Meadecrest, District 5. Due to our work hours we are unable to be at the meeting on Thursday, May 10, when this project is up for discussion. This district is zoned RA and is now up for rezoning to PR. RA to PR -- 4P07-RZ.

We are concerned with several items of this project. First, the traffic caused by this project. Fox Lonas is already overloaded with traffic and the curves on this road are dangerous without more traffic. It would seem that Fox Lonas would need more lanes to carry the numerous traffic this housing will bring to the neighborhood. Second, the sink holes on this property. Drainage will be a big concern with our property next to this project. Drainage on Dorset Drive would also be a major concern. Third, the number of units being built; six units per acre would be too many and if this is granted then five units would be preferred. We do not have the problems in this area that we will be seeing if precautions are not taken with the traffic and drainage.

We have lived in this neighborhood and our home for twenty years and have had no problems. This project is coming in behind our home and we are concerned with the above-mentioned problems. Trees and a fence have been mentioned, but traffic and drainage problems will be a major problem to homeowners.

We appreciate your time and acknowledgment of our concerns.

Handwritten signature of Joey R. Fortenberry in cursive.

Joey R. Fortenberry

Handwritten signature of Judy A. Fortenberry in cursive.

Judy A. Fortenberry