



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

▶ **FILE #:** 2-SB-09-C
2-C-09-UR

AGENDA ITEM #: 11
AGENDA DATE: 2/12/2009

▶ **SUBDIVISION:** TOWERING OAKS
▶ **APPLICANT/DEVELOPER:** TOWERING OAKS PARTNERSHIP
OWNER(S): Towering Oaks Partnership

TAX IDENTIFICATION: 130 PART OF 73.01
JURISDICTION: County Commission District 6

▶ **LOCATION:** North side of Hatmaker Ln., west of Fretz Rd.

SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)
WATERSHED: Turkey Creek

▶ **APPROXIMATE ACREAGE:** 26.25 acres

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING:
North: Vacant land / NZ (No Zone) Town of Farragut
South: I-40/I-75 / NZ (No Zone) Town of Farragut
East: Vacant land / A (Agricultural)
West: Residences / A (Agricultural) & RA (Low Density Residential)

▶ **NUMBER OF LOTS:** 124

SURVEYOR/ENGINEER: LeMay & Associates

ACCESSIBILITY: Access is via Fretz Rd., a local street with a minimum pavement width at some locations of only 14' within a 40' right-of-way, and Hatmaker Ln., a local street with an 18' pavement width within a required right-of-way of 50'

- ▶ **SUBDIVISION VARIANCES REQUIRED:**
1. Horizontal curve variance on Road A beginning at Sta 0+57, from 250' to 165'.
 2. Horizontal curve variance on Road A beginning at Sta 10+71, from 250' to 125'.
 3. Horizontal curve variance on Road A beginning at Sta 16+28, from 250' to 125'.
 4. Horizontal curve variance on Road A beginning at Sta 24+24, from 250' to 175'.
 5. Horizontal curve variance on Road C beginning at Sta 7+34, from 250' to 175'.
 6. Vertical curve variance on Road A at Sta 27+83, from 102.5' to 80'.

STAFF RECOMMENDATION:

▶ **APPROVE** variances 1 - 6 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 12 conditions

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Revising the concept plan to provide for a vehicular and pedestrian connection between this subdivision and the Brandywine at Turkey Creek subdivision also under review at this meeting (2-SA-09-C / 2-B-09-UR).
4. Implementing the following off-site street improvements: a) If this subdivision moves forward prior to the Brandywine at Turkey Creek subdivision, this applicant shall be responsible for widening Fretz Rd. from the intersection of Fretz Rd. and Hatmaker Ln. north to N. Campbell Station Rd. The section of Fretz Rd. within Knox County jurisdiction shall be widened to a width of at least 20' with a pavement transition at the north end to the approved street design within the Town of Farragut. The Section of Fretz Rd. within the Town of Farragut jurisdiction, including the realignment of the intersection of Fretz Rd. and N. Campbell Station Rd., shall meet the design and approval requirements of the Town of Farragut. These improvements shall be approved and completed prior to any final plat being submitted for consideration by the Planning Commission. b) If this subdivision moves forward after the Brandywine at Turkey Creek subdivision, and the widening and realignment improvements to Fretz Rd. are completed, this applicant shall be responsible for widening Fretz Rd. from the intersection of Fretz Rd. and Hatmaker Ln. north to the entrance to Brandywine at Turkey Creek subdivision, to a width of at least 20' (subject to approval by the Knox County Department of Engineering and Public Works), and adding a north bound left turn lane on N. Campbell Station Rd. at the realigned intersection with Fretz Rd. subject to the design and approval requirements of the Town of Farragut. These improvements shall be approved and completed prior to any final plat being submitted for consideration by the Planning Commission.
5. Installation of traffic calming devices as required 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. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the common area and drainage system.
8. On the final plat, including the sight distance easements across Lots 42, 43 and 84 on the inside of the horizontal curves identified above as variances 2 and 3.
9. Providing the sidewalks (meeting American Disability Act (ADA) standards) identified on the concept plan, with a revision to allow for the pedestrian connection to the Brandywine at Turkey Creek subdivision identified in condition #3 above.
10. Any subdivision or development of the 3.8 acre portion of Tax Parcel 130-07301 that is located within the Town of Farragut is subject to review and approval by the Town of Farragut.
11. If an official determination is made that the Town boundary for the Town of Farragut as depicted on the Concept Plan is in error, the Concept Plan shall be revised subject to approval by Planning Commission Staff. This official determination must be made (with written documentation) prior to acceptance of a final plat for this subdivision.
12. 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 and the required street improvements identified in condition #4 above have been completed.

► **APPROVE the development plan for a total of up to 124 detached residential dwellings on individual lots subject to 2 conditions.**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Installation of landscaping as shown on the landscape plan within six months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a concept plan and use-on-review.

COMMENTS:

The applicant is proposing to subdivide a 26.25 acre tract into 124 detached residential lots at a density of 4.72 du/ac. Access to the proposed subdivision will be from Hatmaker Ln. which requires traveling on Fretz Rd., a local street with a minimum pavement width at some locations of only 14'. With access out to N. Campbell Station Rd.

This is the fourth concept plan submitted for this site since October 12, 2006 with the most recent concept plan having been approved by the Planning Commission on September 11, 2008 (8-SA-08-C/8-H-08-UR). That concept plan was for a detached and attached residential subdivision with 198 lots on 40.97 acres. The property included in that proposal had been rezoned to PR (Planned Residential) at a density of up to 5 du/ac through four separate rezoning requests with the first approval in August, 2006 and the most recent approval in December, 2008. The property owners/developers involved with that concept plan approval have decided not to move forward with the single subdivision and have now submitted two separate subdivisions (both on this agenda: 2-SA-09-C/2-B-09-UR & 2-SB-09-C/2-C-09-UR) with no connection between the two developments.

A Traffic Impact Study prepared by Site Incorporated was submitted for the previous subdivision approval. Planning Commission and Knox County Engineering Staff had reviewed the Traffic study and coordinated a review with the Town of Farragut Staff. Based on that study it was identified that in addition to the widening of Fretz Rd. and the realignment of the intersection of Fretz Rd. and N. Campbell Station Rd., a north bound left turn lane on N. Campbell Station Rd. at the realigned intersection with Fretz Rd. was warranted. While the subdivision of the property is now being processed as two separate developments the need for the off-site street improvements has not changed. Staff has recommended a condition (Condition #4) on implementation of off-site street improvements to Fretz Rd. and Campbell Station Rd. based on the which development moves forward first. The off-site street improvements identified in Condition #4 must be completed prior to the submission of a final plat for the subdivision.

Staff has also recommended a condition (#3) for both subdivisions requiring the concept plans to be revised to include both a vehicular and pedestrian connection between the two. This will enhance connectivity between the two subdivisions and the surrounding area.

The only recreational amenity provided for this subdivision is a fenced walking area and sidewalks on one side of all streets. Staff is recommending the connection to the sidewalk system within Brandywine at Turkey Creek subdivision.

In reviewing the previous concept plan, a discrepancy was found between the KGIS data base and the Annexation Referendum for the Town of Farragut boundary line as it relates to this property. The Town's attorney is researching this issue. If an official determination is made that the Town boundary for the Town of Farragut as depicted on the Concept Plan is in error, the Concept Plan shall be revised subject to approval by Planning Commission Staff.

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. With the proposed widening of Fretz Rd. and the intersection improvements of Fretz Rd. and N. Campbell Station Rd. including the left turn lane on N. Campbell Station Rd., there will be adequate capacity on the existing roadways to handle the projected traffic from this subdivision.
3. Any school age children living in this development are presently zoned to attend Farragut Primary, Intermediate and Middle Schools and Hardin Valley Academy.

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

1. With the stated conditions, 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan identifies this property for low density residential use. The site is located in the Urban Growth Area of the Growth Policy Plan. The PR zoning approved for this site will allow

a density up to 5 du/ac. With a proposed density of 4.72 du/ac, the proposed subdivision is consistent with the Sector Plan and Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT 1264 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

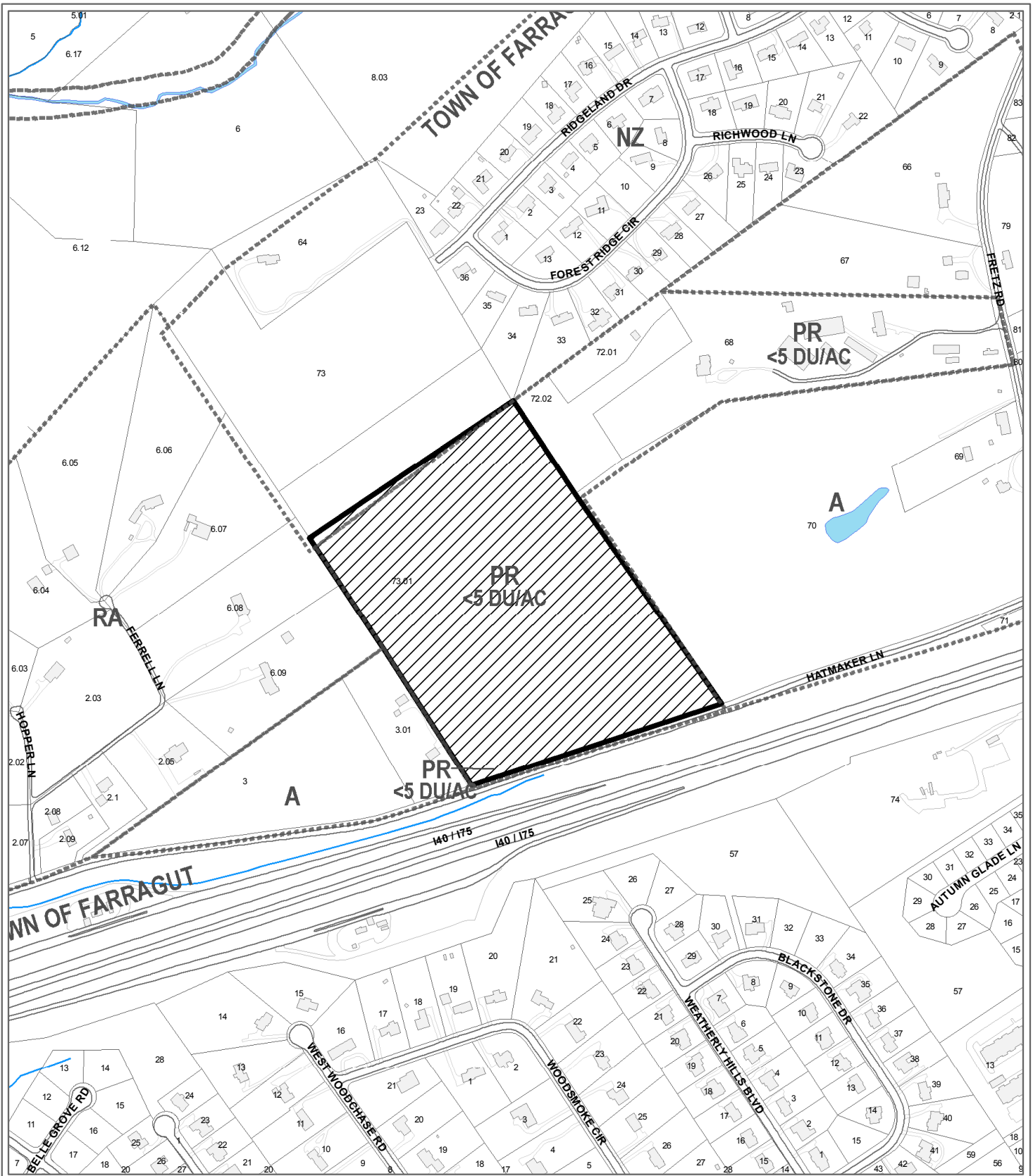
ESTIMATED STUDENT YIELD: 66 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Farragut Primary/Intermediate, Farragut Middle, and Farragut High.

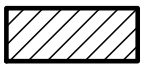
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

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-SB-09-C / 2-C-09-UR
CONCEPT PLAN/USE ON REVIEW**

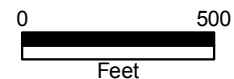


Undefined in PR (Planned Residential)

Petitioner: Towering Oaks Partnership
Towering Oaks

Map No: 130

Jurisdiction: County



Original Print Date: 1/23/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



