



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

▶ **FILE #:** 4-E-09-UR **AGENDA ITEM #:** 57
 POSTPONEMENT(S): 4/9/2009 **AGENDA DATE:** 5/14/2009

▶ **APPLICANT:** BENCHMARK ASSOCIATES, INC.
 OWNER(S): WELLS CREEK LLC
 WELLS CREEK LLC

TAX ID NUMBER: 137 22.01,22.02, 22.03 & 23.01, 23.02, 23.04, 23.05, 23.06, 24, 26, 31 & 31.01
 JURISDICTION: County Commission District 9
 ▶ **LOCATION:** South side of W. Governor John Sevier Hwy, north side of Tipton Station Rd., east side of Winkle Ln.
 ▶ **APPX. SIZE OF TRACT:** 28.051 acres
 SECTOR PLAN: South County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via W. Governor John Sevier Hwy., a major arterial street with a pavement width of 24' within a 165' wide right-of-way
 UTILITIES: Water Source: Knox-Chapman Utility District
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Stock Creek

▶ **ZONING:** PR (Planned Residential)
 ▶ **EXISTING LAND USE:** Vacant land
 ▶ **PROPOSED USE:** 133 unit condominium development and 7 detached residential home sites
 4.99 du/ac
 HISTORY OF ZONING: The property was rezoned to PR (Planned Residential) @ up to 5 du/ac in December 2005 with additional property added and approved in June 2008.
 SURROUNDING LAND USE AND ZONING: North: Residences and vacant land / OA (Office Park), A (Agricultural) & RA (Low Density Residential)
 South: Rural residential / A (Agricultural)
 East: Rural residential / A (Agricultural)
 West: Rural residential / A (Agricultural)
 NEIGHBORHOOD CONTEXT: The site was rezoned to PR (Planned Residential) at up to 5 du/ac in late 2005 with additional property added in 2008. The area surrounding this site is zoned A agricultural and it is developed with detached dwellings on lots that are generally larger than one acre in size.

STAFF RECOMMENDATION:

▶ **POSTPONE until the July 9, 2009 MPC meeting as requested by the applicant.**

The applicant has submitted a sector plan amendment and rezoning request (5-B-09-SP/5-E-09-RZ) for a portion of this site for consideration at the Planning Commission's May 14, 2009 meeting.. If the sector plan

amendment and zoning change are approved, some of the specifics of this use-on-review application will change.

COMMENTS:

The applicant is proposing to develop this 28.051 acre site with 133 attached residential condominium units and 7 detached residential units at a density of 4.99 du/ac. The property was rezoned to PR (Planned Residential) @ up to 5 du/ac in December 2005 with additional property added and approved in June 2008. The attached residential condominium portion of development will have access only to W. Governor John Sevier Hwy. An updated traffic impact analysis is required for the proposed development.

ESTIMATED TRAFFIC IMPACT 1323 (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: 22 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Bonny Kate Elementary, South-Doyle Middle, and South-Doyle 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 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. Appellants have 30 days to appeal an MPC decision in the County.

From: ernie brewster <ebrepairman@yahoo.com>
To: <artclancy3@gmail.com>, <cole5137@bellsouth.net>, <tbenefield@benefieldrichters.com>, <bartcarey@comcast.net>, <anders@holstongases.com>, <ubailey@esper.com>, <gewart@georgeewart.com>, <s.johnson692@gmail.com>, <grafhomes@aol.com>, <makane1@bellsouth.net>, <rebeccalongmire@hotmail.com>, <wstowers@stowerscat.com>, <mark.donaldson@knoxmpc.org>
Date: 3/29/2009 10:54:46 PM
Subject: BENCHMARK ASSOCIATES, INC. 4-E-09-UR

I want to voice opposition to this project I do not want it to go forward any form or fashion

RE: MPC AGENDA for April 9th at 1:30
South side of W. Governor John Sevier Hwy, north side of Tipton Station Rd., east side of Winkle Ln. Proposed use: 165 unitcondominium development in PR (Planned Residential) District.
Commission District 9.

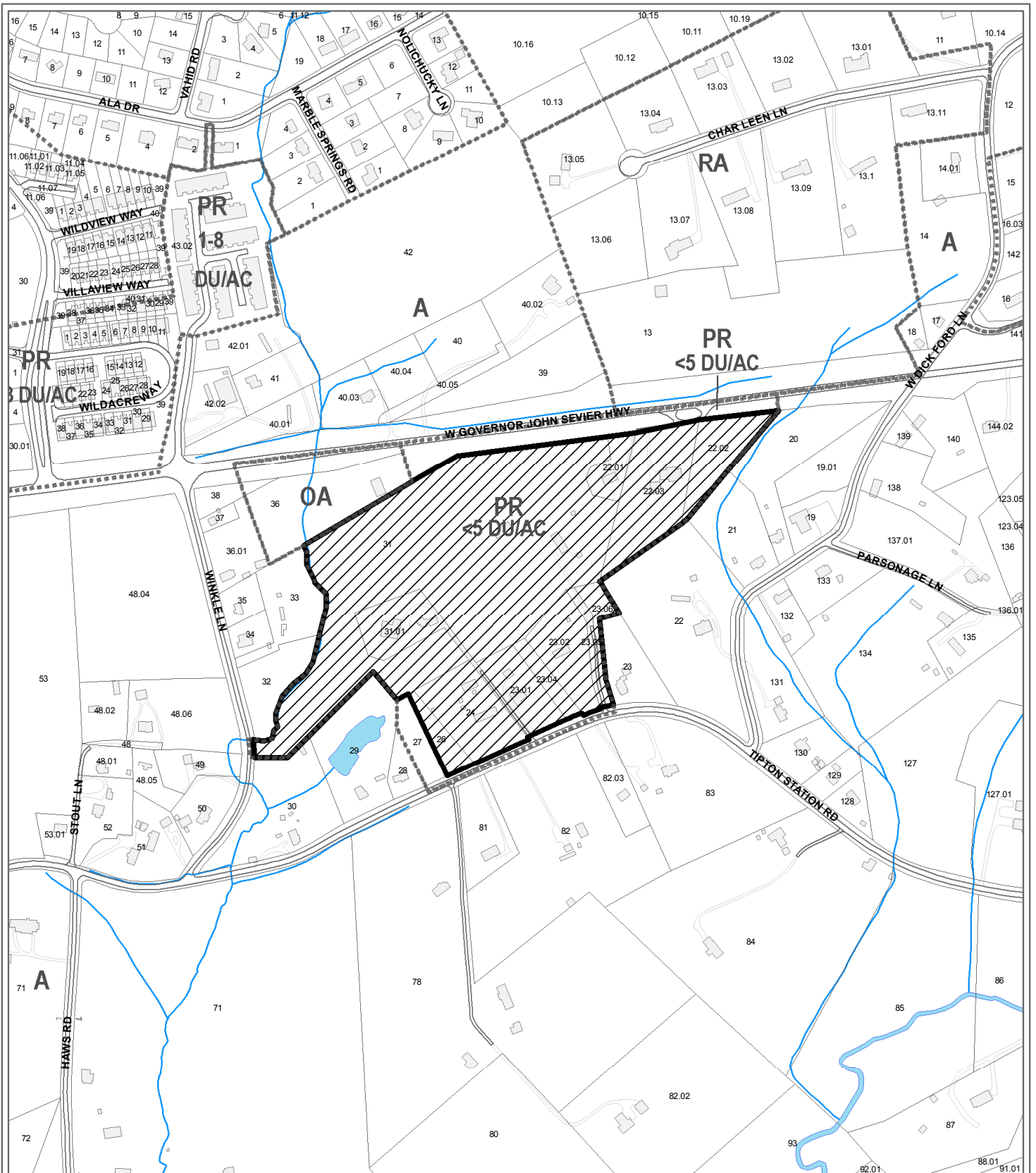
this is the old Wells Creek development , this Development is not wanted in South Knoxville , our Community stands against this. The Developer has pulled to many tricks and should table his plans , no Apartments , or so called sub-divison , I think this property maybe zoned Residential but he is tryin to if I may say put 5 gal of BS into a gallon jug and we dont want the BS that will over flow .

Ernie Brewster
#53. BENCHMARK ASSOCIATES, INC. 4-E-09-UR

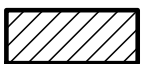
"Our contest is not only whether we ourselves shall be free, but whether there shall be left to mankind an asylum on Earth for civil and religious liberty." Samuel Adams

No man's life, liberty, or property is safe while the legislature is in session. -Mark Twain (1866)

Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph.



**4-E-09-UR
USE ON REVIEW**

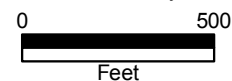


140 unit residential development in PR (Planned Residential)

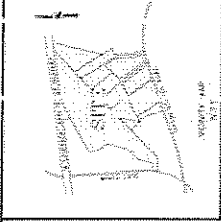
Petitioner: Benchmark Associates, Inc.

Map No: 137

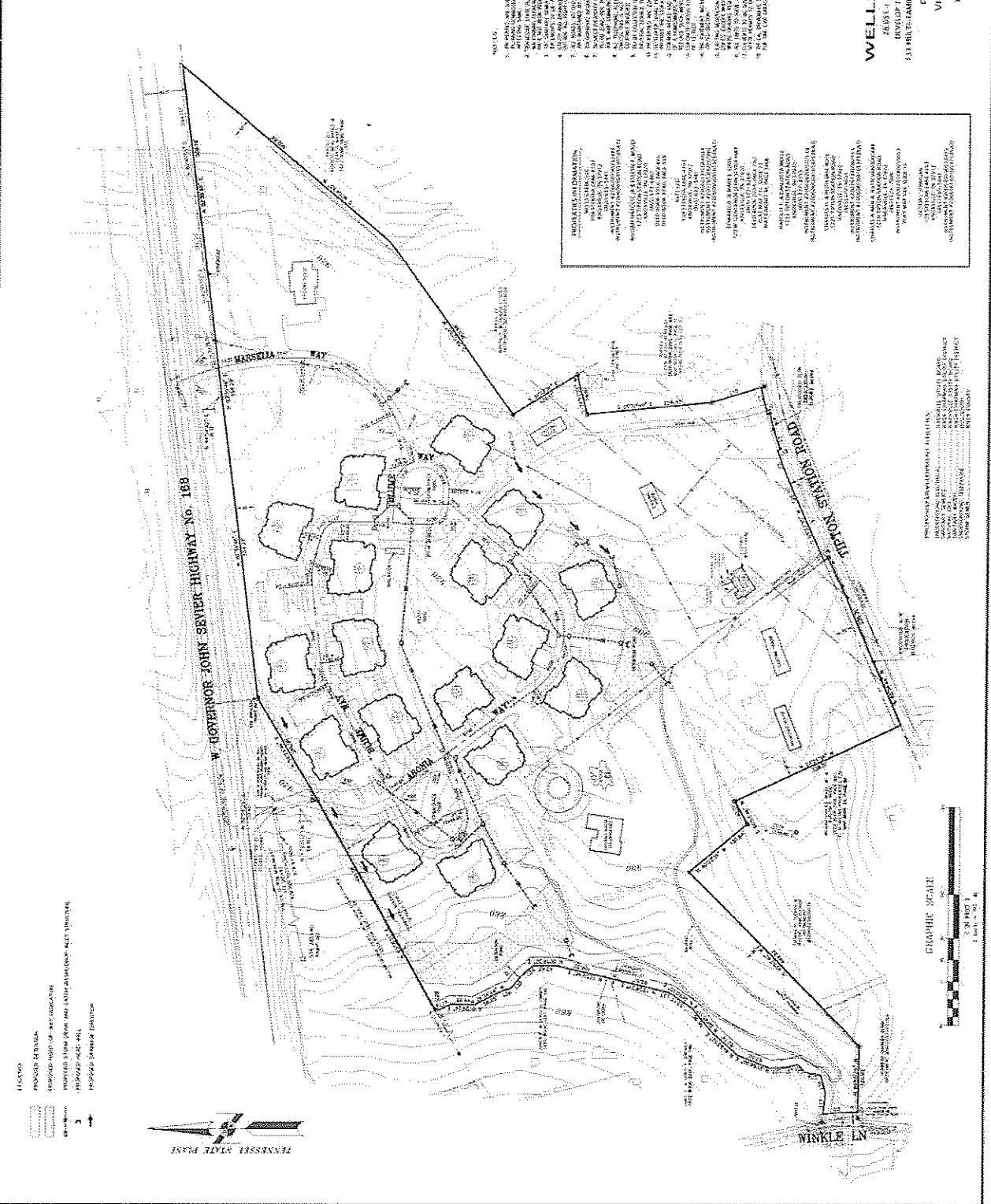
Jurisdiction: County



Original Print Date: 3/30/2009
 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

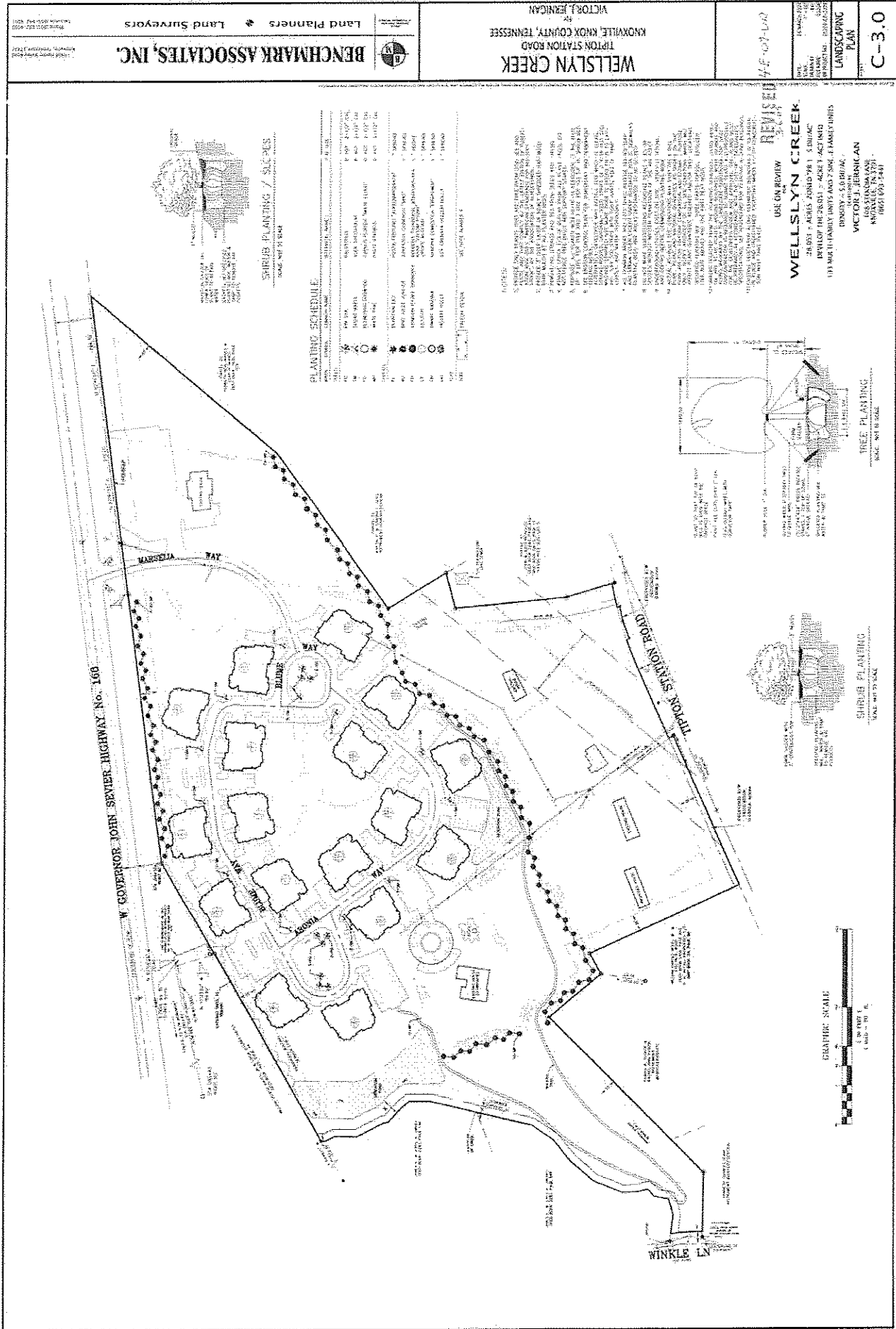


NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
1	Lot 1	10,000	0.23
2	Lot 2	10,000	0.23
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USE ON REVIEW
WELLSLYN CREEK
 28.051 ACRES, ZONED R-1.5 (BULK)
 DEVELOP 11 ACRES, 5 LOTS
 531 MULTI-FAMILY UNITS AND 7 SINGLE FAMILY UNITS
 BENNETT & SONS, INC.
 VICTOR J. JERNICAN
 REGISTERED PROFESSIONAL LAND SURVEYOR
 KNOXVILLE, TN 37912
 11/15/07 085-33447

NOT TO SCALE
 1. THIS SURVEY IS BASED UPON THE ASSUMPTION THAT THE DEEDS AND RECORDS REFLECT THE TRUE AND CORRECT BOUNDARIES OF THE PROPERTY.
 2. THIS SURVEY IS BASED UPON THE ASSUMPTION THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED FROM THE APPROPRIATE AGENCIES.
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From: "Betty McCammon" <bbmccammon@comcast.net>
To: <mark.donaldson@knoxmpc.org>
Date: 5/7/2009 9:19:33 AM
Subject: wells creek secton/info to all commissioners

Mr. Donaldson, We attended the South Doyle Area Homeowners Assoc meeting May 5 and the item 56 Wells Creek, LLC and item 57 Benchmark Associated, Inc.4-E-09-R scheduled on the May 14, 2009 Metropolitan Planning Commissions's agenda. This was a portion of the SDAHA business and the group voted "opposed to both sector plan amendment 5-B-09-SP and the density LDR to MDR. We appreciate your sharing our views with the other commissioners and thank you in advance. Our residence is 1220 Tipton Station Road and the property in question is located across Tipton Station and north east.

Ben and Betty McCammon