



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

▶ **FILE #:** 11-D-09-UR

AGENDA ITEM #: 51

AGENDA DATE: 11/12/2009

▶ **APPLICANT:** GRAYBROOK PARK SUBDIVISION HOME OWNERS ASSOCIATION

OWNER(S): GRAYBROOK HOMEOWNERS ASSOCIATION

TAX ID NUMBER: 136 N A 001-058

JURISDICTION: County Commission District 9

▶ **LOCATION:** South side of W. Governor John Sevier Hwy., east side of Coatney Rd.

▶ **APPX. SIZE OF TRACT:** 14.65 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Coatney Rd., a local street with 40 to 150' of right of way and 22' of pavement width.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Stock Creek

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

▶ **EXISTING LAND USE:** Developed attached residential subdivision

▶ **PROPOSED USE:** Amend existing development plan to eliminate the requirement for sidewalks

3.96 du/ac

HISTORY OF ZONING: The property was zoned to PR (Planned Residential) in 2004. The concept subdivision and development plan for a 58 unit attached residential development was approved at the same time (4-SF-04-C & 4-I-04-UR)

SURROUNDING LAND USE AND ZONING:

North: W. Gov. John Sevier Hwy. / A agricultural

South: Detached dwellings / A agricultural & RA residential

East: Detached dwellings / A agricultural & PR residential

West: Detached dwellings / A agricultural & PR residential

NEIGHBORHOOD CONTEXT: The site is located at the intersection of Coatney Rd. and W. Governor John Sevier Hwy. Property in the area is zoned A agricultural, RA and PR residential. Development in the area consists primarily of detached dwellings. South Doyle High School is located approximately 1600' south of this site.

STAFF RECOMMENDATION:

▶ **APPROVE** the request to eliminate the required sidewalk construction within the development

COMMENTS:

The site is located north of the South Doyle High School campus. It is the practice of MPC to require sidewalks be constructed within a development when the site is located within the area where parents are required to provide transportation to the local school. At the time this project was considered, the developer proposed that a sidewalk be built on one side of the street within the development. The site was developed without the sidewalk being constructed. All of the dwellings have been constructed. No provision in the building process was made for the construction of the sidewalk. The residents now object to the construction of the sidewalk because it would damage their lawns. A petition has been submitted from a majority of the property owners requesting that the sidewalk not be constructed. The residents of this subdivision are primarily "empty nesters" and few, if any, school aged children live in the development.

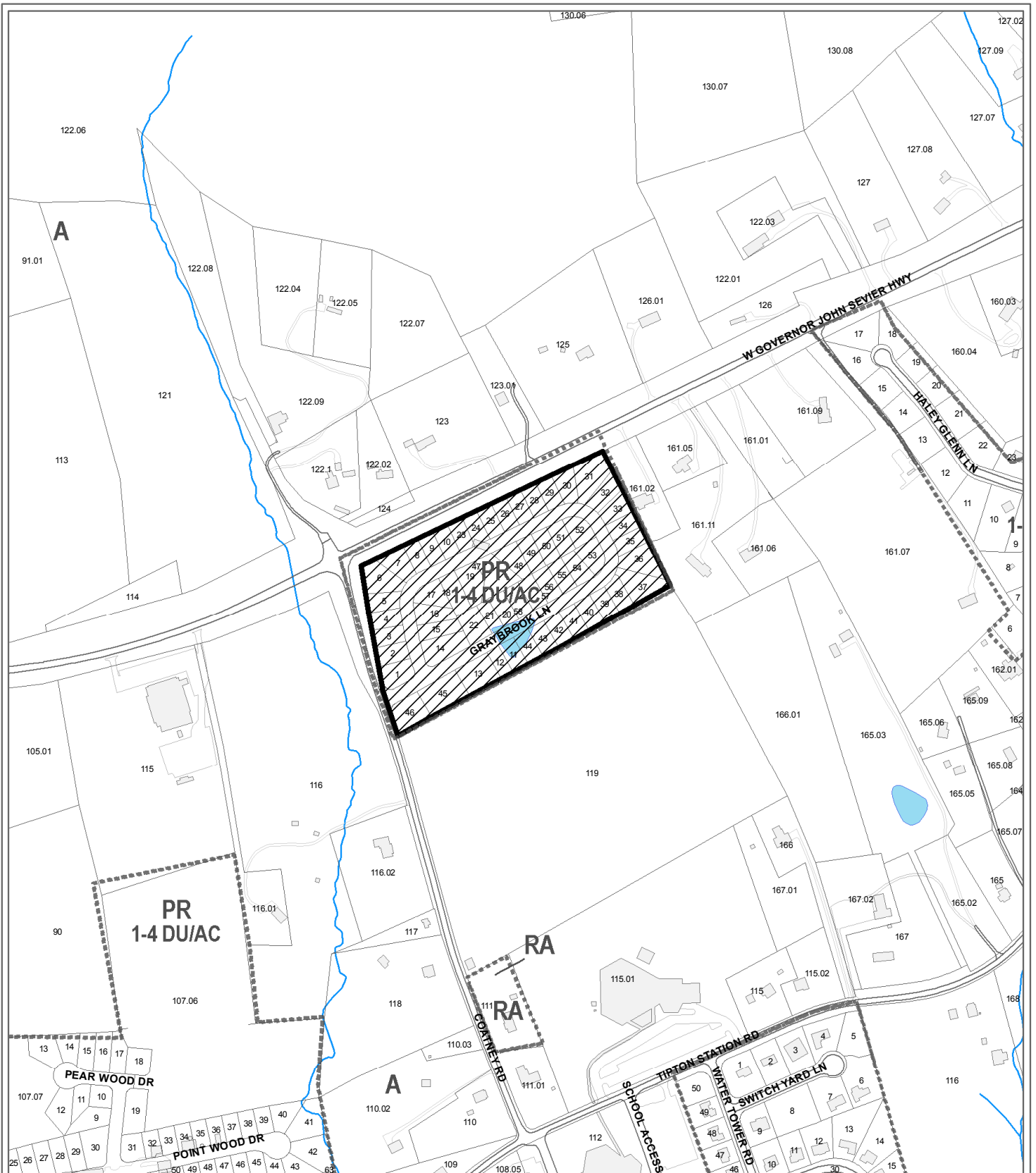
It should not be construed from this recommendation that the MPC should change its practice of requiring sidewalks where appropriate, in future developments.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning and Appeals. The date of the appeal hearing will depend on when the appeal application is filed with the Knox County Codes Administration Department. Appellants have 30 days to appeal an MPC decision in Knox County.

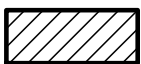
ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

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.



**11-D-09-UR
USE ON REVIEW**

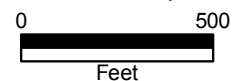


Amend existing development plan to eliminate the requirement for sidewalks in PR (Planned Residential)

Original Print Date: 10/26/2009 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Graybrook Park Subdivision
Home Owners Association

Map No: 136
Jurisdiction: County



The following owners oppose the installation of sidewalks and feel the sidewalk provision should be removed from the original plans:

<u>Name</u>	<u>Address</u>
Debbie Johnson	1400 Graybrook Ln.
Karen W. Williams	1401 Graybrook Ln.
Jackie Greene	1408 Graybrook Ln.
Sharon Dyer	1411 Graybrook Ln.
Ray M. Walker	1412 Graybrook Ln.
Patricia Johnson / Ann Johnson	1416 Graybrook Ln.
John Housewright	1420 Graybrook Ln.
Paul Housewright	1420 Graybrook Ln.
Jane Campbell	1428 Graybrook Ln.
Debra Clifton	1432 Graybrook Ln.
Harry Clifton	1437 Graybrook Ln.
Terriwood Elliott	1444 Graybrook Lane
Jessica Childs	1440 Graybrook Lane
Donna A. Key	1448 Graybrook Lane
Norma Key	1448 Graybrook Lane
Cheryl Thomas	1468 Graybrook Lane
Meghan Galloway	1502 Graybrook Lane
Lorraine LeCoy	1506 " " "
Calvin LeCoy	1506 " " "
Pat Johnson	1510 Graybrook Lane
Roger Johnson	1510 " " "
Ronnie Hagg	1526 Graybrook Ln.
Beth Hagg	1526 Graybrook Ln.
Charles Truelove	1550 Graybrook Ln.
John S. Coon	1554 " " "
John S. Coon	1555 " " "
John S. Coon	1558 " " "



Ann Nathan	1731	Graybrook Lane
John J. Conner	1562	" " "
John J. Conner	1566	" " "
John J. Conner	1493	" " "
Bobie Emily Jackson	1518	" " "
Juanita James Hamilton	1522	" " "
Brenda Brown	1514	" " "
Wanda Keimare	1459	" " "
Dorrie King	1531	" " "
Maria D. Harris	1531	" " "
Raney E. Westersfield	1543	" " "
Elizabeth D. Lenore	1542	" " "
Benton L. Kinard	1542	" " "
Nayt H. Willard	1405	" " "
Shirley A. Meyer	1455	" " "
Sam Myers	1455	" " "
Debbie A. Black	1452	" " "
Ann Shannon	1421	" " "
Delby Thurmond	1538	" " "
Tracy A. Jett	1404	" " "
Madra McKinney	1476	" " "
Paul Chapman	1523	Graybrook Lane
Ricardo Garcia	1534	Graybrook Lane
Cecelia Crisp	1464	Graybrook Lane
Don Buckley	1469	Graybrook Lane
Mark A. Buckley	1469	Graybrook Lane
Maryann Mary	1539	Graybrook Lane
Tharris	1456	Graybrook Lane
James R. Bonnie C. Cation	1530	Graybrook Lane
John J. Conner	1447	Graybrook Lane
King Quonding	1424	Graybrook Lane
Peter L. Roopman	1407	Graybrook Lane
Suzanne Barber	1546	Graybrook Lane

Patricia Parra
141-2478th Avenue Apt 2A
Flushing, NY 11367

November 26, 2008

To Whom It May Concern:

I will like to object to the sidewalks that want to be constructed on my property, 1535 Graybrook Lane, Knoxville, TN 37920. Please remove sidewalk probation from the original subdivision plans. Thank You for your prompt attention to this matter

Sincerely,

Patricia Parra

From: "Hawks, Terry A [EQ]" <Terry.Hawks@Embarq.com>
To: "chapmancarol@comcast.net" <chapmancarol@comcast.net>
Subject: RE: addition to petition
Date: Tuesday, November 25, 2008 8:08:58 AM

By copy of this e-mail, I am signing the below stated petition to remove sidewalks from the original subdivision provision.

Terry Hawks 1472 Graybrook Lane, Knoxville, Tenn. 37920

Graybrook Park Petition

The owners of Graybrook Park Subdivision are asking the Metropolitan Planning Commission to rule in favor of Greenbank's decision to remove sidewalks from the original subdivision provision due to the lack of need, the failure of the original developer to inform homeowners of the plan, and the fact that extensive landscaping has been done by homeowners. If the MPC approves this petition, it is understood that Knox County cannot require installation of sidewalks at a later date at the homeowners' expense.

The following owners oppose the installation of sidewalks and feel the sidewalk provision should be removed from the original plans:

August 17, 2009

Mr. Bruce Wuethrich
Knox County
205 West Baxter Avenue
Knoxville, Tennessee 37917

RE: Graybrook Subdivision- Sidewalks

Dear Mr Wuethrich:

GreenBank, formerly American Fidelity Bank, has provided our Letter of Credit, No. 1038, in the amount of \$60,000.00 for the installation of sidewalks in Graybrook Subdivision in South Knox County, a copy of which is attached. Also attached is a petition from the residents of Graybrook Subdivision requesting that the sidewalks not be installed. The petition, prepared by the Graybrook Home Owners Association refers to GreenBank's decision to remove the sidewalk installation. The reason this issue came to light was GreenBank had contracted for the installation of the sidewalks and when our contractors arrived on site the residents ask GreenBank to wait as they did not want the sidewalks installed due to the fully developed, landscaped and mature subdivision. They felt the installation of the sidewalks would be a detriment to the subdivision. GreenBank, agreed and stopped the sidewalk installation pending approval from Knox County to waive the sidewalk requirement.

It is GreenBank's understanding that the sidewalks were a requirement due to the Parental Requirement Zone regulated by the M. P. C. and the subdivisions proximity to South Doyle Schools. On August 15, 2009, I spoke with Ms. Joy Walker, resident of Graybrook Subdivision and President of the Home Owners Association and she indicated there was only one infant child with permanent residency in the entire subdivision at this time. Further, Ms. Walker indicated the Home Owners Association had

talked with Knox County and indications were there would be no sidewalk installed on Coatney Road which leads to the school.

In conjunction with the attached petition from the residents of Graybrook Subdivision, GreenBank would request the requirement of sidewalk installation in Graybrook Subdivision be reviewed and waived.

If any further information is required from GreenBank, please feel free to contact me @ (865)981-5138 or by email at stuartm@greenbankusa.com.

Thank you in advance for your consideration.

Sincerely,



Michael R. Stuart
Regional Executive/Senior Vice President

MRS:slb

Attachments

cc: Ms. Joy Walker
President, Graybrook HOA
1412 Graybrook Lane
Knoxville, Tennessee 37920

Mr. Mike Brown
Knox County Commissioner, Dist. 9
7320 Twin Creek Road
Knoxville, Tennessee 37920