

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

▶ **FILE #:** 3-SA-10-C **AGENDA ITEM #** 20  
 3-B-10-UR **AGENDA DATE:** 3/11/2010

▶ **SUBDIVISION:** ELY PARK  
 ▶ **APPLICANT/DEVELOPER:** OAKLEIGH, G.P.  
 OWNER(S): Winston Cox

TAX IDENTIFICATION: 51 018 041-18003  
 JURISDICTION: County Commission District 8

▶ **LOCATION:** Southeast side of Millertown Pk., east of Ellistown Rd.

SECTOR PLAN: Northeast County  
 GROWTH POLICY PLAN: Planned Growth Area  
 WATERSHED: Legg Creek & Strong Creek

▶ **APPROXIMATE ACREAGE:** 76.28 acres

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residences on individual lots

SURROUNDING LAND USE AND ZONING: Property in the area is zoned PR residential, CA commercial and A agricultural. Development in the area consists of detached dwellings and a convenience store

▶ **NUMBER OF LOTS:** 279

SURVEYOR/ENGINEER: Jim Sullivan

ACCESSIBILITY: Access is via Millertown Pk., a minor arterial street with a pavement width of 20' within a 40' right-of-way

▶ **SUBDIVISION VARIANCES REQUIRED:**

1. Horizontal curve variance from 250' to 125' at sta 2+50 of Road B
2. Horizontal curve variance from 250' to 225' at sta 16+50 of Road B
3. Horizontal curve variance from 250' to 100' at sta 22+25 of Road C
4. Vertical curve variance from 461.25' to 340' at sta 11+50 of Road A
5. Intersection spacing variance of 400' to 20' from Legg Ln. to Road F on Millertown Pk.

**STAFF RECOMMENDATION:**

▶ **APPROVE** variance 1-5 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

**APPROVE the Concept Plan subject to 10 conditions:**

1. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
2. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Dept.
3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in

Knox County (Ord. 91-1-102).

4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation.
5. Provide a 50' feet wide stream buffer along Legg Creek or as required by the Knox County Dept. of Engineering and Public Works. Meeting all other requirements of the Knox County Stormwater Control Ordinance as required by the Knox County Dept. of Engineering and Public Works
6. Place a note on the final plat that all lots will have access only to the internal street system.
7. Certification on the final plat by the applicant's surveyor that there is 400' of sight distance in both directions on Millertown Pk.
8. Calling out the required 25' corner radius and the 75' cul de sac transition radius
9. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of all common areas, amenities and drainage facilities. Provide access to all drainage facilities.
10. 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 279 detached dwellings on individual lots as shown on the development plan subject 4 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Show the required 35' peripheral boundary setback
3. Provision of a detailed site plan for the development of the common area that must contain both active and passive recreation facilities such a playground and/or a basketball court and picnic facilities. Provide pedestrian and vehicular access to the amenities area. Provide a dense (Type A) evergreen landscaping buffer along the rear of lots 74-76
4. Provide pedestrian access from throughout the development to the proposed amenities area. This may be accomplished by providing sidewalks along one side of Roads A, B, C & F. A trail system may be substituted for sidewalks within the development subject to approval of the revised pedestrian access plan by Planning Commission Staff. The applicant will be permitted to provide sidewalks on the other streets in the development if desired. All sidewalks will be constructed with a minimum width of 4' with a 2' wide planting strip behind the street curb. All sidewalk construction must comply with the Americans With Disabilities Act.

**COMMENTS:**

The applicant has resubmitted a plan for Ely Park Subdivision. The revised plan contains 279 proposed lots. In addition, the revised plan proposes to eliminate one of the two previously approved access points and provide a boulevard entrance as an alternative to the second access point. A condition of the previous concept plan was that the applicant's engineer be able to certify that the required sight distance of 400' could be met at each entrance. At that time the applicant was trying to obtain some property from an adjoining owner. By adding the additional property to the subdivision, the applicant would have been able to grade back a bank that would have resulted in the sight distance requirement being met. The adjoining owner would not sell any of his property to this applicant. As a result, the 400' of sight distance required by the Subdivision Regulations could not be provided at one of the proposed entrances. Since there is no other viable access point to this site, staff will recommend approval of the single boulevard access with the stipulation that no lots will be created along the boulevard section.

**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 can be provided to this site.
2. The proposed detached residential subdivision at a density of 3.69 du/ac, is consistent in use and density with the recent rezoning.
3. Any school age children living in this development are presently zoned to attend East Knox Elementary, Carter Middle and Carter High Schools.

**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.
3. The approved zoning density of this site is 1 - 4 dwellings per acre. The proposed 3.69 du/ac does not exceed the proposed zoning density.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan designates this property for low density residential use. The PR zoning approved for the site allows a density up to 4 du/ac. which is consistent with the Sector Plan.
2. The site is located within the Planned Growth and Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

#### ESTIMATED TRAFFIC IMPACT 2664 (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: 123 (public and private school children, ages 5-18 years)

Schools affected by this proposal: East Knox Elementary, Carter Middle, and Carter 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.