

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

▶ **FILE #:** 5-SA-10-C **AGENDA ITEM #** 13
 5-C-10-UR **AGENDA DATE:** 5/13/2010

▶ **SUBDIVISION:** URBAN PARK
 ▶ **APPLICANT/DEVELOPER:** GARY KOONTZ
 OWNER(S): Johnson-Koontz, LLC

TAX IDENTIFICATION: 92 M B 012
 JURISDICTION: City Council District 3

▶ **LOCATION:** East side of Jackson Rd., north of Lucile Ln.

SECTOR PLAN: Northwest City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 WATERSHED: Fourth Creek

▶ **APPROXIMATE ACREAGE:** 11.01 acres

▶ **ZONING:** RP-1 (Planned Residential)

▶ **EXISTING LAND USE:** Residential condominium development

▶ **PROPOSED USE:** Attached Residential Subdivision

SURROUNDING LAND USE AND ZONING: North: Residences / RP-1 (Planned Residential)
 South: Residences / R-1 (Low Density Residential)
 East: Mixed businesses / I-3 (General Industrial)
 West: Vacant land / I-1 (Planned Industrial Park)

▶ **NUMBER OF LOTS:** 51

SURVEYOR/ENGINEER: Robert Campbell & Associates

ACCESSIBILITY: Access is via Jackson Rd., a minor collector street with 18' of pavement width within 40' of right of way.

▶ **SUBDIVISION VARIANCES REQUIRED:**

1. Horizontal curve variance at STA 10+31 on Metropolitan Way, from 250' to 100'.
2. Horizontal curve variance at STA 11+72 on Metropolitan Way, from 250' to 100'.
3. Horizontal curve variance at STA 19+47 on Metropolitan Way, from 250' to 150'.
4. Vertical curve variance at STA 10+25 on Metropolitan Way, from 75' to 50'.
5. Vertical curve variance at STA 15+75 on Metropolitan Way, from 225' to 200'.
6. Vertical curve variance at STA 19+00 on Metropolitan Way, from 475' to 380'.
7. Vertical curve variance at STA 52+50 on Urban Way, from 395' to 269'.
8. Intersection grade variance at the intersection of Urban Way at Metropolitan Way, from 1% to 3.535%.

STAFF RECOMMENDATION:

- ▶ **APPROVE variances 1- 8 because the existing site conditions and topography restrict compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.**

APPROVE the Concept Plan subject to 5 conditions

1. Connection to sanitary sewer and meeting all other relevant requirements of the Knox County Health Department.
 2. Meeting all applicable requirements of the Knoxville Department of Engineering
 3. Any documents required for amending the horizontal property regime and master deed, and any new documents created for the Joint Permanent Easement, homeowners association or maintenance agreements for the streets, storm water management facilities and all other commonly held assets shall be recorded prior to or with the final plat, with the recording information for the documents being referenced on the plat.
 4. The final plat shall allow for the signature of all parties that have an ownership interest in the property being subdivided or make reference to signature/authorization document(s) that will be recoded with the final plat.
 5. Placing a note on the final plat that all units will have access only to the internal street system.
- ▶ **APPROVE the development plan for up to 78 attached residential units with 48 units being on individual lots, subject to the following 3 conditions:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Obtaining variances from the Knoxville Board of Zoning Appeals for the 1-car residential units that cannot meet the minimum parking requirement of providing 2 parking spaces on site for each unit.
 3. Meeting all applicable requirements of the previously approved use on review application (2-M-07-UR).

With the conditions noted, this plan meets the requirements for approval of a Concept Plan and a Use on Review within the RP-1 zoning district.

COMMENTS:

The Planning Commission approved a use-on-review request for 78 attached residential units on this site on February 8, 2007 as a condominium development. To date less than half of the units have been constructed and sold. Due to changes in mortgage lending practices for residential condominium developments, the developer is requesting approval of a concept plan for the subdivision into attached residential lots, for that portion of the development that has not been sold.

The proposed subdivision will include 48 lots for the attached units that have not been sold or developed, with three lots for the units that have been sold as a part of the condominium development. The subdivision will be served by private streets (Joint Permanent Easements). The development as approved includes a total of 78 residential units on 11.01 acres at a density of 7.06 du/ac.

The applicant is responsible for preparing and recording any amendments to the horizontal property regime and master deed, and any new documents created for the Joint Permanent Easement, homeowners association or maintenance agreements for the streets, storm water management facilities and all other commonly held assets. These documents shall be recorded prior to or with the final plat for the subdivision, with the recording information for the documents being referenced on the plat. The recorded documents and plat shall be signed off by all parties that have an ownership interest in the property being subdivided.

Variances are required from the Knoxville Board of Zoning Appeals for any proposed lots that will have a 1-car residential unit and cannot meet the minimum parking requirement of 2 parking spaces on site. The development includes 21 parking spaces that are being provided for guest parking.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. Public water and sewer utilities are in place to serve the site.
2. The proposal is more dense compared to the scale and intensity of adjacent development and zoning patterns, however, the impact on adjacent properties will be minimal due to the fact that this development will help to provide a transition between the residential and industrial uses surrounding this site. As previously stated, use on review approval was already granted for the 78 unit development.

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

1. With the recommended conditions, the proposed subdivision is consistent with all relevant requirements of the RP-1 zoning district, as well as all other criteria for approval of a use on review.
2. The proposed development 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 proposed RP-1 zoning for the property would allow a density up to 8 du/ac. At a proposed density of 7.06 du/ac, the development is consistent with the allowed zoning density.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest City Sector Plan proposes low density residential uses for the site. The City of Knoxville One Year Plan proposes mixed uses including low and medium density residential uses which is consistent with the proposed density of 7.06 du/ac.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 763 (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.

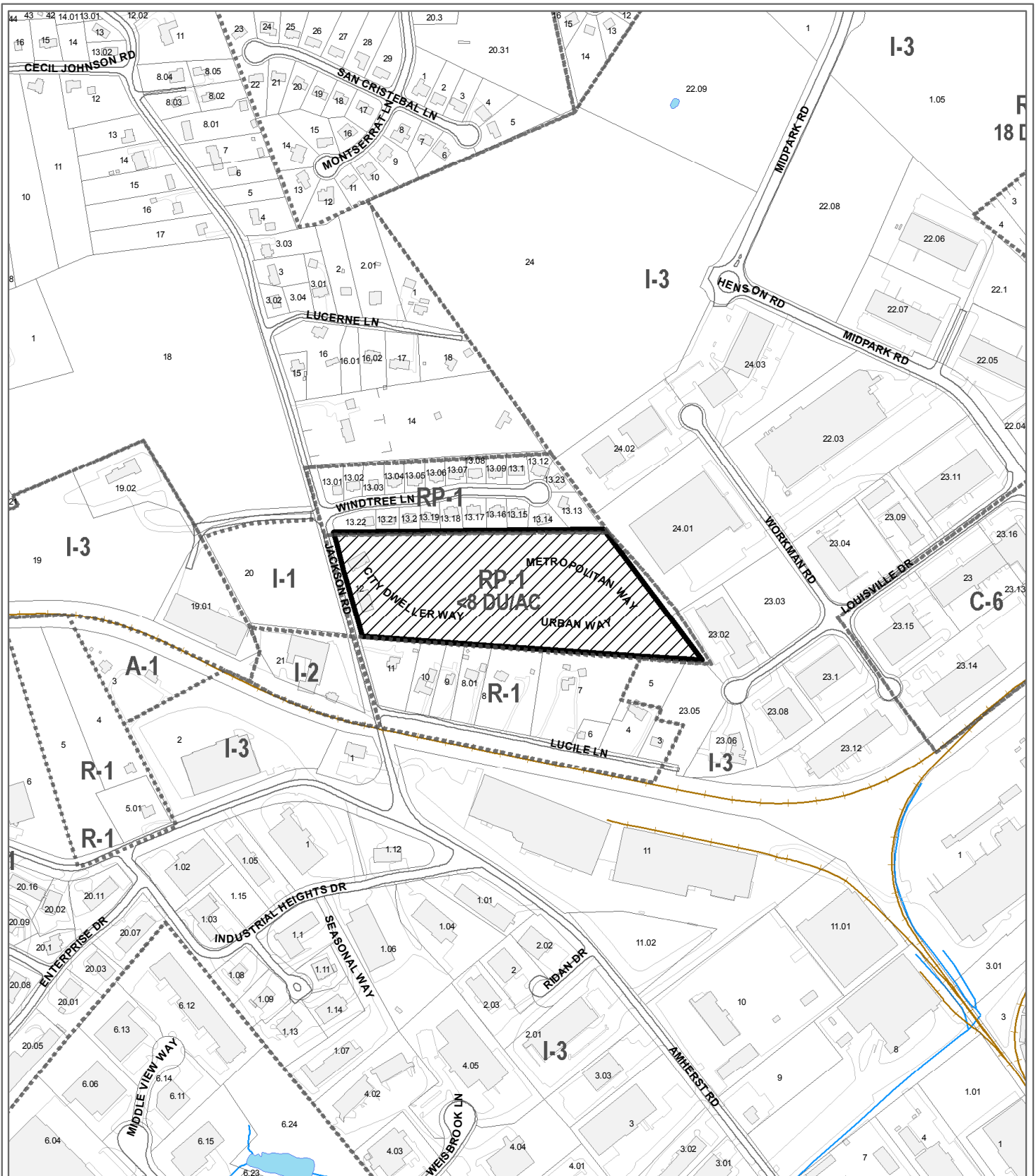
ESTIMATED STUDENT YIELD: 8 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Pond Gap Elementary, Northwest Middle, and West 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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.



**5-SA-10-C / 5-C-10-UR
CONCEPT PLAN/USE ON REVIEW**



Attached Residential Subdivision in RP-1 (Planned Residential)

Original Print Date: 4/15/2010
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Koontz, Gary
 Urban Park

Map No: 92
 Jurisdiction: City

