

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

▶ **FILE #:** 11-SA-10-C **AGENDA ITEM #:** 9
 POSTPONEMENT(S): 11/10/2010-3/10/2011 **AGENDA DATE:** 4/14/2011

▶ **SUBDIVISION:** BRANDYWINE AT TURKEY CREEK
 ▶ **APPLICANT/DEVELOPER:** BRANDYWINE AT TURKEY CREEK
 OWNER(S): Brandywine at Turkey Creek LLC

TAX IDENTIFICATION: 130 07203
 JURISDICTION: County Commission District 6
 ▶ **LOCATION:** West side of Fretz Rd., southwest of N. Campbell Station Rd.
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)
 WATERSHED: Turkey Creek
 ▶ **APPROXIMATE ACREAGE:** 13.32 acres

▶ **ZONING:** PR (Planned Residential)
 ▶ **EXISTING LAND USE:** Vacant land
 ▶ **PROPOSED USE:** Detached Residential Subdivision
 SURROUNDING LAND USE AND ZONING: North: Vacant land and residences / NZ (No Zone) Town of Farragut & A (Agricultural)
 South: Vacant land and residence / A (Agricultural)
 East: Residences / A (Agricultural)
 West: Vacant land / PR (Planned Residential)

▶ **NUMBER OF LOTS:** 61
 SURVEYOR/ENGINEER: Ideal Engineering Solutions
 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.
 ▶ **SUBDIVISION VARIANCES REQUIRED:**
 1. Horizontal curve variance at STA 11+58 from 250' to 150'.
 2. Horizontal curve variance at STA 13+55 from 250' to 150'.

STAFF RECOMMENDATION:

▶ **APPROVE** variances 1 & 2 because the site's shape restricts compliance with the Subdivision Regulations, and the variances will not create a traffic hazard.

APPROVE the revised Concept Plan subject to 10 conditions.

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Implementing the following off-site street improvements: Widening of Fretz Rd. from the entrance of the Subdivision 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 taper south of the Subdivision entrance down to the existing pavement width and 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. The design plans for these improvements shall be approved and a surety posted with the applicable jurisdiction to guarantee completion of the improvements prior to the Planning Commission's approval of the Phase One Final Plat (maximum of 39 lots) for the subdivision. Written documentation from the Knox County Department of Engineering and Public Works and the Town of Farragut certifying that this condition has been met must be provided to Planning Commission Staff prior to the day of the Planning Commission meeting at which the final plat will be considered.

4. Until certification is provided to the Planning Commission Staff from the Knox County Department of Engineering and Public Works and the Town of Farragut that the improvements identified in condition #3 above have been completed, no more than 15 building permits shall be issued for this subdivision.
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, amenities area and drainage system.
8. On the final plat, including the sight distance easement across Lots 40-42 as identified on the concept plan with the restriction on placement of any structure or vegetation within the easement that will restrict sight visibility through the horizontal curve.
9. Providing the sidewalk (meeting American Disability Act (ADA) standards) identified on the concept plan.
10. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a concept plan in the PR zone.

COMMENTS:

A Concept Plan was approved for this site on February 12, 2009 for a detached residential subdivision with up to 66 lots. The revised concept plan has a total of 61 residential lots. One of the conditions of the approval required street improvements for Fretz Rd. be completed before a final plat for the subdivision could go before the Planning Commission for approval. The applicant is coming back before the Planning Commission to request a change to the condition allowing the posting of a bond or other form of surety to guarantee completion of the improvements to Fretz Rd., and not requiring the actual improvements to the street prior to approval of the plat.

After consulting with the Knox County Department of Engineering and Public Works and the Town of Farragut, Staff is recommending a revision to the previous condition as identified in conditions 3 and 4 above.

ESTIMATED TRAFFIC IMPACT 658 (average daily vehicle trips)

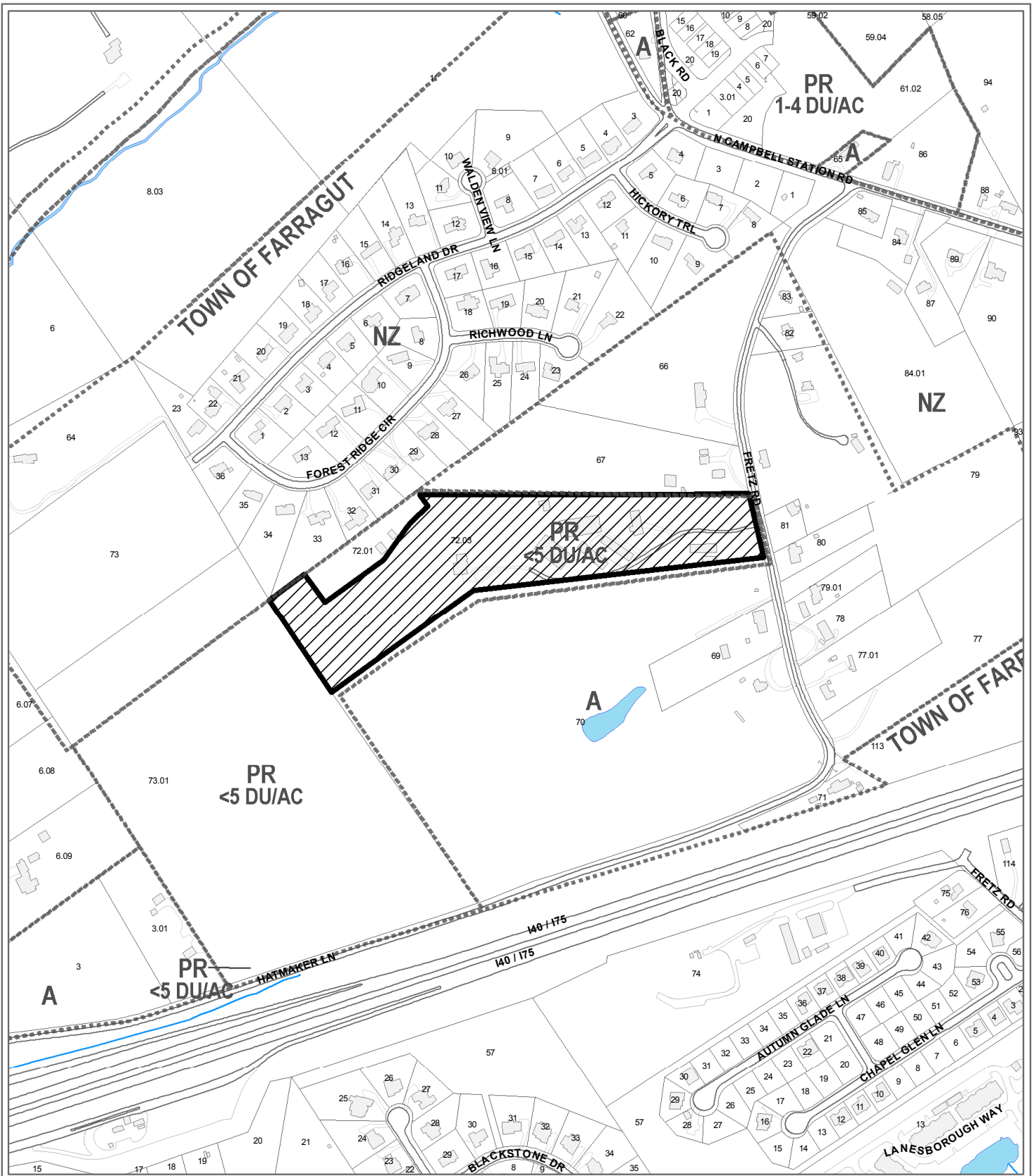
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 32 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Farragut Primary/Intermediate, Farragut Middle, and Hardin Valley Academy.

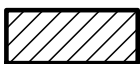
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students 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 Knox County Chancery Court. The date of the Knox County Chancery Court appeal hearing will depend on when the appeal application is filed.



**11-SA-10-C
CONCEPT PLAN**

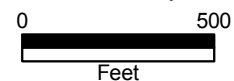
Subdivision: Brandywine at Turkey Creek



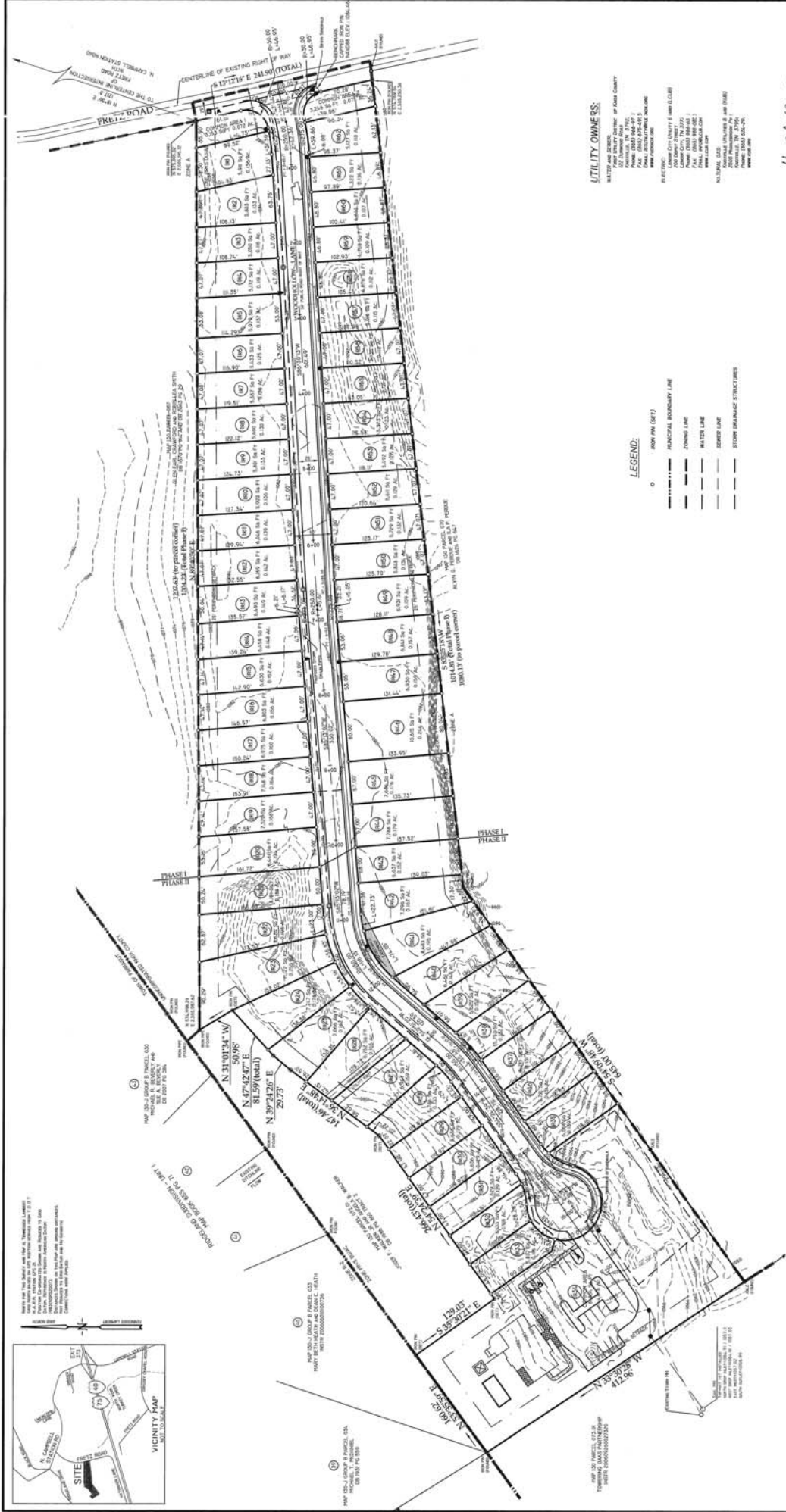
Approval of Concept Plan

Map No: 130

Jurisdiction: County



Original Print Date: 10/26/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



UTILITY OWNERS:
 WATER AND SEWER: CITY OF KNOXVILLE
 ELECTRICITY: KNOX COUNTY
 GAS: KNOX COUNTY
 TELEPHONE: KNOX COUNTY
 CABLE: KNOX COUNTY
 FIBER OPTIC: KNOX COUNTY

11-SA-0-C
 10-6-7-10
 REVISED

CONCEPT PLAN OF:
BRANDYWINE AT TURKEY CREEK
 PHASES I AND II
 SIXTH CIVIL DISTRICT - KNOX COUNTY, TENNESSEE
 PART OF MAP 130 PA 181 CEI 068
 REFERENCE INSTRUMENTS 200909240218K
 2010122603591, 2010062607526 AND 2010122603596
 KNOXVILLE - KNOX COUNTY MPC FILE # 11-SA-10-C

SURVEY BY:
DEAN L. LACEY ASSOCIATES, INC.
 21 MAIN STREET
 OLIVER SPRINGS, TN 37840
 PHONE: (865) 435-7663
 FAX: (865) 435-1033
 EMAIL: rls41@hellsouth.net
 SCALE: 1 INCH = 60 FEET
 DATE: SEPTEMBER 27, 2010
 DRAWING NO. 10-549-R1



GRAPHIC SCALE
 1" = 60 FEET

GENERAL NOTES:
 1. SURVEY PROPERTY IS SHOWN BY BRANDYWINE AT TURKEY CREEK, LLC AND DESCRIBED AS PART OF MAP 130 PA 181 CEI 068 AS RECORDED AND PREVIOUSLY APPROVED IN INSTRUMENTS 200909240218K, 2010122603591 AND 2010062607526 IN THE OFFICE OF THE KNOX COUNTY CLERK OF COURTS.
 2. SURVEY PROPERTY IS IN ZONE A AS SHOWN ON THE CITY ZONING MAP NUMBER 420025220P AS AN EFFECTIVE DATE OF MAY 2, 2007 AND IS SUBJECT TO THE CITY ZONING ORDINANCES.
 3. ELEVATIONS ARE BASED ON NAVD83 DATUM EXCEPT WHERE SHOWN OTHERWISE. DEPARTMENT OF TRANSPORTATION (TERRAIN) REFERENCE NETWORK DATA WAS USED AS AN ELEVATION POINT FOR THE SURVEY.
 4. THE AREA OF BRANDYWINE AT TURKEY CREEK SUBDIVISION IS 209 ACRES WHICH INCLUDES 82 LOTS, 2 COMMON AREAS AND A SEPARATE COMMON AREA. THE SURVEY PROPERTY IS 100% DEVELOPABLE AND THE SURVEY PROPERTY IS 100% DEVELOPABLE.
 5. THE SURVEY PROPERTY IS 100% DEVELOPABLE AND THE SURVEY PROPERTY IS 100% DEVELOPABLE.
 6. THE SURVEY PROPERTY IS 100% DEVELOPABLE AND THE SURVEY PROPERTY IS 100% DEVELOPABLE.
 7. CONVEYANCE INSTRUMENTS ARE BASED ON FIELD DATA APPROVED ON AUGUST 20, 2010.

OWNER INFORMATION:
BRANDYWINE AT TURKEY CREEK, LLC
 c/o BRUCE MATZEL, MANAGING PARTNER
 1411 STATE HIGHWAY 35 NORTH
 OCEAN, NEW JERSEY 07712
 PHONE: (865) 441-5042

DEAN L. LACEY
 LICENSED PROFESSIONAL SURVEYOR
 STATE OF TENNESSEE
 LICENSE NO. 471

November 7, 2010

To whom it may concern:

We the undersigned, either a home owner or renter residing on Fretz Road, Hatmaker Lane and surrounding areas, wish to address the widening of Fretz Rd. and the new subdivision of Brandywine at Turkey Creek. We are not in opposition to the subdivision being built, we are only in opposition to allowing the subdivision being built without widening the road FIRST!

Fretz Rd. is a very narrow county road and requires the pulling off to the side just to meet a school bus and in some places another car. In a couple places on the road, one being a large curve, it is impossible to meet a bus or truck; one must back up to keep from having to drop your wheels into a large drop off or ditch. We ask that the road be widened to a safe width before allowing the building of homes.

Several people have come close to having an accident with the traffic and trucks required to be on Fretz Rd. for the cutting and prepping of the subdivision. It is beyond imagination to remotely consider the allowing of trucks needed to deliver home building supplies and graders to the subdivision with the road as it is, without thinking of the number of accidents it will cause.

Please take our request into consideration as you vote on the allowance of the Subdivision without widening the road. We feel that to allow this would be a great endangerment to the lives of people that live in this area as well as any visitors that have to travel the road.

- | | | | | |
|-----|----------------------------|------|-------|------|
| 1. | <u>Justin Cowden</u> | 1124 | FRETZ | Road |
| 2. | <u>Jahenna Roman</u> | 1124 | 11 | 11 |
| 3. | <u>Janice Hoover</u> | 1122 | 11 | 11 |
| 4. | <u>Shirley Bodentender</u> | 1120 | 11 | 11 |
| 5. | <u>Tom</u> | 1120 | 11 | 11 |
| 6. | <u>Debra Purdie</u> | 1118 | 11 | 11 |
| 7. | <u>J Clark</u> | 1116 | 11 | 11 |
| 8. | <u>Melanie Fulmer</u> | 1116 | 11 | 11 |
| 9. | <u>Ann W. Myer</u> | 1104 | FRETZ | |
| 10. | <u>Jackie Nichol</u> | 928 | FRETZ | Rd |

11. Neddy J. Barrier 928 Fretz Rd
12. Bob Justice 924 Fretz Rd.
13. Jane M. Gagley 930 Fretz Rd.
14. Hope Justice 924 Fretz Rd
15. Kenneth E. Justice 907 Fretz Rd
16. Dennis Junkin 904 Hopper Lane
17. Aita Pedue 905 Fretz Rd.
18. AIRB
19. Jr Burr
20. Janis Justice 924 Fretz
21. Lina Brandom
22. Jame Lumbalough 925 Hopper Ln
23. Don Burt 925 Hopper Ln
24. Margaret A. Puckett 924 Hopper Ln.
25. Tommy Rigney 938 Fretz
26. Jay M. Galt
27. W. R. Burt 1104 Fretz rd.
28. Thy D. Hain 1044 Fennell Ln
29. Randy Frye 1112 FRETZ Rd.
30. Victoria Frye 1112 FRETZ Rd.
31. Brad Steaksbury 1112 Fretz Rd.
32. Daniel Wagner 1112 FRETZ Rd.
33. Chris WAGNER 1112 Fretz Rd.

34. Harold Sutton

35. Nancy E. Sutton

From: "Gary Palmer" <gpalmer@townoffarragut.org>
To: <ubailey@esper.com>, <bartcarey@comcast.net>, <artclancy3@gmail.com>, <cole5137@bellsouth.net>, <rlcraig@usit.net>, <gewart@georgeewart.com>, <s.johnson692@gmail.com>, <makane1@bellsouth.net>, <Nathan.J.Kelly@gmail.com>, <rebeccalongmire@hotmail.com>, <brianpierce@mbiarch.com>, <wstowers@stowerscat.com>, <anders@holstongases.com>
Date: 1/10/2011 11:54:52 AM
Subject: FILE #: 11-SA-10-C, Brandywine at Turkey Creek, Agenda Item #9

January 10, 2011

Mr. Donaldson and Honorable Commission Members,

The subject items is on your agenda this week with a request to modify/eliminate a previous condition attached to the approval of the subject item's concept plan.

That condition was to improve the road/intersection at Fretz Road and Campbell Station Road. The width on Fretz Road is extremely narrow and already a hazard when you have opposing traffic. Permitting additional traffic onto that road in a reverse development model, combined with the environmental impacts of development, creates a poor quality of life and likely safety hazard for the existing residents and visitors of our Town/County.

Issues Per the Town of Farragut (in general):

* The Town has been dealing with this project/applicant for quite a while and continuously meet to ensure progression at the applicant's pace. However, as you know, when basic ordinance requirements are not met or guidelines followed, it causes delays. With regard to the intersection, we are in receipt of inadequate intersection design plans with alleged privately negotiated ROW. This ROW as illustrated on the plans was apparently acquired and subsequently dedicated to the Town of Farragut without the Town's knowledge, review, or approval. At this point, I am not even sure if that is legal. This alone causes numerous issues; paramount being that places our federal funding in jeopardy since the intersection ROW acquisition was not vetted, negotiated and acquired in accordance with Federal/State regulations.

* Posting a LOC in lieu of road improvements puts the burden back onto the governmental entity to track all logistics and "collect" if the improvements are not made. This will utilize encumbered resources and rarely do you end up with what was attached to the LOC. Moreover, the past 5 years has taught us all that there is no such thing as irrevocable credit.

* The track record for this development and other area developments does not provide the comfort level necessary for regulation latitude.

Town of Farragut Recommendation:

The applicant is asking you to waive a requirement which would relieve the applicant of the burden of providing adequate infrastructure improvements for existing and future residents. On behalf of the Town of Farragut, I respectfully request that you stand fast and not waive or modify the condition of requiring the intersection/road improvements prior to final platting. Thus we concur with the MPC Staff recommendation to postpone. Town of Farragut representatives will be at your meeting to answer any questions you may have of us.

We have enjoyed, as always, working with your professional staff on projects such as this and want you to trust that we are here to provide the best product possible for our residents, business partners, and visitors.

Sincerely,

Gary Palmer

Associate Town Manager

Town of Farragut

11408 Municipal Center Drive

Farragut, TN 37934

865.966.7057 (office)

865.388.5246 (mobile)

Related Links:

www.townoffarragut.org <<http://www.townoffarragut.org/>>

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www.townoffarragut.org/citizen-feedback.html

CC:"Darryl Smith" <dsmith@townoffarragut.org>,

"Ruth Hawk" <rhawk@townoffarragut.org>,

<mark.donaldson@knoxmpc.org>