



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

▶ **FILE #:** 6-SB-13-C **AGENDA ITEM #:** 10

POSTPONEMENT(S): 6/13/2013 **AGENDA DATE:** 7/11/2013

▶ **SUBDIVISION:** BRANDYWINE AT TURKEY CREEK

▶ **APPLICANT/DEVELOPER:** BRANDYWINE AT TURKEY CREEK

OWNER(S): Brandywine at Turkey Creek

TAX IDENTIFICATION: 130 O A 001-040 & 130-07204

JURISDICTION: County Commission District 6

▶ **LOCATION:** West side of Fretz Rd., south of 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:** Residential Subdivision

▶ **PROPOSED USE:** Revision to Concept Plan condition

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:** 0

SURVEYOR/ENGINEER: David Campbell

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:** None

STAFF RECOMMENDATION:

▶ **APPROVE** the following revision to condition #4 of the concept plan conditions of approval for Brandywine at Turkey Creek (11-SA-10-C) granted by the Planning Commission on April 14, 2011.

Revised Condition #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 to Fretz Rd. identified in condition #3 of the April 14, 2011 approval have been completed, no more than 20 building permit shall be issued for this subdivision. This revised condition increasing the number of building permits from 15 to 20 shall not take effect until: a) an "Agreement of Sale" of the property to be dedicated as right-of-way; b) a "Right of Entry" from the property owners to allow work to proceed on the improvements to Fretz Rd.; or c) other appropriate documents, are executed and accepted by the Knox County Department of Engineering and Public Works and the Town of Farragut.

COMMENTS:

UPDATE ON EVENTS SINCE THE PLANNING COMMISSION'S JUNE 13, 2013 MEETING:

The applicant's surveyor has submitted a survey to engineering staff with the Town of Farragut and Knox County identifying the additional right-of-way that would be required to complete the proposed street improvements to Fretz Road. A meeting was held with the property owners to discuss right-of-way acquisition and the amount for compensation was agreed upon. With the recommended condition, the engineering staff with the Town of Farragut and Knox County do not object to the issuance of five additional building permits prior to the completion of the Fretz Rd. improvements.

APPLICANT'S REQUEST:

The applicant is requesting another modification to a condition placed on the concept plan approval for the Brandywine at Turkey Creek Subdivision. The concept plan approval (2-SA-09-C/2-B-09-UR) granted for this subdivision on February 12, 2009 included a condition that the required street improvements to Fretz Rd. had to be completed before a final plat could be considered by the Planning Commission. The applicant submitted a request for a change to that condition (11-SA-10-C) in October, 2010 with the Planning Commission granting a revised approval on April 14, 2011. The revised conditions allowed consideration of a final plat for the subdivision with documentation that the design plans for the Fretz Rd. improvements had been approved and surety had been provided to the Town of Farragut and Knox County to guarantee the completion of the improvements. Only 15 building permits were to be issued until the Fretz Rd. improvements were completed. It has been over two years since the revised conditions were approved and the street improvements have still not been completed. The applicant is requesting approval of five additional building permits for a total of twenty. A copy of the minutes from the Planning Commission's April 14, 2011 meeting are also attached.

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 Knox County Chancery Court. The date of the Knox County Chancery Court appeal hearing will depend on when the appeal application is filed.