

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

► **FILE #:** 5-SE-13-C  
 5-F-13-UR

**AGENDA ITEM #:** 12  
**AGENDA DATE:** 5/9/2013

► **SUBDIVISION:** JEFFERSON PARK WEST  
 ► **APPLICANT/DEVELOPER:** JIM SULLIVAN  
 OWNER(S): Mesana Investments, LLC

TAX IDENTIFICATION: 162 05706

JURISDICTION: County Commission District 5

► **LOCATION:** South of Fredericksburg Blvd., southwest side of Charlottesville Blvd.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Turkey Creek & Tennessee River

► **APPROXIMATE ACREAGE:** 15.49 acres

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

► **EXISTING LAND USE:** Vacant land

► **PROPOSED USE:** Detached dwellings

SURROUNDING LAND USE AND ZONING: North: Residences / PR (Planned Residential)  
 South: Residences / PR (Planned Residential)  
 East: YMCA / PR (Planned Residential)  
 West: Residences / PR (Planned Residential)

► **NUMBER OF LOTS:** 59

SURVEYOR/ENGINEER: Jim Sullivan

ACCESSIBILITY: Access is via Fredericksburg Blvd., a local street with a boulevard street section within a 90' right-of-way.

► **SUBDIVISION VARIANCES REQUIRED:** 1. Horizontal curve radius variance from 250' to 225' at sta. 6+00 of Road A

**STAFF RECOMMENDATION:**

► **APPROVE variance 1 because site conditions restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.**

**APPROVE the Concept Plan subject to 6 conditions**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Provide a sidewalk connection along the south side of Charlottesville Blvd, between the sidewalk located at the northeast corner of the YMCA property and the intersection of Charlottesville Blvd. and Fredericksburg Blvd. The sidewalk shall be installed in compliance with the Americans with Disabilities Act standards.

4. Identifying on the concept plan, a 50' no clearing zone along the subdivision's peripheral boundary with the Montgomery Cove Subdivision. This no clearing zone shall be staked out in the field before any clearing and grading occurs on site. The purpose of this no clearing zone is to protect the existing vegetation during construction of the subdivision's infrastructure. The no clearing zone does not restrict clearing for the construction of a residence except that the 35' peripheral setback area shall remain undisturbed during construction of the residence. This condition does not prohibit an individual homeowner from removing vegetation within the 35' peripheral setback area.

5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

6. 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.

► **DENY the request for the reduction of the peripheral setback from 35' to 20'.**

**APPROVE the development plan for up to 59 detached dwellings on individual lots subject to 1 condition.**

1. 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 and a Use-on-Review within the PR (Planned Residential) zoning district.

**COMMENTS:**

The applicant has submitted a new concept plan for the subdivision of this 15.49 acre tract in the Jefferson Park West Subdivision with a total of 59 lots with a site specific density of 3.8 du/ac. The Knox County Commission approved the rezoning of this property to PR (Planned Residential) at a density of up to 2.5 du/ac on June 25, 2007. The Planning Commission considered and approved the original concept plan for this subdivision on June 14, 2007, subject to final approval of the rezoning request by the Knox County Commission. The original concept plan for this subdivision expired on June 14, 2012. This concept plan request is for one of the two tracts within the subdivision that were not completed. The approval and construction of the YMCA development impacted the original lot layout for this unit of the subdivision. While the site specific density for this unit of the subdivision exceeds the overall maximum density of 2.5 du/ac, the overall density for completed and proposed development will be at 2.49 du/ac. Access to this unit of the subdivision will be from an existing street stub out off of Fredericksburg Blvd.

The applicant is requesting a reduction of the required 35' peripheral setback to 20' along the subdivision boundary with Montgomery Cove Subdivision. The Knox County Zoning Ordinance permits the Planning Commission to reduce the required peripheral setback down to a minimum of 15' when the property in question adjoins other residential or agriculturally zoned land. The requested reduction is to allow for a larger building area on these lots that are approximately 70' x 110'. When this subdivision was before the Planning Commission in 2007, the amount of setback and protection of tree cover along the exterior boundary was a major concern of the residents in Montgomery Cove. A copy of the Minutes from that meeting are included in the packet. Also included in the packet is a letter from the applicant to the Planning Commission agreeing to the 35' setback and a "no clear green space". The Planning Commission approved the concept plan with a 35' peripheral setback and a 50' no cut zone for all lots contiguous to Montgomery Cove. It is staff's recommendation that the conditions of the original approval should still apply and is therefore recommending denial of the peripheral setback reduction and is recommending a condition for a no clearing zone. The purpose of this no clear zone is to protect the existing vegetation during construction of the Subdivision's infrastructure. The no clearing zone would not restrict clearing for the construction of a residence except that the 35' peripheral setback area shall remain undisturbed during construction of the residence. This condition does not prohibit an individual homeowner from removing vegetation within the 35' peripheral setback area.

While the applicant is identifying an area for a pedestrian access to the YMCA property at the end of Road C, staff is also recommending that they provide a sidewalk connection along the south side of Charlottesville Blvd between the sidewalk located at the northeast corner of the YMCA property and the intersection of Charlottesville Blvd. and Fredericksburg Blvd. This short sidewalk connection will provide a pedestrian connection for residents of the subdivision between the internal trail system and the future greenway along S. Northshore Dr.

**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 utilities are available to serve this site.
2. At an overall density of 2.49 du/ac, the subdivision is consistent with the approved zoning and density of up

to 2.5 du/ac. Other subdivision development in the area has occurred under the PR zoning with maximum density ranges from 2 du/ac to 3.0 du/ac.

3. Any school age children living in this development are presently zoned to attend Farragut Primary, Intermediate, Middle and 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 the 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. With the subdivision's access to a minor arterial street, the proposed subdivision will not draw additional traffic through residential neighborhoods.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan designates this property for low density residential use. The PR zoning for the site allows a density up to 2.5 du/ac. At an overall proposed density of 2.49 du/ac, the subdivision is consistent with the Sector Plan and recommended zoning designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

#### ESTIMATED TRAFFIC IMPACT 638 (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: 37 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Northshore Elementary, Farragut Middle, and Farragut 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.