

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

▶ **FILE #:** 10-E-16-UR

AGENDA ITEM #: 58

AGENDA DATE: 10/13/2016

▶ **APPLICANT:** DEWAYNE WITT

OWNER(S): Dewayne Whitt

TAX ID NUMBER: 21 04401- 04402, 04404-04423 021-04425

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS:

▶ **LOCATION:** East & West sides of Bethesda Springs Wy., West side of Fairview Rd.

▶ **APPX. SIZE OF TRACT:** 4.25 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Bethesda Springs Wy., a private joint permanent easement with a pavement width of 26' within a 40'wide right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

▶ **EXISTING LAND USE:** Partially developed subdivision

▶ **PROPOSED USE:** Detached residential subdivision

2.59 du/ac

HISTORY OF ZONING: The property was PR (Planned Residential) in 2006.

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / A agricultural

South: Detached dwellings / PR residential

East: Detached dwellings / A agricultural

West: Detached dwellings / PR residential

NEIGHBORHOOD CONTEXT: Property in the area is zoned A agricultural and RA residential. Development in the area consists primarily of residences developed at a density consistent with the low density classification

STAFF RECOMMENDATION:

▶ **APPROVE the request to revise the plan from up to 24 attached dwellings on individual lots to 11 detached dwellings on individual lots as shown on the development plan subject to 4 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Meeting all applicable requirements of the Knoxville-Knox County Minimum Subdivision Regulations
3. Meeting all remaining applicable requirements of the previously approved concept plan 5-SC-10-C
4. Provision of the required 35' peripheral boundary setback (plan view and typical unit conflict)

COMMENTS:

The applicant is requesting a revision to the previously approved plan for Marias Meadow Subdivision. The development of the site is nearly complete. All utilities have been installed and the road is complete with the exception of laying the top coat of asphalt. Six residential units have been built and have been sold or are being offered for sale as condominiums. A concept plan and final plat were approved in 2010 that converted the remainder of the proposed development to a 24 unit "zero lot line" subdivision. No construction activity has occurred since those 2010 approvals. The applicant is now proposing to reduce the number of lots from 24 to 11 and build out the remainder of the development with detached dwellings.

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.

At the request of the Knox County Recreation Dept., the applicant is showing a 5' wide walking trail within a 20' wide greenway easement in the area close to Beaver Creek on this site. It is the intent that this segment of the trail will be incorporated as part of the planned Beaver Creek Greenway.

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

1. The proposed residential development will place minimal additional demand on schools and streets.
2. The proposed development will have minimal impact on local services since all utilities are in place to serve this site.
3. Due to flood hazard designation for the subject property, the developer will be required to establish a stream buffer and construct units with a minimum floor elevations for the lots closest to the no-fill line. These restrictions will lessen the impact on water quality in the area.

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

1. The proposed residential development is consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal 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 will not significantly injure the value of adjacent property. The use will not draw a substantial amount of additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northeast County Sector Plan identifies this property as low density residential and stream protection. The PR zoning approved for this site allows a density up to 5 du/ac. The proposed subdivision density is consistent with the Sector Plan and the other development found in the area.

ESTIMATED TRAFFIC IMPACT: 136 (average daily vehicle trips)

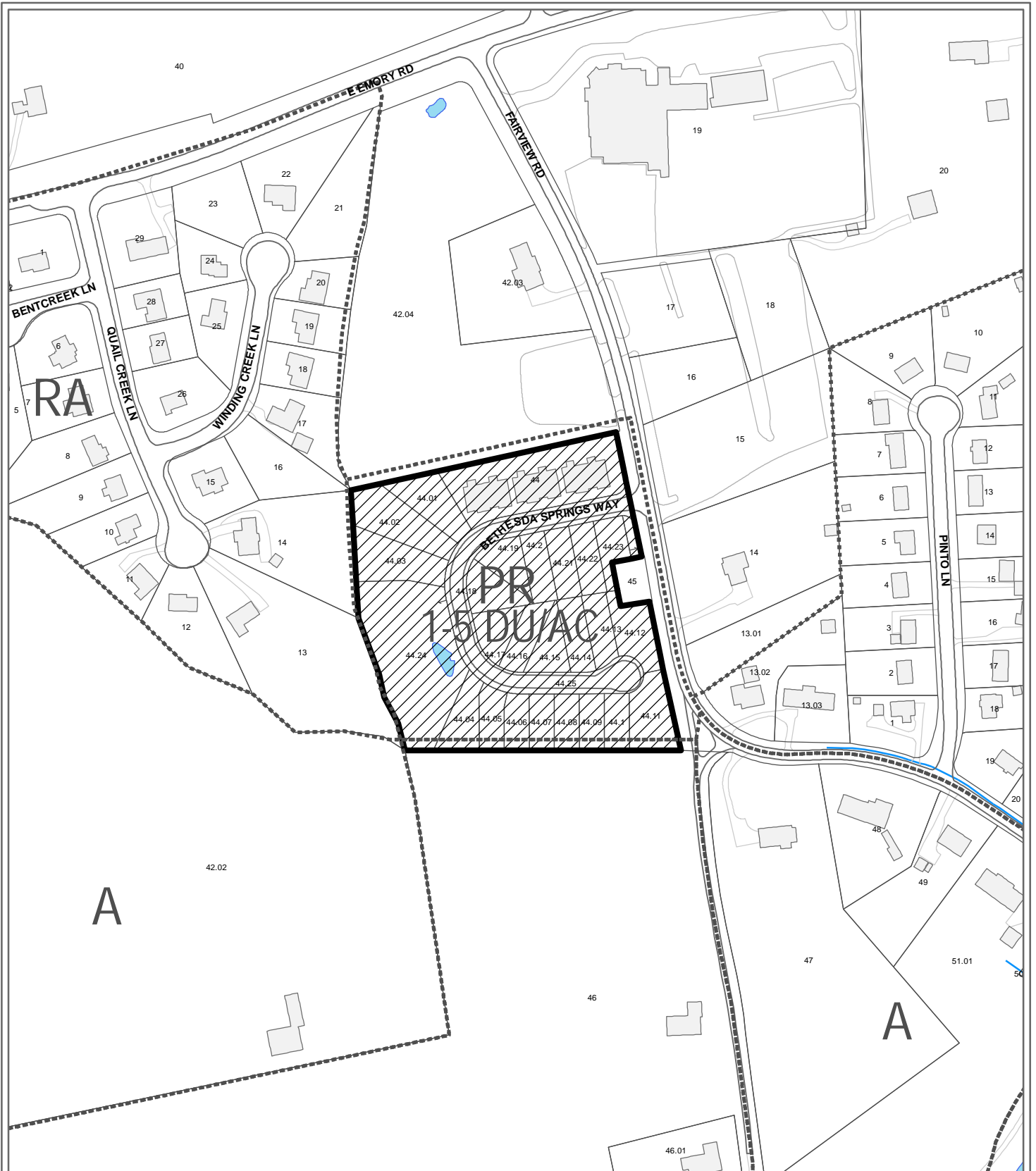
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

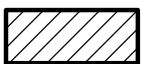
Schools affected by this proposal: Gibbs Elementary, Holston Middle, and Gibbs High.

- 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 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. Appellants have 30 days to appeal an MPC decision in the County.



**10-E-16-UR
USE ON REVIEW**



Detached residential subdivision in PR (Planned Residential)

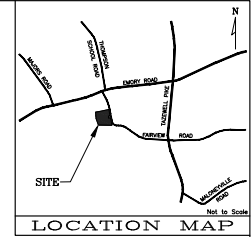
Original Print Date: 9/23/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Witt, Dewayne

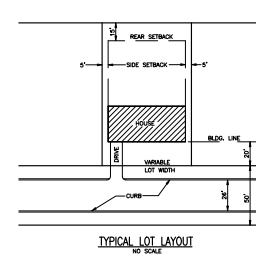
Map No: 21

Jurisdiction: County





- NOTES:
- ALL DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAN.
 - A 15' DRAINAGE, UTILITY AND CONSTRUCTION EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES, 5' EACH SIDE OF INTERIOR ROAD LINES.
 - A 15' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS INSTALLED.
 - THIS PROPERTY CONTAINS APPROXIMATELY 6.34 ACRES SUBDIVIDED INTO ONE CONDOMINIUM LOT OF SIX UNITS & 23 SINGLE FAMILY ATTACHED LOTS.
 - THIS PROPERTY IS ZONED R-C 1-5 DU/AC.
 - BUILDING SETBACKS ARE AS FOLLOWS:
FRONT: 15'
SIDE: 15'
PERIPHERAL: 35'
 - CONTOURS AND ROAD PROFILES ARE BASED ON BIRNARD FIELD SURVEY.
 - VARIANCES APPROVED BY MPC AT ITS MAY 13, 2016 MEETING ARE AS FOLLOWS:
A) REDUCING THE TANGENT SECTIONS ON BROKEN BACK CURVES FROM 100' TO 80'.
B) REDUCING THE RIGHT-OF-WAY DIAMETER ON A CURVE-TO-CURVE BASIS FROM 100' TO 70'.
C) VERTICAL CURVE LENGTH AT STA 0+50 FROM 224' TO 80'.
 - UTILITY PROFILES:
WATER: NORTHEAST KNOX UTILITY DISTRICT
SEWER: HILLSDALE POWELL DISTRICT
ELECTRIC: KNOXVILLE UTILITIES BOARD
TELEPHONE: KNOXVILLE UTILITIES BOARD
TELEPHONE: AT&T SOUTHWEST
 - JOINT PERMANENT EASEMENT IS NOT A PUBLIC ROAD AND WILL NOT BE MAINTAINED BY THE COUNTY.
 - JOINT PERMANENT EASEMENT WILL ALSO FUNCTION AS A UTILITY EASEMENT.
 - SHORT DISTANCE AT THE INTERSECTION OF FAIRMERE RD. AND BETHESDA SPRINGS WAY IS GREATER THAN 300' IN BOTH DIRECTIONS.
 - ROAD GRADE ON BETHESDA SPRINGS WAY AT ITS INTERSECTION WITH FAIRMERE RD. OF 3% HAS BEEN REVIEWED AND IS APPROVED BY THE KNOX COUNTY DEPT. OF ENGINEERING & PUBLIC WORKS.
 - PERIPHERAL SETBACK ADJACENT TO THE FAIRMERE CEMETERY IS REDUCED FROM 35' TO 15'.



LEGEND

- I.P.F. IRON PIN FOUND
- I.P.S. IRON PIN SET
- ⊕ HIGHWAY MONUMENT
- ⊕ R.R.S. RAILROAD SPIKE
- ⊕ G.V. GAS VALVE
- ⊕ P.P. POWER POLE
- ⊕ D.P. DROP POLE
- ⊕ C.W. CURY WIRE
- ⊕ L.P. LIGHT POLE
- ⊕ C.P. CABLE PEDISTAL
- ⊕ T.P. TELEPHONE PEDISTAL
- ⊕ W.M. WATER METER
- ⊕ S.S.M. SANITARY SEWER MANHOLE
- ⊕ C.O. CLEAN OUT
- OVERHEAD UTILITIES
- GASLINE
- SANITARY SEWER LINE
- FORCE-MAIN LINE
- WATERLINE

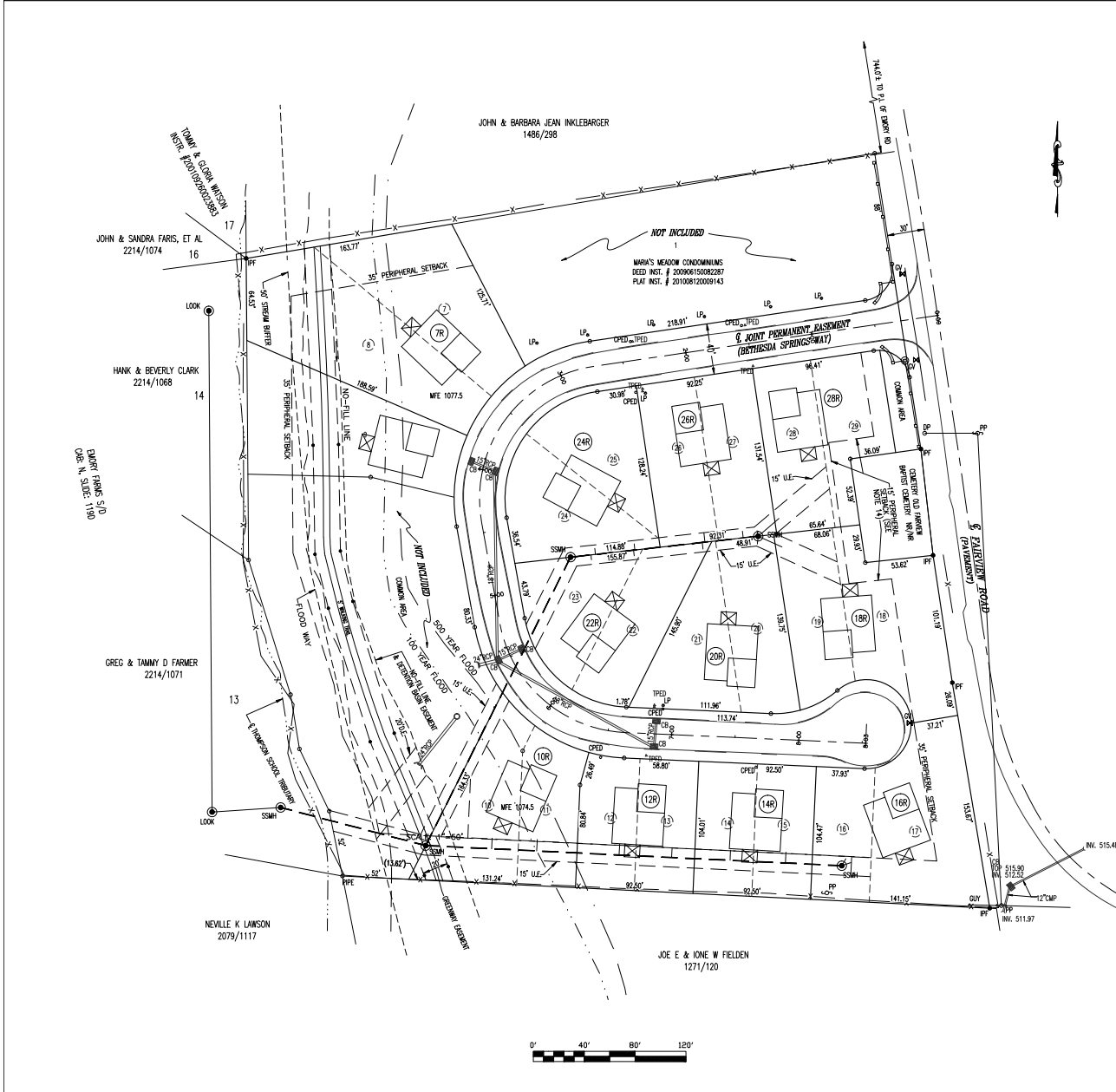
OWNER
RONALD DEWAYNE & LACRACIA WHITT
 8817 COPPER RD
 COBBRYTON, TN 37721
 PHONE: (866) 218-0055



CERTIFICATION OF CONCEPT PLAN:
 I, HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING INSTRUMENTS, DOCUMENTS AND STATEMENTS COMPLY WITH ALL APPLICABLE PROVISIONS OF THE TENNESSEE ENGINEERING CONSUMER PROTECTION ACT AND THE TENNESSEE PLANNING COMMISSION.

REGISTERED ENGINEER
 TENNESSEE CERTIFICATE NO. _____

10-E-16-UR



BATSON, HIMES, NORVELL & FOG
 REGISTERED ENGINEERS & LAND SURVEYORS
 4334 PAPERMILL DRIVE
 KNOXVILLE, TENNESSEE 37909
 PHONE: (865) 588-6472
 FAX: (865) 588-6473
 email@bhn-p.com

DESIGNED	DBH	DATE	REVISION	APPR.	NO.	DATE	REVISION	APPR.
DRAWN	JSM	09/02/16	REVISED LOT LAYOUT					
CHECKED	DBH	09/26/16	MPC COMMENTS					

SCALE:
 1" = 40'
 DATE
 09/02/16

REFERENCE DEED: INSTR.#2009061500R2287
 REFERENCE PLAT: INSTR.#20100812009143

REVISED CONCEPT AND DEVELOPMENT PLAN FOR
MARIAS MEADOW SUBDIVISION
 CLT MAP 21, PARCEL 44
 DISTRICT 8, KNOX COUNTY, TENNESSEE

24585-R-C
 SHEET 1 OF 1 SHEET(S)

Q:\24585\24585-R-C.DWG

Use on Review **Development Plan**

Name of Applicant: Dewayne Whitt

Date Filed: 10/29/16 Meeting Date: 10/13/16

Application Accepted by: M. Payne

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: \$450⁰⁰ File Number: Use on Review 10-E-16-UR

PROPERTY INFORMATION

Address: Bethesda Springs Way

General Location: West side of Fairview Rd,
South of E. Emory Rd

Tract Size: 4.256 acres No. of Units: 11

Zoning District: PR

Existing Land Use: Vacant

Planning Sector: Northeast County

Sector Plan Proposed Land Use Classification: _____

Growth Policy Plan Designation: Planned Growth

Census Tract: 64.01

Traffic Zone: 184

Parcel ID Number(s): Map 21, Parcels 44.01, 44.02, 44.04-
44.23, 44.25

Jurisdiction: City Council District

County Commission 8th District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: Dewayne Whitt

Company: _____

Address: 8617 Coppock Rd

City: Corryton State: TN Zip: 37721

Telephone: 218-5055

Fax: _____

E-mail: whittdewayne@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: David Harbin

Company: Batson Himes Norvell & Pae

Address: 4334 Papermill Dr

City: Knoxville State: TN Zip: 37909

Telephone: 588-6472

Fax: 588-6473

E-mail: harbin@bhn-p.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

11 - single-family detached
lots

Other (Be Specific)

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: David Harbin

PLEASE PRINT
Name: David Harbin

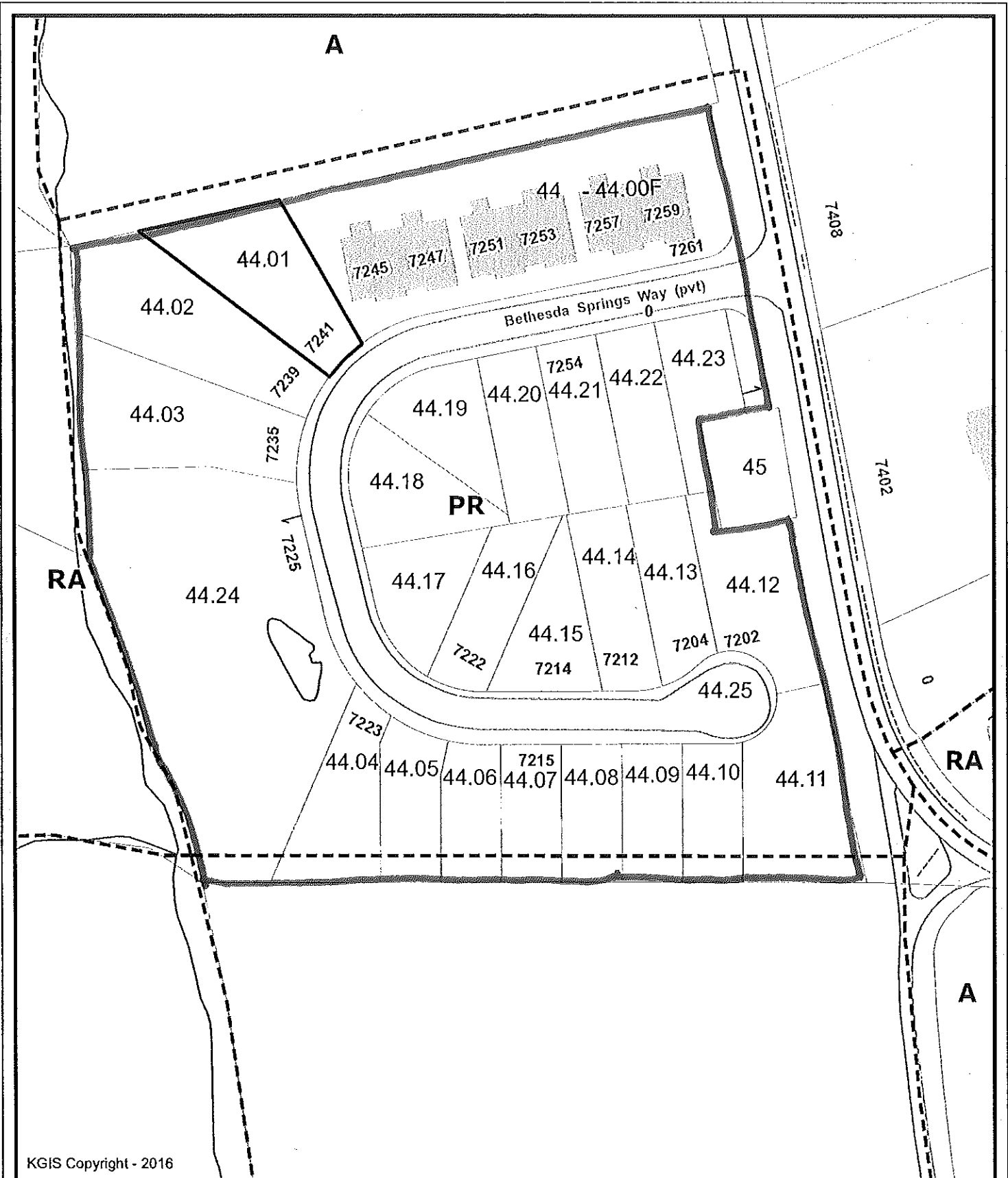
Company: Batson Himes Norvell & Pae

Address: 4334 Papermill Drive

City: Knoxville State: TN Zip: 37909

Telephone: 588-6472

E-mail: harbin@bhn-p.com



Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



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