

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

▶ **FILE #:** 10-SB-16-C **AGENDA ITEM #:** 14
 10-K-16-UR **AGENDA DATE:** 10/13/2016

▶ **SUBDIVISION:** OAKLAND, LLC ON W. EMORY
 ▶ **APPLICANT/DEVELOPER:** OAKLAND, LLC
 OWNER(S): Oaklandd, LLC

TAX IDENTIFICATION: 77 139, 13902 & 13905 [View map on KGIS](#)
 JURISDICTION: County Commission District 6
 STREET ADDRESS:

▶ **LOCATION:** Northwest side of W. Emory Rd., southwest of Chartwell Rd.

SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Planned Growth Area
 WATERSHED: Beaver Creek

▶ **APPROXIMATE ACREAGE:** 14.06 acres

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

▶ **EXISTING LAND USE:** Detached dwellings & vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING: This section of W. Emory Rd. is developed with residential uses under A, RA and PR zoning. The established subdivision to the east and north (Camelot II) was developed under RA zoning at approximately 1.4 du/ac. The newer subdivision to the west (Copper Ridge) is zoned PR 1-3 du/ac and developed at approximately 3 du/ac.

▶ **NUMBER OF LOTS:** 42

SURVEYOR/ENGINEER: Batson, Himes, Norvell & Poe

ACCESSIBILITY: Access is via W. Emory Rd., a major arterial street with 24' of pavement width within 60' of right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:**

1. Horizontal curve radius from 250' to 100' at sta 6+75 of Road A
2. Horizontal curve radius from 250' to 135' at sta 9+25 of Road A
3. Horizontal curve radius from 250' to 100' at sta 12+25 of Road A
4. Intersection spacing variance between the proposed subdivision entrance (Road A) and Meadow Creek Ln. from 400' to 172'
5. Intersection spacing variance between the proposed subdivision entrance (Road A) and Chartwell Rd. from 400' to 309'

STAFF RECOMMENDATION:

▶ **APPROVE** variances 1- 5 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 12 conditions:

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a subdivision name and street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102)
3. Conducting a stream determination study and providing the appropriate easements and buffers as required by the Knox County Department of Engineering and Public Works
4. Certification prior to final plat approval by the applicant's surveyor that the corner sight distance at the proposed intersection of Road A and W. Emory Rd. meets or exceeds the requirements of the Subdivision Regulations
5. As part of the design plan provide a grading plan to the Knox County Dept. of Engineering and Public Works that specifically addresses access and the proposed building sites for lots 1-3 and 40-42
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation
7. Obtaining a street connection permit from the Tennessee Department of Transportation.
8. Place a note on the final plat that all lots will have access only to the internal street system
9. Prior to final plat approval, record a line of sight easement across Lot 28 in order to provide the needed sight distance for the curve in Road A if required by the Knox County Dept. of Engineering and Public Works
10. Meeting all other applicable requirements of the Knox County Dept. of Engineering and Public Works
11. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area, recreational amenities and drainage system.
12. 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.

► **APPROVE the request for up to 42 detached dwellings on individual lots as shown on the concept plan subject to 4 conditions**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Maintaining a 25 ft. wide vegetative buffer and providing the required 35 ft. wide peripheral boundary setback along the northern and western boundary of the site within the shaded area shown on the concept plan
3. Provision of a minimum of a 25 ft. wide peripheral boundary setback in all other areas as shown on the concept plan
4. Correct the typical lot layout to reflect the appropriate right-of-way and pavement width for a public street (50' ROW / 26' pavement width)

COMMENTS:

The applicant is proposing to subdivide this 14.069 acre tract located on the north side of W. Emory Rd. into 42 lots and to construct a detached dwelling on each lot. This site was the subject of a rezoning request earlier this year at which time the Knox County Commission approved PR (Planned Residential) zoning at a maximum density of 3 du/ac (11-C-15-RZ). This applicant is proposing a development density of 2.99 du/ac.

The site rises from W. Emory Rd. Due to a large amount of cutting that will be required at the entrance, the staff will require the applicant's engineer to produce a grading plan that will demonstrate the feasibility of providing access and building sites on some of the lots that are located at the front of the proposed development. If these proposed lots prove to be problematic, staff will deal with them as part of the final plat consideration. Additionally, the grading at the entrance may impact the site distance. Staff will require the applicant's engineer to certify the site distance will meet the requirements of the Subdivision Regulations as part of the Design Plan process.

The applicant has requested that MPC approve a 25' wide peripheral boundary setback around the entire development. A large portion of the adjoining land has not been developed and the reduced setback will not have a negative impact on those properties. Staff will recommend that the required 35' wide periphery setback be provided along the northern and western boundaries of the site where this development will adjoin other existing low density residential subdivisions. The northern half of the site is heavily wooded and staff would like to have some of the wooded area maintained in order to provide a buffer between the existing and proposed developments. As a result, staff will recommend that the vegetation in the outer 25' in the area that we are requiring the full 35' setback be maintained without disturbance.

Our current maps show what may be a stream crossing the site. Since it is unclear if this actually a perennial stream, a study will have to be done to determine its status. The Knox County Storm water Control Ordinance will require buffers be established if it is determined to be a stream and not just a storm water conveyance.

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

1. Water and sewer service is available to serve the site.
2. The proposed low density residential development at a density of 2.99 du/ac is compatible with other development that has occurred in this area.

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

1. With the stated conditions, the proposed detached residential subdivision meets the standards for development within the PR (Planned Residential) zoning district and the requirements for approval of a use on review:

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. The use will not draw additional traffic through residential areas since the subdivision has direct access to a major arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan designates this property for low density residential use. The proposed development with a density of 2.99 du/ac is consistent with the Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 467 (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.

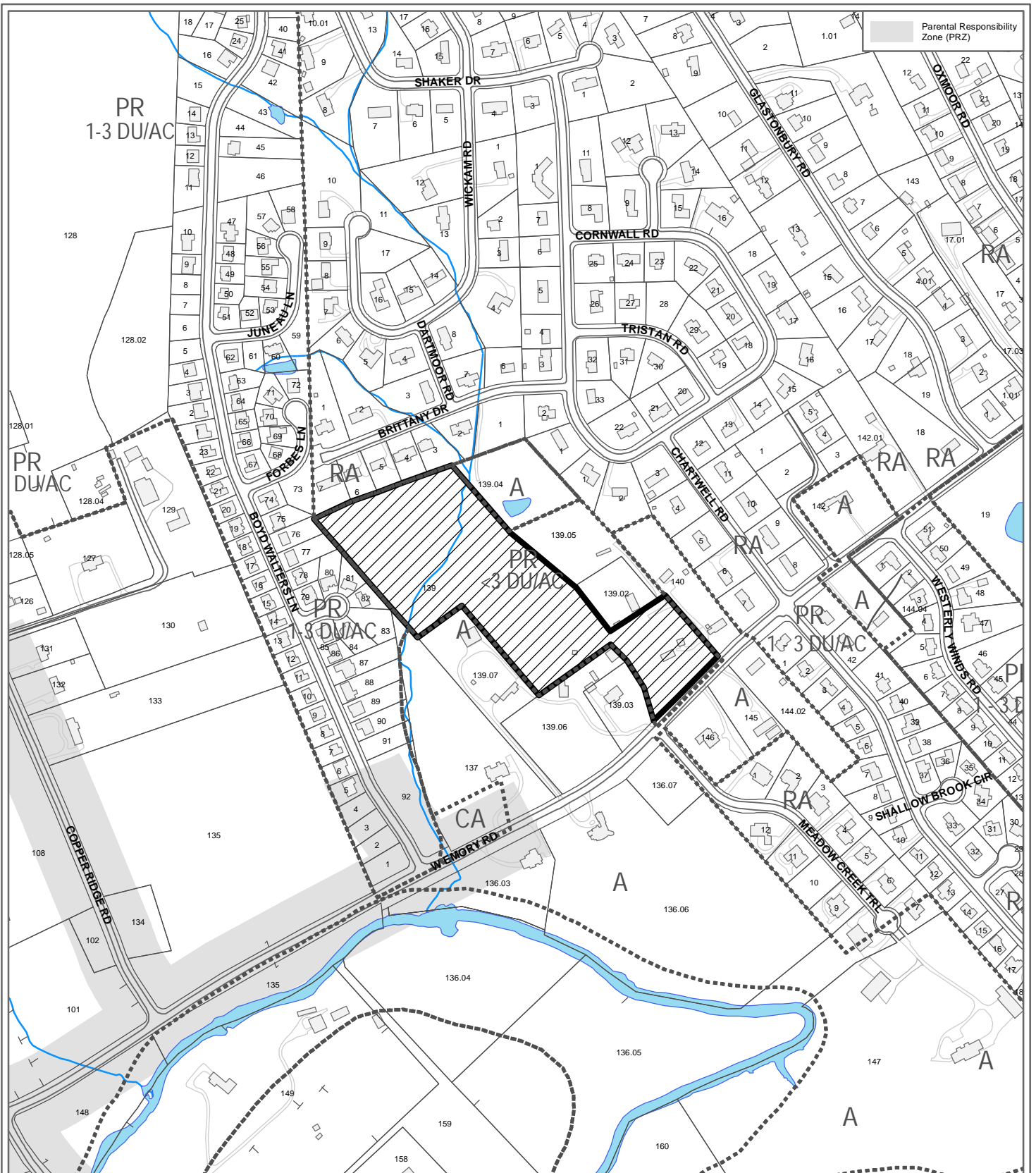
ESTIMATED STUDENT YIELD: 22 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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.



**10-SB-16-C / 10-K-16-UR
CONCEPT PLAN/USE ON REVIEW**



Detached residential subdivision in PR (Planned Residential)

Original Print Date: 9/22/2016
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Oakland, LLC
 Oakland, LLC on W. Emory

Map No: 77

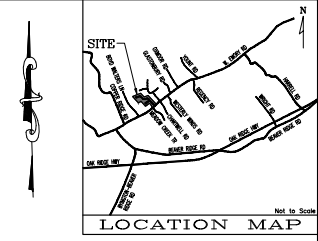
Jurisdiction: County



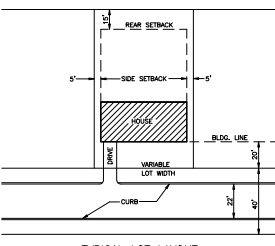
NOTE:
THREE DAYS PRIOR TO ANY EARTHWORK
OR CONSTRUCTION CONTRACTOR MUST
CONTACT:
TENNESSEE ONE-CALL
1-800-351-1111
RECORD AND SAVE YOUR
CONFIRMATION NUMBER.

NOTE:
CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY
CONTRACTOR SHALL SHORE AND BRACE ALL OPEN CUT TRENCHES AS
REQUIRED BY STATE AND FEDERAL LAWS AND LOCAL ORDINANCES; TO
CONFORM WITH RECOMMENDATIONS SET FORTH IN ASCE MANUAL OF
ACCIDENT PREVENTION IN CONSTRUCTION; TO PROTECT LIFE, PROPERTY,
OR WORK; TO AVOID EXCESSIVELY WIDE CUTS IN UNDESIRABLE MATERIAL.
OSHA RULES SHALL BE ADDED BY:

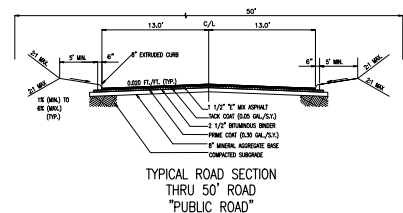
NOTE:
CONTRACTOR TO NOTIFY ENGINEER
BEFORE START OF CONSTRUCTION



- NOTES:
1. ALL DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAN.
 2. A 10' DRAINAGE, UTILITY AND CONSTRUCTION EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES, 5' EACH SIDE OF INTERIOR ROAD LINES.
 3. A 15' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS INSTALLED.
 4. THIS PROPERTY CONTAINS 14.088 ACRES COMPRISED OF 42 SINGLE FAMILY DETACHED LOTS AND TWO COMMON AREAS.
 5. THIS PROPERTY IS ZONED PR @ 3 DU/ACRE.
 6. CONTOURS PROVIDED BY KNOXVILLE/KNOX COUNTY G.S. ROAD PROFILES ARE BASED ON THESE CONTOURS.
 7. UTILITIES:
WATER: WEST KNOX UTILITY DISTRICT
SEWER: WEST KNOX UTILITY DISTRICT
ELECTRIC: KNOXVILLE UTILITIES BOARD
GAS: KNOXVILLE UTILITIES BOARD
TELEPHONE: BELLSOUTH
 8. ALL ROADWAYS WILL BE PUBLIC.
 9. COMPACTION TESTING PURSUANT TO THE REQUIREMENTS OF THE KNOX COUNTY DEPT. OF ENGINEERING & PUBLIC WORKS WILL BE REQUIRED FOR ALL FILL AREAS.
 10. MINIMUM FLOOR ELEVATION FOR LOTS 23 & 24 IS ONE FOOT ABOVE THE BEAM OF THE DESIGNER BASIN.
 11. ROADWAY GRADES AT THE INTERSECTIONS OF ALL ROADS BETWEEN 1/8 AND 3/8 HAVE BEEN REVIEWED AND ARE APPROVED BY KNOX COUNTY DEPT. OF ENGINEERING & PUBLIC WORKS.
 12. VARIANCES REQUESTED:
a) HORIZONTAL CURVE RADIUS FROM 250' TO 100'. STA 6+15 ROAD "A"
b) HORIZONTAL CURVE RADIUS FROM 250' TO 130'. STA 9+25 ROAD "A"
c) HORIZONTAL CURVE RADIUS FROM 250' TO 100'. STA 12+25 ROAD "A"
d) INTERSECTION SPACING FROM 400' TO 175' BETWEEN PROPOSED ROAD "A" AND MAWDOX CREEK LANE.
 13. ALL LOTS WILL HAVE ACCESS TO INTERNAL ROAD SYSTEMS ONLY.



NOTE:
ALL SETBACKS ARE SUBJECT TO 20' PERIPHERAL SETBACK



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 HEREBY CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS AND EXHIBITS CONFORM TO THE APPLICABLE PROVISIONS OF THE PROFESSIONAL ENGINEER CONSUMER PROTECTION ACT AS HAS BEEN REVIEWED AND APPROVED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.
REGISTERED ENGINEER
TENNESSEE CERTIFICATE NO. _____

OWNER/DEVELOPER
OAKLAND, LLC
C/O PETER L. McCLAIN
2718 HAWK HAVEN LANE
KNOXVILLE, TN 37931
PHONE: (865) 719-4542

10-SB-16-C
10-K-16-UR
Revised: 9/28/2016

DESIGNED	DBH	NO.	DATE	REVISION	APPR.	NO.	DATE	REVISION	APPR.
DRAWN	SEW								
CHECKED	DBH								

SCALE:
1"=100'
VERTICAL: 4" INTERVAL
DATE:
8/16/16

DEED REFERENCES:
DEED BOOK 2023, PAGE 706
DEED BOOK 1892, PAGE 597
DEED BOOK 1540, PAGE 797

CONCEPT & DEVELOPMENT PLAN FOR
OAKLAND, LLC ON W. EMORY ROAD
TAX MAP 77, PARCELS 139, 139.02 & 139.05
DISTRICT 6, KNOX COUNTY, TENNESSEE

24979-C
SHEET 1 OF 2 SHEET(S)
G:\24979\24979.DWG

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

SUBDIVISION - CONCEPT

Name of Applicant: Oakland, LLC
 Date Filed: 8/29/16 Meeting Date: 10/13/16
 Planner in Charge of Application: M. Payne
 Fee Amount: \$1,760⁰⁰ File Number: Subdivision - Concept 10-SB-16-C
 Fee Amount: .00 Related File Number: Use On Review 10-K-16-UR

PROPERTY INFORMATION

Subdivision Name: Oakland, LLC on
 Unit/Phase Number: W. Emory Road
 General Location: NW of W Emory Rd,
SW of Chertwell Rd
 Tract Size: 11.49 ac No. of Lots: 42
 Zoning District: PR
 Existing Land Use: Vacant
 Planning Sector: Northwest County
 Sector Plan Proposed Land Use Classification:

Growth Policy Plan Designation: Planned Growth
 Traffic Zone: 600, 209
 Census Tract: 60.03
 Tax Identification Number: Tax Map 77
Parcel 139
 Jurisdiction: City Council _____ District
 County Commission 6th District

AVAILABILITY OF UTILITIES

List utility districts proposed to serve this subdivision:
 Sewer West Knox Utility District
 Water West Knox Utility District
 Electricity Knoxville Utilities Board
 Gas Knoxville Utilities Board
 Telephone AT&T Southeast

TRAFFIC IMPACT STUDY REQUIRED

No Yes

USE ON REVIEW No Yes

Approval Requested:
 Development Plans in Planned District or Zone
 Other (be specific): _____

VARIANCE(S) REQUESTED

No Yes (If Yes, see reverse side of this form)

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
 Name: Peter McClain
 Company: Oakland, LLC
 Address: 2718 Hawk Haven Lane
 City: Knoxville State: TN Zip: 37921
 Telephone: 719-4342
 Fax: _____
 E-mail: oakland.knox@gmail.com

PROJECT SURVEYOR/ENGINEER

PLEASE PRINT
 Name: David Harbin
 Company: Batson, Himes, Norvell & Poe
 Address: 4334 Papermill Drive
 City: Knoxville State: TN Zip: 37909
 Telephone: 588-6472
 Fax: 588-6473
 E-mail: email@bhn-p.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application (including plat corrections) should be directed to:

PLEASE PRINT
 Name: David Harbin
 Company: Batson Himes Norvell & Poe
 Address: 4334 Papermill Dr
 City: Knoxville State: TN Zip: 37909
 Telephone: 588-6472
 Fax: 588-6473
 E-mail: harbin@bhn-p.com

VARIANCES REQUESTED

1. Horizontal curve radius from 250' to 100', Sta 8675 Road "A"

Justify variance by indicating hardship: topography

2. Horizontal curve radius from 250' to 135', Sta 9725, Road "A"

Justify variance by indicating hardship: topography

3. Horizontal curve radius from 250' to 100', Sta 12725, Road "A"

Justify variance by indicating hardship: topography

4. _____

Justify variance by indicating hardship: _____

5. _____

Justify variance by indicating hardship: _____

6. _____

Justify variance by indicating hardship: _____

7. _____

Justify variance by indicating hardship: _____

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, as listed on this form. I further certify that any and all variances needed to meet regulations are requested above, or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested. I hereby waive the requirement for approval or disapproval of the plat within sixty (60) days after its submission, in accordance with the provisions of Tennessee Code Annotated 13-3-404.

PLEASE PRINT

Name: David Harkin

Address: 4334 Popcorn Hill Dr.

City: Knoxville State: TN Zip: 37909

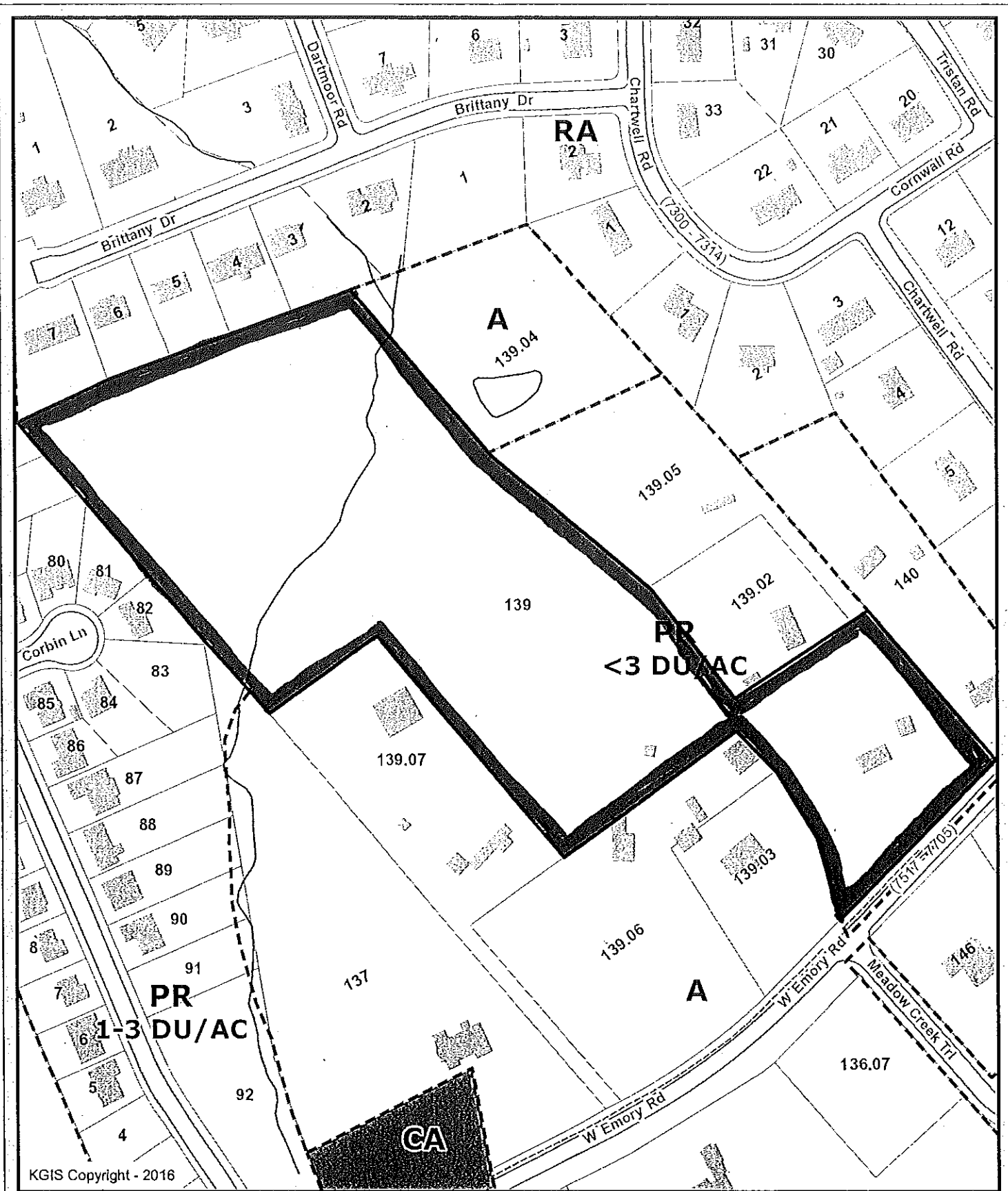
Telephone: 588-6472

Fax: 588-6473

E-mail: harkin@bhn-p.com

Signature: David Harkin

Date: 8/29/16



Letter Portrait

Printed: 8/29/2016 at 2:30:15 PM

Knoxville - Knox County - KUB Geographic Information System



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