

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

▶ **FILE #:** 4-SB-17-C
 4-G-17-UR

AGENDA ITEM #: 18
AGENDA DATE: 4/13/2017

▶ **SUBDIVISION:** WESTLAND CREEK (FKA - WESTLAND OAKS)
 ▶ **APPLICANT/DEVELOPER:** S AND E PROPERTIES
 OWNER(S): S&E Properties

TAX IDENTIFICATION: 133 050 [View map on KGIS](#)
 JURISDICTION: County Commission District 5
 STREET ADDRESS: 8444 Westland Dr

▶ **LOCATION:** Southeast side of Westland Dr., east of Gothic Manor Way.

SECTOR PLAN: Southwest County
 GROWTH POLICY PLAN: Planned Growth Area
 WATERSHED: Ten Mile Creek

▶ **APPROXIMATE ACREAGE:** 28.74 acres

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

▶ **EXISTING LAND USE:** Residence and vacant land

▶ **PROPOSED USE:** Detached Residential Subdivision

SURROUNDING LAND USE AND ZONING: North: Railroad and residences / A (Agricultural) & PR (Planned Residential)
 South: Residence and stables / A (Agricultural)
 East: Residences, utility substation and vacant land / PR (Planned Residential) & A (Agricultural)
 West: Residences / PR (Planned Residential) & A (Agricultural)

▶ **NUMBER OF LOTS:** 82

SURVEYOR/ENGINEER: Fulgum MacIndoe & Assoc.

ACCESSIBILITY: Access is via Westland Dr., a minor arterial street with an 18' pavement width within a required 88' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** 1. Maximum street grade variance on Road C, between STA 0+93.09 and STA 4+73.93, from 12% to 13%.

STAFF RECOMMENDATION:

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

APPROVE the Concept Plan subject to 11 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 (Ord 91-1-102).

3. Installation of sidewalks as identified on the concept plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knox County Department of Engineering and Public Works. A bond shall be provided to the Knox County Department of Engineering and Public Works by the developer in an amount sufficient to guarantee the installation of the sidewalks.
4. Implementation of the intersection improvements and recommendations outlined in the Traffic Impact Study prepared by Fulghum MacIndoe & Associates, Inc. as revised on March 29, 2017. The design details and timing of the installation of the improvements shall be worked out with the Knox County Department of Engineering and Public Works during the design plan stage for the subdivision.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Placing a note on the final plat that all lots will have access only to the internal street system.
7. The right-of-way of the cul-de-sacs at the ends of Roads A and B shall be made wide enough to allow for the creation of one or two lots from the adjoining tracts of land allowing access to the public streets.
8. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
9. Identify the stream and required stream buffers on the final plat.
10. Prior to design plan approval, providing legal documentation to the Knox County Department of Engineering and Public Works and Planning Commission Staff concerning the common boundary line between Tax Parcels 133 050 (the applicants property) and 133 038 (Conner Property) in the area of Ebenezer Branch. The results of that documentation may require the submission of a revised concept plan.
11. 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 Development Plan for up to 82 detached dwelling units on individual lots, and the requested reduction of the peripheral setback to 25' as identified on the Concept Plan, 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 in the PR zone and the other criteria for approval of a Use on Review.

COMMENTS:

The applicant is proposing to develop an 82 lot subdivision on a portion of a 28.74 acre site that is located on the south side of Westland Rd. just east of Westland Manor Subdivision. The property extends between Westland Dr. and Nubbin Ridge Rd. to the south. There is one future development site of approximately 7.3 acres located at the south end of the proposed subdivision that has frontage along Nubbin Ridge Rd.

The property is zoned PR (Planned Residential) with an approved density of up to 5 du/ac. The proposed density for the subdivision that will be located on approximately 21.44 acres will be approximately 3.82 du/ac. The overall density for the site at this time will be 2.85 du/ac. The applicant has designated on the concept plan that the unused density from this subdivision is reserved for the 7.3 acre tract (up to 61 dwelling units).

Access to the proposed subdivision will be from Westland Dr. with no connection proposed out to Nubbin Ridge Rd. The 7.3 acre tract that has frontage along Nubbin Ridge Rd. will most likely have access only out to Nubbin Ridge Rd. The site is not located within the parental responsibility zone. The proposed subdivision will include sidewalks on one side of Roads A and C. One of the general provisions for the PR zoning district is that it encourages open space for recreational use. The addition of sidewalks would in part meet that objective.

A Traffic Impact Study was prepared by Fulghum MacIndoe & Associates, Inc. for this development with the last revision date being March 29, 2017. The study recommends turn lane improvements on Westland Dr. at the proposed subdivision entrance.

The applicant has requested a reduction of the peripheral setback from 35' to 25' along all exterior boundaries of this subdivision. The Planning Commission can approve a peripheral setback reduction down to 15' when the subdivision adjoins specific residential zoning districts. The standard rear yard setback for most low density and general residential zoning districts is 25'. Westland Manor to the west was approved with a reduction of the peripheral boundary down to 15'.

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

1. The proposed detached residential subdivision will have minimal impact on local services since utilities are available to serve this site.

2. The proposed low density residential development is compatible with the scale and intensity of development that has occurred in this area.
3. The proposed detached residential subdivision at the proposed density of 3.82 du/ac, is consistent in use and density with the approved rezoning for the property.

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

1. With the recommended conditions, the proposed subdivision 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 additional traffic through residential areas since the development has access to a minor arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan proposes low density residential uses for this site. The proposed development at a density of 3.82 du/ac is consistent with the sector plan.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

ESTIMATED STUDENT YIELD: 51 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Blue Grass Elementary, West Valley Middle, and Bearden 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.