

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

▶ **FILE #:** 4-F-17-UR

AGENDA ITEM #: 71

AGENDA DATE: 4/13/2017

▶ **APPLICANT:** FRANK GAMBUZZA

OWNER(S): Frank Gambuzza

TAX ID NUMBER: 144 02001

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 0 Emory Church Rd

▶ **LOCATION:** South side of Emory Church Rd., west side of Pellissippi Parkway.

▶ **APPX. SIZE OF TRACT:** 5.56 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Emory Church Rd., a minor collector street with a 19' pavement width with a 50' right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

▶ **ZONING:** PR (Planned Residential) (k) & F (Floodway)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residences

1.64 du/ac

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING: North: I-140 - OS-1 (Open Space Preservation)

South: Sinking Creek and vacant land - F (Floodway) & PR (Planned Residential) (k)

East: I-140 - OS-1 (Open Space Preservation) & F (Floodway)

West: Residence - A (Agricultural)

NEIGHBORHOOD CONTEXT: The site is located in an area of low density residential development.

STAFF RECOMMENDATION:

▶ **APPROVE the development plan for 3 detached residential units on individual lots, and the requested reduction of the peripheral setback to the distances identified on the development plan, subject to 7 conditions.**

1. This Use on Review approval modifies the density distribution of the previous approval for this site (9-B-13-UR) by increasing the total number of units for this property from 2 units to 3 units.

2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.

3. Providing certification from a registered land surveyor that the required sight distance is available in both directions along Emory Church Road at the proposed driveways for the three lots. The required sight distance shall be based on a speed study conducted for this section of Emory Church Rd. and approved by Knox

County Department of Engineering and Public Works. If sight distance cannot be achieved within the public right-of-way, a sight distance easement will be required across adjoining property. The sight distance certification and any required easements shall also be included on the final plat.

4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. The final plat shall identify any required right-of-way dedication in compliance with Major Road Plan for Emory Church Rd.(60' right-of-way required).
6. Placing a note on the final plat that all lots shall be provided with an on-site driveway turnaround area.
7. 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 subdivide this 5.56 acre tract (1.832 acres are above the 813' contour which is the summer pool level for the lake) into three (3) detached residential lots. This property which is zoned PR (Planned Residential) (k) & F (Floodway) is located on the south side of Emory Church Rd., and on the west side of I-140. This site is part of the Westland Cove development that was approved by the Planning Commission on November 14, 2013 (9-B-13-UR). The previous approval identified this tract for two residential lots. The applicant is requesting approval under this application for three residential lots. A letter has been provided from Clear Water Partners, LLC (the developer of Westland Cove) approving the transfer of the one additional unit to this site from the remaining portion of Westland Cove.

Staff has included a condition requiring certification from a registered land surveyor that the required sight distance is available in both directions along Emory Church Road at the proposed driveways for the three lots. The required sight distance shall be based on a speed study conducted for this section of Emory Church Rd. and approved by Knox County Department of Engineering and Public Works. At the present time, landscape screening located on the property to the west restricts sight distance. If sight distance cannot be achieved within the public right-of-way, a sight distance easement will be required across adjoining property.

The applicant has requested a reduction of the 35' peripheral setback down to 15' on the east side (I-140) and 25' on the west side (applicant's residence).

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

1. Public utilities are available to serve the site.
2. The proposed development is consistent other low density development in the area.

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

1. With the recommended conditions, the proposed development is consistent with all relevant requirements of the PR zoning district and the use on review criteria.
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 collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Southwest County Sector Plan proposes low density residential development for this site. The proposed development with the recommended conditions will be in conformity 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: 41 (average daily vehicle trips)

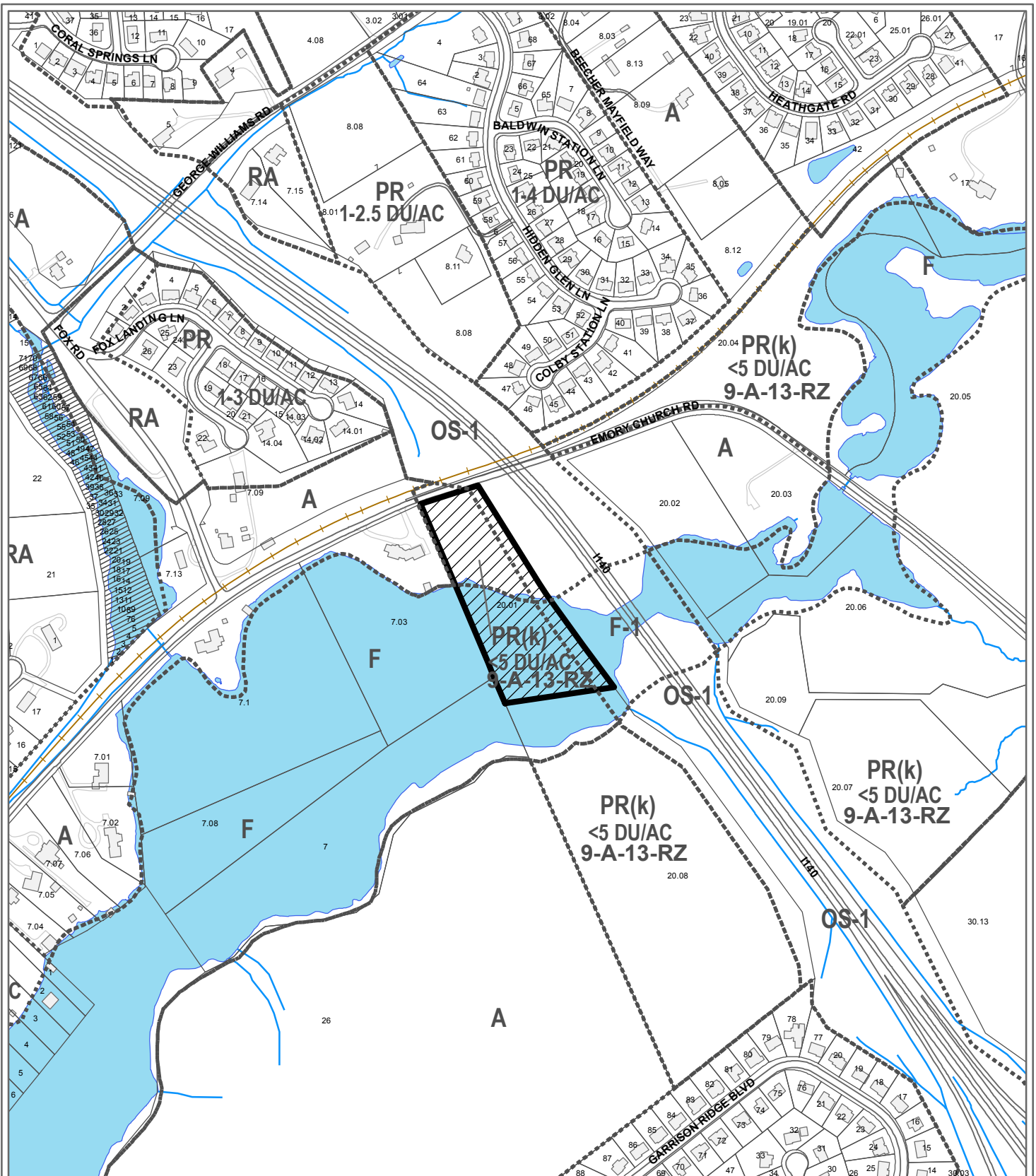
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 2 (public and private school children, ages 5-18 years)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley 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 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.



**4-F-17-UR
USE ON REVIEW**

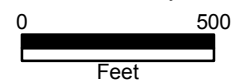


Detached residences in PR (Planned Residential) (k) & F (Floodway)

Petitioner: Gambuzza, Frank

Map No: 144

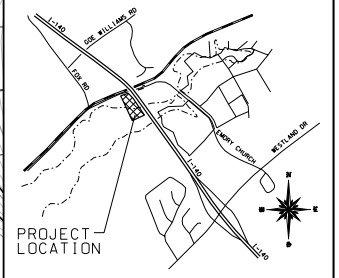
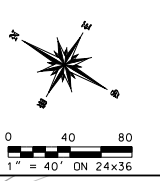
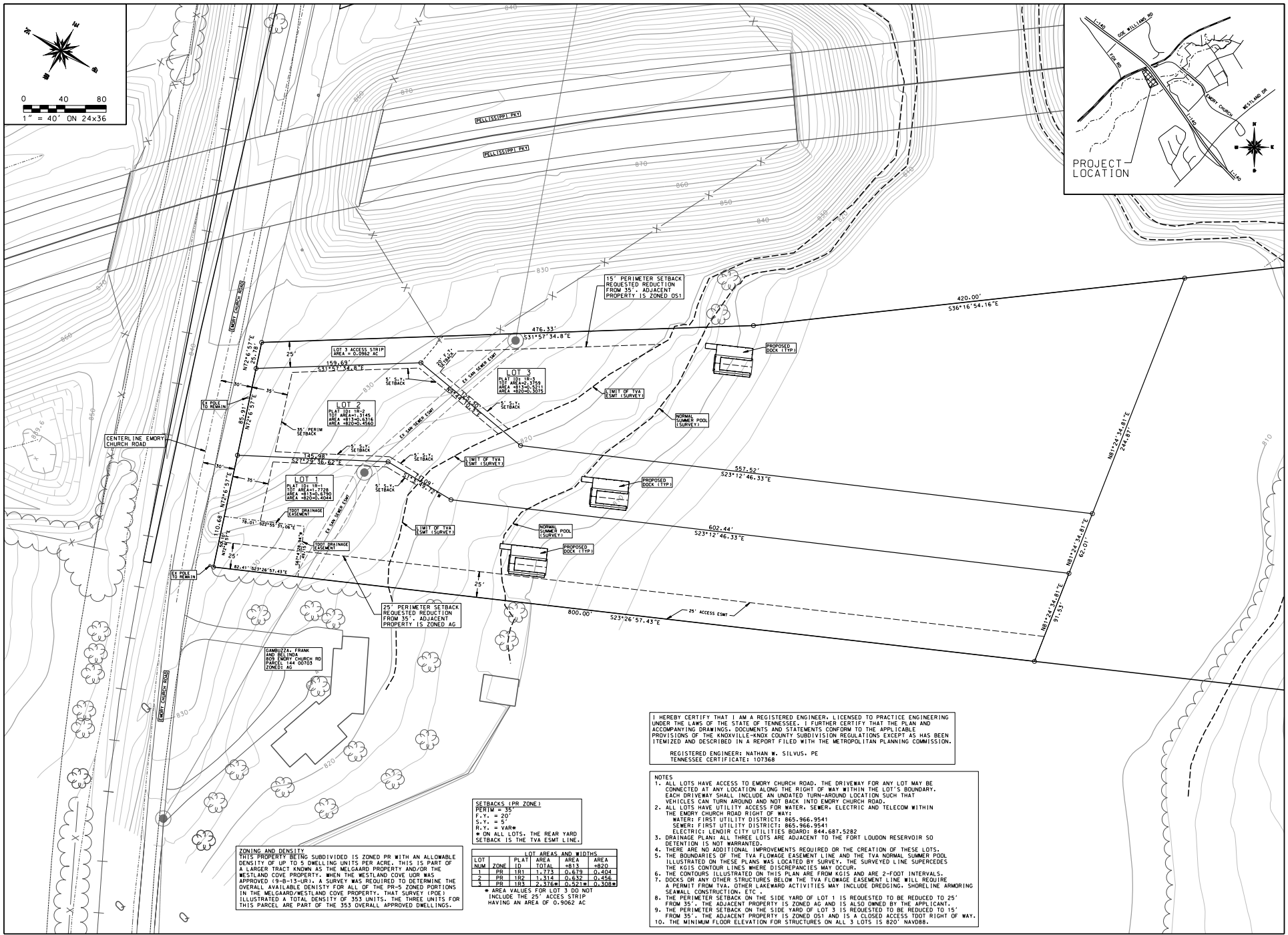
Jurisdiction: County



Original Print Date: 3/14/2017

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



ZONING AND DENSITY
 THIS PROPERTY BEING SUBDIVIDED IS ZONED PR WITH AN ALLOWABLE DENSITY OF UP TO 5 DWELLING UNITS PER ACRE. THIS IS PART OF A LARGER TRACT KNOWN AS THE MELGAARD PROPERTY AND/OR THE WESTLAND COVE PROPERTY. WHEN THE WESTLAND COVE UOR WAS APPROVED (9-B-13-UR), A SURVEY WAS REQUIRED TO DETERMINE THE OVERALL AVAILABLE DENSITY FOR ALL OF THE PR ZONED PORTIONS IN THE MELGAARD/WESTLAND COVE PROPERTY. THAT SURVEY (PO) ILLUSTRATED A TOTAL DENSITY OF 353 UNITS. THE THREE UNITS FOR THIS PARCEL ARE PART OF THE 353 OVERALL APPROVED DWELLINGS.

SETBACKS (PR ZONE)
 PERIM = 35'
 F.Y. = 20'
 S.Y. = 5'
 R.Y. = VAR*
 * ON ALL LOTS, THE REAR YARD SETBACK IS THE TVA ESMT LINE.

| LOT AREAS AND WIDTHS | | | |
|----------------------|------|-------|-------|
| LOT | PLAT | AREA | AREA |
| NO. | NO. | TOTAL | ACRES |
| 1 | 1B1 | 1.273 | 0.679 |
| 2 | 1B2 | 1.314 | 0.629 |
| 3 | 1B3 | 2.212 | 0.562 |

* AREA VALUES FOR LOT 3 DO NOT INCLUDE THE 25' ACCESS STRIP HAVING AN AREA OF 0.9062 AC

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 DRAWINGS, DOCUMENTS AND STATEMENTS CONFORM TO THE APPLICABLE PROVISIONS OF THE KNOXVILLE-ANDERSON COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN ITEMIZED AND DESCRIBED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.

REGISTERED ENGINEER: NATHAN W. SILVUS, PE
 TENNESSEE CERTIFICATE: 107368

- NOTES**
1. ALL LOTS HAVE ACCESS TO EMORY CHURCH ROAD. THE DRIVEWAY FOR ANY LOT MAY BE CONNECTED AT ANY LOCATION ALONG THE RIGHT OF WAY WITHIN THE LOT'S BOUNDARY. EACH DRIVEWAY SHALL INCLUDE AN UNDATED TURN-AROUND LOCATION SUCH THAT VEHICLES CAN TURN AROUND AND NOT BACK INTO EMORY CHURCH ROAD.
 2. ALL LOTS HAVE UTILITY ACCESS FOR WATER, SEWER, ELECTRIC AND TELECOM WITHIN THE EMORY CHURCH ROAD RIGHT OF WAY.
 WATER: FIRST UTILITY DISTRICT: 865.966.9541
 SEWER: FIRST UTILITY DISTRICT: 865.966.9541
 ELECTRIC: LENOIR CITY UTILITIES BOARD: 844.687.5282
 3. DRAINAGE PLAN: ALL THREE LOTS ARE ADJACENT TO THE FORT LOUDON RESERVOIR SO DETENTION IS NOT WARRANTED.
 4. THERE ARE NO ADDITIONAL IMPROVEMENTS REQUIRED OR THE CREATION OF THESE LOTS.
 5. THE BOUNDARIES OF THE TVA FLOWAGE EASEMENT LINE AND THE TVA NORMAL SUMMER POOL ILLUSTRATED ON THESE PLANS WAS LOCATED BY SURVEY. THE SURVEYED LINE SUPERCEDES THE KGIS CONTOUR LINES WHERE DISCREPANCIES MAY OCCUR.
 6. THE CONTOURS ILLUSTRATED ON THIS PLAN ARE FROM KGIS AND ARE 2-FOOT INTERVALS.
 7. DOCKS OR ANY OTHER STRUCTURES BELOW THE TVA FLOWAGE EASEMENT LINE WILL REQUIRE A PERMIT FROM TVA. OTHER LAKEWARD ACTIVITIES MAY INCLUDE DREDGING, SHOULDER ARMORING SEAWALL CONSTRUCTION, ETC.
 8. THE PERIMETER SETBACK ON THE SIDE YARD OF LOT 1 IS REQUESTED TO BE REDUCED TO 25' FROM 35'. THE ADJACENT PROPERTY IS ZONED AG AND IS ALSO OWNED BY THE APPLICANT.
 9. THE PERIMETER SETBACK ON THE SIDE YARD OF LOT 3 IS REQUESTED TO BE REDUCED TO 15' FROM 35'. THE ADJACENT PROPERTY IS ZONED OS1 AND IS A CLOSED ACCESS 'DOT RIGHT' OF WAY.
 10. THE MINIMUM FLOOR ELEVATION FOR STRUCTURES ON ALL 3 LOTS IS 820' NAVD88.

| | | | |
|-----|-----------|----|------|
| NO. | REVISIONS | BY | DATE |
| | | | |
| | | | |
| | | | |

PREPARED FOR: FRANK GAMBUZZA
 809 EMORY CHURCH ROAD, KNOXVILLE, TN 37922

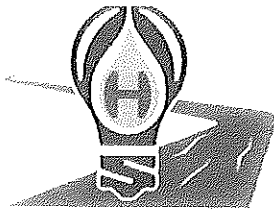
PROJECT: **GAMBUZZA SUBDIVISION**
 0 EMORY CHURCH ROAD, KNOXVILLE, TN 37922
 D111 6 - PARCEL ID: 144-02001 - APPROX 3.58 ACRES

ENGINEER: **SEC**
 SILVUS ENGINEERING CONSULTING
 NATHAN W. SILVUS, P.E.
 181 NANTASKET ROAD
 KNOXVILLE, TN 37922
 864.616834

DATE: 02-24-2017

C1.0
 CONCEPT PLAN

THIS DRAWING IS PART OF A COMPREHENSIVE DESIGN AND COPYRIGHT 2017, SILVUS ENGINEERING CONSULTING



Clear Water Partners, LLC

P.O. Box 23038, Knoxville, TN 37933

3-29-17

To Whom It May Concern:

4-F-17-UR

I am writing this letter to let you know that I, as Chief Manager of Clear Water Partners, am aware of, and am in support of, shifting 3 dwelling units of density from our approved development plan for Westland Cove and related subdivisions we own on Emory Church Road, which includes 353 total units of density, to the property we recently sold to Frank and Belinda Gambuzza on the western side of Pellissippi Parkway on Emory Church Road.

If you have any further questions, please do not hesitate to contact me.

Thank you,

John Huber

Chief Manager

Clear Water Partners, LLC

865-966-1600

P.865-966-1600 F.865-691-5006

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
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www.knoxmpc.org

Use on Review Development Plan

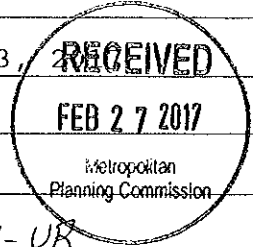
Name of Applicant: FRANK GAMBUZZA

Date Filed: 2-27-2017 Meeting Date: APRIL 13, 2017

Application Accepted by: M. Payne

Fee Amount: _____ File Number: Development Plan

Fee Amount: \$1200 File Number: Use on Review 4-F-17-UR



PROPERTY INFORMATION

Address: 0 EMORY CHURCH ROAD

General Location: WEST OF I-140
ADJACENT TO 809 EMORY CHURCH

Tract Size: 5.56 AC No. of Units: 3

Zoning District: PR-5

Existing Land Use: UNUSED

Planning Sector: Southwest County

Sector Plan Proposed Land Use Classification:
LDR, W

Growth Policy Plan Designation: Planned

Census Tract: 57.07

Traffic Zone: 23.0A

Parcel ID Number(s): 144 02001

Jurisdiction: City Council _____ District
 County Commission 6 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: FRANK GAMBUZZA

Company: _____

Address: 809 EMORY CHURCH RD

City: KNOXVILLE State: TN Zip: 37922

Telephone: 865.389.7238

Fax: _____

E-mail: FRANK@SALONVISAGE.COM

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: NATHAN W. SILVUS, PE

Company: SILVUS ENGINEERING CONS, LLC

Address: 1815 NANTASKET ROAD

City: KNOXVILLE State: TN Zip: 37922

Telephone: 865.414.0524

Fax: _____

E-mail: NATHAN@SILVUS.US

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

Residential Development

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: _____

PLEASE PRINT

Name: NATHAN SILVUS

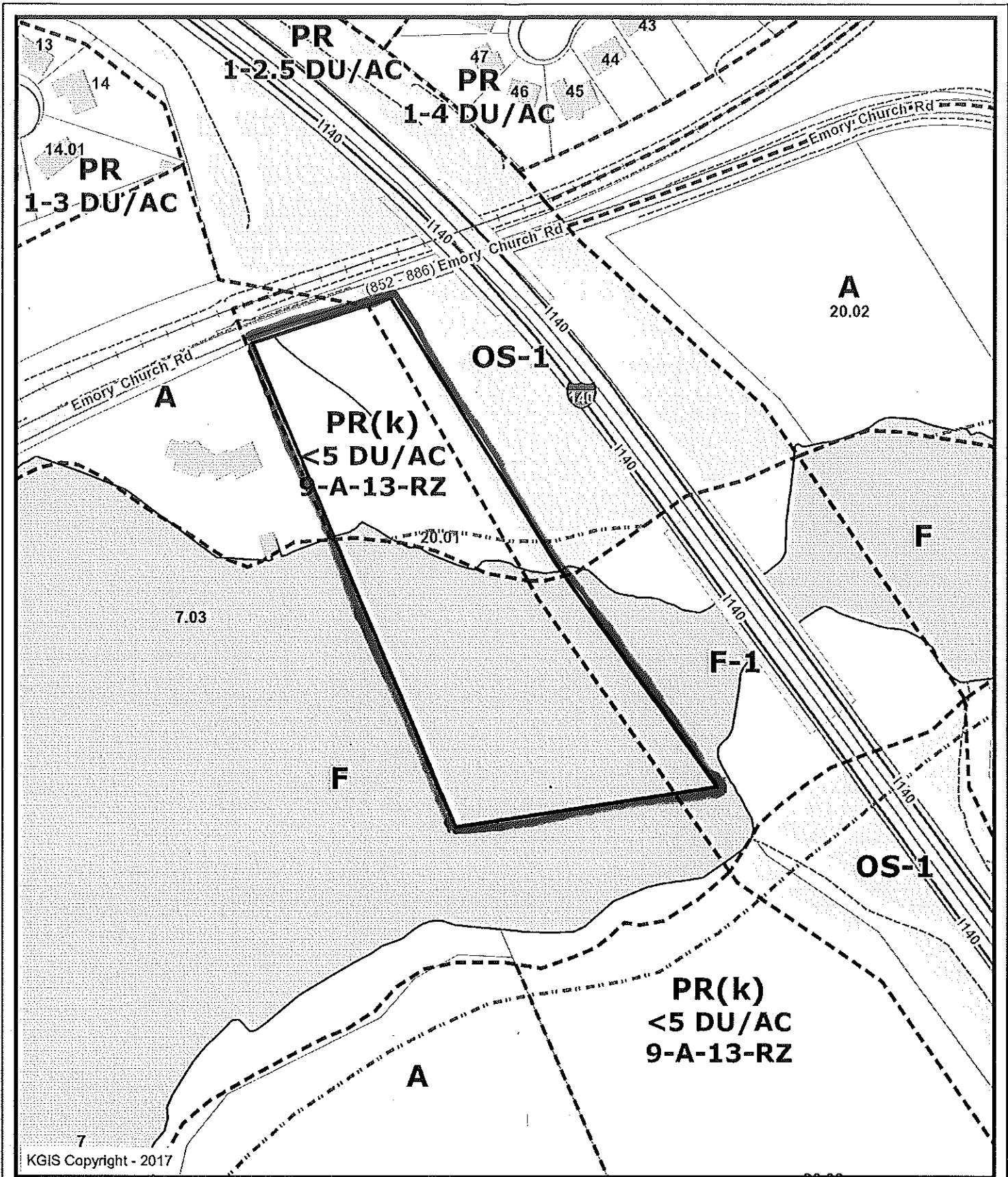
Company: SILVUS ENGINEERING CONS, LLC

Address: 1815 NANTASKET ROAD

City: KNOXVILLE State: TN Zip: 37922

Telephone: 865.414.0524

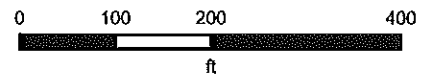
E-mail: NATHAN@SILVUS.US



Letter Portrait

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