

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

▶ **FILE #:** 7-F-17-UR

AGENDA ITEM #: 70

AGENDA DATE: 7/13/2017

▶ **APPLICANT:** CASCADE FALLS, LLC

OWNER(S): Cascade Falls, LLC

TAX ID NUMBER: 60 H E 10417-10423

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS:

▶ **LOCATION:** North & South sides of McCampbell Wells Wy., south of Laurel Creek Wy.

▶ **APPX. SIZE OF TRACT:** 5.88 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via McCampbell Wells Wy. and Laurel Creek Wy. Both are joint permanent easements with a right-of-way width of 40' and a pavement width of 26'

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **ZONING:** RP-1 (Planned Residential)

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

▶ **PROPOSED USE:** Reduce the required front yard setback from 25 ft. to 20 ft.
 2.12 du/ac

HISTORY OF ZONING: A concept plan and use on review for this site was approved in March 2010 (3-SB-10-C / 3-C-10-UR). There have been a number of final plats approved for this project

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / RP-1 residential

South: Detached dwellings / RP-1 residential

East: Detached dwellings / RP-1 residential

West: Norfolk-Southern R.R. / C-6 commercial

NEIGHBORHOOD CONTEXT: This development is a portion of Clear Springs Plantation Subdivision. Other development in the area consists of detached dwellings and a large TVA electrical substation. Zoning found in the area is RP-1 And PR (Planned Residential), A and A-1 (Agricultural) and C-6 (General Commercial Park)

STAFF RECOMMENDATION:

▶ **APPROVE the request to reduce the minimum required front yard setback from 25 ft. to 20 ft. for the lots in Unit 1 - Phase 4 of Clear Springs Plantation as shown on the development plan subject to 2 conditions**

1. Meeting all other applicable requirements of the previously approved use on review 3-C-10-UR

2. Meeting all other applicable requirements of the Knoxville Zoning Ordinance

COMMENTS:

Clear Springs Plantation is a development that dates back to 2004. At that time the development was proposed as a combination of detached dwellings and attached residential condominiums. After the economic downturn in 2008 the original developer came back and received approval of a revised concept plan and use on review that changed the attached condominiums to a subdivision containing detached dwellings. At the time the revised plan was approved the RP-1 (Planned Residential) District required a 25 foot minimum front yard setback for all detached dwellings. Since that time the Zoning Ordinance has been amended to permit MPC to establish the required front setback through the use on review process. This applicant is requesting that MPC approve a revised development plan for this project that will permit a twenty foot minimum front setback. Staff is recommending approval of this application because the front setback requested is in line with the current development practice and the default minimum setbacks that are called out in another section of the RP-1 regulations.

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

1. The proposed development will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed 20' front setback conforms with current development practice in detached residential subdivisions

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed 20' front setback meets the standards for development within the RP-1 (Planned Residential) Zone and all other requirements of the Zoning Ordinance..
2. The proposed development 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.
3. The recommended density of this site is 1- 3 dwellings per acre. The proposed 2.12 du/ac is within the permitted zoning density.

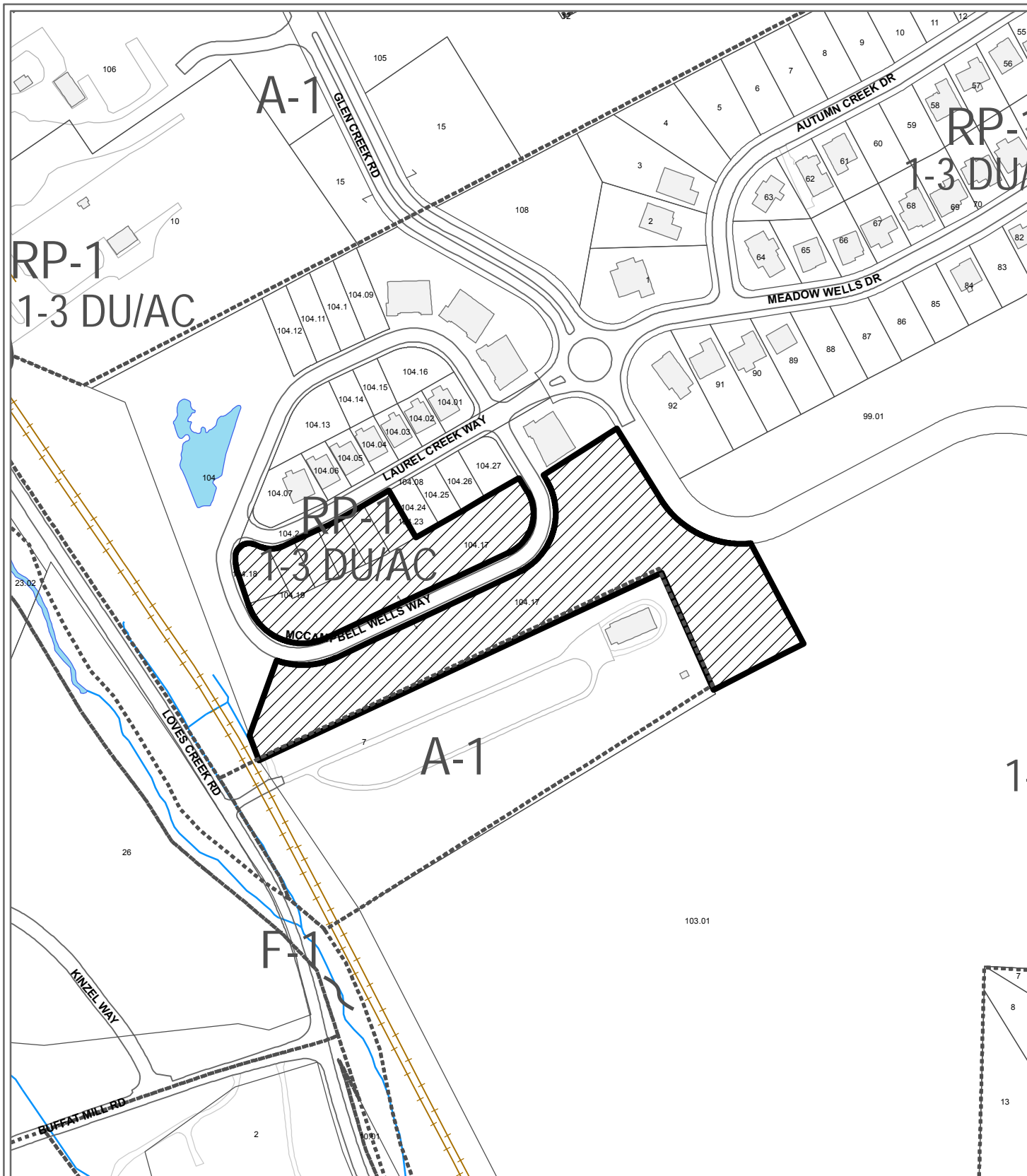
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan identifies this property for low density residential use with a maximum density of 5 du/ac. The PR zoning recommended for approval for this site will allow a density up to 3 du/ac. which is consistent with the Sector Plan and the other development found in the area.

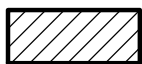
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



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



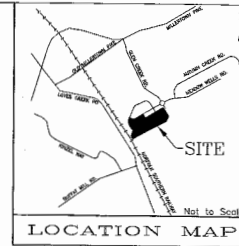
Reduce the required front yard setback from 25 ft. to 20 ft. in RP-1 (Planned Residential)

Original Print Date: 6/15/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Cascade Falls, LLC

Map No: 60
Jurisdiction: City





- NOTES:
1. SURVEYED AS MONUMENTED AND POSSESSED.
 2. IRON PINS FOUND (BY) SHOWN ON PLAN, ALL OTHERS SET BY BOUND, UNLESS NOTED OTHERWISE ON PLAN.
 3. THIS PROPERTY CONTAINS APPROXIMATELY 6.27 ACRES OF FOUR TRACTS.
 4. THIS PROPERTY IS ZONED RP-1.
 5. THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CORRELATE ALL SUCH UTILITIES IN THE AREA, EITHER IN SURFACE OR OTHERWISE. THE SURVEYOR MAKES NO GUARANTEE THAT INDICATED UTILITIES SHOWN ARE AT THE EXACT LOCATIONS INDICATED AS FEASIBLE. FULL INFORMATION REGARDING THE UTILITIES HAS NOT BEEN PHYSICALLY OBTAINED FROM ALL UNDERGROUND UTILITIES.
 6. PREVIOUSLY RECORDED PLAT OF UNIT-1, CLEAR SPRINGS PLANTATION (RECORDED AS MAP #2000020127009) SHOWS ORIGINAL LOCATION OF GAS, WATER AND EDGE EASEMENTS. NO UTILITIES AND BOUNDS DESCRIPTION WAS PROVIDED.
 7. McCampbell WELLS WAY AND LAUREL CREEK WAY ARE ADJUT PERMANENT EASEMENTS. THESE EASEMENTS ARE ESTABLISHED AND RECORDED BY INSTR. #0100710003702.
 8. THIS PLAN IS SUBJECT TO MPC APPROVAL FOR:
 20' FRONT BUILDING SETBACK
 15' FRONT SETBACK AT CORNER LOTS
 15' REAR SETBACK
 9. GAS LINE EASEMENT SHOWN PER PREVIOUS PLAT. GAS LINE MAYBE RELOCATED OUTSIDE ITS EASEMENT.

DEVELOPMENT PLAN
 FOR
**CLEAR SPRINGS PLANTATION
 UNIT 1 - PHASE 4**
 C-L-T MAP 60HE, PARCELS 104.17-104.23
 DISTRICT 8, KNOX COUNTY, TN.
 32ND WARD CITY OF KNOXVILLE, CITY BLOCK 32546
 SCALE: 1"=40' MAY 17, 2017

DEVELOPER:
CASCADE FALLS, LLC
 c/o TERRY PATTON
 7918 GATEKEEPER WAY
 KNOXVILLE, TENNESSEE 37931
 PHONE: (865) 679-3897

0' 40' 80' 120' 160'

BATSON, HIMES, NORVELL & POE
 REGISTERED ENGINEERS & LAND SURVEYORS
 4324 PAPERBELL DRIVE
 KNOXVILLE, TENNESSEE 37909
 PHONE: (865) 588-6472
 FAX: (865) 588-6473
 email: bhn@bnp.com

24946-L1

Use on Review Development Plan

Name of Applicant: Cascade Falls, LLC

Date Filed: 5/30/17

Meeting Date: 7/13/17

Application Accepted by: Brusseau

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: \$1,200⁰⁰ File Number: Use on Review T-F 17-UR



PROPERTY INFORMATION

Address: 2318 McCampbell Wells Way
General Location: North/South side McCampbell Wells Way south of Laurel Creek Way
Tract Size: 5.88 acres No. of Units: 31
Zoning District: RP1
Existing Land Use: single family residential

Planning Sector: Northeast County
Sector Plan Proposed Land Use Classification: LDR

Growth Policy Plan Designation: Urban Growth
Census Tract: 52.02
Traffic Zone: 134
Parcel ID Number(s): 60 HE - 104.17-104.23

Jurisdiction: City Council 4th District
 County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: Terry Patton
Company: Cascade Falls, LLC
Address: 7918 Gatekeeper Way
City: Knoxville State: TN Zip: 37924
Telephone: 679-3697
Fax: _____
E-mail: terry.pattonteam@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
PLEASE PRINT
Name: David Harbin
Company: Batson James Novell & Poe
Address: 4334 Papermill Drive
City: Knoxville State: TN Zip: 37909
Telephone: 588-6472
Fax: 588-6473
E-mail: harbin@bjn-p.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential
 Home Occupation (Specify Occupation)

Other (Be Specific)
Allow a 20 foot front building setback

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 James Novell & Poe
Address: 4334 Papermill Dr.
City: Knoxville State: TN Zip: 37909
Telephone: 588-6472
E-mail: harbin@bjn-p.com