

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

▶ **FILE #:** 4-SD-17-C **AGENDA ITEM #:** 14  
 4-K-17-UR **AGENDA DATE:** 5/11/2017

POSTPONEMENT(S): 4/13/2017

▶ **SUBDIVISION:** WESTLAND OAKS  
 ▶ **APPLICANT/DEVELOPER:** MESANA INVESTMENTS, LLC  
 OWNER(S): Mesana Investments, LLC

TAX IDENTIFICATION: 154 001 & 002 [View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 9900 Westland Dr

▶ **LOCATION:** South side of Westland Dr., east of Andover View Ln.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Sinking Creek

▶ **APPROXIMATE ACREAGE:** 43.38 acres

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

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

▶ **PROPOSED USE:** Detached Residential Subdivision

SURROUNDING LAND USE AND ZONING: North: Vacant land and residences - A (Agricultural), RA (Low Density Residential) & PR (Planned Residential)  
 South: Residences - RA (Low Density Residential)  
 East: Residences and vacant land - PR (Planned Residential)  
 West: Vacant land - A (Agricultural)

▶ **NUMBER OF LOTS:** 74

SURVEYOR/ENGINEER: Jim Sullivan

ACCESSIBILITY: Access is via Westland Dr., a minor arterial street with 23' of pavement width within a 50' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:**

1. Variance to reduce the intersection right-of-way radius for the intersection of Road A and Westland Dr., from 25' to 0'.
2. Variance to reduce the distance between the centerline of intersections of Road A and Andover View Ln. on Westland Dr., from 400' to 372'.
3. Variance to reduce the horizontal curve for the pavement centerline of Road A at STA 0+00, from 250' to 150'.

**STAFF RECOMMENDATION:**

▶ **APPROVE** variances 1-3 because the site's shape and access location restrict 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 street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (Ord 91-1-102).
3. Obtaining off-site grading and slope easements if needed for the construction of Road A from Westland Dr. south to the south side of the stream where the property widens out. This item shall be addressed during the design plan stage of the subdivision.
4. Obtaining the additional property from Tax Parcel 154 00202 (property on the west side of Road A) in the area of the stream crossing so that adequate right-of-way will be available on the west side of the edge of pavement for Road A. This item shall be addressed during the design plan stage of the subdivision.
5. 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.
6. During the design plan stage of the subdivision review the applicant shall work with the Knox County Department of Engineering and Public Works and Planning Commission staff to minimize the clearing and grading of the common areas identified on the concept plan. When the grading and stormwater plans are finalized, a plan shall be prepared that identifies the areas within the common area that are to remain as undisturbed areas. The area to remain undisturbed shall be identified on the final plat for the subdivision. Minor clearing may be allowed in this area for a passive trail system. The boundary for the undisturbed areas shall be clearly marked in the field prior to any site grading in order to identify the limits of disturbance and protect those areas of mature vegetation.
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation and the Tennessee Valley Authority, for crossing the blueline stream on the property.
9. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for the maintenance of the common areas and drainage system.
10. Any requests for further subdivision of the property (Tax Parcels 154 001 & 002 - 43.38 acres) above the proposed 74 lots will require the submission and approval of a traffic impact study and implementation of any required street improvements.
11. Any proposed grading of the western portion of this property (Tax Parcel 154 002) beyond what is shown on this concept plan application shall be subject to a use on review approval.
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 Development Plan for up to 74 detached dwelling units on individual lots and the reduction of the peripheral setback from 35' to 25' for Lots 9-20 and 44-53, 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:**

On December 19, 2016 the Knox County Commission approved the rezoning of this site from A (Agricultural) to PR (Planned Residential) at a density of up to 3 dwellings per acre. Based on the listed acreage of the two tracts of 43.38 acres, residential development of up to 130 dwelling units could be considered for this property. The applicant has submitted a concept plan for 74 lots on the eastern portion of the property (23.59 acres) for a site specific density of 3.14 du/ac. The overall density with the first phase of the residential development is 1.71 du/ac. This proposed concept plan is relying on the entire 43.38 acres for the distribution of density to the 23.59 acre site.

This site is located on the south side of Westland Dr., approximately 0.4 miles west of the I-140/Westland Dr. interchange. The only access to this site is a narrow strip of land that accesses Westland Dr. at an 80 degree angle and makes another angular turn in the vicinity of the stream crossing just prior to the property widening out.

At the Planning Commission's April 13, 2017 meeting, the Planning Commission postponed action on this request because of the two different plans that had been submitted for consideration and staff's recommendation that they did not have adequate information on which to make a recommendation.

Following the Planning Commission meeting, the applicant submitted a revised concept plan prepared by Fulghum MacIndoe & Associates, Inc. This plan, while following the general street layout of the original plan, has clustered the lots along the streets allowing for the creation of common area that will protect some of the steeper portions of the site. With the new layout, Planning Commission staff felt that the new design would qualify for consideration of the Hillside and Ridgetop Protection Area Development Standards of Section 69-10 of the Minimum Subdivision Regulations. These provisions allow consideration of a reduction of the street right-of-way from 50' to 40', and a reduction of the minimum pavement width from 26' down to 20'. The proposed plan includes a design with a 22' pavement width within a 40' right-of-way.

The new layout with the reduction of the right-of-way and pavement width has allowed the applicant to reduce the amount of site grading and clearing so that 5.51 acres (23%) of the 23.59 acre site remain undisturbed. The new layout has also reduced the number of lots that back up to lots in the adjoining subdivisions.

While working with the applicant on utilizing the hillside and ridgetop protection standards that allows the reduction of the street pavement width, the concept plan was revised to include sidewalks on one side of Streets A and B. The reduction of the street width will impact the availability of on-street parking.

With this proposed plan, in those areas that the rear lot line for the lots is less than 20' from the external property line, the peripheral setback would be less than 35'. This layout would require the peripheral setback for Lots 9-20 and 44-53 to be reduced to a minimum distance of 25'. The rear yard setback for RA (Low Density Residential) property is 25'.

#### 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 at a density of 1.71 du/ac is compatible with the scale and intensity of recent development that has occurred in this area.
3. The applicant has laid out the development to stay off of some of the steeper portions of the site. The concept plan has included these steeper area within common area, and with the recommended conditions, those areas will be protected from development.

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

1. With the recommended conditions, 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 additional traffic through residential areas since the development has access to a minor arterial street.
3. The proposed residential development at a density of 1.71 du/ac, is consistent in use and density with the PR zoning of the property that was approved at a density of up to 3 du/ac.

#### 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 at a density of 1.71 du/ac is consistent with the sector plan.
2. The majority of this site is located within the hillside protection area. The proposed concept plan includes 5.51 acres (23%) in common areas. The majority of that area includes the steeper portions of the site. Staff is recommending a condition that clearing and grading be restricted in those areas.
3. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 747 (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: 46 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Northshore 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 Knoxville Board of Zoning Appeals. The date of the Knoxville Board of Zoning Appeals hearing will depend on when the appeal application is filed.