



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

FILE #: 10-SE-18-C **AGENDA ITEM #:** 11
10-E-18-UR **AGENDA DATE:** 12/13/2018

POSTPONEMENT(S): 10/11/2018

SUBDIVISION: BRIAR ROCK PARTNERS ON NORTSHORE DRIVE

APPLICANT/DEVELOPER: BRIAR ROCK PARTNERS, LLC

OWNER(S): Briar Rock Partners, LLC

TAX IDENTIFICATION: 133 N D 001 [View map on KGIS](#)

JURISDICTION: County Commission District 4

STREET ADDRESS: 8512 S Northshore Dr

LOCATION: Southeast side of S Northshore Dr, Southwest of Dunwoody Blvd

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Tennessee River

APPROXIMATE ACREAGE: 17.74 acres

ZONING: PR (Planned Residential) Pending

EXISTING LAND USE: Residence and vacant land

PROPOSED USE: Detached Residential Subdivision

SURROUNDING LAND USE AND ZONING: North: Residences - PR (Planned Residential) and RP-1 (Planned Residential)
South: Residences and vacant land - A (Agricultural)
East: Residence - A (Agricultural)
West: Assisted living facility and residences - R-2 (General Residential) and PR (Planned Residential)

NUMBER OF LOTS: 61

SURVEYOR/ENGINEER: Batson, Himes, Norvell & Poe

ACCESSIBILITY: Access is via S. Northshore Dr., a major arterial street with a 24' pavement width within a 70' right-of-way.

SUBDIVISION VARIANCES REQUIRED: NA

STAFF RECOMMENDATION:

WITHDRAW the Concept Plan application as requested by the applicant.

WITHDRAW the Use on Review application as requested by the applicant.

COMMENTS:

The applicant was proposing to subdivide this 17.74 acre tract into 61 lots at a density of 3.44 du/ac. Access to the site is via S. Northshore Dr., a major arterial street . The applicant had requested approval of the rezoning of the property to PR (Planned Residential) at a density of up to 5 du/ac A request to withdraw the rezoning request is also before the Planning Commission.

ESTIMATED TRAFFIC IMPACT: 658 (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.

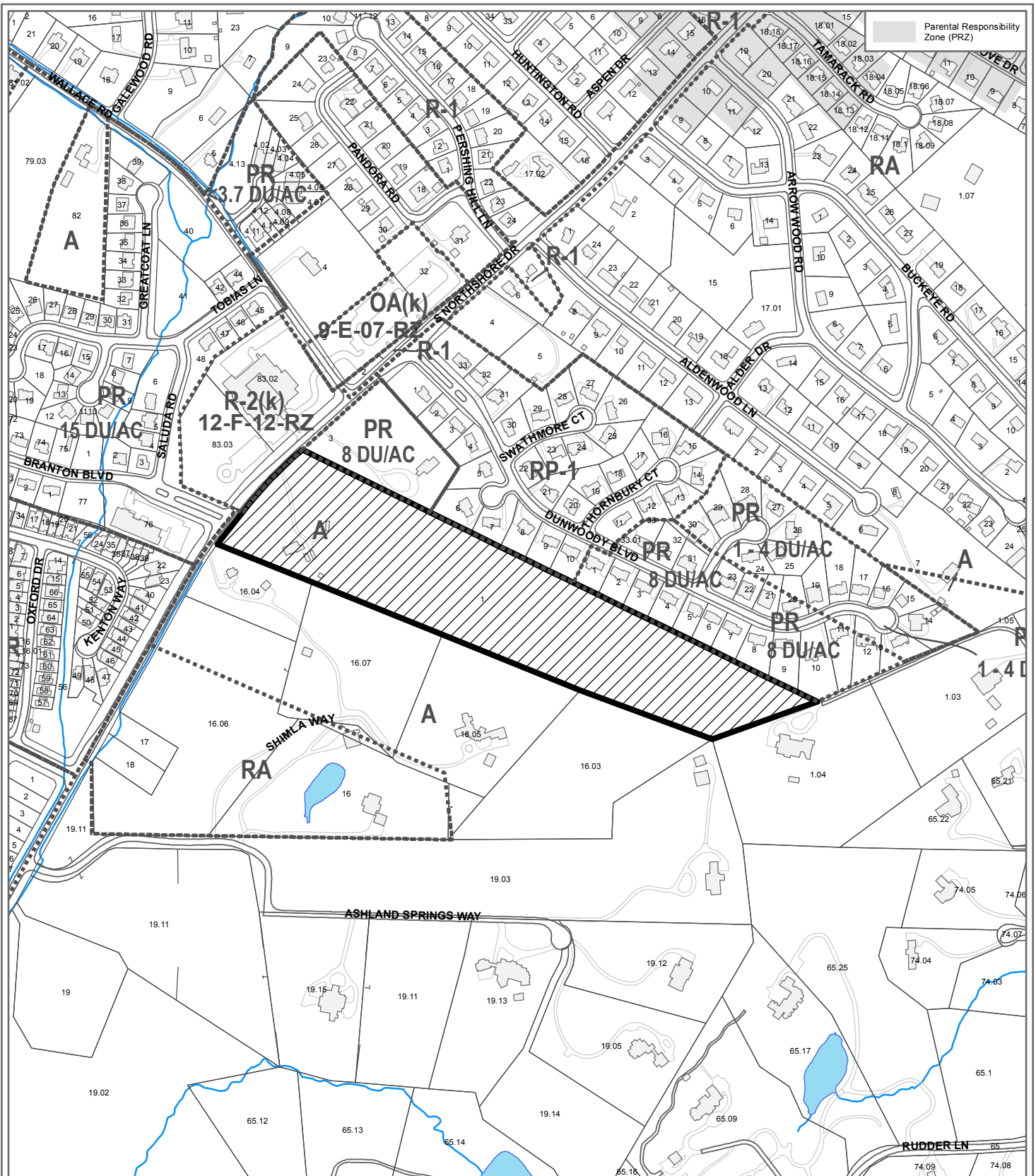
ESTIMATED STUDENT YIELD: 25 (public school children, ages 5-18 years)

Schools affected by this proposal: Rocky Hill Elementary, West Valley Middle, and West High.

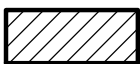
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. 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.

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.



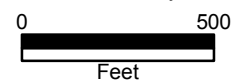
**10-SE-18-C / 10-E-18-UR
CONCEPT PLAN/USE ON REVIEW**



Detached Residential Subdivision in PR (Planned Residential) Pending

Petitioner: Briar Rock Partners, LLC
Briar Rock Partners on Northshore Drive

Map No: 133
Jurisdiction: County



Original Print Date: 9/17/2018
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

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

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS AND LAND SURVEYORS
4334 Papermill Road
Knoxville, Tennessee 37909
Phone (865) 588-6472
Fax (865) 588-6473

November 16, 2018

Mr. Thomas Brechko:
Knoxville MPC

Dear Mr. Brechko:

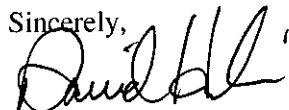
We request the following at the December 13, 2018 MPC meeting:

Please WITHDRAW consideration of the following concept and use on review plan:

- Briar Rock Partners LLC – S. Northshore Drive (10-SE-18-C & 10-E-18-UR)

Thank you for your assistance.

Sincerely,



David Harbin PE, RLS

10-SE-18-C_10-E-18-UR-PP-11-8-18

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS AND LAND SURVEYORS
4334 Papermill Road
Knoxville, Tennessee 37909
Phone (865) 588-6472
Fax (865) 588-6473

- request 30 days -

October 25, 2018



Mr. Thomas Brechko:
Knoxville MPC

Dear Mr. Brechko:

We request the following at the November 8, 2018 MPC meeting:

Please postpone consideration of the following concept and use on review plan:

- Briar Rock Partners LLC – S. Northshore Drive (10-SE-18-C & 10-E-18-UR)

Until the December 13, 2018 MPC meeting.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "David Harbin".

David Harbin PE, RLS

10-SE-18-C-10-E-18-UR-PP-10-11-18

BATSON, HIMES, NORVELL & POE

REGISTERED ENGINEERS AND LAND SURVEYORS

4334 Papermill Road

Knoxville, Tennessee 37909

Phone (865) 588-6472

Fax (865) 588-6473

September 28, 2018

Mr. Thomas Brechko:
Knoxville MPC

Dear Mr. Brechko:

We request the following at the October 11, 2018 MPC meeting:

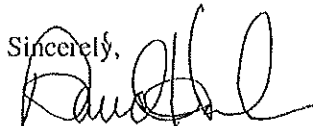
Please postpone consideration of the following concept and use on review plan:

- Briar Rock Partners LLC – S. Northshore Drive (10-SE-18-C & 10-E-18-UR)

Until the November 8, 2018 MPC meeting.

Thank you for your assistance.

Sincerely,



David Harbin PE, RLS

Fwd: property on Northshore before MPC

Jeff Archer <jeff.archer@knoxmpc.org>

Oct 3, 2018 7:11 AM

Posted in group: **Commission**

----- Forwarded message -----

From: **Paul Ambrose** <psambrose@gmail.com>

Date: Tue, Oct 2, 2018 at 8:58 PM

Subject: property on Northshore before MPC

To: <kensunzeri@gmail.com>

Mr. Sunzeri, My name is Paul Ambrose. I am a 74 years old and have lived in close proximity to the subject property since 1982. I am very concerned about your proposed development because I am well acquainted with the water drainage problems that come from this property. The water problems start on the south side of Northshore Drive as it crests the hill at Buckeye and Aldenwood Drives, going steeply down hill all the way past the Kensington development.

Aldenwood and Buckeye developments simply passed their water drainage down the hill to the property that became Dunbarton Oaks. Dunbarton Oaks had sinkhole problems that were ignored and it appears that the storm drains in that development were not hooked up to any drainage as all the water from the streets and storm drains flows across the front and back of your property,

After Dunbarton Oaks was completed there was so much water that drained across the FRONT of your subject property that the water was trapped and a lake was formed. I was told that Mrs. Hunter said it came up to the driveway to the house on your property. It is my understanding that Mrs. Hunter had to obtain legal regress to address the problem.

Either the developer of Dunbarton Oakes or the county paid for a large drainage culvert, positioned at the northwest corner of your property, to be drilled diagonally under Northshore Drive all the way to a creek behind Lyons Crossing. The diameter of this culvert will give you an idea of the amount of water that was calculated that it would have to handle.

You should also know that the property adjacent to your property on the west side, zoned agricultural and owned by Scott Davis, was recommended by MPC for PR 1- 4 units/acre. This MPC recommendation was rejected by Knox County Commission when it came before them on Feb. 24,1997 because of the sinkhole and drainage issues from your property. The property retained it's agricultural zoning.

The reason your property has remained undeveloped all these many years is that local developers and residents know this past history and the water problems which will be exacerbated by your development.

--

Jeff Archer, AICP

Principal Planner

Knoxville / Knox Metropolitan Planning Commission

400 Main St, Suite 403

Knoxville, TN 37902

(865) 215-3821

Northshore PR Rezoning10SE18C/10E18UR

Paul Ambrose <psambrose@gmail.com>

Oct 4, 2018 9:29 PM

Posted in group: **Commission**

My name is Paul Ambrose. I am writing to alert MPC to the adverse geological and drainage problems on this property. My property is "down stream" from this property and is severely affected by the water run off from the creek and numerous sink holes on this property. This is a property that should remain agricultural as loss of every foot of grass on this property from development means more run off to properties below. Building residences on this parcel will lead to sinking foundations and flooding problems such has already occurred in Dunbarton Oakes Subdivision which is on the next parcel above this property ("up stream") and is beset with the same sink holes and flooding problems. We are asking that you not disregard the stories from the Dunbarton Oakes owners who have suffered and are suffering the consequences of PR zoning on this type of property.

Google Groups

Fwd: Photo of property for rezoning

Paul Ambrose <psambrose@gmail.com>

Oct 5, 2018 8:22 AM

Posted in group: **Commission**

Concerning rezoning 10se18c/10e18ur This is a diagram of the flooding that passes down to my property from the creek and multiple sink holes on the subject property. Dunbarton Oakes members have photos of the sink holes and flooding on the subject property that affects them. Hope this info can be included in the planning session. Please note that the property below the subject property was recommended by MPC to be changed from agricultural to PR-4 in 1997 but when it came before county commission in Feb.1997 this recommendation was rejected by the commission because of all the drainage and sinkhole problems. Thank you Paul Ambrose (using wife's phone!)

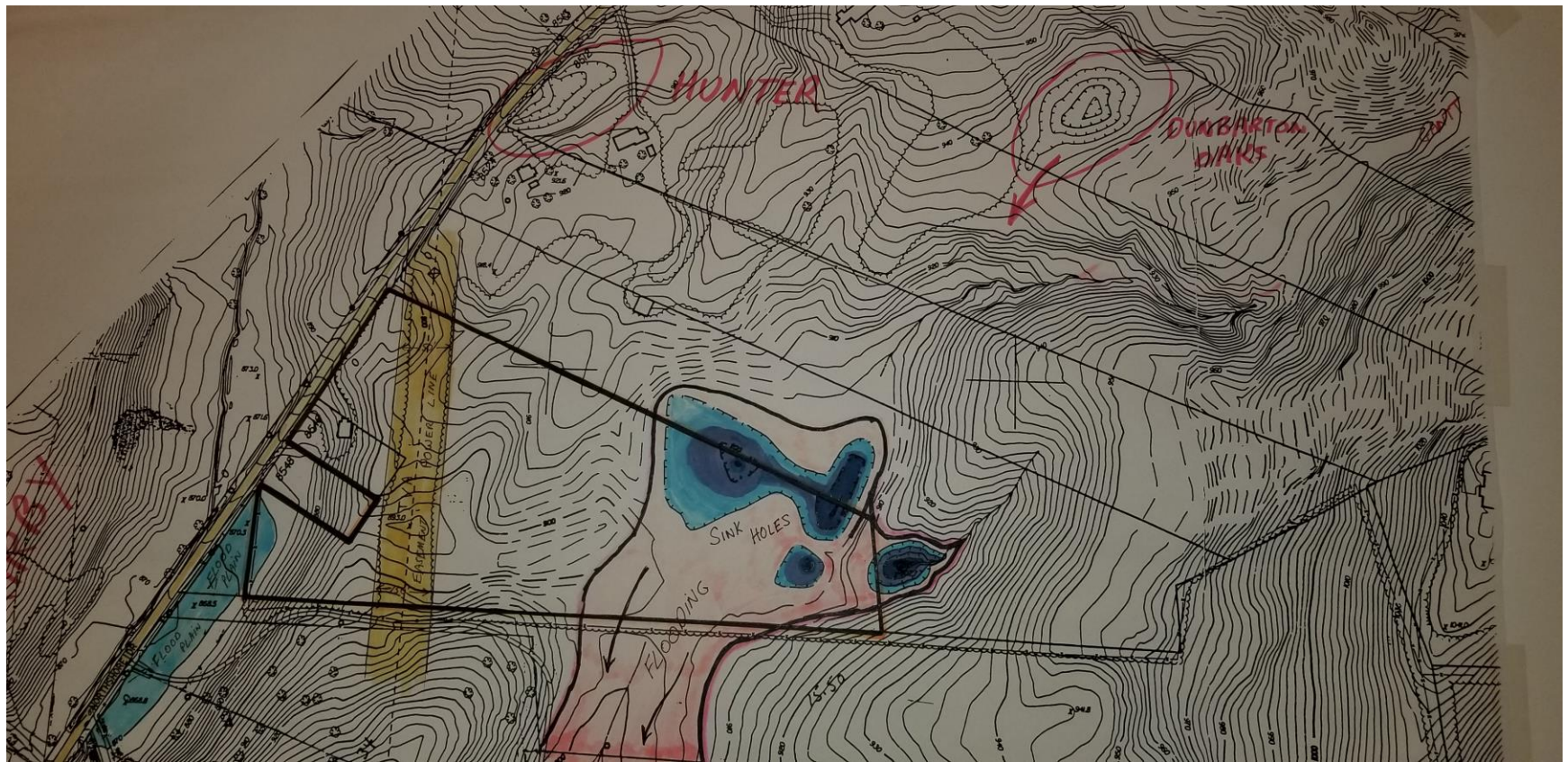
----- Forwarded message -----

From: **Kathy Ambrose** <kathyambrose@gmail.com>

Date: Fri, Oct 5, 2018 at 7:13 AM

Subject: Photo of property for rezoning

To: Paul Ambrose <psambrose@gmail.com>



Proposed Development 10-SE-18-C, 10-E-18-UR

Lavelle, Amy E. <aelavelle@pstcc.edu>

Oct 3, 2018 3:54 PM

Posted in group: **Commission**

Dear Mr. Archer and MPC staff,

I am writing in reference to the proposed development by Briar Rock Partners, LLC off of Northshore Drive. I have several concerns with this proposed plan, as I will list below.

1. First and foremost, is the **environmental impact** that the development of this property may have on current property owners. The proposed plan backs up to Dunwoody Blvd., which I live off of and have property that backs up to the property that is for-sale. The property that is up for rezoning has serious water issues, many sink-holes and caves, and a major creek running through it that drains into the fields and into the back of several of our properties. We made the developers aware of this issue (as they had not walked the property) and presented them with evidence of the flooding, caves, and sink-holes when with we met with them a few weeks ago. They were aware not aware of these issues. Several of us property owners have spent thousands of dollars (literally, we have the bills to prove it) to correct flooding issues in our yards and homes. Many of us have suffered from foundational issues due to this improper water drainage in the neighborhood. In a nutshell, the water from our neighborhood and another neighborhood further down Northshore Drive ends up in the property directly behind Dunwoody Blvd. As stated, this has already created many issues for us property owners and we are concerned that water will be re-directed back onto our property by the creation of this development. We have several picture of the flooding from the creek and in the property directly behind Dunwoody Blvd and in our own yards. We would be happy to share this evidence with any of you upon request. We feel that this is an issue that **must** be addressed.
2. **Density:** Since the back of the property is not buildable, the density of all the houses is planned to be up front, which puts 5 or so homes per acre on the front portion of the property. Once again, this is a concern due to the environmental issues stated above. Furthermore, the plan puts houses and streets within a 25 foot buffer (basically right up to the property line) of many of the properties off of Dunwoody Blvd.
3. **Safety:** Having streets back right up to the property lines of our houses creates a great safety concern for many of, as our neighborhood is full of children. This issue would have to be addressed by the property owners with fences or a tree buffer, if possible.
4. **Traffic:** As you all are well aware of, Northshore Drive near Wallace Rd. intersection is a very busy road already. Traffic issues have been made worse at this intersection by the apartments off of Wallace Road, as well as the overall increase of traffic down Northshore Drive. The proposed development would have an entrance almost directly across from Lyon's Crossing entrance and approx. 100 feet from Wallace Rd and our neighborhood entrance. With no turn lanes on Northshore, this creates even more of a safety and traffic concern. If you look at the plan, it is a head-on collision nightmare in the making.
5. **Neighborhood schools:** As more developments are made along Northshore Drive, it is putting a strain on our local schools, which already report that they are at or above capacity. Specifically impacted is Rocky Hill Elementary school. Many of us chose to live in this area because of the excellent school system, particularly the elementary school. At some point, some consideration has to be taken to the potential impact to the quality of the school resulting from the over-development of Northshore Drive.

Thank you for taking your time to read my concerns. As the October MPC meeting is scheduled over Knox County Schools fall break, myself and many of my neighbors will be out-of-town and unable to attend the meeting. Please do not let our absence be mistaken for us not caring as a community. Please address our concerns.

Thank you,

Amy Lavelle
Associate Professor
Pellissippi State Community College
865-694-6402

SUBDIVISION - CONCEPT

Name of Applicant: BRIAR ROCK PARTNERS, LLC
 Date Filed: 8/27/18 Meeting Date: 10/11/18
 Application Accepted by: Tom Brackley
 Fee Amount: \$ 2330 File Number: Subdivision - Concept 10-SE-18-C
 Fee Amount: — Related File Number: Development Plan 10-E-18-UR

PROPERTY INFORMATION

Subdivision Name: BRIAR ROCK PARTNERS
ON NORTHSORE DRIVE

Unit/Phase Number: _____

General Location: SOUTHEAST SIDE S NORTHSORE
DRIVE, SOUTHWEST OF DUNWOODY BLVD

Tract Size: 17.74 No. of Lots: 61

Zoning District: AGRICULTURE PR pending

Existing Land Use: VACANT

Planning Sector: SOUTHWEST COUNTY

Growth Policy Plan Designation: PLANNED
GROWTH

Census Tract: 57.01

Traffic Zone: 162

Parcel ID Number(s): 133 ND001

Jurisdiction: City Council _____ District
 County Commission 4 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: KEN SUNZERI

Company: BRIAR ROCK PARTNERS, LLC

Address: 404 E. MCGLINCY LANE

City: CAMPBELL State: CA Zip: 95008

Telephone: (408) 963-8843

Fax: _____

E-mail: kensunzeri@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: (865) 588-6472

Fax: (865) 588-6473

E-mail: harbin@bhn-p.com

AVAILABILITY OF UTILITIES

List utility districts proposed to serve this subdivision:

Sewer FVD

Water FVD

Electricity KVB

Gas KVB

Telephone BELLSOUTH

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)

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 DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: (865) 588-6472

Fax: (865) 588-6472

E-mail: harbin@bhn-p.com

VARIANCES REQUESTED

1. HORIZONTAL CURVE FROM 250' TO 200', STA 9+50, ROAD "A"

Justify variance by indicating hardship: TOPOGRAPHY

2. HORIZONTAL CURVE FROM 250' TO 200', STA 11+75, ROAD "A"

Justify variance by indicating hardship: TOPOGRAPHY

3. INTERSECTION SPACING ON SOUTH NORTHSORE DR BETWEEN BRANTON BLVD
& ROAD "A" FROM 400' TO 221'

Justify variance by indicating hardship: TOPOGRAPHY

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 HARBIN

Address: 4334 PAPERMILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

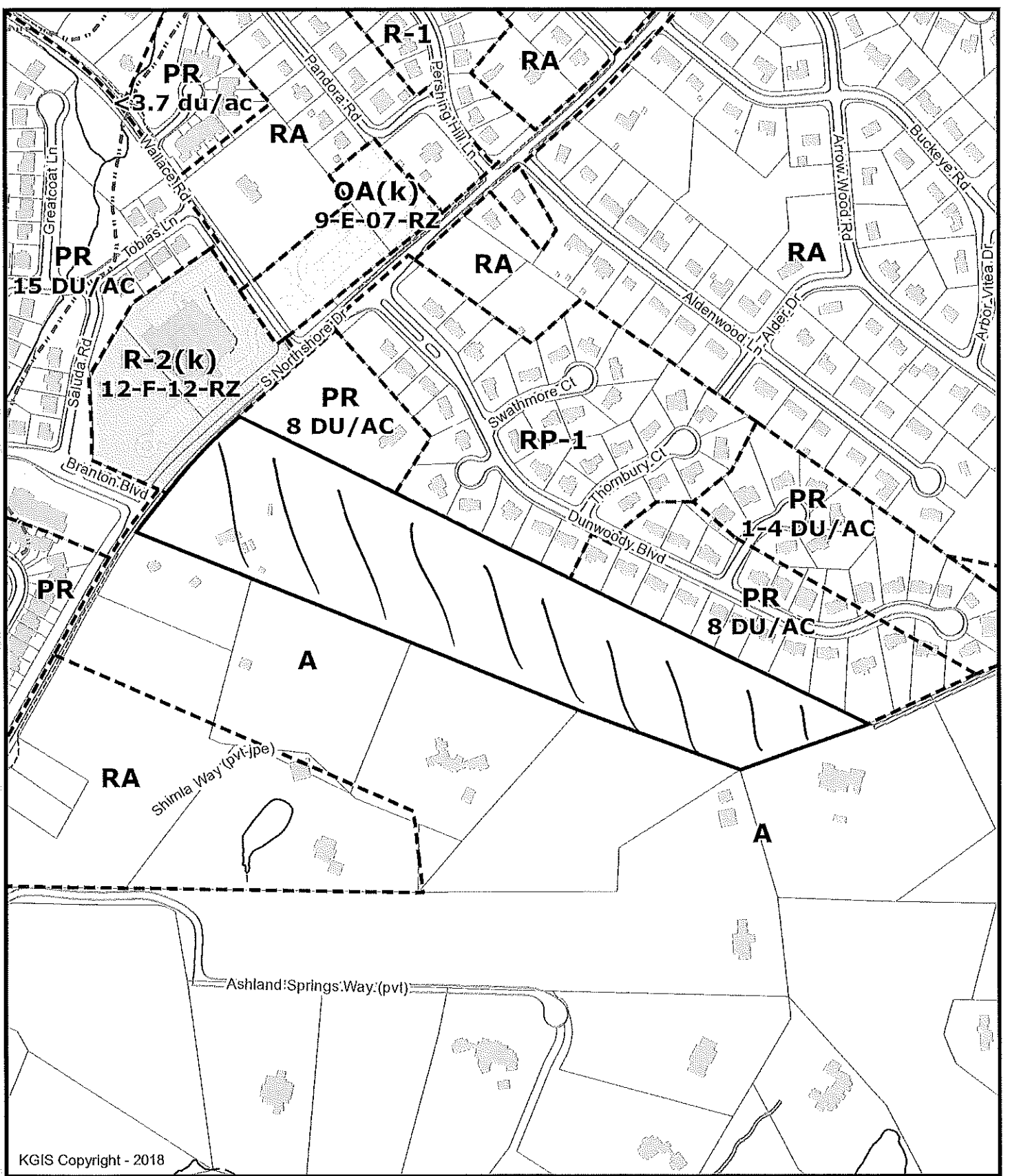
Telephone: (865) 588-6472

Signature: David Harbin

Fax: (865) 588-6473

Date: 6/27/18

E-mail: harbin@bhn-p.com

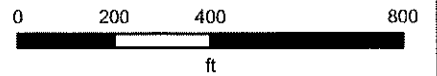


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Letter Portrait



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Knoxville - Knox County - KUB Geographic Information System

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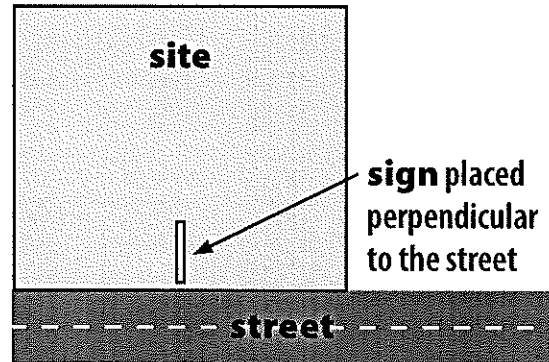
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

September 26, 2018 and October 12, 2018

(15 days before the MPC meeting)

(the day after the MPC meeting)

Signature: Kaity Patterson

Printed Name: Kaity Patterson

Phone: 865-588-6472 Email: kpatterson@bhn-p.com

Date: 8/27/18

MPC File Number: 10-SE-18-C / 10-E-18-UR