



SUBDIVISION REPORT - CONCEPT/USE ON REVIEW

▶ **FILE #:** 4-SD-19-C **AGENDA ITEM #:** 14
4-G-19-UR **AGENDA DATE:** 4/11/2019

▶ **SUBDIVISION:** CAIN VISTA
▶ **APPLICANT/DEVELOPER:** ALEKSANDR BOTEZAT
OWNER(S): Aleksandr Botezat

TAX IDENTIFICATION: 92 PART OF 102 [View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 5101 Cain Rd

▶ **LOCATION:** North side of Cain Road, Northwest of Lee Road

SECTOR PLAN: Northwest County

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

WATERSHED: Third Creek

▶ **APPROXIMATE ACREAGE:** 1.343 acres

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

▶ **EXISTING LAND USE:** House

▶ **PROPOSED USE:** Detached residential lots

SURROUNDING LAND USE AND ZONING: This area is developed with agricultural and rural to low density residential uses under A, A-1, RA, R-1, PR and RP-1 zoning.

▶ **NUMBER OF LOTS:** 3

SURVEYOR/ENGINEER: David Harbin

ACCESSIBILITY: Access is via Cain Rd., a local street with 18' of pavement width within 45' of right-of-way.

▶ **SUBDIVISION VARIANCES
REQUIRED:**

STAFF RECOMMENDATION:

▶ **APPROVE the Concept Plan subject to 6 conditions:**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the previously approved Concept Plan, 5-SC-18-C.
3. Access for Lot 47 shall be from the internal road only.
4. Lots 45R and 45R1 shall each be limited to one curb cut to Cain Road, as shown on the Concept Plan and as approved by the Knox County Department of Engineering and Public Works.
5. Meeting all applicable requirements of the Knox County Zoning Ordinance.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

- ▶ **APPROVE the development plan for up to 3 detached residential dwellings on individual lots, 48 total lots for the subdivision, and the reduction of the peripheral setback from 35' to 25' for Lot 47, 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 concept plan and use-on-review.

COMMENTS:

This proposal is a revision to the previously approved Cain Vista Subdivision, Phase 1 (5-SC-18-C / 5-F-18-UR) that will result in two additional lots for the subdivision, increasing the total from 46 to 48 lots. The density for the entire subdivision will go up from 2.8 du/ac to 2.9 du/ac. The PR zoning on the property allows consideration of up to 3.5 du/ac. The applicant is requesting to split Lot 45 into two lots, and convert land previously proposed as a detention pond into Lot 47. The 3 lot subdivision for this 1.343 acre site has a density of 2.23 du/ac. The detention pond was determined to not be necessary based on the final stormwater design plan. Staff is recommending that Lot 47 only have access to the new internal street.

This revised Concept Plan will also allow the property owner to create one additional driveway connection to Cain Road for Lot 45R1. The previous approval limited the number of driveway connections to Cain Road and would have required lots 45R and 45R1 to share a driveway connection. In Staff's opinion, the additional driveway connection for 45R1 will not create a safety hazard. The sight distance will be verified during permit review, however, the engineer for the project did a preliminary study and determined sight distance can be achieved.

The estimated traffic impact and student yield below are based on 48 lots which is the total number of lots the entire subdivision will have including the 2 additional lots requested by this application.

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

1. The proposed subdivision will have minimal impact on local services since utilities are available.
2. The proposed low density residential development is compatible with the scale and intensity of development that has occurred in this area. Much of the nearby residential subdivisions were constructed in the 1980's and 1990's. The surrounding properties remain zoned agricultural.
3. The subject property is within the Urban Growth Boundary of the City of Knoxville and is adjacent to the City boundary which is at the Cain Rd. and Lee Rd. intersection.

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

1. With the stated conditions, the proposed detached residential subdivision meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance. The proposed density for the entire Cain Vista Subdivision of 2.9 du/ac is consistent with the approved maximum density of up to 3.5 du/ac.
2. The proposed subdivision 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 proposed subdivision will not draw significant traffic through residential neighborhoods.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan identifies this property for low density residential use. The PR zoning allows a density up to 3.5 du/ac. With a proposed density of 2.9 du/ac, the proposed subdivision is consistent with the Sector Plan and recommended rezoning.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 529 (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.

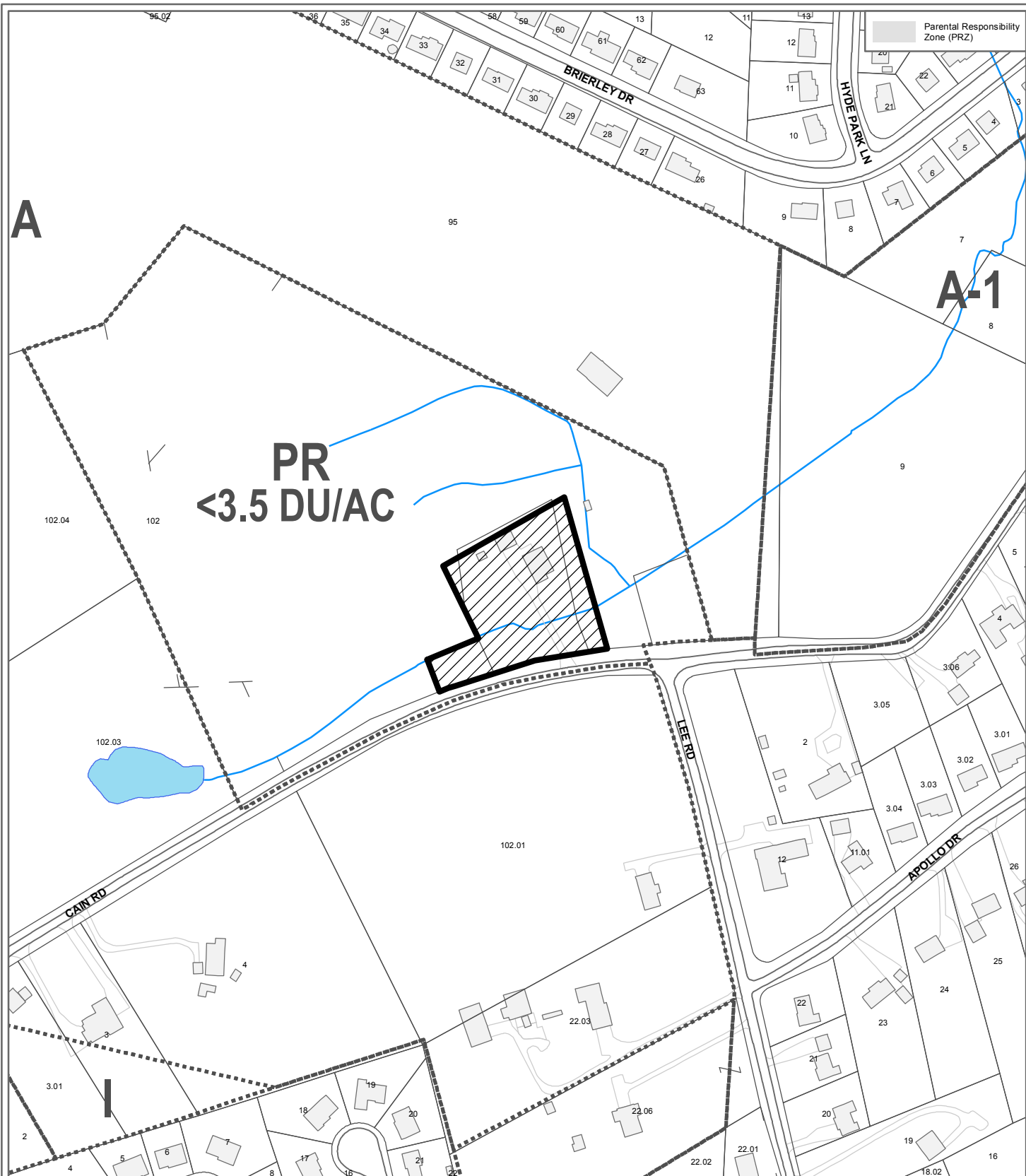
ESTIMATED STUDENT YIELD: 20 (public school children, grades K-12)

Schools affected by this proposal: Amherst Elementary, Northwest Middle, and Karns High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and 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.

Knoxville-Knox County Planning Commission'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.

Knoxville-Knox County Planning Commission'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.



**4-SD-19-C / 4-G-19-UR
CONCEPT PLAN/USE ON REVIEW**

Petitioner: Botezat, Aleksandr
Cain Vista



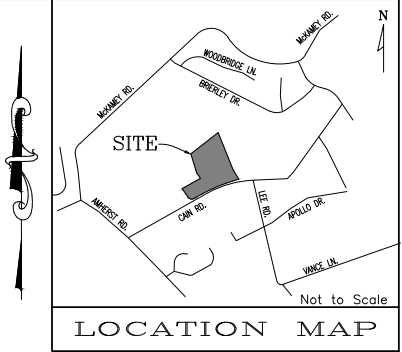
Detached residential lots in PR (Planned Residential)

Original Print Date: 3/18/2019
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 92
Jurisdiction: County

0 250
Feet





- NOTES:**
1. IRON PINS FOUND (IPF) SHOWN ON PLAT. ALL OTHERS SET BY BHN&P, UNLESS NOTED OTHERWISE ON PLAT.
 2. 10' UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS INSIDE ALL EXTERIOR LOT LINES AND ALONG ALL ROADS, 5' UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS ALONG BOTH SIDES OF ALL INTERIOR LOT LINES WHERE BUILDINGS PERMIT, PLUS OTHER EASEMENTS AS SHOWN.
 3. SANITARY SEWER EASEMENT OF 15', 7.5' EACH SIDE OF SEWER AS INSTALLED (WHERE APPLICABLE).
 4. THIS PROPERTY IS ZONED PR.
 5. THE PURPOSE OF THIS USE ON REVIEW IS TO CREATE TWO ADDITIONAL LOTS FROM THE PREVIOUSLY APPROVED CAIN VISTA SUBDIVISION. LOT 45 WILL BE DIVIDED INTO 2 LOTS AND THE COMMON AREA IS CONVERTED INTO LOT 47. THE ENTIRE DEVELOPMENT CONTAINS 18.43 ACRES AND IS SUBDIVIDED INTO 48 SINGLE FAMILY DETACHED LOTS AND 1 COMMON AREA.
 6. BUILDING SETBACK LINES WILL BE AS FOLLOWS:
FRONT...20'*
SIDES...5'*
REAR...15'*

*THE PERIPHERAL SETBACK SUPERCEDES ALL OTHER SETBACKS. FOR LOTS 45R & 45R1 THE PERIPHERAL SETBACK WILL BE 35 FEET AND FOR LOT 47 THE PERIPHERAL SETBACK WILL BE 25 FEET. SEE MAP FOR LOCATIONS.

4-SD-19-C
4-G-19-UR
Revised: 3/25/2019

USE ON REVIEW
FOR
CAIN VISTA SUBDIVISION
PHASE I
LOT 47 &
RESUBDIVISION OF LOT 45
CLT MAP 92 PART OF PARCEL 1.02
DISTRICT 5, KNOX COUNTY, TENNESSEE

SCALE: 1" = 50' 02/22/19
50 25 0 50 100

LEGEND	
●	IPF IRON PIN FOUND
○	IPFS IRON PIN SET
□	CPRM PERMANENT REFERENCE MONUMENT
PC	POINT OF CURVE
PT	POINT OF TANGENT
PI	POINT OF INTERSECT
PCC	POINT OF COMPOUND CURVE
PRC	POINT OF REVERSE CURVE
---	D.E. DRAINAGE EASEMENT
---	U.E. UTILITY EASEMENT
---	CA COMMON AREA
■	CATCH BASIN
□	JUNCTION BOX
---	DRAINAGE EASEMENT
---	DRAINAGE PIPE (PROPOSED)
---	PERIPHERAL SETBACK
---	ROADWAY CENTERLINE
---	ZONING
---	FENCE

OWNER/DEVELOPER
ALEKSANDR & DANA BOTEZAT
5101 CAIN RD
KNOXVILLE, TN 37921
PHONE: (865) 313-5695

BATSON, HIMES, NORVELL & FOE
REGISTERED ENGINEERS & LAND SURVEYORS
4334 PAPERMILL DRIVE
KNOXVILLE, TENNESSEE 37909
PHONE: (865) 588-6472
FAX: (865) 588-6473
email@bhn-p.com

REFERENCE PLAT: 201811280033022
REFERENCE DEED: 201402060046507
25077-2-C

SUBDIVISION - CONCEPT

RECEIVED

FEB 25 2019

Knoxville-Knox County
 Planning

Name of Applicant: ALEKSANDR BOTEZAT

Date Filed: 2/25/2019 Meeting Date: 4/11/2019

Application Accepted by: Mike Reynolds

Fee Amount: _____ File Number: Subdivision - Concept 4-SD-19-C

Fee Amount: 1200.⁰⁰ Related File Number: Development Plan 4-6-19-UR

PROPERTY INFORMATION

Subdivision Name: CAIN VISTA SUBDIVISION

Unit/Phase Number: _____

General Location: NORTH OF CAIN RD
WEST OF AMHERST RD

Tract Size: 1.343 No. of Lots: _____

Zoning District: PR

Existing Land Use: Ag for vac

Planning Sector: NORTHWEST COUNTY

Growth Policy Plan Designation: URBAN GROWTH

Census Tract: 46.08

Traffic Zone: 212

Parcel ID Number(s): 092 102

Jurisdiction: City Council _____ District
 County Commission 3rd District

AVAILABILITY OF UTILITIES

List utility districts proposed to serve this subdivision:

Sewer _____

Water _____

Electricity _____

Gas _____

Telephone _____

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)

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: ALEKSANDR BOTEZAT

Company: _____

Address: 5101 CAIN RD

City: KNOXVILLE State: TN Zip: 37921

Telephone: 865-313-5695

Fax: _____

E-mail: alex.botezat@gmail.com

PROJECT SURVEYOR/ENGINEER

PLEASE PRINT

Name: DAVID HARBIN

Company: BATSON, HIMES, NORVELL & POE

Address: 4334 PAPER MILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: 865-588-6472

Fax: _____

E-mail: harbin@bhn-p.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application (including plat corrections) should be directed to:

PLEASE PRINT

Name: KAITY PATTERSON

Company: BATSON, HIMES, NORVELL & POE

Address: 4334 PAPER MILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: 865-588-6472

Fax: _____

E-mail: harbin@bhn-p.com

★ See Concept Plan application

KNOXVILLE · KNOX COUNTY

M P C

METROPOLITAN
PLANNING
COMMISSION
T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

Use on Review Development Plan

Name of Applicant: ALEKSANDR BOTEZAT

Date Filed: 2/25/19 Meeting Date: 4/11/19

Application Accepted by: _____

Fee Amount: _____ File Number: Development Plan 4-SD-19-C

Fee Amount: \$1200.00 File Number: Use on Review 4-6-19-UR

PROPERTY INFORMATION

Address: 5101 CAIN RD

General Location: NORTH OF CAIN RD
WEST OF AMHERST RD

Tract Size: 1.343 No. of Units: _____

Zoning District: PR

Existing Land Use: AgForVac

Planning Sector: NORTHWEST COUNTY

Sector Plan Proposed Land Use Classification:
LDR

Growth Policy Plan Designation: URBAN GROWTH

Census Tract: 46.08

Traffic Zone: 212

Parcel ID Number(s): 092 102

Jurisdiction: City Council _____ District
 County Commission 3rd District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: ALEKSANDR BOTEZAT

Company: _____

Address: 5101 CAIN RD

City: KNOXVILLE State: TN Zip: 37921

Telephone: 865-313-5695

Fax: _____

E-mail: alexbotzat@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent 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: _____

E-mail: harbin@bhn-p.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

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: [Handwritten Signature]

PLEASE PRINT

Name: DAVID HARBIN

Company: BATSON, HIMES, NORVELL & POE

Address: 4334 PAPERMILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

Telephone: 865-588-6472

E-mail: harbin@bhn-p.com

VARIANCES REQUESTED

1. _____
Justify variance by indicating hardship: _____

2. _____
Justify variance by indicating hardship: _____

3. _____
Justify variance by indicating hardship: _____

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: KAITLY PATTERSON

Address: 4334 PAPERMILL DRIVE

City: KNOXVILLE State: TN Zip: 37909

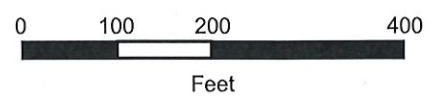
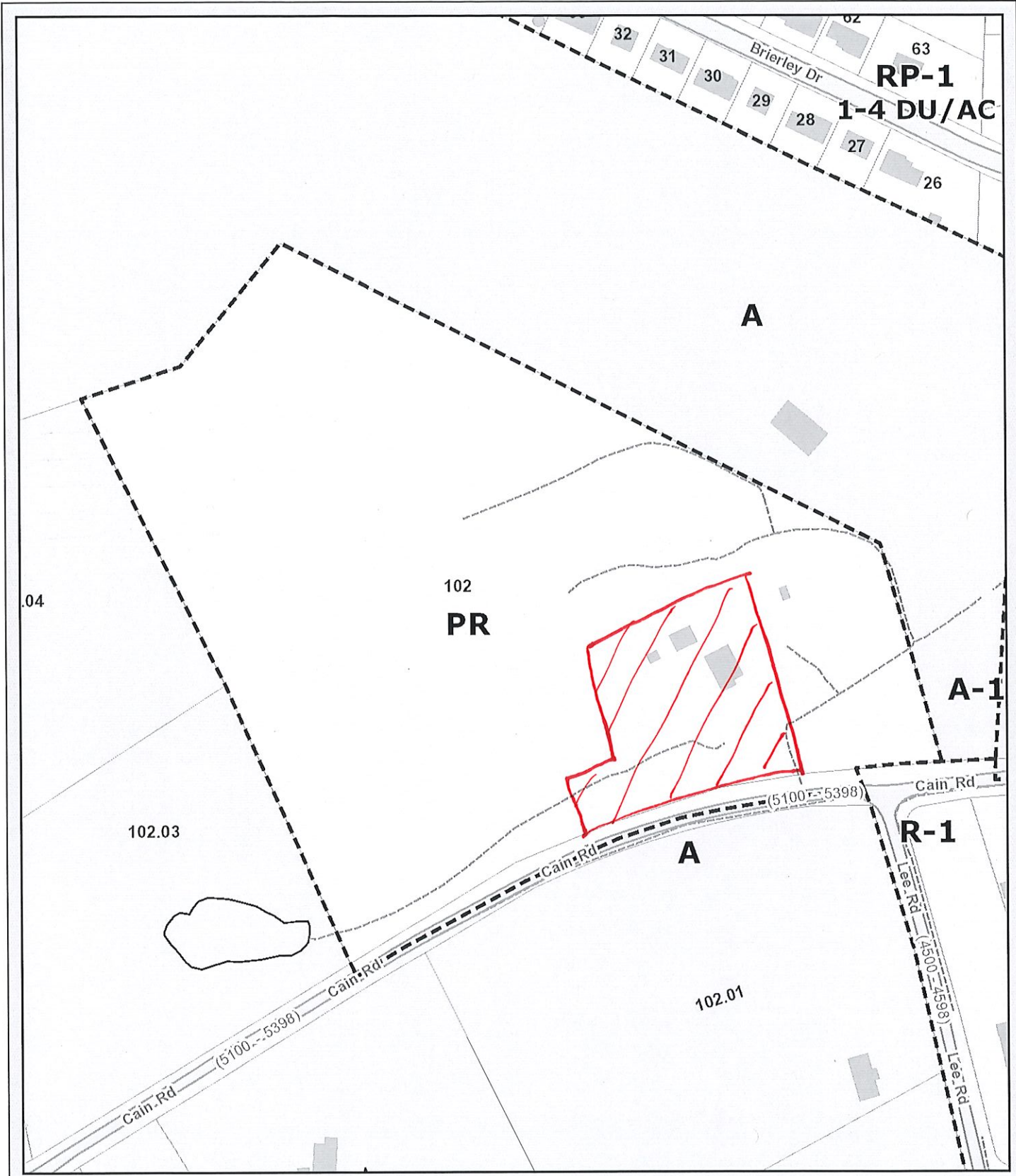
Telephone: 865-588-6472

Signature: *Kaitly Patterson*

Fax: _____

Date: 2/25/19

E-mail: harbin@bhn-p.com



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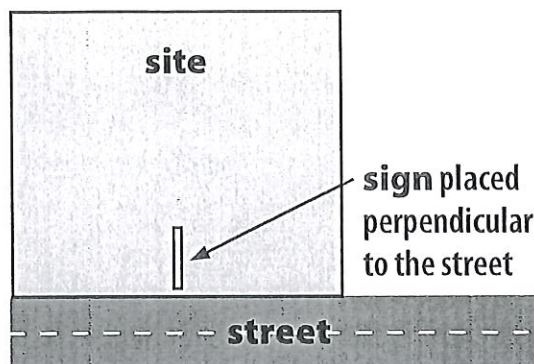
REQUIRED SIGN POSTING AGREEMENT

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:

3/27/2019 and 4/12/2019
(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: 2/25/19

MPC File Number: 4-SD-19-C / 4-6-19-UR