

SPECIAL USE REPORT

► **FILE #:** 3-C-20-SU

AGENDA ITEM #: 31

AGENDA DATE: 3/12/2020

► **APPLICANT:** CHRISTINE DUNCAN

OWNER(S): Christine Duncan / Richmond Orchard, LLC

TAX ID NUMBER: 94 H B 01501 094HA00602

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 2521 Orchard House Way & 0 Warrick Ave.

► **LOCATION:** North side of Richmond Ave., west side of Warrick Ave.

► **APPX. SIZE OF TRACT:** 3.88 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Richmond Ave., a local street with 18' of pavement width within 40' of right-of-way; and Buick St., a local street with 16' of pavement width within 36' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **ZONING:** RN-2 (Single-Family Residential Neighborhood) / PD (Planned Development)

► **EXISTING LAND USE:** Vacant & Dwellings

► **PROPOSED USE:** 5 additional dwelling units for the Richmond Orchard development
4.12 du/ac

HISTORY OF ZONING: These properties were rezoned from R-1A and I-3 to RP-1 < 4.2 du/ac in 2016 and 2019 (12-C-16-RZ & 10-A-19-RZ).

SURROUNDING LAND USE AND ZONING: North: Residences, Vacant land / I-G (General Industrial) and RN-2 (Single-Family Residential Neighborhood)
South: Residences / RN-2 (Single-Family Residential Neighborhood)
East: Residences / RN-2 (Single-Family Residential Neighborhood)
West: Residences, Vacant land / RN-2 (Single-Family Residential Neighborhood) and OS (Parks and Open Space)

NEIGHBORHOOD CONTEXT: This property is in an area that is predominantly single-family residential on small lots of approximately 0.1 to 0.2 acres. There is a range of commercial uses fronting Western Avenue, which lies to the north.

STAFF RECOMMENDATION:

► **POSTPONE the request until the May 14, 2020 meeting as requested by the applicant.**

The applicant is requesting a 60-day postponement to allow time to address comments from staff.

COMMENTS:

This proposal is to expand the Richmond Orchard development with 5 additional dwelling units, for a total of 16 units. In November 2019, a 1.14 acre site next to the original 2.74 acre development was rezoned from I-3 (General Industrial) to RP-1 (Planned Residential) up to 4.2 dwelling units per acre (du/ac). As of January 2020, the property is zoned RN-2 (Single Family Residential Neighborhood) / PD (Planned Development) / HP (Hillside Protection). However, because this property was rezoned to RP-1 before the end of 2019 and is an expansion of the existing Richmond Orchard development that was also zoned and approved under the RP-1 zone, this development will be reviewed under the previous RP-1 zoning.

This second phase of the development will have the same style of houses and low impact development techniques as the first phase.

ESTIMATED TRAFFIC IMPACT: 193 (average daily vehicle trips)

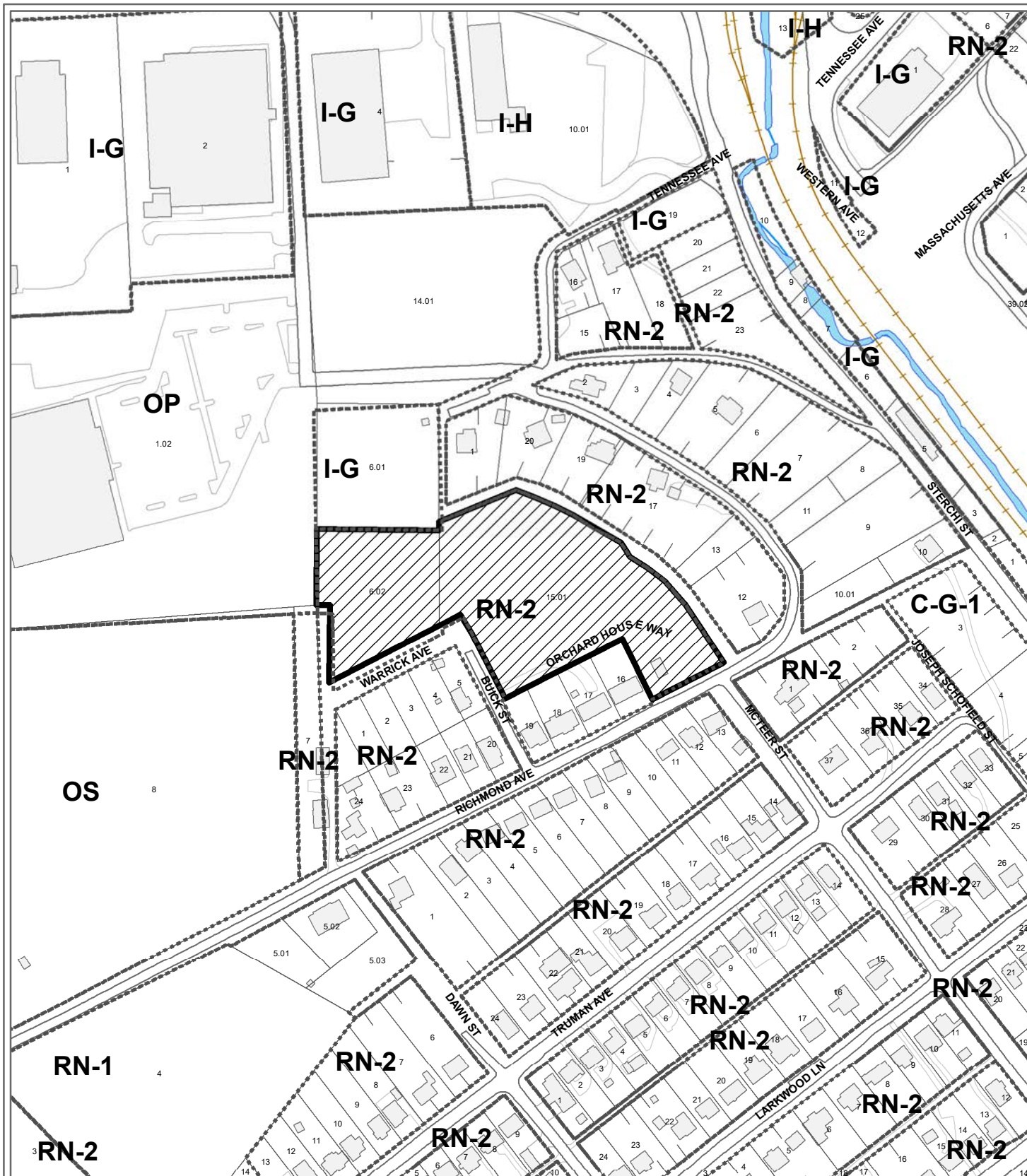
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 6 (public school children, grades K-12)

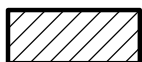
Schools affected by this proposal: West View Elementary, Bearden Middle, and West High.

- 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.

The Planning Commission'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 a Planning Commission decision in the City.



**3-C-20-SU
Special Use**

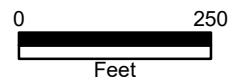


5 additional dwelling units for the Richmond Orchard development in RN-2
(Single-Family Residential Neighborhood) / PD (Planned Development)

Petitioner: Duncan, Christine

Map No: 94

Jurisdiction: City



Original Print Date: 2/18/2020

Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



Laura Edmonds <laura.edmonds@knoxplanning.org>

Fwd: request to postpone 3-C-20-SU - Richmond Heights

1 message

Mike Reynolds <mike.reynolds@knoxplanning.org>

Fri, Feb 28, 2020 at 8:47 AM

To: Dori Caron <dori.caron@knoxplanning.org>, Laura Edmonds

<laura.edmonds@knoxplanning.org>, Sherry Michienzi <sherry.michienzi@knoxplanning.org>

60-day postponement request for 3-C-20-SU until the May 14, 2020, Planning Commission meeting.

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

From: **Richard and Christine Duncan** <randcduncan@gmail.com>

Date: Thu, Feb 27, 2020 at 6:21 PM

Subject: request to postpone 3-C-20-SU - Richmond Heights

To: Mike Reynolds <mike.reynolds@knoxplanning.org>

This is our formal request that Knox Planning postpone our Use On Review application until the May 14 meeting.

We believe we will need 2 months and further communication with City Engineering in order to submit a revised application concerning Richmond Orchard's phase 2.

I will pay for this postponement by phone tomorrow.

Thank you for your able assistance,

Christine and Richard Duncan



POSTPONEMENT REQUEST: 60 DAYS

File #: 3-C-20-SU

Meeting Date: March 12, 2020

VARIANCES APPROVED BY MPC ON APRIL 15, 2017:

1. TO REDUCE THE REQUIRED INTERSECTION RADIUS AT WARRICK AVENUE AND RICHMOND AVENUE FROM 25' TO 12'.
2. TO REDUCE THE REQUIRED RIGHT OF WAY ALONG WARRICK AVENUE FROM 25' TO 12'.

Certificate of Ownership and General Declaration

I, Wm. Moore Estate, the undersigned owner of the property shown herein, hereby certify that the plat, map or plan of subdivision and plat shown as shown to the public as true and correct and that I am, as the owner, in full possession of the property, and as property owner have an unrestricted right to dedicate right-of-way and/or easements as shown on this plat.

Owner's Printed Name: Wm. Moore Estate Signature: _____
 Date: _____
 Owner's Printed Name: Wm. Moore Estate Signature: _____
 Date: _____

State of _____ County of _____
 On the _____ day of _____, 2020.

Subscribed and sworn to before me personally by the person or persons named herein, and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Witness my hand and natural seal, this the _____ day and year above.

Written: _____ History: _____
 My Commission expires: _____



BEGINNING POINT
LAND SURVEYING

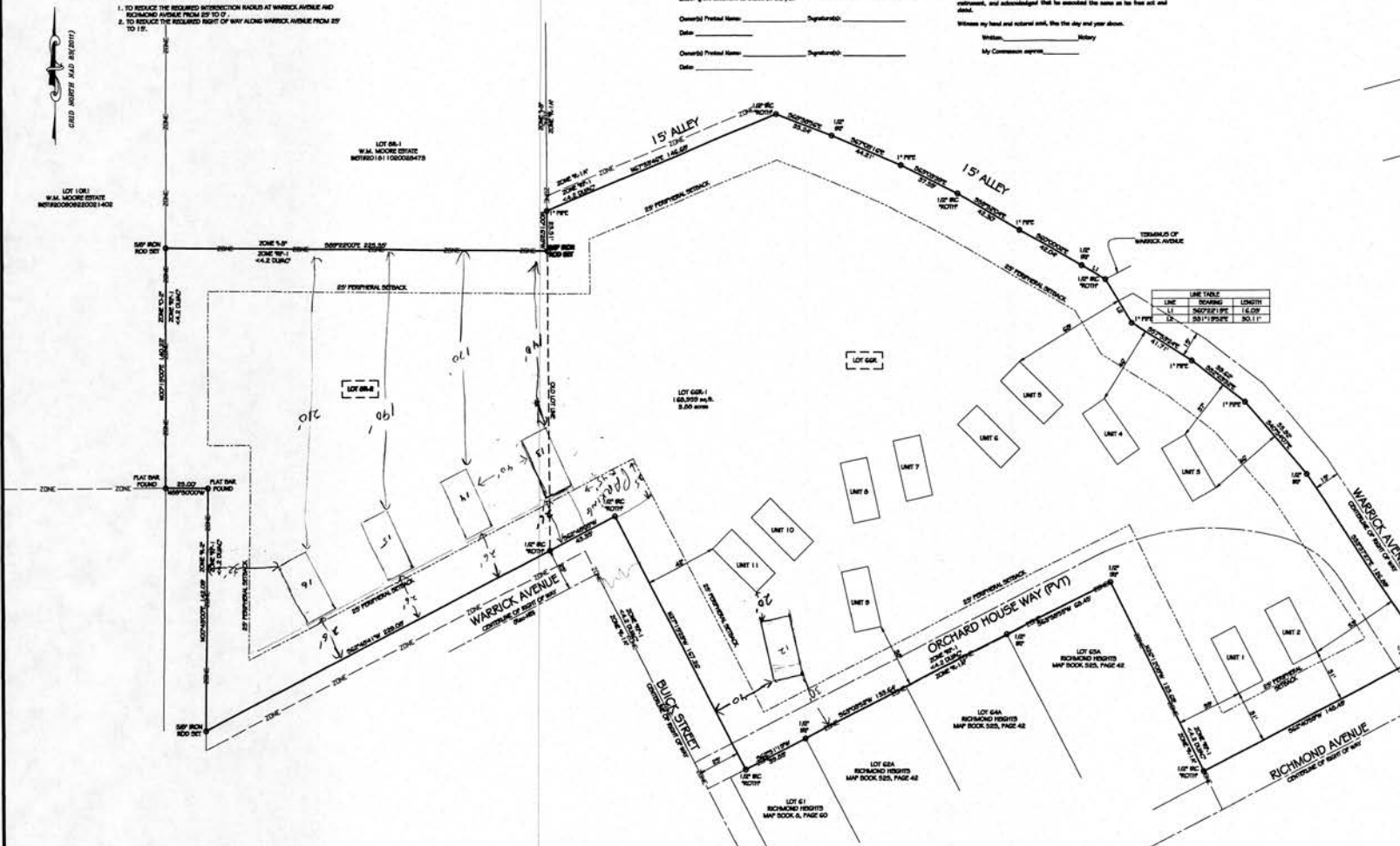
294 LADD BROOK ROAD
KNOXVILLE, TN 37935
PH: (865) 698-4613



Replat of Lot 66R of
Richmond Heights
 Richmond Ave, Warrick Ave & Buick Street
 5th Civil District, Knox County
 23rd Ward, City Blocks 23282, City of Knoxville, Tennessee

NO.	DATE	REVISIONS
1	11/14/19	11/14/19
2	12/14/20	12/14/20
3	1/10/20	1/10/20

PLAT



LINE	BEARING	LENGTH
1	N 89° 15' 00" E	16.50'
2	S 89° 15' 00" W	30.11'

- NOTES:**
1. LOT MAP 054H, GROUP 17, PARCELS 015.01 & 02 MAP 054H, GROUP 17, PARCELS 004A.
 2. DEED REFERENCES: NOTE 10110020050444 & NOTE 10110020050444.
 3. UTILITY AND DRAINAGE EASEMENTS: ALL INTERIOR LOT LINES ARE A 10' UTILITY AND DRAINAGE EASEMENT UNLESS OTHERWISE NOTED. ALL EXTERIOR LOT LINES AND ROAD LINES.
 4. ONE LOT - 1.64399 SQ FT OR 3.86 ACRES.
 5. ZONING: R-1 & R-2 ZONING.
 6. THE PURPOSE OF THIS PLAT IS TO SHOW UNIT LOCATIONS.
 7. THE SURVEY WAS DONE IN COMPLIANCE WITH THE STATE OF TENNESSEE MINIMUM STANDARDS OF PRACTICE.
 8. FOR APPROVED SUBDIVISION VARIANCES & CONDITIONS OF APPROVAL, OF THE LAND SURVEY, REFER TO MPC FILE 3-C-17-08.
 9. SETBACKS: FRONT: 25' SIDE: 15' REAR: 25' PERMANENT SETBACK.
 10. THE DESIGNATED PARCELS OF GROUND ON WHICH A DWELLING UNIT OR COTTAGE IS SITUATED IS A LIMITED COMMONS AREA DEDICATED TO THE DWELLING UNIT OR COTTAGE AND SUBJECT TO THE EASEMENTS, RIGHTS AND OBLIGATIONS SET FORTH IN THE DECLARATION OF COMMONS, CONDITIONS, AND RESTRICTIONS OF RECORD AS INSTRUMENT 10110020050444 AND TO THE DECLARATION OF COMMONS, CONDITIONS, AND RESTRICTIONS OF RECORD AS INSTRUMENT 10110020050444 AND TO THE DECLARATION OF COMMONS, CONDITIONS, AND RESTRICTIONS OF RECORD AS INSTRUMENT 10110020050444.
 11. THE DESIGNATED PARCELS OF GROUND ON WHICH A DWELLING UNIT OR COTTAGE IS SITUATED IS A LIMITED COMMONS AREA DEDICATED TO THE DWELLING UNIT OR COTTAGE AND SUBJECT TO THE EASEMENTS, RIGHTS AND OBLIGATIONS SET FORTH IN THE DECLARATION OF COMMONS, CONDITIONS, AND RESTRICTIONS OF RECORD AS INSTRUMENT 10110020050444 AND TO THE DECLARATION OF COMMONS, CONDITIONS, AND RESTRICTIONS OF RECORD AS INSTRUMENT 10110020050444 AND TO THE DECLARATION OF COMMONS, CONDITIONS, AND RESTRICTIONS OF RECORD AS INSTRUMENT 10110020050444.

In the City of Knoxville and Several Areas of Knox County

This is to certify that the subdivision shown herein is approved subject to the establishment of utility easements and easements for water, gas, and sewer lines, and that such easements shall be in accordance with state and local regulations.

Knox County Health Department: _____
 Date: _____

Addressing Department Contribution:

I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville County Street Naming and Addressing Commission, the Administrative Rules of the Planning Commission, and these regulations.

Signature: _____
 Date: _____

Times and Assessments:

This is to certify that all property taxes and assessments due on the property have been paid.

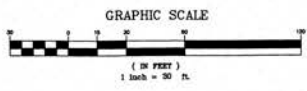
Knox County Treasurer: _____ Date: _____
 City Tax Clerk: _____ Date: _____

Certificate of Approval for Records - Administrative Plat:

This is to certify that the subdivision plat shown has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing official plans, and the plat is hereby approved for recording in the office of the Knox County Register of Deeds.

Signature: _____
 Date: _____

3-C-20-50
 1/10/20
 FILE NO.



CERTIFICATION OF FINAL PLAT - ALL INDICATED VARIANCES, EASEMENTS AND ENCUMBRANCES:

I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawings, documents, and instruments conform to the best of my knowledge, to all applicable provisions of the Tennessee Surveying Code, and to all applicable provisions of the Knoxville County Subdivision Regulations, except as has been amended, described and published in a report filed with the Metropolitan Planning Commission, or for services which have been approved as indicated on the final plat. The indicated permanent reference markers and monuments, instruments and property measurements were in place on the 23rd day of March, 2019.

Registered Land Surveyor
 Tennessee License No. 20155
 Date: _____

Certification of Accuracy and Accuracy of Survey:

I hereby certify that this is a Category I survey and the value of precision of the measured survey is not less than 1:10,000 as shown herein and that said survey was prepared in compliance with the current edition of the Rules of Tennessee State Board of Surveyors for Land Surveyors - Standards of Practice.

Registered Land Surveyor
 Tennessee License No. 20155
 Date: _____

OWENS
 RICHMOND CHURCH, LLC
 1009 RICHMOND CHURCH
 KNOXVILLE, TN 37935
 605-556-5362



DEVELOPMENT REQUEST



DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ Rezoning

Christine Duncan
Applicant Name

Richmond Orchard LLC
Affiliation

1/9/20
Date Filed

3/12/20 @ 1:38 p.m.
Meeting Date (if applicable)

3-C-20-~~UR~~SL
File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☒ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Christine Duncan
Name

Richmond Orchard LLC
Company

1009 Kensington Circle
Address

Knoxville
City

TN
State

37919
Zip

865-556-2382
Phone

randcduncan@gmail.com
Email

David Kerns, contractor, 865-556-2446

CURRENT PROPERTY INFO

(above)
Owner Name (if different)

Owner Address

Owner Phone

① 2251 Orchard House way
② 8 Warrick Avenue
Property Address

Knoxville TN 37921

② 094H00602, ① 094H00501
Parcel ID

N 6 Richmond Ave w/ 1/2 Warrick Ave
General Location

3.88 +/-
Tract Size

3rd
Jurisdiction (specify district above) ☒ City ☐ County

RN-2
Zoning District

Central City
Planning Sector

TDR
Sector Plan Land Use Classification

City
Growth Policy Plan Designation

Vacant & Dwellings
Existing Land Use

N
Septic (Y/N)

KUB
Sewer Provider

KUB
Water Provider

REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan	<input checked="" type="checkbox"/> Use on Review / Special Use
	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Non-Residential
SUBDIVISION	<input checked="" type="checkbox"/> Home Occupation (specify): <u>add 5 residences to existing 11 on</u>	
	<input type="checkbox"/> Other (specify): <u>4.22 acres</u> <u>3.88</u>	
ZONING	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____	
	<input type="checkbox"/> Parcel Change	
	<input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____	
	<input type="checkbox"/> Other (specify): _____	
	<input type="checkbox"/> Attachments / Additional Requirements	
	<input type="checkbox"/> Zoning Change: <u>N/A</u> Proposed Zoning _____	
<input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____		
<input type="checkbox"/> Proposed Property Use (specify) <u>Residential</u> Proposed Density (units/acre) <u>4.2 DU/Ac</u> Previous Rezoning Requests _____		
<input type="checkbox"/> Other (specify): _____		

STAFF USE ONLY	PLAT TYPE	<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1:	TOTAL:
	ATTACHMENTS	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	
	ADDITIONAL REQUIREMENTS	<input type="checkbox"/> Design Plan Certification (Final Plat only)	FEE 3:	
	<input type="checkbox"/> Use on Review / Special Use (Concept Plan only)			
	<input type="checkbox"/> Traffic Impact Study			

AUTHORIZATION By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

Please Print

Date

Phone Number

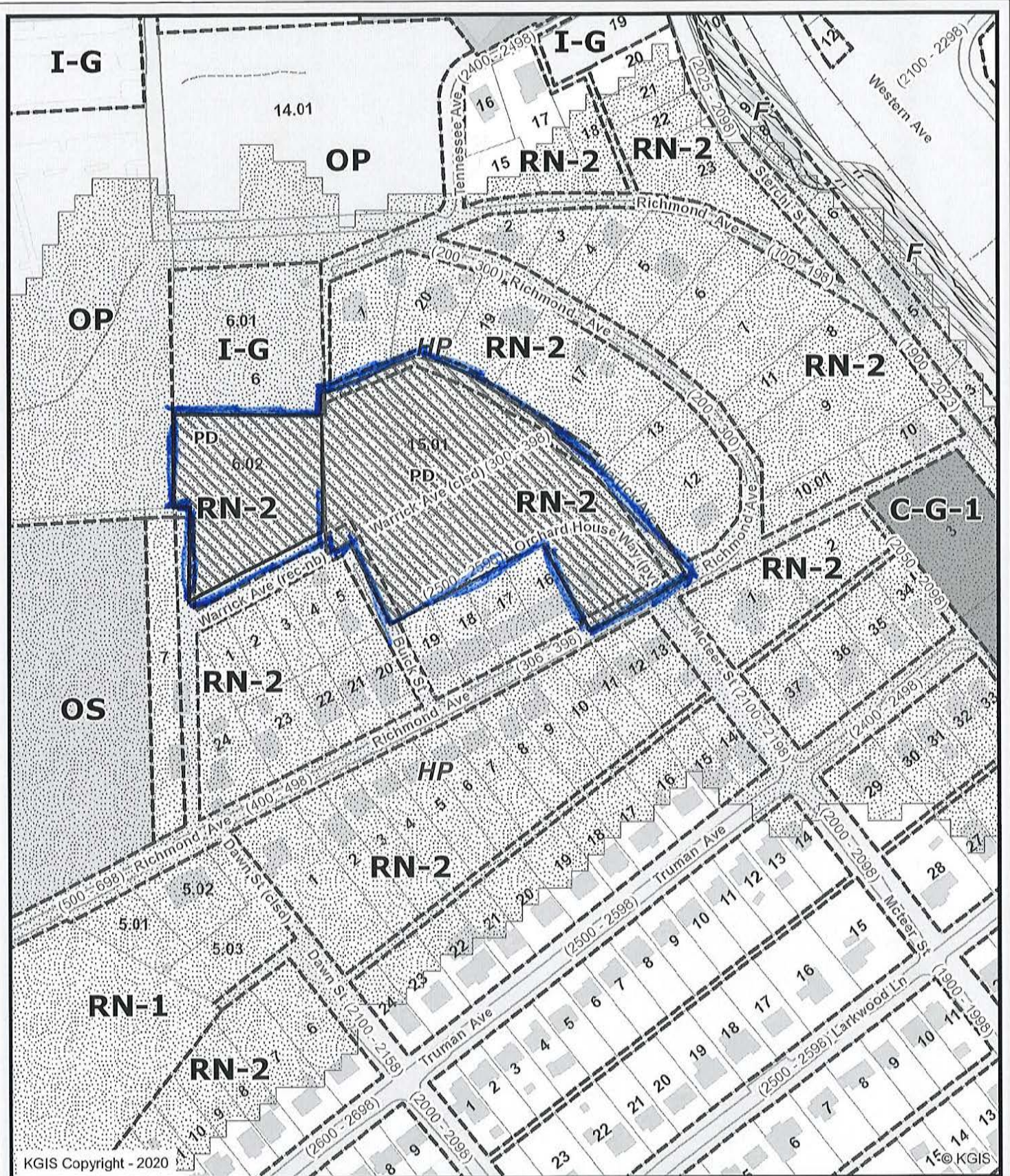
Email

Staff Signature

Please Print

Date

Christine Duncan CHRISTINE DUNCAN 1-8-20
805-556-2382 kandcduncan@gmail.com
Marc Payne 1/9/20

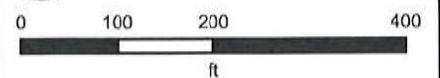


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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