

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

CONCEPT PLAN

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

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File Number: 1-SC-08-C **Related File Number:** 1-D-08-UR
Application Filed: 12/3/2007 **Date of Revision:**
Applicant: FOREST BROOK DEVELOPMENT

PROPERTY INFORMATION

General Location: East side of Tooles Bend Rd., north side of Badgett Rd.
Other Parcel Info.:
Tax ID Number: 145 058 **Jurisdiction:** County
Size of Tract: 4 acres
Accessibility: Access is via Tooles Bend Rd., a minor collector street with 18' of pavement width within 50' of right of way, or Badgett Rd., a minor collector street with 17' of pavement with within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant land
Surrounding Land Use: This area is developed with rural to low density residential development under A and PR zoning.
Proposed Use: Detached residential subdivision **Density:** 3.00 du/ac
Sector Plan: Southwest County **Sector Plan Designation:**
Growth Policy Plan: Rural Area
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) pending
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Villas at Tooles Bend

No. of Lots Proposed: 12 **No. of Lots Approved:** 0

Variances Requested:

1. Horizontal curve variance from 150' to 122' at sta 3+40 of Road A
2. Vertical curve variance from 262.5' to 210' at sta. 2+73 of Road A
3. Vertical curve variance from 200' to 120" at sta. 1+02 of Road A
4. Variance of intersection spacing on Tooles Bend Rd. from 300' to 108' between Road A and Amberleigh Dr.
5. Variance of intersection spacing on Tooles Bend Rd. from 300' to 173' between Road A and Badgett Rd.

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Dan Kelly

Staff Recomm. (Abbr.): APPROVE variances 1 - 5 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 7 conditions:

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Certification on the final plat by the applicant's surveyor that there is 300 feet of sight distance in both directions along Tooles Bend Rd.
5. Place a note on the final plat that all lots will have access only to the internal street system.
6. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easement, common areas, storm drainage system and any other commonly held assets.
7. 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.

Comments: The applicant is proposing to subdivide this 4 acre site into 12 lots to construct a detached dwelling on each of the lots. Due to the hardship created by the topography and shape of the property, the applicant has requested that MPC consider granting variances to the Subdivision Regulations that will make the development of this site possible. In order to provide the required amount of sight distance at the entrance to the development, two intersection separation variances will be required. Staff supports these variances as requested because there is no other location on the site where access can be provided that meets the minimum sight distance standards. The other variances requested deal with the design of the proposed joint permanent easement within the development. All variances requested by the applicant fall within what is considered to be acceptable engineering practice.

The rezoning of this site to PR (Planned Residential) at 3 dwellings per acre was recommended by MPC at their December 13, 2007 meeting. The rezoning is scheduled to be heard by the Knox County Commission at their January 28, 2008 meeting. The rezoning of this site, at the recommended density, will be required in order for this project to move forward.

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 water and sewer will be provided to this site.
2. The proposed detached residential subdivision at a density of 3.00 du/ac, is consistent in use and density with the proposed zoning of the property.
3. Any school age children living in this development are presently zoned to attend Rocky Hill Elementary School, West Valley Middle School and Bearden High School.

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

1. The proposed detached residential subdivision meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed residential development is consistent with the general standards for uses permitted on review:
 - A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The Southwest County Sector Plan proposes this site for low density residential use which may permit a maximum density of 3 dwellings per acre at this location. The overall development density of the proposed development is 3.00 dwellings per acre.
 - B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance. The proposed development meets all the requirements of the PR (Planned Residential) District).
 - C. The use is compatible with the character of the neighborhood where it is proposed. As previously noted, the proposed development is compatible in use and intensity of development with the surrounding area.
 - D. The use will not significantly injure the value of adjacent property.
 - E. The use will not draw additional non-residential traffic through residential areas. This is a low density residential development within an area designated for low density residential use. The traffic generated from this project will be similar to the traffic that is generated by other residential developments.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. Due to the area being Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan, low density residential development is limited to 3.0 du/ac. The PR zoning proposed for the property allows consideration of up to 3.0 du/ac . The proposed subdivision with its distribution of density on the site and overall density of 3.00 du/ac is consistent with the Growth Plan and the Sector Plan.

MPC Action: Approved **MPC Meeting Date:** 1/10/2008

- Details of MPC action:**
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Summary of MPC action: APPROVE variances 1 - 5 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.
APPROVE the Concept Plan subject to 7 conditions:

Date of MPC Approval: 1/10/2008 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Chancery Court

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**

