

# CASE SUMMARY

**APPLICATION TYPE: SUBDIVISION**

## CONCEPT PLAN

**File Number:** 10-SD-03-C                      **Related File Number:** 10-G-03-UR  
**Application Filed:** 9/8/2003                      **Date of Revision:**  
**Applicant:** DAVID REYNOLDS  
**Owner:** DAVID REYNOLDS

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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400 Main Street  
Knoxville, Tennessee 37902  
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### PROPERTY INFORMATION

**General Location:** North side of Stockton Dr., west of West Hills Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 106 N J 13 & 15.01                      **Jurisdiction:** City  
**Size of Tract:** 5.56 acres  
**Accessibility:** Access is via Stockton Dr., a local street with a pavement width of 18' within a 50' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** 1 single family dwelling and vacant land  
**Surrounding Land Use:** The predominant use in the area is single family dwellings in the R-1E residential zoning district. RP-1 (Planned Residential) zoning adjoins the western boundary of the site. It is developed with four-plex dwellings.  
**Proposed Use:** Detached single family subdivision                      **Density:** 2.33 du/ac  
**Sector Plan:** Northwest City                      **Sector Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

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

### ZONING INFORMATION (where applicable)

**Current Zoning:** RP-1 (Planned Residential) & R-1E (Single Family Exclusive Residential)  
**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: Stockton Place  
Surveyor: LeMay & Associates  
No. of Lots Proposed: 12      No. of Lots Approved: 0  
Variances Requested: None  
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 the concept plan subject to 12 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 Knoxville (City Ord. 0-280-90).  
3. Meeting all applicable requirements of the Knoxville Department of Engineering.  
4. Locate the berm of the detention basin out of the required 10' wide drainage and utility easement along the eastern boundary of the site.  
5. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.  
6. Showing the existing 50' sewer and natural gas line easement as required by KUB.  
7. Meeting all applicable requirements of the Knoxville City Arborist.  
8. Label the area at the entrance to the development that is located on the west side of the proposed road as common area.  
9. Prior to certification of the final plat, establish a homeowners association for the purpose of assessing fees for the maintenance of the common area and any other commonly held assets.  
10. Providing a 4' wide sidewalk with a 2' wide planting strip between the back of the curb and the sidewalk along the full length of the proposed street.  
11. Meeting all requirements of the approved use-on-review.  
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.

Comments: This applicant has submitted development proposals for this site on two previous occasions (12-SD-01-C/12-G-01-UR, 2-SH-03-C/2-P-03-UR). The first plan proposed 18 detached dwellings on the site. The second plan that was submitted for review proposed 11 detached dwellings. In both cases staff noted the site has a number of constraints that will impact development of this property. The design of this project will have to take into consideration TVA and KUB electrical transmission line easements, a natural gas pipe line easement, a sewer line easement, a potential blue line stream, significant drainage issues and substandard access. At that time, due to the poor access the applicant's only option was to develop a minor subdivision with a joint permanent easement that would be limited to a maximum of five lots.

Since the matter was dealt with earlier this year, the applicant has bought a lot and house on Stockton Dr. As a result of buying the additional real estate, the applicant can now design a public street to provide access into the site. The plan calls for a total of twelve lots. Eleven of the twelve lots are being created on the portion of the site that has been reviewed before. The twelfth lot is the property on Stockton Dr. that has been included in this development.

Purchase of the house on Stockton Dr. solved the access problem the site had. However, the site has other constraints that may impact the development of this property. Staff requested that the applicant address the drainage issues by having his engineer prepare the detailed grading and drainage plan. As requested, the applicant has supplied the Knoxville Engineering Dept. with the grading and drainage plan. The Engineering Dept. has reviewed the plan and has told MPC staff that it will meet the City's requirements with one minor change to the outlet design. The detention basin as shown on the plan will detain a larger volume of water than minimally required by the City's regulations. Staff will place a condition on the applicant that any berming associated with the detention basin must be located at least 10' from the eastern boundary of the site.

To address construction of the road and the creation of the lots within the various easements, staff has asked that letters be obtained from both TVA and KUB which state they have reviewed the proposed plans and have no issues with the encroachment of this development in their easements. At this time staff has received a letters from TVA and KUB addressing the proposed development. Their letters states that they have no objection to the development. KUB has stated that the applicant will need to show on the plan the existing 50' wide easement for the sewer and natural gas lines crossing the site. Finally, staff told the applicant to contact the Tenn. Dept. of Environment and Conservation regarding any potential permits that may be required by that agency. A letter from TDEC states that the drainage crossing the site is in a "wet weather conveyance" and a general permit for altering this conveyance will be required. The primary purpose of this type of permit is to prevent discharge of sediments into downstream waters.

The Knoxville Northwest Sector Plan and the Knoxville One Year Plan designate this site for low density residential development. With that designation the applicant could have submitted a plan with up to 6 dwellings per acre. The plan as submitted proposes 2.33 dwellings per acre on the RP-1 zoned portion of the site. The site is located between houses in the West Hills Subdivision and two-family and four-family dwellings in the Wellswood Court development. While the proposed lots are smaller than the lots in West Hills, they do meet all of the lot standards and requirements of the RP-1 district. The proposed subdivision can be viewed as a transitional use between the larger lots and single family dwellings in West Hills and the multi-family housing in Wellswood Court.

#### 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 all utilities are in place to serve this site.
2. The proposed detached single-family subdivision is consistent in use and density with the surrounding development and zoning in the area.

#### CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed detached single-family lots meet the standards for development within a RP-1 (Planned Residential) district and all other requirements of the Zoning Ordinance.
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 use will not draw additional traffic through residential areas.
3. The proposed subdivision density of 2.33 du/ac is consistent with the zoning density of 1 - 5.9 du/ac permitted by the RP-1 zoning.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest City Sector Plan identifies the property as low density residential with a maximum density of 6 du/ac. At a maximum proposed density of 2.33 du/ac, the subdivision is consistent with the Sector Plan.

**MPC Action:**

Approved

**MPC Meeting Date:** 12/11/2003

**Details of MPC action:**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
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8. Label the area at the entrance to the development that is located on the west side of the proposed road as common area.
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11. Meeting all requirements of the approved use-on-review.

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.

**Summary of MPC action:** APPROVE the concept plan subject to 12 conditions

**Date of MPC Approval:** 12/11/2003

**Date of Denial:**

**Postponements:** 10/9/2003-  
11/13/2003

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:** 12/17/2003

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** City Council

**Date of Legislative Action:** 1/20/2004

**Date of Legislative Action, Second Reading:** 3/16/2004

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Postponed

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

**If "Other":** Postponed to 2/17/2004, 3/16/2004

**If "Other":**

**Amendments:**

**Amendments:**

Appeal upheld

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**