

# CASE SUMMARY

**APPLICATION TYPE: SUBDIVISION**

## CONCEPT PLAN

**File Number:** 11-SA-06-C                      **Related File Number:** 11-D-06-UR  
**Application Filed:** 10/6/2006                      **Date of Revision:**  
**Applicant:** DUNCAN CONSTRUCTION  
**Owner:** DON DUNCAN

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

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

### PROPERTY INFORMATION

**General Location:** Southeast side of S. Northshore Dr., northwest of Choto Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 162 058.10, 058.01, 060.01 & OTHER: 62.02                      **Jurisdiction:** County  
**Size of Tract:** 24.25 acres  
**Accessibility:** Access is via Choto Rd., a minor collector street with a 21' pavement width within a 50' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residences  
**Surrounding Land Use:** North: Residences / A (Agricultural) & PR (Planned Residential)  
South: Residences and Fort Loudoun Reservoir / A (Agricultural) & F (Floodway)  
East: Residences and Fort Loudoun Reservoir / A (Agricultural) & F (Floodway)  
West: Residences / A (Agricultural)  
**Proposed Use:** Detached residential subdivision                      **Density:** 1.73 du/ac  
**Sector Plan:** Southwest County                      **Sector Plan Designation:**  
**Growth Policy Plan:** Planned Growth 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 & A (Agricultural)  
**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:** Don Duncan  
**Surveyor:** Robert G. Campbell and Associates  
**No. of Lots Proposed:** 42      **No. of Lots Approved:** 42  
**Variances Requested:** 1. Vertical curve variance on Road A at STA 10+50, from 50' to 40'.  
2. Intersection spacing variance on Road B between Roads E and F, from 125' to 101.11'  
**S/D Name Change:**

### **OTHER INFORMATION (where applicable)**

**Other Bus./Ord. Amend.:**

### **MPC ACTION AND DISPOSITION**

**Planner In Charge:** Tom Brechko

**Staff Recomm. (Abbr.):** APPROVE variances 1 and 2 because the site's shape and topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 9 conditions:

**Staff Recomm. (Full):**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Revising the notation on the common area and access strip out to S. Northshore Dr. to common area only. If the owner of Parcel 58.09 does not release the access rights under the previous easement in lieu of the new access, the concept plan will have to be revised allowing for the existing access easement with no other lots having access to S. Northshore Dr. The revised concept plan can be approved by Planning Commission Staff unless Staff determines that Planning Commission review is needed.
4. Placing a note on the final plat that all lots will have access from the internal road system only.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation, Tennessee Valley Authority and U.S. Army Corps of Engineers.
7. Prior to or concurrent with recording of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area, recreational amenities and drainage system.
8. Meeting all requirements of the approved use-on-review development plan.
9. 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 24.25 acre site into 42 detached residential lots at an overall density of 1.73 du/ac.

The Planning Commission recommended approval of a rezoning request for a portion of this site (approximately 15.60 acres - area above the floodway) to PR (Planned Residential) at a density of up to 3 du/ac on October 12, 2006. The Knox County Commission will consider the request on November 20, 2006. The only access to the property that was considered under the rezoning was at a location on S. Northshore Dr. that has multiple street and driveway cuts within a very short distance. The access to this site is within 75' of the street entrances for Montgomery Cove and Bayou Bend Subdivisions. The Staff report for the rezoning identified the potential traffic conflicts and safety issues related to the development of the property. The available sight distance to the west along S. Northshore Dr. is also complicated by a rise in the road and speeding vehicles.

The initial concept plan application proposed a subdivision of 37 lots for this site. On reviewing the request with the applicant, both Planning Commission and Knox County Engineering Staff advised the applicant that Staff could not support a subdivision with that many lots with the proposed access out to S. Northshore Dr. The applicant has submitted a revised concept plan that includes an additional 8.65 acre parcel that has frontage on Choto Rd. allowing the subdivision to have access from Choto Rd. Since the additional parcel is zoned A (Agricultural) the lots in that portion of the property are all one

acre or larger. It is the intent of the applicant to request a rezoning of that property to PR. The PR portion of the site with 38 lots on 15.60 acres has a density of 2.44 du/ac which falls within the recommended maximum density of 3 du/ac.

The portion of the site that extends out to S. Northshore Dr. includes an existing access easement for tax parcel 58.09 which is owned by Kyle Garland. The revised concept plan shows a new access easement that ties parcel 58.09 into the subdivision streets (Joint Permanent Easements) with access to Choto Rd. Approval of the concept plan is subject to agreement by the Garlands on the new access and the release of the existing easement. If Mr. Garland does not release the access rights under the previous easement in lieu of the new access, the concept plan will have to be revised allowing for the existing access easement with no other lots having access to S. Northshore Dr.

**MPC Action:**

Approved

**MPC Meeting Date:** 11/9/2006

**Details of MPC action:**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
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7. Prior to or concurrent with recording of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area, recreational amenities and drainage system.
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**Summary of MPC action:**

APPROVE variances 1 and 2 because the site's shape and topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 9 conditions:

**Date of MPC Approval:**

11/9/2006

**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:**