

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

File Number: 12-SE-02-C **Related File Number:** 12-E-02-UR
Application Filed: 11/12/2002 **Date of Revision:**
Applicant: CANNON & CANNON
Owner: DAWSON'S PLACE, INC.

PROPERTY INFORMATION

General Location: South side of John May Rd., west of Ball Camp Pike
Other Parcel Info.:
Tax ID Number: 92 D A 3 & 4 **Jurisdiction:** City
Size of Tract: 26 acres
Accessibility: Access is via John May Rd., a collector street with a pavement width of 19' within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use: Nearby zoning consists of A-1 agricultural and R-1 and R-1A residential. Nearby uses consist of detached single family dwellings.
Proposed Use: Detached single family subdivision **Density:** 2.54 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)
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: Mayfield Subdivision
Surveyor: Cannon & Cannon
No. of Lots Proposed: 65 **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 15 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 Knoxville (City Ord. 0-280-90).
3. Compaction of fill areas to be done in accordance with the requirements of the Knoxville Engineering Dept..
4. Meeting all applicable requirements of the Knoxville Department of Engineering (see attached memo).
5. Identify all sinkholes or closed contour areas with hatched contour lines.
6. Place a note on the final plat that all structures will have to be located at least 50' from the top of the sinkholes (closed contour areas) on this site unless a geotechnical study states that building within the 50' sinkhole buffer can be permitted. An engineered footing is required for any structures within the 50' sinkhole buffer.
7. Identify the area within the sinkholes as drainage easements as required by the City Engineer.
8. As a part of the design plan for the subdivision, and prior to issuance of a grading permit, a hydrogeological study shall be submitted which evaluates the impact of the proposed subdivision and surface/injection drainage system. The findings of this study shall be used by the City Engineering Dept. in their evaluation of the drainage design plan.
9. Place a note on the final plat that vehicular access is to be from the internal street system only.
10. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation.
11. Prior to commencing grading, obtain off-site drainage easements as may be required by the City Engineer.
12. Meeting all requirements of the approved Use-on-Review development plan.
13. Identify the portion of the site west of the power line as lot 66.
14. Certification on the final plat by the applicant's engineer that there is 300' of sight distance in both directions on John May Rd.
15. 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 is the third time this developer has submitted a concept subdivision plan for this site. In June 1998, a plan was submitted that included 65 detached dwellings and 15 attached dwellings. That plan was approved by MPC and denied on appeal by the Knoxville City Council. The argument before City Council regarded the attached dwellings. It was denied with City Council citing that the plan was out of character with the area because it contained the attached housing. In August 1998, the applicant submitted a revised plan for MPC consideration. The plan proposed 66 detached dwellings. That plan was approved by MPC and denied on appeal by the Knoxville City Council. Drainage issues were discussed at the City Council hearing. The applicant, with the endorsement of the City Engineer, proposed to use the existing sinkhole on the site for a detention/retention pond. Conditions were placed on the applicant that required further study and approval of the use of sinkhole by the Tenn. Dept. of Environment and Conservation and a detailed drainage plan by the City Engineer as part of the design plan process. Opponents argued the drainage should not be allowed to be directed into a large sinkhole on the site. Subsequently, the applicant sued the City Council. The case is still pending in Knox County Circuit Court. On the advice of MPC's and City Council's attorney, staff accepted this plan for consideration at this time.

It has been the practice of both the City and County Engineering Departments to permit drainage discharged into sinkholes as part of the land development process. In this case, the City Engineering

Department continues to recommend approval of this plan subject to completion of a detailed drainage study.

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 adjoining subdivisions.
3. Access is being limited to John May Rd. which is classified as a collector street.
4. All structures will have to be located at least 50' from the top of the sinkholes on this site unless a geotechnical study states that building within the 50' sinkhole buffer can be permitted. An engineered footing is required within the 50' sinkhole buffer.

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

1. The proposed detached single-family subdivision meets the standards for development within a RP-1 (Planned Residential) Zoning District and all other requirements of the Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest City Sector Plan identifies this property as low density residential with a density range of 1- 6 DU/AC. The RP-1 zoning approved for this site allows a density of up to 5.9 DU/AC. At a proposed density of 2.54 DU/AC, the proposed subdivision is consistent with the Sector Plan.

MPC Action:

Approved

MPC Meeting Date: 12/12/2002

Details of MPC action:

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Summary of MPC action:

APPROVE the concept plan subject to 15 conditions

Date of MPC Approval:

12/12/2002

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:** 1/13/2003

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

City Council

Date of Legislative Action: 2/4/2003

Date of Legislative Action, Second Reading:

Ordinance Number:

Disposition of Case: Denied (Appeal failed)

If "Other": MPC approval stands

Amendments:

Approval stands

Date of Legislative Appeal:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: