

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
FAX • 215 • 2068
www.knoxmpc.org

File Number: 3-SA-10-C **Related File Number:** 3-B-10-UR
Application Filed: 1/25/2010 **Date of Revision:**
Applicant: OAKLEIGH, G.P.

PROPERTY INFORMATION

General Location: Southeast side of Millertown Pk., east of Ellistown Rd.
Other Parcel Info.:
Tax ID Number: 51 018 OTHER: 041-18003 **Jurisdiction:** County
Size of Tract: 76.28 acres
Accessibility: Access is via Millertown Pk., a minor arterial street with a pavement width of 20' within a 40' right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use: Property in the area is zoned PR residential, CA commercial and A agricultural. Development in the area consists of detached dwellings and a convenience store
Proposed Use: Detached residences on individual lots **Density:** 3.84 du/ac
Sector Plan: Northeast 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)
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: Ely Park
No. of Lots Proposed: 279 **No. of Lots Approved:** 0
Variances Requested:
1. Horizontal curve variance from 250' to 125' at sta 2+50 of Road B
2. Horizontal curve variance from 250' to 225' at sta 16+50 of Road B
3. Horizontal curve variance from 250' to 100' at sta 22+25 of Road C
4. Vertical curve variance from 461.25' to 340' at sta 11+50 of Road A
5. Intersection spacing variance of 400' to 20' from Legg Ln. to Road F on Millertown Pk.
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 variance 1-5 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.
Staff Recomm. (Full): APPROVE the Concept Plan subject to 10 conditions:
1. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
2. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Dept.
3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knox County (Ord. 91-1-102).
4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation.
5. Provide a 50' feet wide stream buffer along Legg Creek or as required by the Knox County Dept. of Engineering and Public Works. Meeting all other requirements of the Knox County Stormwater Control Ordinance as required by the Knox County Dept. of Engineering and Public Works
6. Place a note on the final plat that all lots will have access only to the internal street system.
7. Certification on the final plat by the applicant's surveyor that there is 400' of sight distance in both directions on Millertown Pk.
8. Calling out the required 25' corner radius and the 75' cul de sac transition radius
9. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of all common areas, amenities and drainage facilities. Provide access to all drainage facilities.
10. 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 has resubmitted a plan for Ely Park Subdivision. The revised plan contains 279 proposed lots. In addition, the revised plan proposes to eliminate one of the two previously approved access points and provide a boulevard entrance as an alternative to the second access point. A condition of the previous concept plan was that the applicant's engineer be able to certify that the required sight distance of 400' could be met at each entrance. At that time the applicant was trying to obtain some property from an adjoining owner. By adding the additional property to the subdivision, the applicant would have been able to grade back a bank that would have resulted in the sight distance requirement being met. The adjoining owner would not sell any of his property to this applicant. As a result, the 400' of sight distance required by the Subdivision Regulations could not be provided at one of the proposed entrances. Since there is no other viable access point to this site, staff will recommend approval of the single boulevard access with the stipulation that no lots will be created along the boulevard section.

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 can be provided to this site.
2. The proposed detached residential subdivision at a density of 3.69 du/ac, is consistent in use and density with the recent rezoning.
3. Any school age children living in this development are presently zoned to attend East Knox Elementary, Carter Middle and Carter High Schools.

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 (Planned Residential) Zone 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 approved zoning density of this site is 1 - 4 dwellings per acre. The proposed 3.69 du/ac does not exceed the proposed zoning density.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northeast County Sector Plan designates this property for low density residential use. The PR zoning approved for the site allows a density up to 4 du/ac. which is consistent with the Sector Plan.
- 2. The site is located within the Planned Growth and Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 3/11/2010

- Details of Action:**
- 1. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
 - 2. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Dept.
 - 3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knox County (Ord. 91-1-102).
 - 4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation.
 - 5. Provide a 50' feet wide stream buffer along Legg Creek or as required by the Knox County Dept. of Engineering and Public Works. Meeting all other requirements of the Knox County Stormwater Control Ordinance as required by the Knox County Dept. of Engineering and Public Works
 - 6. Place a note on the final plat that all lots will have access only to the internal street system.
 - 7. Certification on the final plat by the applicant's surveyor that there is 400' of sight distance in both directions on Millertown Pk.
 - 8. Calling out the required 25' corner radius and the 75' cul de sac transition radius
 - 9. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of all common areas, amenities and drainage facilities. Provide access to all drainage facilities.
 - 10. 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 Action: APPROVE variance 1-5 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the Concept Plan subject to 10 conditions:

Date of Approval: 3/11/2010 **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:**