

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
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www.knoxmpc.org

File Number: 3-SD-07-C **Related File Number:**
Application Filed: 2/5/2007 **Date of Revision:**
Applicant: CHERRY RIDGE PARTNERS, LP

PROPERTY INFORMATION

General Location: Northeast side of Washington Ave., east of Mundy St.
Other Parcel Info.:
Tax ID Number: 82 G B 001 **Jurisdiction:** City
Size of Tract: 23.57 acres
Accessibility: Access is via Washington Ave., a local street with a 24' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use: North: I-40 / R-1A (Low Density Residential)
South: Residences / R-1A (Low Density Residential)
East: Knoxville Zoo / O-2 (Civic and Institutional)
West: Residences / R-1A (Low Density Residential)
Proposed Use: Residential Subdivision **Density:** up to 3.1 du/ac
Sector Plan: East 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: R-1A (Low Density 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: Cherry Street Town Homes
No. of Lots Proposed: 38 No. of Lots Approved: 38
Variances Requested: NA
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 the Concept Plan for up to 38 residential lots subject to 11 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. Providing all applicable easements for the stormwater system as required by the Knoxville Engineering Division.
4. A geotechnical report for the entire site, prepared by a registered engineer, shall be submitted to the Knoxville Engineering Division prior to design plan approval for review. The Knoxville Engineering Division shall specify the parameters of the study, and based on their findings after reviewing the report, may require a more detailed analysis for building sites.
5. If any building construction is proposed within the 50' buffer areas around the sinkholes designated on the Concept Plan, a geotechnical report must be prepared by a registered engineer to determine soil stability and that report must be submitted to the Knoxville Engineering Division for consideration. Any construction in this area is subject to approval by the City following review of the report. Engineered footings may be required for this area. The sinkholes and 50' buffer shall be designated on the final plat even if they are approved to be filled.
6. Meeting all applicable requirements of the Knoxville Engineering Division.
7. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation for any alteration of the sinkholes
8. Placing a note on the final plat that all lots will have access only to the internal street system.
9. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the common area and drainage system.
10. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
11. 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.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan in the R-1A district.

Comments: The applicant is proposing to subdivide this 23.57 acre tract into 38 residential lots. The property which is zoned R-1A (Low Density Residential) allows a detached residence or a duplex on each lot as a permitted use. A duplex has a minimum lot size requirement of 10,000 square feet. All proposed lots exceed the 10,000 square foot minimum lots size. With the duplex units proposed by the applicant, 35 of the lots can be developed with a duplex with the remaining 3 lots having a single residence, for a total of 73 residential units. As proposed the maximum density would be 3.1 du/ac.

The applicant had previously submitted a rezoning application (1-Y-06-RZ) to RP-1 (Planned Residential) and a Use-on-Review application (3-I-06-UR) for an 80 unit apartment complex. Due to neighborhood opposition, those requests were withdrawn.

The concept plan that is currently before the Planning Commission was tabled on May 10, 2007 allowing time for the applicant to work out access issues to the site (Removed from the table at the Planning Commission's December 13, 2007 meeting). The applicant now has control of two lots at the end Washington Ave. that allows for an extension of Washington Ave into the property. The subdivision will be served by public streets meeting all street design standards. There are no variances from the subdivision regulations for this development.

There are five sinkhole/closed contour areas located on the northern portion of this site. Three of those

features are located in the area of Lots 6 and 7, Lots 8, 9, 10, 18 and 19, and Lots 20, 21, 25 and 26. The other two features are located on the property along the I-40 right-of-way. The site layout plan shows the sinkhole/closed contour areas with a 50' buffer designated around each feature. If any building construction is proposed within the 50' buffer area around the sinkhole/depressions, a geotechnical report must be prepared by a registered engineer to determine soil stability and that report must be submitted to the Knoxville Engineering Division for consideration. Any construction in the setback area is subject to approval by the City following review of the report. Engineered footings may be required for these areas.

It has recently been brought to Staff's attention by residents of the area that there is a network of caves/caverns under this site and adjoining properties. It has also been mentioned that portions of the site have been used as a dump site. While Staff has recommended a condition requiring a geotechnical study for any development within 50' of the sinkholes, a condition is also recommended requiring a geotechnical report for the entire site. The Knoxville Engineering Division shall specify the parameters of the report, and based on their findings after reviewing the report, may require a more detailed analysis for building sites.

MPC Action: Approved

MPC Meeting Date: 2/14/2008

Details of MPC action:

Summary of MPC action: APPROVE the Concept Plan for up to 38 residential lots subject to 11 conditions:

Date of MPC Approval: 2/14/2008

Date of Denial:

Postponements: 3/8/2007-4/12/2007

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: