

# CASE SUMMARY

## APPLICATION TYPE: SUBDIVISION

### CONCEPT PLAN



**File Number:** 4-SD-05-C **Related File Number:**  
**Application Filed:** 3/14/2005 **Date of Revision:**  
**Applicant:** M.A. SCHUBERT, TRUSTEE  
**Owner:** M. A. SCHUBERT

#### PROPERTY INFORMATION

**General Location:** North side of Westland Dr., east side of Morrell Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 120 N G 1.01 **Jurisdiction:** City  
**Size of Tract:** 9 acres  
**Accessibility:** Access is via Bellingham Dr., a local street with a pavement width of 26' within a 50' right-of-way.

#### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:** Zoning in the area is R-1 residential and A-1 agricultural. Development consists of single family dwellings to the east and south of the site. Norfolk-Southern Railroad and a city recreation center are located to the north and a religious office / counseling center is located to the west of this site.  
**Proposed Use:** Detached single family subdivision **Density:**  
**Sector Plan:** West 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-1 (Single Family 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: Westmoreland Estates  
Surveyor: LeMay & Associates  
No. of Lots Proposed: 19      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 13 conditions.  
Staff Recomm. (Full):  
1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Dept.  
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knoxville (Ord. 0-280-90).  
3. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation.  
4. Note on the final plat the Minimum Floor Elevations for lots 5-8 as determined by the City Engineer.  
5. Maintain the 70' wide nondisturbance buffer along the creek as required by the City Engineer  
6. Place a note on the final plat that all lots will have access from the internal street system only  
7. Dedication of the required 44' of right-of-way from the center line of Westland Dr. and construct a 5' wide sidewalk along the full width of the Westland Dr. frontage of this site. This is to be completed within 6 months of the issuance of the first occupancy permit within this development.  
8. Prior to final plat approval, establish a homeowners association for the purpose of owning and maintaining the proposed common area.  
9. Place a note on the final plat that the designated common area is not a buildable lot.  
10. Correct the typical road cross section to meet the requirements of the City of Knoxville.  
11. Meeting all applicable requirements of the Knoxville Dept. of Engineering.  
12. Meeting all requirements of the Knoxville Zoning Ordinance.  
13. 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 MPC Staff.

Comments: This 9.6 acre site is now proposed for division into 19 lots. The applicants propose to develop detached single family dwellings on these lots. The development will be accessed via a stub street from the existing Westmoreland Estates Subdivision. The lots are somewhat smaller than the existing lots in the Westmoreland Estates. However, each lot exceeds the size requirements contained in the R-1 (Single Family Residential) District. The subdivision has been designed to meet all of the requirements of the Subdivision Regulations. No variances to those regulations will be required. A plan for 21 lots with three cul-de-sacs was approved in December, 2000. This plan reduces the number of lots to 19 and eliminates one of the cul-de-sacs.

Two creeks converge on this site. The City Engineer will have to establish a Minimum Floor Elevation (MFE) for those lots that are identified as being subject to potential flooding. A common area is proposed for a portion of the area that may be subject to flooding. The applicant is reserving this area for use by the homeowners for recreational purposes. The staff will require the homeowners association to be established prior to the approval of the final plat for this subdivision. This is to insure that a mechanism is in place for the purpose of owning, controlling and maintaining this common area. Due to the frontage the proposed common area has on Morrell Rd., the proposed common area meets the legal requirements for establishment as a lot. Staff will require the applicant to note on the final plat that the common area is not a buildable lot and will not be used for residential purposes.

A sidewalk was constructed along Morrell Rd. as part of the widening of that road. Currently the sidewalk is in place from Westland Dr. to Deane Hill Dr. The recently completed apartments to the north of Deane Hill Dr. are being required to continue the sidewalk along Morrell Rd. to Gleason Dr. The staff will recommend this developer construct the sidewalk along the Westland Dr. frontage of this project.

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. KUB can provide water, sewer, electrical and natural gas service to the site.
2. Any school age children living in this development are presently zoned to attend Bearden Elementary, Bearden Middle and West High school
3. The proposed detached single-family subdivision is consistent in use and density with the zoning and subdivision development in the area. The predominant use in the area is detached single family dwellings.
4. Drainage will be directed into the existing drainage ways on this site. Stormwater detention, grading and drainage plans will be required that meet City of Knoxville requirements.

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 the R-1 (Single Family Residential) district and all other requirements of the Zoning Ordinance.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan and the Knoxville One Year Plan identify this property for low density residential use. The development of the site at 1.98 du/ac as proposed complies with both plans. The R-1 zoning approved for this site allows a density of approximately four dwellings per acre.

**MPC Action:** Approved **MPC Meeting Date:** 4/14/2005

**Details of MPC action:**

**Summary of MPC action:** APPROVE the Concept Plan subject to 13 conditions.

**Date of MPC Approval:** 4/14/2005 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**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:**