

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

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File Number: 5-SD-18-C **Related File Number:** 5-J-18-UR
Application Filed: 3/26/2018 **Date of Revision:**
Applicant: MESANA INVESTMENTS, LLC

PROPERTY INFORMATION

General Location: West side of Fretz Rd., north side of Hatmaker Ln
Other Parcel Info.:
Tax ID Number: 130 070 **Jurisdiction:** County
Size of Tract: 32.7 acres
Accessibility: Access is via Fretz Rd., a local street with a 16' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant land
Surrounding Land Use: North: Residences - PR (Planned Residential)
South: Hatmaker Rd. & I-40 / I-75 - A (Agricultural) and Town of Farragut
East: Residences - A (Agricultural)
West: Vacant land - PR (Planned Residential)
Proposed Use: Detached Residential Subdivision **Density:** 3.70 du/ac
Sector Plan: Northwest County **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 905 Fretz Rd
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: Fretz Road
No. of Lots Proposed: 121 No. of Lots Approved: 0
Variances Requested: 1. Reduction of the minimum depth of a double frontage lot from 150' to 120' for lots 28-40.
S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko
Staff Recomm. (Abbr.): DENY variance 1 based on the reasons outlined in the comment section below.

APPROVE the Concept Plan subject to 10 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. Implementation of the recommended improvements identified in the Traffic Impact Study for the Fretz Road Subdivision (905 Fretz Road) prepared by Cannon & Cannon, Inc., dated December 21, 2017 as revised and approved by the Knox County Department of Engineering and Public Works, Planning Commission and Town of Farragut staff. Any required improvements shall be installed to the standards approved by the Knox County Department of Engineering and Public Works and the Town of Farragut (for the street improvements to N. Campbell Station Rd.). The widening improvements to Fretz Rd. shall be approved (by Knox County Department of Engineering and Public Works) and completed prior to any final plat being submitted for consideration by the Planning Commission. The north bound left turn lane improvements on N. Campbell Station Rd. at the intersection with Fretz Rd., shall be reviewed and approved by the Town of Farragut. The turn lane improvements shall be completed prior to the issuance of the 47th building permit for the subdivision.
4. If the requested variance for the lot depth of double frontage lots is denied, the applicant shall submit a revised concept plan meeting the lot depth requirements to Planning Commission and Knox County Department of Engineering and Public Works staff for review. Staff may grant an administrative approval if no Subdivision Regulations variances are needed and the maximum number of units are not exceeded.
5. Installation of sidewalks on at least one side of all streets. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knox County Department of Engineering and Public Works. A bond shall be provided to the Knox County Department of Engineering and Public Works by the developer in an amount sufficient to guarantee the installation of the sidewalks.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation and the U.S. Army Corps of Engineers for any alteration to the designated wetland and existing pond on the site. The final determination regarding the proposed alteration of these two features may require a modification of the layout of the subdivision.
8. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the common areas and drainage system.
9. On the final plat, including the sight distance easement across Lot 18 on the inside of the horizontal curve. At the design plan stage of the development, the applicant must demonstrate that there is a buildable area outside of the sight distance easement or the lot will have to be combined with an adjoining lot.
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 Planning Commission staff and the required widening of Fretz Rd. is completed.

Comments: The applicant is proposing to subdivide this 32.7 acre tract into 121 detached residential lots at a density of 3.70 du/ac. Access to the proposed subdivision will be from Fretz Rd. approximately 205' south of Woodhollow Ln., the entrance street for Brandywine at Turkey Creek Subdivision.

The Knox County Commission approved the rezoning of the property to PR (Planned Residential) at a density of up to 4 du/ac on January 22, 2018. The Planning Commission had approved a concept plan

(1-SD-18-C / 1-G-18-UR) for 113 lots on this site on January 11, 2018. The approval of this concept plan would replace the previous concept plan approval.

VARIANCE DENIAL RECOMMENDATION:

Staff is recommending denial of the requested Subdivision Regulations variance to reduce the minimum depth of a double frontage lot from 150 feet to 120 feet for the following reasons:

1. When the Subdivision Regulations were amended on October 12, 2017, revisions were made to the double frontage lot standards with a change in the language that "double frontage lots shall be avoided" to "double frontage lots should be avoided". With that change a provision was added that "Double frontage lots shall have a minimum depth of at least 150 feet." This is one of two provisions that allows the Planning Commission to consider use of double frontage lots.
2. While this is one of the first concept plan applications that has come through for review under this new requirement, this change was discussed in one of the workshops on the Subdivision Regulations changes and was in the draft changes that were out for public review for over a year before they were adopted.
3. The applicant has not made any effort to comply with this new standard and has not identified any hardship or justification for not complying with the regulation.
4. This would set a bad precedent to grant a variance on one of the first developments to come forward on this issue with no real justification for granting the variance.

ADDITIONAL COMMENTS:

There is a small designated wetland and an established pond on the property that will be impacted by the proposed subdivision. The applicant will be required to submit an application to the Tennessee Department of Environment and Conservation and the U.S. Army Corps of Engineers for any alteration to the designated wetland and potentially the existing pond on the site. The final determination regarding the proposed alteration of these two features may require a modification of the layout of the subdivision.

A Traffic Impact Study (TIS) prepared by Cannon & Cannon, Inc. was submitted for the previous concept plan approval. Staff is not requiring the applicant to submit a new TIS with the understanding that the applicant is being required to implement the recommended improvements from the previous study. The Traffic Impact Study had been reviewed by Planning Commission, Knox County Engineering and Town of Farragut staff. Based on the study, staff is requiring the developer to widen of Fretz Rd. to minimum width of 20 feet, from the intersection of Fretz Rd. and Woodhollow Ln. south to a distance of approximately 80' south of the proposed subdivision entrance to allow for a taper back to the existing pavement width. These improvements shall be approved and completed prior to any final plat being submitted for consideration by the Planning Commission for this subdivision. The north bound left turn lane improvement on N. Campbell Station Rd. at the intersection with Fretz Rd., as identified in the Traffic Impact Study, requires approval from the Town of Farragut. The turn lane improvements to N. Campbell Station Rd. shall be completed prior to the issuance of the 47th building permit for the subdivision.

One of the general provisions for the PR zoning district is that it encourages open space for recreational use. The proposed concept plan has not identified any useable open space for recreational use. Staff is recommending a condition that sidewalks be provided on one side of all internal streets. The sidewalks will provide an amenity for the residents to safely walk to neighbor's homes and for use for exercise and would in part meet the PR open space objective. Sidewalks were proposed in the previous concept plan approval.

Action: Approved **Meeting Date:** 5/10/2018

Details of Action:

Summary of Action: DENY variance 1 based on the reasons outlined in the comment section below.
APPROVE the Concept Plan subject to 10 conditions.

Date of Approval: 5/10/2018 **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":

Amendments:

Date of Legislative Appeal:

If "Other":

Amendments:

Effective Date of Ordinance: