

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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www.knoxmpc.org

File Number: 5-SE-13-C
Application Filed: 3/25/2013
Applicant: JIM SULLIVAN

Related File Number: 5-F-13-UR
Date of Revision:

PROPERTY INFORMATION

General Location: South of Fredericksburg Blvd., southwest side of Charlottesville Blvd.
Other Parcel Info.:
Tax ID Number: 162 05706 **Jurisdiction:** County
Size of Tract: 15.49 acres
Accessibility: Access is via Fredericksburg Blvd., a local street with a boulevard street section within a 90' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use: North: Residences / PR (Planned Residential)
South: Residences / PR (Planned Residential)
East: YMCA / PR (Planned Residential)
West: Residences / PR (Planned Residential)
Proposed Use: Detached dwellings **Density:** 3.8 du/ac
Sector Plan: Southwest 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: Jefferson Park West

No. of Lots Proposed: 59 No. of Lots Approved: 59

Variances Requested: 1. Horizontal curve radius variance from 250' to 225' at sta. 6+00 of Road A

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 variance 1 because site conditions restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the Concept Plan subject to 6 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. Provide a sidewalk connection along the south side of Charlottesville Blvd, between the sidewalk located at the northeast corner of the YMCA property and the intersection of Charlottesville Blvd. and Fredericksburg Blvd. The sidewalk shall be installed in compliance with the Americans with Disabilities Act standards.
4. Identifying on the concept plan, a 50' no clearing zone along the subdivision's peripheral boundary with the Montgomery Cove Subdivision. This no clearing zone shall be staked out in the field before any clearing and grading occurs on site. The purpose of this no clearing zone is to protect the existing vegetation during construction of the subdivision's infrastructure. The no clearing zone does not restrict clearing for the construction of a residence except that the 35' peripheral setback area shall remain undisturbed during construction of the residence. This condition does not prohibit an individual homeowner from removing vegetation within the 35' peripheral setback area.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. 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 submitted a new concept plan for the subdivision of this 15.49 acre tract in the Jefferson Park West Subdivision with a total of 59 lots with a site specific density of 3.8 du/ac. The Knox County Commission approved the rezoning of this property to PR (Planned Residential) at a density of up to 2.5 du/ac on June 25, 2007. The Planning Commission considered and approved the original concept plan for this subdivision on June 14, 2007, subject to final approval of the rezoning request by the Knox County Commission. The original concept plan for this subdivision expired on June 14, 2012. This concept plan request is for one of the two tracts within the subdivision that were not completed. The approval and construction of the YMCA development impacted the original lot layout for this unit of the subdivision. While the site specific density for this unit of the subdivision exceeds the overall maximum density of 2.5 du/ac, the overall density for completed and proposed development will be at 2.49 du/ac. Access to this unit of the subdivision will be from an existing street stub out off of Fredericksburg Blvd.

The applicant is requesting a reduction of the required 35' peripheral setback to 20' along the subdivision boundary with Montgomery Cove Subdivision. The Knox County Zoning Ordinance permits the Planning Commission to reduce the required peripheral setback down to a minimum of 15' when the property in question adjoins other residential or agriculturally zoned land. The requested reduction is to allow for a larger building area on these lots that are approximately 70' x 110'. When this subdivision was before the Planning Commission in 2007, the amount of setback and protection of tree cover along the exterior boundary was a major concern of the residents in Montgomery Cove. A copy of the Minutes from that meeting are included in the packet. Also included in the packet is a letter from the applicant to the Planning Commission agreeing to the 35' setback and a "no clear green space". The Planning Commission approved the concept plan with a 35' peripheral setback and a 50' no cut zone for all lots contiguous to Montgomery Cove. It is staff's recommendation that the conditions

of the original approval should still apply and is therefore recommending denial of the peripheral setback reduction and is recommending a condition for a no clearing zone. The purpose of this no clear zone is to protect the existing vegetation during construction of the Subdivision's infrastructure. The no clearing zone would not restrict clearing for the construction of a residence except that the 35' peripheral setback area shall remain undisturbed during construction of the residence. This condition does not prohibit an individual homeowner from removing vegetation within the 35' peripheral setback area.

While the applicant is identifying an area for a pedestrian access to the YMCA property at the end of Road C, staff is also recommending that they provide a sidewalk connection along the south side of Charlottesville Blvd, between the sidewalk located at the northeast corner of the YMCA property and the intersection of Charlottesville Blvd. and Fredericksburg Blvd. This short sidewalk connection will provide a pedestrian connection for residents of the subdivision between the internal trail system and the future greenway along S. Northshore Dr.

Action: Approved **Meeting Date:** 5/9/2013

- Details of Action:**
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 4. Identifying on the concept plan, a 50' no clearing zone along the subdivision's peripheral boundary with the Montgomery Cove Subdivision. This no clearing zone shall be staked out in the field before any clearing and grading occurs on site. The purpose of this no clearing zone is to protect the existing vegetation during construction of the subdivision's infrastructure. The no clearing zone does not restrict clearing for the construction of a residence except that the 35' peripheral setback area shall remain undisturbed during construction of the residence. This condition does not prohibit an individual homeowner from removing vegetation within the 35' peripheral setback area.
 5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 6. 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 because site conditions restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the Concept Plan subject to 6 conditions

Date of Approval: 5/9/2013 **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:**