

# 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-SF-09-C

Related File Number: 5-F-09-UR

Application Filed: 4/2/2009

Date of Revision:

Applicant: H.R. DAVIS

### PROPERTY INFORMATION

General Location: North & south sides of Autumn Path Ln., northeast of Dry Gap Pk.

Other Parcel Info.:

Tax ID Number: 47 L C 013-061

Jurisdiction: County

Size of Tract: 13.5 acres

Accessibility: Access is via Dry Gap Pk., a major collector street that is presently 19' wide. Knox County has plans to widen Dry Gap Pk. at this location.

### GENERAL LAND USE INFORMATION

Existing Land Use: Developing attached residential development

Surrounding Land Use: Property in the area is zoned A agricultural and RA and PR residential. Development in the area consists of detached single family dwellings.

Proposed Use: Attached residential subdivision

Density: 4.35 du/ac

Sector Plan: North 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:** Autumn Walk  
**No. of Lots Proposed:** 71      **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 8 conditions  
**Staff Recomm. (Full):**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Correcting the poor condition of the existing roads in the development by renovating or reconstructing the roads as required by the Knox County Dept. of Engineering and Public Works prior to approval of a final plat
4. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the storm water drainage system and all other commonly held assets.
5. Establishing riparian buffers as required by the Knox County Dept. of Engineering and Public Works and/or the Tenn. Dept. of Environment and Conservation
6. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation.
7. Construction of sidewalks on one side of every street in the development The sidewalk is to be a minimum of 4' wide with a planting strip between the back of the curb and the sidewalk that is 2' or more in width. All sidewalk construction must comply with the requirements of the ADA Act.
8. 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 is proposing to develop a subdivision containing 71 lots on this 16.48 acre site. Additionally, the applicant is requesting approval of the development plan that will permit the construction of one attached single family dwelling on each of the proposed lots. The site is zoned PR (Planned Residential) with a permitted density of up to 4.5 dwellings per acre. At the maximum density permitted by the current zoning, 74 dwellings could be approved for this property.

This same developer received approval of a concept plan and development plan for a 61 lot, attached residential, development in 2006. The rough grading has been completed and the utilities have been installed for the entire site. A first phase of the project has been nearly completed and dwellings have been constructed and sold. As part of the staff review process for the current proposed plan, the staff visited the site. We found that the roads that were constructed as part of the first unit of this development were in poor condition. It appears that the sub-base for the roads had not been properly compacted. Staff will require that the problems with the existing roads in the first phase of the development be addressed before MPC approves any additional final plats for this project. Additionally, this developer has been fined by Knox County for violations regarding the implementation of the drainage plan. As with correcting the problems with the roads, these drainage violations will need to be cleared before another final plat is approved for this development.

### **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 water and sewer have been provided to this site.
2. The proposed detached single-family subdivision at a density of 4.35 du/ac, is consistent in use and density with the approved rezoning of the property.
3. Any school age children living in this development are presently zoned to attend Brickey McCloud Elementary and Halls Middle and Central High Schools.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed detached single-family subdivision meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
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 (See comments below). The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use will not draw additional traffic through residential areas since access is to an arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan as amended designates this property for low density residential use. The PR zoning approved for the property allows consideration of up to 4.5 du/ac . The proposed subdivision with its distribution of density on the site and overall density of 4.35 du/ac is consistent with the Sector Plan and zoning designations.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Denied

**Meeting Date:** 5/14/2009

**Details of Action:**

**Summary of Action:**

**Date of Approval:**

**Date of Denial:** 5/14/2009

**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:**