## **CASE SUMMARY**

# APPLICATION TYPE: SUBDIVISION CONCEPT PLAN

File Number: 6-SB-13-C Related File Number:

Application Filed: 4/29/2013 Date of Revision:

Applicant: BRANDYWINE AT TURKEY CREEK



#### PROPERTY INFORMATION

**General Location:** West side of Fretz Rd., south of Campbell Station Rd.

Other Parcel Info.:

**Tax ID Number:** 130 O A 001-040 & 130-07204 **Jurisdiction:** County

Size of Tract: 13.32 acres

Accessibility: Access is via Fretz Rd., a local street with a minimum pavement width at some locations of only 14'

within a 40' right-of-way.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Residential Subdivision

Surrounding Land Use: North: Vacant land and residences / NZ (No Zone) Town of Farragut & A (Agricultural)

South: Vacant land and residence / A (Agricultural)

East: Residences / A (Agricultural)

West: Vacant land / PR (Planned Residential)

Proposed Use: Revision to Concept Plan condition Density: 4.58 du/ac

Sector Plan: Northwest County Sector Plan Designation:

Growth Policy Plan: Urban Growth Area (Outside 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: PR (Planned Residential)

Former Zoning:

Requested Zoning:

Previous Requests:

**Extension of Zone:** 

**History of Zoning:** 

## PLAN INFORMATION (where applicable)

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**Current Plan Category:** 

Requested Plan Category:

#### SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Brandywine at Turkey Creek

No. of Lots Proposed: 0 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: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the following revision to condition #4 of the concept plan conditions of approval for

Brandywine at Turkey Creek (11-SA-10-C) granted by the Planning Commission on April 14, 2011.

Staff Recomm. (Full): Revised Condition #4. Until certification is provided to the Planning Commission Staff from the Knox

County Department of Engineering and Public Works and the Town of Farragut that the improvements to Fretz Rd. identified in condition #3 of the April 14, 2011 approval have been completed, no more than 20 building permits shall be issued for this subdivision. This revised condition increasing the number of building permits from 15 to 20 shall not take effect until: a) an "Agreement of Sale" of the property to be dedicated as right-of-way; b) a "Right of Entry" from the property owners to allow work to proceed on the improvements to Fretz Rd.; or c) other appropriate documents, are executed and accepted by the Knox County Department of Engineering and Public Works and the Town of Farragut.

Comments: UPDATE ON EVENTS SINCE THE PLANNING COMMISSION'S JUNE 13, 2013 MEETING:

The applicant's surveyor has submitted a survey to engineering staff with the Town of Farragut and Knox County identifying the additional right-of-way that would be required to complete the proposed street improvements to Fretz Road. A meeting was held with the property owners to discuss right-of-way acquisition and the amount for compensation was agreed upon. With the recommended condition, the engineering staff with the Town of Farragut and Knox County do not object to the issuance of five additional building permits prior to the completion of the Fretz Rd. improvements.

#### APPLICANT'S REQUEST:

The applicant is requesting another modification to a condition placed on the concept plan approval for the Brandywine at Turkey Creek Subdivision. The concept plan approval (2-SA-09-C/2-B-09-UR) granted for this subdivision on February 12, 2009 included a condition that the required street improvements to Fretz Rd. had to be completed before a final plat could be considered by the Planning Commission. The applicant submitted a request for a change to that condition (11-SA-10-C) in October, 2010 with the Planning Commission granting a revised approval on April 14, 2011. The revised conditions allowed consideration of a final plat for the subdivision with documentation that the design plans for the Fretz Rd. improvements had been approved and surety had been provided to the Town of Farragut and Knox County to guarantee the completion of the improvements. Only 15 building permits were to be issued until the Fretz Rd. improvements were completed. It has been over two years since the revised conditions were approved and the street improvements have still not been completed. The applicant is requesting approval of five additional building permits for a total of twenty. A copy of the minutes form the Planning Commission's April 14, 2011 meeting are also attached.

Action: Approved Meeting Date: 7/11/2013

Details of Action:

**Summary of Action:** APPROVE the following revision to condition #4 of the concept plan conditions of approval for

Brandywine at Turkey Creek (11-SA-10-C) granted by the Planning Commission on April 14, 2011.

Date of Approval: 7/11/2013 Date of Denial: Postponements: 6/13/2013

Date of Withdrawal: Withdrawn prior to publication?: 

Action Appealed?:

### LEGISLATIVE ACTION AND DISPOSITION

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Legislative Body:Knox County Chancery CourtDate 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:

**Effective Date of Ordinance:** 

**Date of Legislative Appeal:** 

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