

**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:** 7-SA-09-C                      **Related File Number:** 7-A-09-UR  
**Application Filed:** 5/26/2009              **Date of Revision:**  
**Applicant:** COTTAGES AT GOVERNORS LANDING

**PROPERTY INFORMATION**

**General Location:** Northwest side of E. Governor John Sevier Hwy., southwest of Holbert Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 83 D C 001-017                      **Jurisdiction:** County  
**Size of Tract:** 33.02 acres  
**Accessibility:** Access is via E. Governor John Sevier Hwy. a three lane arterial street at this location.

**GENERAL LAND USE INFORMATION**

**Existing Land Use:** Partially developed residential project  
**Surrounding Land Use:** The surrounding property is zone A agricultural and F-1 Floodway. Development in the area consists of detached single family dwellings. The Holston River forms the northwestern boundary of the site.  
**Proposed Use:** Attached residential subdivision                      **Density:** 3.85 du/ac  
**Sector Plan:** East 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:** Governors Landing  
**No. of Lots Proposed:** 128      **No. of Lots Approved:** 0  
**Variances Requested:**  
1. Horizontal curve variance from 100' to 75' on JPE 13 at sta 40+47  
2. Variance from turn around requirement for joint permanent easements 1-16 to as shown  
3. Variance of pavement width from 22' to 18' for joint permanent easements as shown  
4. Variance of required pavement cross-section for joint permanent easements 7 and 9  
5. Variance of inter section spacing at 5 locations from 125' to as shown  
6. Variance from corner radius for joint permanent easements 1-16 from 25' to 18' as shown

**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 variances 1-6 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the concept plan subject to 14 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 that are consistent with the Uniform Street Naming and Addressing System within Knox County (Ord. 91-1-102).
3. Compaction of fill areas to be done in accordance with the requirements of the Knox County Dept. of Engineering and Public Works.
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. Provision of separate right and left turn lanes On Madison Av. at the intersection with E. Governor John Sevier Hwy.
6. Placing the note on the concept and development plans dealing with construction within the depressed area on the final plat. MPC staff reserves the right to recommend changes to the text of this note prior to final plat approval.
7. Soil testing, by a qualified geotechnical engineer, of each proposed building site that is located within 50' of the depressed area
8. Review and approval of each building permit for dwellings to be located within 50' of the depressed area by the Knox County Dept. of Engineering and Public Works
9. Provision of 300' of sight distance at each proposed driveway entrance
10. Provision of sight distance easements as required by the Knox County Dept. of Engineering and Public Works
11. Meeting all applicable requirements and obtaining all required permits from the Tennessee Dept. of Environment and Conservation and the Tenn. Valley Authority
12. All sidewalks are to be constructed as shown on the development plan. All sidewalk construction must be ADA compliant
13. Obtaining a Tenn. Dept. of Transportation entrance permit
14. 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 now proposing to develop an 80 unit zero lot line subdivision project along with 48 lots for detached dwellings on this 33.3 acre site. Previously, the MPC has approved a plan for 161 condominiums on this site (6-G-05-UR). The property is being proposed to be developed at 3.85 dwellings per acre.

A large depression is located on the site. In order to develop within the depress area the applicant will be required to have a qualified geotechnical engineer certify the suitability and stability of each building site. This will necessitate that intensive soil testing be completed before grading and building permits can be issued. The Knox County Dept. of Engineering and Public Works will have to review and approve the issuance of each building permit for any structure that will be located within 50' of the depressed area.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposed development will have minimal impact on local services since all utilities can be provided to serve this site.
2. The proposed mixed residential development is consistent in use and density with the zoning of the site.
3. Access to this project will be limited to John Sevier Hwy. via the internal road system of the project.

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

1. The proposed residential development meets the standards for development within the PR (Planned Residential) Zone and all other requirements of the Zoning Ordinances.
2. The proposed development 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. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.
3. The recommended density of this site is 1-5 dwellings per acre. The proposed 3.85 du/ac is within the permitted zoning density.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The South County Sector Plan identifies this property as low density residential with a maximum density of 5 du/ac. The PR zoning approved for this site allows a density up to 5 du/ac. which is consistent with the Sector Plan and the other development found in the area.

**MPC Action:**

Approved

**MPC Meeting Date:** 7/9/2009

**Details of MPC action:**

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**Summary of MPC action:**

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**Date of MPC Approval:**

7/9/2009

**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:**

**Ordinance Number:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**