

**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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400 Main Street  
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www.knoxmpc.org

**File Number:** 7-SH-07-C                      **Related File Number:** 7-C-07-UR  
**Application Filed:** 6/4/2007              **Date of Revision:**  
**Applicant:** THE FULLER GROUP

**PROPERTY INFORMATION**

**General Location:** Southeast side of Lovell Rd., northeast of Hickey Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 104 171, 172, & 172.01                      **Jurisdiction:** County  
**Size of Tract:** 16.25 acres  
**Accessibility:** Access is via Lovell Rd., a minor arterial street with a 20' pavement width within a 40' right-of-way.

**GENERAL LAND USE INFORMATION**

**Existing Land Use:** Residences  
**Surrounding Land Use:** North: Residences / PR (Planned Residential)  
South: Residences & vacant land / PR (Planned Residential) & A (Agricultural)  
East: Residences / PR (Planned Residential)  
West: Residences & vacant land / PR (Planned Residential) & A (Agricultural)  
**Proposed Use:** Residential condominiums                      **Density:** 3.57  
**Sector Plan:** Northwest 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: Lovell Road Villas

No. of Lots Proposed: 1                      No. of Lots Approved: 0

Variances Requested: 1. Reduce of intersection spacing between Hibbert Ln. and Road A from 400' to 200'.  
2. Horizontal curve variance on Road A STA 14+99 from 250' to 150'.  
3. Horizontal curve variance on Road A STA 16+83 from 250' to 150'.  
4. Horizontal curve variance on Road A STA 23+90 from 250' to 150'.

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE variances 1-4 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 the following 16 conditions:

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Dept.
2. Provision of street names which are consistent with the Uniform Street Naming and Numbering System for Knox County (Ord. 91-1-102).
3. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation (TDEC).
4. Obtaining all required permits from the U.S. Army Corps of Engineers regarding the on-site wetlands prior to issuance of a grading permit.
5. Provision of a 60' wide stream buffer along Plumb Creek (30' on either side of the center of the creek).
6. Provide the sidewalks as shown on the plan. All sidewalks must be a minimum of 4' wide and constructed to meet the requirements of the Americans With Disabilities Act.
7. Certification on the development plan by the applicant's surveyor that there is 400' of sight distance in both directions on Lovell Rd. from the proposed entrance.
8. Obtaining a entrance permit from the Tenn. Dept. of Transportation (TDOT).
9. Reduction of the peripheral setback from 35' to 25' restricted to the northeast property line (see development plan).
10. Meeting all applicable requirements of the Federal Emergency Management Agency (FEMA) in order to cross Plumb Creek.
11. Place a note on the design plan that intersection grades of 3% or less as shown on the plan have been approved by the Knox County Dept. of Engineering and Public Works.
12. Installation of traffic calming devices along Road A as required by the Knox County Dept. of Engineering and Public Works.
13. Dimensions need to be shown on the proposed turn-arounds as part of the design plan.
14. Driveway profiles need to be submitted as part of the design plan.
15. Meeting all other applicable requirements of the Knox County Dept. of Engineering and Public Works.
16. A final plat based on this concept plan will not be accepted for review by MPC until certification of design plan has been submitted to MPC Staff.

Comments: The applicant is requesting approval of a 58 unit condominium development on this 16.25 acre site. Approximately 3.13 acres of the property are located in the Floodway and cannot be developed or used in calculating the permitted density. With the Floodway portion of the site subtracted from the total acreage, the proposed development density is 4.42 du/ac. The approved PR zoning permits up to 5 du/ac. A concept plan/use on review for 48 residential lots was approved for this site in June of 2002 (3-SC-02-C/3-H-02-UR). The property has since changed owners, and the plan now proposes attached units. The development will have access to Lovell Road and have a public interior roadway. Sidewalks are proposed throughout the development. All sidewalks constructed will be required to comply with the Americans with Disabilities Act.

The site has rolling topography and is traversed by Plumb Creek (within the Beaver Creek Watershed). A 60' stream buffer will be required along the creek where it crosses the property. Since

the applicant is proposing to cross the creek, they will be required to receive approval from FEMA. In addition to the creek, there are existing wetlands located on the site. The applicant will be required to prepare a wetland determination study and mitigation plan and obtain all required permits from the U.S. Army Corps of Engineers and TDEC prior to issuance of a grading permit.

The applicant has requested a reduction of the 35' peripheral boundary setback to 25' along a portion of the northeast property line (see attached development plan). When a site zoned PR (Planned Residential) adjoins another PR zoned site, MPC has the authority to reduce the required peripheral setback down to 15'. The reduction of this setback should not have a negative impact on adjoining residences since the applicant has agreed to install landscaping within this 25' setback. The applicant received a variance from the Knox County Board of Zoning Appeals on 6/27/2007 to reduce the peripheral setback along the southern property line from 35' to 20'. MPC does not have the authority to reduce that peripheral setback since the adjoining property to the south is zoned Agricultural.

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

1. The proposed condominium development will place minimal additional demand on schools and streets.
2. The proposed development will have minimal impact on local services since all utilities are in place to serve this site.
3. The proposed development at a density of 4.42 du/ac, is consistent with the use and density of recent zoning changes and subdivision development in the area. There are existing condominium developments to the northeast and southeast of the site.
4. A 60' stream buffer will be required along the creek where it crosses the property. This buffer will lessen the impact on water quality in the area.

#### CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed condominium development is consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal 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 will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas. This is a low density residential development within an area designated for low density residential use. The traffic generated from this project will be similar to the traffic that is generated by other residential developments.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan identifies this property as low density residential and stream protection. The PR zoning approved for this site allows a density up to 5 du/ac. This density is consistent with the Sector Plan and the other development found in the area.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

#### MPC Action:

Approved

**MPC Meeting Date:** 7/12/2007

#### Details of MPC action:

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4. Obtaining all required permits from the U.S. Army Corps of Engineers regarding the on-site wetlands prior to issuance of a grading permit.
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Engineering and Public Works.

13. Dimensions need to be shown on the proposed turn-arounds as part of the design plan.

14. Driveway profiles need to be submitted as part of the design plan.

15. Meeting all other applicable requirements of the Knox County Dept. of Engineering and Public Works.

16. A final plat based on this concept plan will not be accepted for review by MPC until certification of design plan has been submitted to MPC Staff.

**Summary of MPC action:** APPROVE variances 1-4 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 the following 16 conditions:

**Date of MPC Approval:** 7/12/2007

**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:**