

# 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  
Knoxville, Tennessee 37902  
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www.knoxmpc.org

**File Number:** 8-SA-16-C                      **Related File Number:** 8-C-16-UR  
**Application Filed:** 6/24/2016              **Date of Revision:**  
**Applicant:** ERIC MOSELEY

### PROPERTY INFORMATION

**General Location:** North side of Yarnell Rd., east of Armiger Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 118 021 & 022                      **Jurisdiction:** County  
**Size of Tract:** 14.12 acres  
**Accessibility:** Access is via Yarnell Rd., a collector street with a pavement width of 20' within a 50' wide right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** One dwelling and unused land  
**Surrounding Land Use:** Development surrounding this site consists of large lot and small lot detached dwellings on three sides, with apartments and a business park to the east. For the most part, the residential development has occurred in the A (Agricultural) and PR (Planned Residential) zones. The apartments were developed in the OB (Office, Medical and Related Services) zone. The business park was developed by Knox County and it is zone BP (Business and Technology Park) and PC (Planned Commercial) along with the TO (Technology Overlay) zone.  
**Proposed Use:** Detached Residential Subdivision                      **Density:** 2.62 du/ac  
**Sector Plan:** Northwest County              **Sector Plan Designation:**  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

### ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 10813 Yarnell Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential) / TO (Technology Overlay)  
**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: Eric Moseley Development  
No. of Lots Proposed: 37      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 11 conditions  
Staff Recomm. (Full):  
1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.  
2. Provision of a subdivision name and street name which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).  
3. Installation of a 5' wide sidewalk with a 2' wide planting strip on at least one side of the full length of Road A. Sidewalk construction must meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knox County Department of Engineering and Public Works. A bond shall be provided to the Knox County Department of Engineering and Public Works by the developer in an amount sufficient to guarantee the installation of the sidewalks.  
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
5. Placing a note on the final plat that all lots shall have access only to the internal street system.  
6. Correct notes 5 and 12 shown in the "notes" section of the plan to reflect the information shown on the actual subdivision plan  
7. Prior to final plat approval create a homeowners association that will be responsible for maintaining the proposed joint permanent easement, the stormwater control facilities and any other commonly held assets.  
8. Certification on the final plat by the applicant's surveyor that sight distance meets or exceeds the requirements as stated in the Subdivision Regulations in both directions along Yarnell Rd.  
9. Prior to obtaining a design plan approval for the subdivision, submitting stream determination study to the Knox County Department of Engineering and Public Works for the blue line that is shown bisecting this site. A revised concept plan will be required if it is determined to be a stream.  
10. On the final plat note the proposed limits of grading and disturbance on lots 18-20. Note on the final plat that owners of those lots are to be discouraged from further land disturbance beyond the limits of grading  
11. 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: This applicant is proposing to subdivide this 14 acre tract into 37 lots and permit the construction of a detached dwelling on each lot. The proposed development density of the subdivision is 2.62 du/ac. The Knox County Commission approved PR (Planned Residential) zoning at a maximum density of 3.6 du/ac at its July 25, 2016 meeting. The applicant is proposing to limit the development of this site by limiting the use of the steepest part of the property. In order to preserve the steep area in the future, staff is recommending that a note be added to the final plat that defines the grading limits on lots 18 through 20 and discourages the property owners from further disturbance of the lots beyond the grading limits.

As a safety measure for children walking to the school bus stop, staff is requiring that a sidewalk be constructed as part of this project. The proposed road in the subdivision will be just over 1,000 feet in length. There is a high likelihood that school children will be picked up at the entrance to this subdivision because it would be atypical for school buses to travel on a short road as proposed in this project.

The Knox County Department of Engineering and Public Works has requested the applicant's surveyor to determine if the available sight distance at Yarnell Rd. meets the requirements of the Subdivision Regulations. Additionally, maps show a blue line stream crossing this site. A stream determination study will be needed in order to determine if the stream is a perennial stream or a just a storm water

conveyance. If it determined to be a perineal stream, the design of the subdivision will be impacted enough to require submission of a revised concept plan for review and approval.

The developer proposes to provide access to lots 32 through 34 via a joint permanent easement (JPE). while all of the other lots will have access to a public street. Since the County will maintain the public road, staff believes that it should be the responsibility of the entire subdivision to maintain the JPE. As a result, we are recommending that homeowners association be established for the entire development that will be responsible for the maintenance of the JPE and the stormwater facilities in this project.

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

1. All utilities are available to serve this site.
2. The proposed low density residential development at a density of 2.62 du/ac preserves the steep area of the site and it is compatible with other development that has occurred in this area.

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

1. With the stated conditions, the proposed detached residential subdivision meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
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. 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 since the subdivision has direct access to a major arterial street.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan designates this property for low density residential use. The PR zoning approved for the property allows consideration of up to 3.6 du/ac . The proposed development with a density of 2.62 du/ac is consistent with the Sector Plan and approved zoning designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 8/11/2016

- Details of Action:**
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**Summary of Action:** APPROVE the concept plan subject to 11 conditions

Date of Approval: 8/11/2016

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: