

# CASE SUMMARY

**APPLICATION TYPE: SUBDIVISION**

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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## CONCEPT PLAN

**File Number:** 8-SD-04-C                                      **Related File Number:**  
**Application Filed:** 7/12/2004                                      **Date of Revision:**  
**Applicant:** DON DUNCAN  
**Owner:** DON DUNCAN

### PROPERTY INFORMATION

**General Location:** South side of Tazewell Pk., south of Shannondale Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 49 A E 001    OTHER: 049 / 028                                      **Jurisdiction:** City & County  
**Size of Tract:** 31.1 acres  
**Accessibility:** Access is via Tazewell Pk., a minor arterial street with a pavement width of 22' within a 50' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** One single family dwelling and vacant land  
**Surrounding Land Use:** Property in the area is zoned RA, RB and R-1 residential. Development in the area consists of detached single family dwellings. The site adjoins Shannondale Presbyterian Church on three sides.  
**Proposed Use:** Detached single family subdivision and attached residential condominiums                                      **Density:**  
**Sector Plan:** North City                                      **Sector Plan Designation:**  
**Growth Policy Plan:** Urban growth Area / Inside City  
**Neighborhood Context:**

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** RB (General Residential) & R-1 (Single Family 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:** Joshua's Landing  
**Surveyor:** Robert G. Campbell and Associates  
**No. of Lots Proposed:** 54      **No. of Lots Approved:** 0  
**Variations Requested:**  
1. Intersection separation variance from 400' to 263' between Road A and Shannondale Rd.  
2. Variance of broken back curve tangent on Road Bat sta 30+23 from 150' to 143.19'.  
3. Horizontal curve variance from 250' to 225' at sta 14+17 and sta 17+11 of Road A.  
4. Horizontal curve variance from 250' to 225' at sta 43+80 and sta45+93 of Road D.  
5. Vertical curve variance from 240' to 100' at sta 10+50 of Road A.  
6. Vertical curve variance from 232.5' to 230' at sta 14+00 of Road A.  
7. Vertical curve variance from 102' to 100' at sta 25+50 of Road B.

**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 1-7 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard

APPROVE the Concept Plan subject to 12 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 which are consistent with the Uniform Street Naming and Addressing System within Knoxville (Ord. 0-280-90) and Knox County (County Ord. 91-1-102)
3. Place a note on the final plat that all lots will have access to the internal street system only.
4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation and the U.S. Army Corp of Engineers.
5. Construction of an east bound left turn lane in Tazewell Pk. at Shannondale Road and making any other improvements as may be required by the Tenn. Dept. of Transportation or the City of Knoxville Engineering Division.
6. Obtaining a street connection permit from the Tenn. Dept. of Transportation.
7. Construction of sidewalks as shown on the revised concept plan.
8. Meeting all applicable requirements of the Knoxville Engineering Division and the Knox County Department of Engineering and Public Works.
9. Certification on the final plat by the applicant's engineer that there is 450' of sight distance in both directions on Tazewell Pk.
10. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the common area.
11. Meeting all applicable requirements of the Knoxville and Knox County Zoning Ordinances.
12. 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 subdivide this 31.1 acre tract into 54 detached single-family residential lots and one lot that will be developed with condominiums. The property is located partially in the City of Knoxville with the remainder located outside the corporate limits. The city portion of the site is Zoned R-1 (Single family Residential) with the county portion of the site zoned RB (General Residential). The proposed condominiums are shown on the plan for illustrative purposes only. Since that portion of the site is zoned RB, review of the development plan for that portion of the site comes under the authority of the Knox County Codes Administration Dept. unless the development density exceeds 12 du/ac.

A wetland area is located in the central portion of the site. The applicant's engineer has been working with the Tenn. Dept. of Environment and Conservation and the U.S. Army Corp of Engineers on plans for the preservation of the wetland area

**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 utilities are in place to serve this site.

2. The proposed detached single-family subdivision is consistent in use and density with the recent development in the area.

**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 the R-1 and RB zones and all other requirements of the Zoning Ordinance.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The proposed development is consistent with the North County Sector Plan proposal of low density residential uses.

Upon final approval of this request, the developer must prepare a design plan prior to the development of the property. During the design plan phase, grading, drainage, street design and construction, and connection to public utilities must satisfy technical engineering requirements before any development can proceed.

**MPC Action:** Approved **MPC Meeting Date:** 8/12/2004

**Details of MPC action:**

**Summary of MPC action:** APPROVE 7 variances and the Concept Plan subject to 12 conditions

**Date of MPC Approval:** 8/12/2004 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:** 8/24/2004

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 9/28/2004

**Ordinance Number:**

**Disposition of Case:** Appeal upheld-Denied

**If "Other":**

**Amendments:**

City portion denied

**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:**