

**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:** 1-SE-08-C                      **Related File Number:** 1-H-08-UR  
**Application Filed:** 12/3/2007              **Date of Revision:**  
**Applicant:** KEN BOWMAN - NORTH AMERICAN DEVELOPMENT CORP.

**PROPERTY INFORMATION**

**General Location:** North side of Babelay Rd., east of Happy Acres Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 50 68, 76, 77, 80 & 81                      **Jurisdiction:** County  
**Size of Tract:** 9 acres  
**Accessibility:** Access is via Babelay Rd., a minor collector street with 19' of pavement within a 40' right-of-way.

**GENERAL LAND USE INFORMATION**

**Existing Land Use:** Vacant land  
**Surrounding Land Use:** North: Residences and vacant land / A (Agricultural)  
South: Phase 1 of the subdivision / PR (Planned Residential)  
East: Residences and vacant land / A (Agricultural)  
West: Residences / RA (Low Density Residential)  
**Proposed Use:** Detached residential subdivision                      **Density:** 4.56 du/ac  
**Sector Plan:** Northeast 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)**

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** Babelay Road PUD

**No. of Lots Proposed:** 41                      **No. of Lots Approved:** 41

**Variances Requested:**

1. Increase maximum street grade from 12% to 15% on Bowman Park Way between STA 42+50 and STA 46+50.
2. Increase maximum street grade from 12% to 15% on Gentry Park Way between STA 61+00 and STA 63+75.
3. Horizontal curve variance on Bowman Park Way at STA 41+02.87, from 250' to 200'.
4. Horizontal curve variance on Bowman Park Way at STA 44+94.46, from 250' to 150'.
5. Horizontal curve variance on Bowman Park Way at STA 48+44.79, from 250' to 150'.
6. Horizontal curve variance on Bowman Park Way at STA 49+46.06, from 250' to 150'.
7. Broken back tangent variance on Bowman Park Way at STA 41+75, from 150' to 38.43'.
8. Reverse curve tangent variance on Bowman Park Way at STA 48+85, from 50' to 22.37'.

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 variances 1 - 8 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 7 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 Knox County (County Ord. 91-1-102).
3. Revising the concept plan to designate the required 20' front yard setback for detached residential units or obtaining a variance from the Knox County Board of Zoning Appeals for the reduction of the setback to 15'. If the front setback is reduced to 15', all residences shall be provided with a two car garage.
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. Prior to or concurrent with recording of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area and drainage system. The maintenance provisions shall also address that portion of the drainage system that extends into the remaining portion of Tax Parcel 76.
6. If the remaining portions of Tax Parcels 76, 80 and 81 are not to be included in the subdivision, the resubdivision of those parcels shall be addressed by the final plat for the subdivision or by a separate final plat.
7. 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 9 acre tract into 41 lots at a density of 4.56 du/ac as the second phase of The Park at Babelay Road. Access to the site is through the proposed street system/Joint Permanent Easements to be established for Phase 1 of the subdivision. Access for the subdivision is from Babelay Rd., a minor collector street. The Planning Commission approved the first phase of the subdivision on May 10, 2007.

The Planning Commission recommended approval of a rezoning request (11-J-07-RZ) to PR (Planned Residential) at a density of up to 5 du/ac on November 8, 2007. The Knox County Commission approved the request on December 17, 2007.

This second phase of the subdivision will reduce the lots in the first phase of the subdivision by two to allow for the street access. There will be a total of 72 lots in the two phases of the subdivision on 17.40 acres at a density of 4.14 du/ac. The remaining portions (4.47 acres) of three of the parcels included in this subdivision will still have frontage on Edmondson Ln. With the addition of the second phase of the subdivision, the peripheral setback that was located along the rear property line of Lots 14 - 24 of Phase 1, will be revised to a rear setback between the two phases.

Since the required front yard setback for detached residential units in the PR district is 20', the applicant will have to revise the concept plan to reflect that requirement or obtain a variance to 15' from the Knox County Board of Zoning Appeals.

**MPC Action:** Approved

**MPC Meeting Date:** 1/10/2008

- Details of MPC action:**
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**Summary of MPC action:** APPROVE variances 1 - 8 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 7 conditions

**Date of MPC Approval:** 1/10/2008

**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:**