

# 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

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 10-SA-14-C                      **Related File Number:** 10-A-14-UR  
**Application Filed:** 8/25/2014              **Date of Revision:**  
**Applicant:** RACKLEY ENGINEERING

### PROPERTY INFORMATION

**General Location:** North side of Badgett Rd., east side of Tooles Bend Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 145 058                      **Jurisdiction:** County  
**Size of Tract:** 3.96 acres  
**Accessibility:** Access is via Badgett Rd., a minor collector street with a pavement width 17' to 18' within a 50' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:** This area is developed with rural to low density residential dwellings under the A (Agricultural) or PR (Planned Residential) zoning classifications  
**Proposed Use:** Detached dwellings                      **Density:** 1.52 du/ac  
**Sector Plan:** Southwest County              **Sector Plan Designation:**  
**Growth Policy Plan:** Rural 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:** The Courtyard at Tooles Bend  
**No. of Lots Proposed:** 6                      **No. of Lots Approved:** 0  
**Variances Requested:** 1. Intersection spacing from 300' to 213' from proposed entrance to Tooles Bend Rd.  
2. Vertical curve variance from 175' to 87.5' at sta. 0+50 of Road A  
**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 & 2 because the sites topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard  
**Staff Recomm. (Full):** APPROVE the Concept plan subject to 7 conditions  
1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department  
2. Provision of a street name for the proposed joint permanent easement which is consistent with the uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102)  
3. Certification on the final plat by the applicant's surveyor that there is 300' of sight distance in both directions along Badgett Rd. and provide a sight distance easement across lot 5 as needed  
4. Meeting all other applicable requirements of the Knox County Dept. of Engineering and Public Works  
5. Place a note on the final plat that all lots will have access only to the internal street system  
6. Prior to certification of the final plat for the subdivision, establish a property owners association that will be responsible for maintenance of the storm drainage system, the joint permanent easement and any other commonly held assets  
7. A final plat application based on this concept plan will not be accepted for review by MPC until certification of design plan approval has been submitted to MPC staff  
**Comments:** The applicant is proposing to subdivide this 3.96 acre site into 6 lots in order to construct a detached dwelling on each of the lots. The rezoning of this site to PR (Planned Residential) at 3 dwellings per acre was approved by the Knox County Commission at their January 28, 2008 meeting. A previous concept plan was approved for this site in 2008 that contained 12 lots.

The applicant has revised the plan to now propose access via a joint permanent easement. This will allow the development to be gated as shown on the plan. Additionally, the applicant is now requesting a reduction in the peripheral boundary setback along the Badgett and Tooles Bend road frontages. The plan proposes the full 35' wide peripheral boundary setback along the common boundary with Amberleigh Subdivision..

### **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 will be provided to this site.
2. The proposed detached residential subdivision at a density of 1.52 du/ac, is consistent in use and density with the proposed zoning of the property.
3. Any school age children living in this development are presently zoned to attend Rocky Hill Elementary School, West Valley Middle School and Bearden High School.

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

1. The proposed detached residential subdivision meets the standards for development within a PR Zone and all other requirements of the Zoning Ordinance with the recommended conditions.
2. The proposed residential development is consistent with the general standards for uses permitted on review:
  - A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The Southwest County Sector Plan designates this site for low density residential use which may permit a maximum density of 3 dwellings per acre at this location. The overall development density of the proposed development is 1.52 dwellings per acre.

- B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance. The proposed development meets all the requirements of the PR (Planned Residential District).
- C. The use is compatible with the character of the neighborhood where it is proposed.
- D. The use will not significantly injure the value of adjacent property.
- E. The use will not draw additional non-residential 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 PLANS**

1. Due to the area being Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan, low density residential development is limited to 3.0 du/ac. The PR zoning approved for the property allows consideration of up to 3.0 du/ac . The proposed subdivision with its distribution of density on the site and overall density of 1.52 du/ac is consistent with the Growth Plan and the Sector Plan.

**Action:** Approved **Meeting Date:** 12/11/2014

**Details of Action:**

**Summary of Action:** APPROVE variances 1 & 2 because the sites 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 Approval:** 12/11/2014 **Date of Denial:** **Postponements:** 10/19/2014-11/13/2014

**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:**