

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

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:** 11-F-05-UR                      **Related File Number:**  
**Application Filed:** 10/10/2005              **Date of Revision:**  
**Applicant:** COBIA PROPERTIES  
**Owner:**

## PROPERTY INFORMATION

**General Location:** East side of Bell Rd., south side of Brackett Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 20 101                                              **Jurisdiction:** County  
**Size of Tract:** 28.4 acres  
**Accessibility:** Access is via Bell Rd., a major collector street with 19' of pavement width within 40' of right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Revised development plan                                              **Density:** 1.91 du/ac  
**Sector Plan:** Northwest County              **Sector Plan Designation:** Low density residential & slope protection  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is largely undeveloped with a few rural residential dwellings. Surrounding zoning includes Industrial, Agricultural, PR and RA.

## 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:** The site was rezoned to PR (Planned Residential) (2 1-3 du/ac earlier this year.

## PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

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

Variances Requested:

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 revised development plan for up to 54 detached single family dwellings on individual lots subject to 3 conditions.

Staff Recomm. (Full):  
1. Meeting all applicable requirements of the approved concept subdivision plan.  
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.  
3. Enclosing the entire perimeter of the quarry pit with a security fence that is minimum of 4' tall.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a use on review

Comments: This 28.4 acre site contains an old rock quarry pit and the land that was associated with that operation. The site was recently rezoned to PR (Planned Residential) at 1-3 dwellings per acre (du/ac). As part of the subdivision review process, staff makes a site visit to the location of each proposed project. When staff was on this site it appeared that there had been an extensive amount of spoil material from the quarry operation dumped around on this site. The spoil material consists of dirt and rocks ranging in size from small pebbles to large boulders. By all appearances this material was placed around on the site randomly. It appears there was no effort made to deposit this material in a manner that would create stable building sites. As a result, staff will require the applicant, as part of the design plan, to contract with a qualified geotechnical engineer to determine if an acceptable building site can be found on each lot. Additionally, the plan shows some of the proposed lots backing up to the quarry pit. If building sites are proposed to be within 50' of the top of the quarry pit, a similar geotechnical study will have to be completed to insure that a stable building site is available on each of those lots.

Over the past years the quarry pit has filled with water and created a 3 acre lake. The applicant has proposed to accent the lake and feature it as an amenity in the development. Staff while supportive of the idea of the lake being an amenity, is concerned about the safety of the future residents. The quarry has a shear face and the lake is believed to be over 200' deep. Staff will require the lake be completed enclosed with a security fence that will be at least 4' in height. This may be some form of decorative fencing, but the primary purpose of the fence will be to restrict access to the lake, especially for children.

**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 zoning of the property.

**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 a PR 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The proposed development is consistent with the proposed amendment to the Northeast County Sector Plan which proposes low density residential uses. The PR zoning approved for this site will allow a density up to 3.0 du/ac. At a proposed density of 1.91 du/ac, the proposed subdivision is consistent with the Sector Plan and approved zoning density.

Upon 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 connection to public utilities must satisfy technical engineering requirements before any development can proceed.

**MPC Action:** Approved **MPC Meeting Date:** 11/10/2005

- Details of MPC action:**
1. Meeting all applicable requirements of the approved concept subdivision plan.
  2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  3. Enclosing the entire perimeter of the quarry pit with a security fence that is minimum of 4' tall.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a use on review

**Summary of MPC action:** APPROVE the revised development plan for up to 54 detached single family dwellings on individual lots subject to 3 conditions.

**Date of MPC Approval:** 11/10/2005 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Board of Zoning Appeals

**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:**