

# 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

**File Number:** 12-K-04-UR                      **Related File Number:** 12-SB-04-C  
**Application Filed:** 11/8/2004              **Date of Revision:**  
**Applicant:** WEST POINTE VENTURES, LLC  
**Owner:**

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2068  
www.knoxmpc.org

## PROPERTY INFORMATION

**General Location:** South side of W. Emory Rd., north end of Pebblepass Rd., north of Oak Ridge Hwy.  
**Other Parcel Info.:**  
**Tax ID Number:** 76 31    **Jurisdiction:** County  
**Size of Tract:** 26 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:** Detached single-family subdivision                      **Density:** 2.85 du/ac  
**Sector Plan:** Northwest County              **Sector Plan Designation:**  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:**

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

**Street:** 9922 W Emory Rd  
**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:

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: Tom Brechko

Staff Recomm. (Abbr.): DENY the Development Plan for the reasons identified below:

Staff Recomm. (Full): 1. Staff's recommendation of denial is based on the fact that the concept/development plan does not address the impacts of the proposed Knoxville Parkway on the property.  
2. The 1000' wide study corridor for the Knoxville Parkway traverses the southern half of the site (see attachment). If the parkway is built within the study area (it will require a 300' right-of-way), it will cut off the access for the majority of the lots to Pebblepass Rd. and Oak Ridge Hwy.  
3. Without a secondary access to W. Emory Rd., the State will have to condemn/purchase property in order to construct an access to W. Emory Rd. The cost of creating the access is tied to the degree of alteration to the streets and lots to make the connection at a location that would have adequate sight distance.

If the secondary access to W. Emory Rd. is provided, Staff could recommend approval of the concept plan.

Comments: 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 all utilities are in place to serve this site.
- 2. Upon review of the traffic study, it has been determined by MPC and Knox County Department of Engineering and Public Works Staff that there is adequate capacity on the existing roadways to handle the projected traffic.
- 3. By not providing a secondary access to W. Emory Rd., the majority of the lots in the proposed subdivision will be impacted by the proposed Knoxville Parkway if it is located within the 1000' study corridor (See reasons for denial and comment section).

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

- 1. With a secondary access to W. Emory Rd., the proposed detached single-family subdivision can meet 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 collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northwest County Sector Plan identifies this property for agricultural and rural residential uses. The site is located in the Rural Area of the Growth Policy Plan. The PR zoning approved for this site will allow a density up to 3 du/ac. At a proposed density of 2.88 du/ac, the proposed subdivision meets the density allowed under the PR zoning.

MPC Action: Denied

MPC Meeting Date: 2/10/2005

Details of MPC action:

**Summary of MPC action:** DENY the Development Plan for the reasons identified below:

**Date of MPC Approval:**

**Date of Denial:** 2/10/2005

**Postponements:** 12/9/2004-  
1/13/2005

**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:**