

# CASE SUMMARY

## APPLICATION TYPE: SUBDIVISION

### CONCEPT PLAN

**File Number:** 2-SF-05-C                      **Related File Number:** 2-F-05-UR  
**Application Filed:** 1/10/2005              **Date of Revision:**  
**Applicant:** GARY BUTLER  
**Owner:** GARY BUTLER

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  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

### PROPERTY INFORMATION

**General Location:** West side of Maloneyville Rd., south of McNeely Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 30 208.11 & 208.12                      **Jurisdiction:** County  
**Size of Tract:** 54.57 acres  
**Accessibility:** Access is via Maloneyville Rd., a major collector street with a pavement width of 18' within a 40' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:** The area is developed with rural to low density residential uses in the A agricultural, RA and RB residential zones.  
**Proposed Use:** Detached single family subdivision                      **Density:** 2.18 du/ac  
**Sector Plan:** Northeast County              **Sector Plan Designation:**  
**Growth Policy Plan:** Planned Growth 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) pending  
**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:** Whispering Winds  
**Surveyor:** Robert G. Campbell and Associates  
**No. of Lots Proposed:** 119      **No. of Lots Approved:** 0  
**Variations Requested:**  
1. Vertical curve variances on Road A from 271' to 170' at sta 30+00 and from 175' to 150' at sta 25+00.  
2. Vertical curve variances on Road C from 250' to 200' at sta 69+00 and from 250' to 200' at sta 71+25.  
3. Horizontal curve variance from 250' to 200' at sta 73+52 of Road C.  
4. Maximum street grade from 12% to 13% between sta 69+00 and 71+25 and between sta 54+75 and 56+50 of Road C.  
**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 1-4 because the site's topography and shape restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 10 conditions

**Staff Recomm. (Full):**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County, Ord. 91-1-102.
3. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
4. Place a note on the final plat that all lots will have access only to the internal street system.
5. Certification on the final plat by the applicant's engineer that the required sight distance is provided at the site entrance when looking in both directions on Maloneyville Rd.
6. Provision of traffic calming devices as required by the Knox County Dept. of Engineering and Public Works.
7. Prior to design plan approval obtain any off-site drainage easements as may be required by the Knox County Dept. of Engineering and Public Works.
8. Final approval of the rezoning of this site by the Knox County Commission at an appropriate density to support this development.
9. 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.
10. Meeting all requirements of the approved use on review development plan.

**Comments:** This applicant is proposing a subdivision of 119 lots on this 54.57 acre site. The access to the site will be via Maloney Ville Rd. Due to the design of the roads in this project the Knox County Engineering Dept. has stated that the installation of traffic calming devices will be required.

Geologic maps show that the depth to bedrock in this general area is 2' to 3'. The road profiles submitted with subdivision plan show some cuts will be required that may be made difficult if the bedrock is as shallow as the geologic maps suggest. At that point the applicant will have option of removing the rock or redesigning the affected areas of the development. This may require the approval of a new concept plan.

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 pending rezoning 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 recommended for approved for this site will allow a density up to 3.0 du/ac. At a proposed density of 2.18 du/ac, the proposed subdivision is consistent with the Sector Plan and recommended zoning density.

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:** 2/10/2005

**Details of MPC action:**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County, Ord. 91-1-102.
3. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works
4. Place a note on the final plat that all lots will have access only to the internal street system.
5. Certification on the final plat by the applicant's engineer that the required sight distance is provided at the site entrance when looking in both directions on Maloneyville Rd.
6. Provision of traffic calming devices as required by the Knox County Dept. of Engineering and Public Works.
7. Prior to design plan approval obtain any off-site drainage easements as may be required by the Knox County Dept. of Engineering and Public Works.
8. Final approval of the rezoning of this site by the Knox County Commission at an appropriate density to support this development.
9. 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.
10. Meeting all requirements of the approved use on review development plan.

**Summary of MPC action:**

APPROVE variances 1-4 because the site's topography and shape restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 10 conditions

**Date of MPC Approval:**

2/10/2005

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**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:**