

# 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:** 3-K-07-UR  
**Application Filed:** 2/12/2007  
**Applicant:** S & E PROPERTIES

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** South side of Early Rd., northeast of Signal Point Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 169 33 & 33.01 **Jurisdiction:** County  
**Size of Tract:** 156 acres  
**Accessibility:** Access is via the internal public street system with access to Early Rd., a local street with a 15' to 17' pavement width within a 40' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Approved subdivision under construction  
**Surrounding Land Use:**  
**Proposed Use:** Recreational amenities plan for approved subdivision **Density:** 0.97 du/ac  
**Sector Plan:** Southwest County **Sector Plan Designation:** AG/RR & SLPA  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** This area has developed under A (Agricultural) zoning at densities less than 1 du/ac.

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

**Street:** 12610 Early 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:** This property was rezoned (10-F-04-RZ) to PR (Planned Residential) at a density of up to 1 du/ac on December 20, 2004 by Knox County Commission.

## PLAN INFORMATION (where applicable)

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

## **SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

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.):** APPROVE the recreational amenities plan for the approved detached residential subdivision in the PR (Planned Residential) zoning district, subject to 5 conditions:

**Staff Recomm. (Full):**

1. Prior to approval of a grading permit or issuance of a building permit for the pool and clubhouse facility, submit to MPC and County Engineering Staff for review and approval, a detailed plan for the proposed improvements including the access drive to the facility.
2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department for the clubhouse and pool facility.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the common area, drainage system, amenities and any other commonly held assets.
5. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Use-on-Review in the PR zone.

**Comments:** The applicant had received approval from the Planning Commission on May 12, 2005 to subdivide this 156 acre tract into 151 lots at a density of 0.97 du/ac. The property was rezoned (10-F-04-RZ) to PR (Planned Residential) at a density of 1 du/ac on December 20, 2004 by Knox County Commission. The applicant is currently developing the first unit of the subdivision with 77 lots on approximately 96 acres. The approved concept plan included several large open space / common areas throughout the subdivision. Through a condition of the Concept Plan approval, these areas were protected from clearing and grading during construction of the subdivision's infrastructure..

The applicant is now asking for approval of a recreational amenities plan for the first unit of the subdivision that will include both active and passive recreational uses within the open space / common areas. The amenities plan includes a proposed pool and clubhouse area on the east side of the entrance road for the subdivision located at the top of the hill. Staff is recommending a condition that prior to approval of a grading permit or issuance of a building permit for the pool and clubhouse facility, the applicant shall submit to MPC and County Engineering Staff for review and approval, a detailed plan for the proposed improvements including the access drive to the facility. The passive use component of the plan includes a trail system that connects and winds its way through the open space / common areas. The trail system ties into the street system at the end of each cul-de-sac. The applicant has already cleared the area (approximately 10' - 12' width) for the trail system after a discussion with MPC Staff on the trail system being an acceptable passive use of the open space / common area. The applicant is proposing an 8' - 10' wide asphalt trail. In some areas the asphalt trail may be substituted with a more natural surface material. The applicant anticipates having over three miles of walking trail within the subdivision.

### **EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. The proposed recreational amenities plan will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed recreational amenities plan for the approved subdivision is consistent with the type of uses permitted within the PR (Planned Residential) zoning. The passive use of large areas of open space / common areas around the perimeter of the subdivision will have minimal impact on adjoining property.
3. Any school age children living in this development are presently zoned to attend Farragut Primary,

Intermediate, Middle and High Schools.

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

1. The proposed recreational amenities plan meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed recreational amenities plan 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 Southwest County Sector Plan designates this property for agricultural/rural residential and slope protection area. The proposed recreational amenities plan and passive recreational use (trail system) of the majority of the open space/common areas is in keeping with the slope protection standards of the Sector Plan.

**MPC Action:** Approved **MPC Meeting Date:** 3/8/2007

- Details of MPC action:**
1. Prior to approval of a grading permit or issuance of a building permit for the pool and clubhouse facility, submit to MPC and County Engineering Staff for review and approval, a detailed plan for the proposed improvements including the access drive to the facility.
  2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department for the clubhouse and pool facility.
  3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  4. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the common area, drainage system, amenities and any other commonly held assets.
  5. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Use-on-Review in the PR zone.

**Summary of MPC action:** APPROVE the recreational amenities plan for the approved detached residential subdivision in the PR (Planned Residential) zoning district, subject to 5 conditions:

**Date of MPC Approval:** 3/8/2007 **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:**