

# 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:** 5-SA-07-C **Related File Number:** 5-G-07-UR  
**Application Filed:** 4/2/2007 **Date of Revision:**  
**Applicant:** KEN BOWMAN - NORTH AMERICAN DEVELOPMENT CORPORATION

### PROPERTY INFORMATION

**General Location:** North side of Babelay Rd., east of Happy Acres Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 50 068 **Jurisdiction:** County  
**Size of Tract:** 8.4 acres  
**Accessibility:** Access is via Babelay Rd., a minor collector street with 19' of pavement within a 40' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:** North: Residences and vacant land / A (Agricultural)  
South: Residences / A (Agricultural)  
East: Residences / A (Agricultural)  
West: Residences / RA (Low Density Residential)  
**Proposed Use:** Detached residential subdivision **Density:** 3.93 du/ac  
**Sector Plan:** Northeast County **Sector Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**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: Babelay Road PUD

No. of Lots Proposed: 33                      No. of Lots Approved: 33

Variences Requested: 1. Vertical curve variance on Road A at STA 10+72, from 172.5' to 103.5'.  
2. Vertical curve variance on Road B at STA 23+50, from 233.8' to 140.28'.  
3. Reduction of the standard utility and drainage easement along side property lines, from 5' to 3.5'.

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 variance 2 (see comments)  
APPROVE variances 1 & 3 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the concept plan subject to 9 conditions

Staff Recomm. (Full): 1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.  
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).  
3. Placing a note on the final plat that all lots will have access from the internal road system only.  
4. Shifting units 29-31 to the west so that the sight distance from Road B onto Road A to the north is not blocked by unit 29.  
5. Flatten the vertical curve on Road B at STA 23+50 to provide 250' of sight distance.  
6. Revise the concept plan to designate the required 20' front yard setback for detached residential units.  
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
8. Prior to or concurrent with recording of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area and drainage system.  
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.

Comments: The applicant is proposing to subdivide this 8.4 acre tract into 33 lots at a density of 3.93 du/ac. Access to the site is from Babelay Rd., a minor collector street. The subdivision will be served by joint permanent easements. The Planning Commission recommended approval of a rezoning request (3-D-07-RZ) to PR (Planned Residential) at a density of up to 4 du/ac on March 8, 2007. The Knox County Commission approved the request on April 16, 2007.

Staff has recommended denial of the vertical curve variance on Road B at STA 23+50 since the proposed curve will create a sight distance problem. Staff will support a variance that will flatten the vertical curve enough to provide 250' of sight distance. This issue can be addressed at the design plan stage of the subdivision. If a vertical curve variance is still needed, it can be requested at final plat.

Since the required front yard setback for detached residential units in the PR district is 20', the applicant will have to revise the concept plan to reflect that requirement.

MPC Action: Approved                                              MPC Meeting Date: 5/10/2007

Details of MPC action: 1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.  
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).  
3. Placing a note on the final plat that all lots will have access from the internal road system only.  
4. Shifting units 29-31 to the west so that the sight distance from Road B onto Road A to the north is not blocked by unit 29.  
5. Flatten the vertical curve on Road B at STA 23+50 to provide 250' of sight distance.  
6. Revise the concept plan to designate the required 20' front yard setback for detached residential

units.

7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

8. Prior to or concurrent with recording of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area and drainage system.

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.

**Summary of MPC action:**

DENY variance 2 (see comments)

APPROVE variances 1 & 3 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the concept plan subject to 9 conditions

**Date of MPC Approval:**

5/10/2007

**Date of Denial:**

**Postponements:**

**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:**