

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

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

File Number: 9-C-09-UR **Related File Number:**
Application Filed: 7/24/2009 **Date of Revision:**
Applicant: BARRY & PAM ROBERTSON

PROPERTY INFORMATION

General Location: North side of W. Beaver Creek Dr., west side of Old Blacks Ferry Ln.
Other Parcel Info.:
Tax ID Number: 78 085 **Jurisdiction:** County
Size of Tract: 69 acres
Accessibility: Access is via W. Beaver Creek Dr., a major collector street with a pavement width of 19' within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Golf driving range
Surrounding Land Use:
Proposed Use: Revised plan for golf driving range and nine hole executive golf course **Density:**
Sector Plan: Northwest County **Sector Plan Designation:**
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site is located in an area that has a number of single family dwellings located on lots that are generally greater than one acre in size. This same applicant obtained approval of a private landing strip for a portion of this site. The air strip is still used for occasional recreational flying.

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

Street: 5311 W Beaver Creek Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) & F (Floodway)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: A private aircraft landing strip was approved for a portion of this site in 1989. The golf driving range was approved in 2006

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:

Dan Kelly

Staff Recomm. (Abbr.):

APPROVE the revised development plan for the golf driving range and the nine hole executive type golf course at this location subject to 8 conditions

Staff Recomm. (Full):

- 1. Meeting all applicable requirements of the Knox County Zoning Ordinance
- 2. Meeting all applicable requirements and obtaining all required permits from the Knox County Dept. of Engineering and Public Works
- 3. Meeting all applicable requirements and obtaining all required permits from the Tennessee Dept. of Environment and Conservation and the U.S. Army Corps of Engineers
- 4. Removing existing vegetation on the west side of the driveway in order to provide 300' of sight distance in both directions on W. Beaver Creek Dr.
- 5. Limiting the hours of operation to 8:00 AM until 9:00 PM. Lighting of the range will be prohibited except during normal operating hours. Lighting of the golf course will not be permitted.
- 6. Maintenance of the facilities includes but is not limited to mowing, spraying and ball pick-up and will be limited to the hours between 7:00 AM and 9:00 PM
- 7. Food service being limited to light snacks and cold sandwiches and soft drinks. The sale of beer will not be permitted
- 8. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.

With the conditions noted, this plan meets the requirements for approval in the A (Agricultural zone, an the other criteria for approval of a use on review

Comments:

The applicant is asking for approval of a revised development plan. In 2006 a use on review for a driving range was approved for this site. The driving range opened for business shortly after MPC's approval. Since that time, Mr. Robertson has added a practice green and a three hole par 3 loop. Additionally, during the years since the applicant received approval, he has permitted an outside restaurant operator to do business on the site.

After receiving complaints from area residents, the Knox County Office of Neighborhoods informed the applicant that he was not in compliance with the previously approved development plan. Neighbors had correctly complained that the three hole loop and the restaurant were beyond what was approved by MPC. The applicant was told to make application for a revised use on review to incorporate the previously unapproved uses and to seek approval of any future plans that he may have for the site. Additionally, Mr. Robertson has been cited by the Knox County Department of Engineering and Public Works for some grading that he has done on portions of the site preparing it for the nine hole executive golf course. He has been given a Notice of Violation by the Knox County Department of Engineering and Public Works, and he has paid the associated fine.

This applicant has done a number of things on this site that violate the previously approved use on review. However, staff is looking at this request as if it were new. The proposed use can be incorporated in the area with minimal impact. The traffic associated with this type of facility should not exceed 625 trips per day. W. Beaver Creek Dr. is classified as a major collector street, and it has adequate capacity to accommodate the traffic associated with this use. Staff will clarify the hours this facility may operate, and we will address food service. Additionally, the Knox County Dept. of Engineering and Public Works will be responsible for making sure the applicant obtains all required permits.

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

1. The proposed driving range and golf course will have minimal impact on local services. Hallsdale Powell Utility District can provide water and sanitary sewer service, and KUB can provide electrical and natural gas service to the site.
2. Due to the orientation of the facility, lighting of the driving range will have a minimal impact residential uses in the area.
3. Drainage will be directed into the existing drainage ways on this site.

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

1. With the recommended conditions, the proposed golf driving range and golf course meets the standards for development within the A (Agricultural) zone.
2. The proposed golf driving ranger and golf course 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 neighborhoods 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 Northwest County Sector Plan identifies this property for stream protection. The proposed driving range and golf course will permit use of the property. The proposed plan requires minimal site preparation.

Action: Approved **Meeting Date:** 9/10/2009

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance
 2. Meeting all applicable requirements and obtaining all required permits from the Knox County Dept. of Engineering and Public Works
 3. Meeting all applicable requirements and obtaining all required permits from the Tennessee Dept. of Environment and Conservation and the U.S. Army Corps of Engineers
 4. Removing existing vegetation on the west side of the driveway in order to provide 300' of sight distance in both directions on W. Beaver Creek Dr.
 5. Limiting the hours of operation to 8:00 AM until 9:00 PM. Lighting of the range will be prohibited except during normal operating hours. Lighting of the golf course will not be permitted.
 6. Maintenance of the facilities includes but is not limited to mowing, spraying and ball pick-up and will be limited to the hours between 7:00 AM and 9:00 PM
 7. Food service being limited to light snacks and cold sandwiches and soft drinks. The sale of beer will not be permitted
 8. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.

With the conditions noted, this plan meets the requirements for approval in the A (Agricultural zone, an the other criteria for approval of a use on review

Summary of Action: APPROVE the revised development plan for the golf driving range and the nine hole executive type golf course at this location subject to 8 conditions

Date of Approval: 9/10/2009 **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:**