

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
SUBDIVISION REPORT - CONCEPT/USE ON REVIEW**

▶ **FILE #:** 1-SE-08-C
1-H-08-UR

AGENDA ITEM #: 20
AGENDA DATE: 1/10/2008

▶ **SUBDIVISION:** BABELAY ROAD PUD
▶ **APPLICANT/DEVELOPER:** KEN BOWMAN - NORTH AMERICAN DEVELOPMENT CORP.
OWNER(S): NADC

TAX IDENTIFICATION: 50 68, 76, 77, 80 & 81
JURISDICTION: County Commission District 8

▶ **LOCATION:** North side of Babelay Rd., east of Happy Acres Rd.

SECTOR PLAN: Northeast County
GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)
WATERSHED: Love Creek

▶ **APPROXIMATE ACREAGE:** 9 acres

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING:
North: Residences and vacant land / A (Agricultural)
South: Phase 1 of the subdivision / PR (Planned Residential)
East: Residences and vacant land / A (Agricultural)
West: Residences / RA (Low Density Residential)

▶ **NUMBER OF LOTS:** 41

SURVEYOR/ENGINEER: Robert G. Campbell

ACCESSIBILITY: Access is via Babelay Rd., a minor collector street with 19' of pavement within a 40' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:**

1. Increase maximum street grade from 12% to 15% on Bowman Park Way between STA 42+50 and STA 46+50.
2. Increase maximum street grade from 12% to 15% on Gentry Park Way between STA 61+00 and STA 63+75.
3. Horizontal curve variance on Bowman Park Way at STA 41+02.87, from 250' to 200'.
4. Horizontal curve variance on Bowman Park Way at STA 44+94.46, from 250' to 150'.
5. Horizontal curve variance on Bowman Park Way at STA 48+44.79, from 250' to 150'.
6. Horizontal curve variance on Bowman Park Way at STA 49+46.06, from 250' to 150'.
7. Broken back tangent variance on Bowman Park Way at STA 41+75, from 150' to 38.43'.
8. Reverse curve tangent variance on Bowman Park Way at STA 48+85, from 50' to 22.37'.

STAFF RECOMMENDATION:

- ▶ **APPROVE variances 1 - 8 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 7 conditions

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. Revising the concept plan to designate the required 20' front yard setback for detached residential units or obtaining a variance from the Knox County Board of Zoning Appeals for the reduction of the setback to 15'. If the front setback is reduced to 15', all residences shall be provided with a two car garage.
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. 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. The maintenance provisions shall also address that portion of the drainage system that extends into the remaining portion of Tax Parcel 76.
6. If the remaining portions of Tax Parcels 76, 80 and 81 are not to be included in the subdivision, the resubdivision of those parcels shall be addressed by the final plat for the subdivision or by a separate final plat.
7. 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.

- ▶ **APPROVE the development plan for up to 41 detached dwellings on individual lots subject to 1 condition.**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan and a Use-on-Review.

COMMENTS:

The applicant is proposing to subdivide this 9 acre tract into 41 lots at a density of 4.56 du/ac as the second phase of The Park at Babelay Road. Access to the site is through the proposed street system/Joint Permanent Easements to be established for Phase 1 of the subdivision. Access for the subdivision is from Babelay Rd., a minor collector street. The Planning Commission approved the first phase of the subdivision on May 10, 2007.

The Planning Commission recommended approval of a rezoning request (11-J-07-RZ) to PR (Planned Residential) at a density of up to 5 du/ac on November 8, 2007. The Knox County Commission approved the request on December 17, 2007.

This second phase of the subdivision will reduce the lots in the first phase of the subdivision by two to allow for the street access. There will be a total of 72 lots in the two phases of the subdivision on 17.40 acres at a density of 4.14 du/ac. The remaining portions (4.47 acres) of three of the parcels included in this subdivision will still have frontage on Edmondson Ln. With the addition of the second phase of the subdivision, the peripheral setback that was located along the rear property line of Lots 14 - 24 of Phase 1, will be revised to a rear setback between the two phases.

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 or obtain a variance to 15' from the Knox County Board of Zoning Appeals.

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 utilities are available to serve this site.
2. The proposed detached residential subdivision at a density of 4.56 du/ac, is consistent in use and density (up to 5 du/ac) with the approved zoning. Other subdivision development in the area has occurred under the PR zoning regulations at similar densities.
3. Any school age children living in this development are presently zoned to attend Ritta Elementary, Holston Middle and Gibbs High Schools.

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

1. The proposed detached residential subdivision meets the standards for development within the 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. With direct access to a collector street, the proposed subdivision will not draw additional traffic through residential neighborhoods.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northeast County Sector Plan designates this property for low density residential uses. The approved PR zoning for the site would allow a density up to 5 du/ac. At a proposed density of 4.56 du/ac, the proposed subdivision is consistent with the Sector Plan and zoning designation.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 456 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

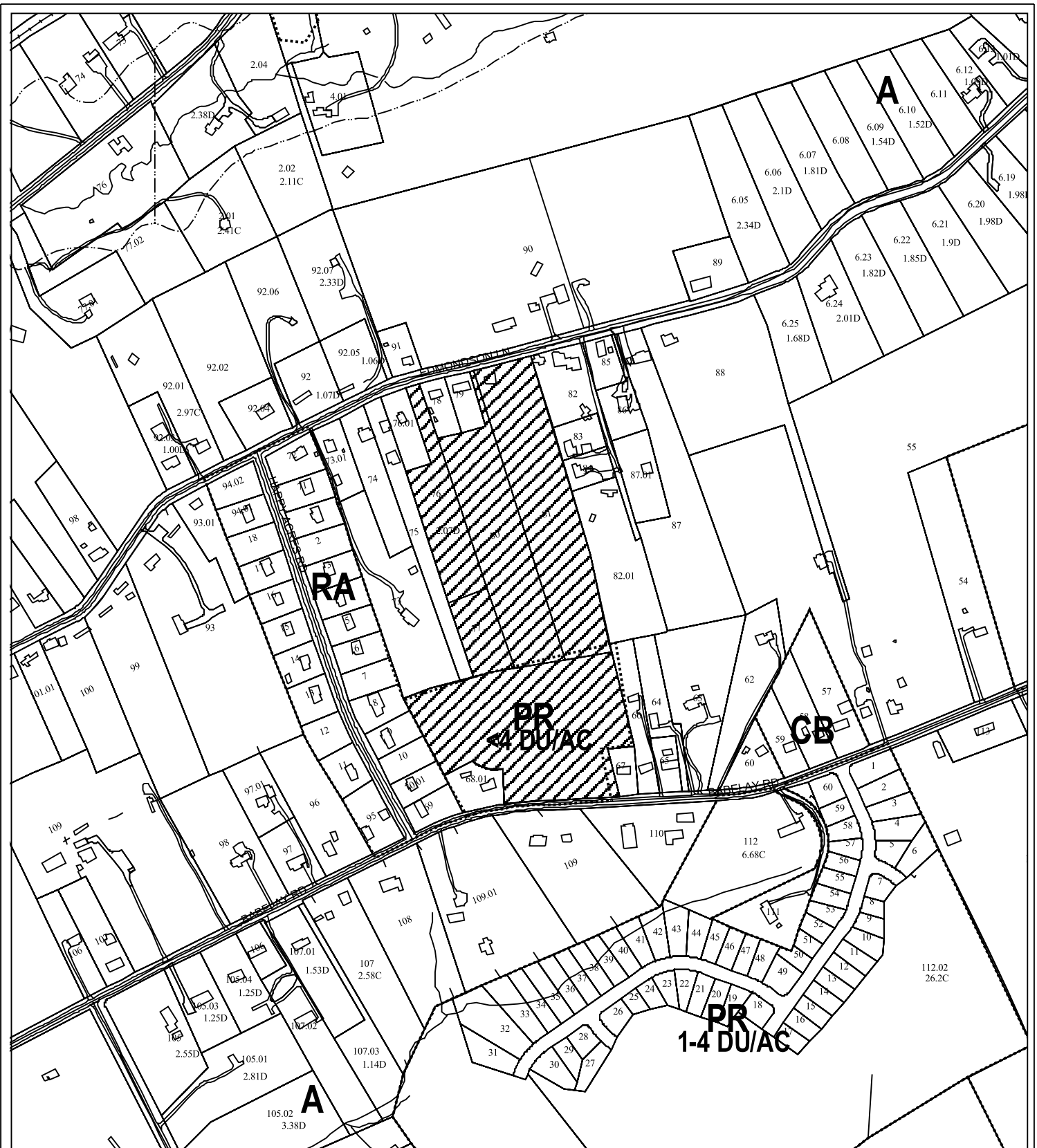
ESTIMATED STUDENT YIELD: 18 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Ritta Elementary, Holston Middle, and Gibbs High.


- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

MPC's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

MPC's approval or denial of this use on review request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.



1-SE-08-C/1-H-08-UR
 CONCEPT PLAN/USE ON REVIEW

 Detached residential subdivision in PR (Planned Residential) & PR (Planned Residential) pending

Original Print Date: 12/28/07 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Babelay Road PUD
 Ken Bowman -
 North American Dev. Corp.
 Map No: 50

Jurisdiction: County



CONCEPT PLAN & USE ON REVIEW

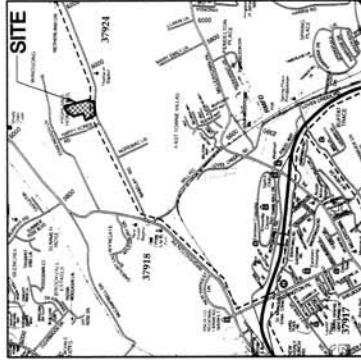
**THE PARK AT BABELAY ROAD
PHASE 2**

**PLANNED UNIT DEVELOPMENT
DISTRICT NO. EIGHT
KNOX COUNTY, TENNESSEE**

CLT: 050 PARCEL 077, PART OF PARCELS 068, 076, 080, 081

ENGINEER:
ROBERT G. CAMPBELL AND ASSOCIATES, L.P.,
1525 TAGGART LANE,
KNOXVILLE, TN 37924
TEL: (865) 597-5996
FAX: (865) 547-7556

DEVELOPER:
RR PROPERTIES, LLC
1525 TAGGART LANE, SUITE 200
KNOXVILLE, TN 37924
PHONE: (865) 531-2063



LOCATION MAP

I HEREBY CERTIFY THAT I AM A SURVYOR, LICENSED TO DO SURVEYING UNDER THE LAW OF THE STATE OF TENNESSEE. I HAVE REVIEWED THE STATEMENTS, CONFORM TO ALL APPLICABLE PROVISIONS OF THE PLANNING COMMISSION.

Henry M. Jell
SURVYOR

TENNESSEE CERTIFICATE NO. 19477



**ROBERT G. CAMPBELL & ASSOCIATES, L.P.
CONSULTING ENGINEERS
KNOXVILLE, TENNESSEE**

FILE #
REVISED 1-SE-08-C
/2-28-07
1-H-08-UR

DEVELOPER:
 DEV'S PROPERTIES, LLC
 1325 OAK RIDGE HIGHWAY
 KNOXVILLE, TN 379 1
 PHON 1 (865) 531-5153

ENGINEER:
 ROBERT G. CAMPBELL & ASSOCIATES, L.P.
 7523 TAGGART LANE
 KNOXVILLE, TN 3793
 PHON 1 (865) 941-5386
 FAX 1 (865) 941-1525

- NOTES:
- 1) EXISTING PERMITS AND RECORDS SHALL BE REVIEWED FOR ALL UTILITIES. ALL UTILITIES SHALL BE DELETED FROM THE PLAN UNLESS OTHERWISE NOTED. ALL UTILITIES SHALL BE DELETED FROM THE PLAN UNLESS OTHERWISE NOTED.
 - 2) STUMP DISTANCE MUST BE 300 FT IN EACH DIRECTION.
 - 3) ACCESS TO ALL LOTS FROM INTERNAL ROAD SYSTEM ONLY.
 - 4) EXISTING CONDITIONS FROM PROGRAMATIC FIELD SURVEY.
 - 5) STREETS ARE RESPONSIBLE FOR FINISHING WITH NEW ASPHALT. ALL STREETS SHALL BE FINISHED TO A 1% GRADE. ALL STREETS SHALL BE FINISHED TO A 1% GRADE. ALL STREETS SHALL BE FINISHED TO A 1% GRADE.
 - 6) CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 7) EROSION CONTROL MEASURES SHALL BE A MINIMUM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 8) ALL EXISTING BUILDINGS TO BE REMOVED OR RELOCATED. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 9) ALL EXISTING UTILITIES TO BE DELETED FROM THE PROJECT SITE. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 10) ALL EXISTING UTILITIES TO BE DELETED FROM THE PROJECT SITE. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 11) ALL EXISTING UTILITIES TO BE DELETED FROM THE PROJECT SITE. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 12) ALL CUT AND FILL SURFACES ARE 2% OR LESS EXCEPT AS NOTED. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 13) CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL PRELIMINARY OPERATIONS.
 - 14) ALL CORRUGATED METAL PIPE SHALL BE 14 GAUGE.

DEED REFERENCE:
 2007 705-0001059
 1983 301
 2007 125-0043086
 2032 23
 2007 865

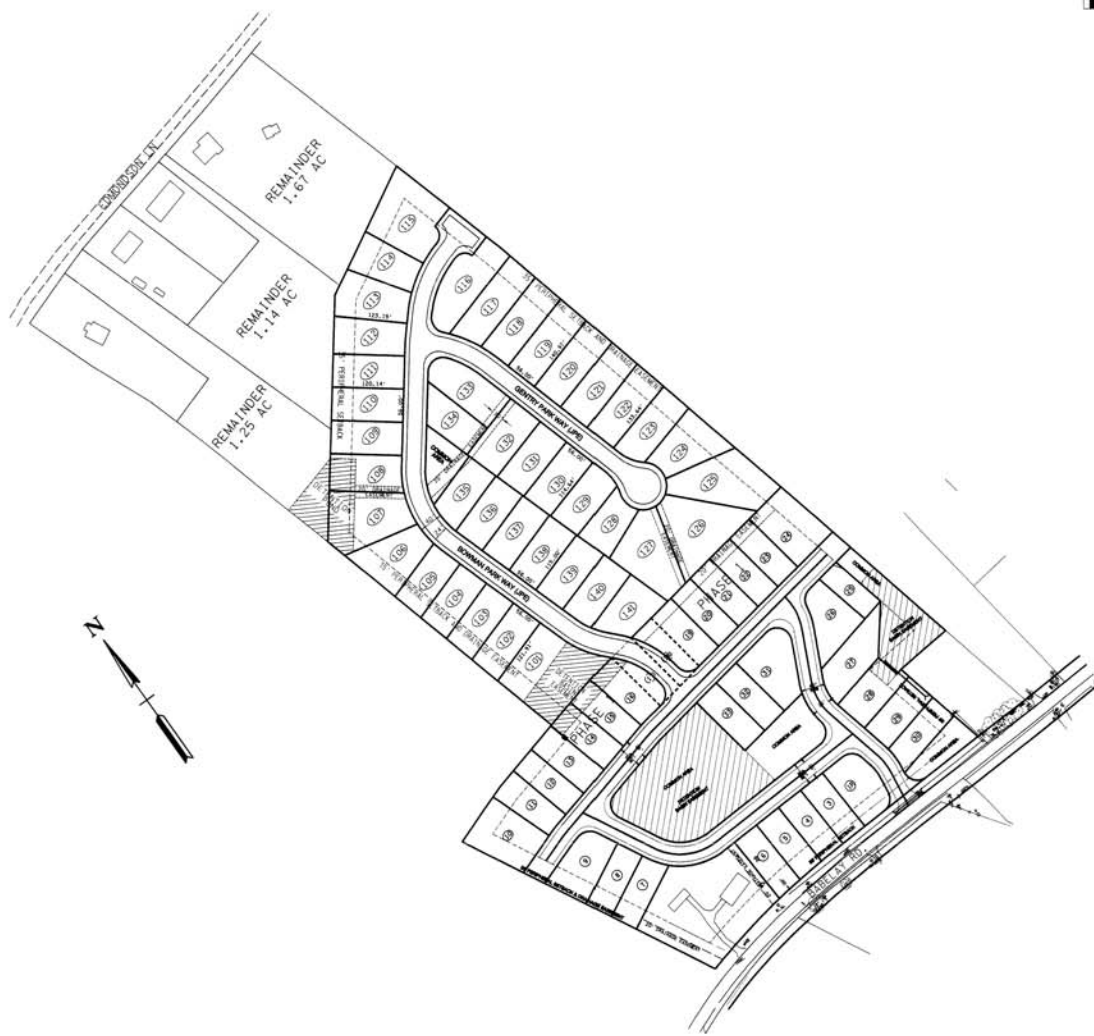
PLAT REFERENCE:
 2007 002-000235
 13-11

PROPERTY ZONED: P-1-4 DUJAC

TOTAL CREAGE: 21.7 ACRES
 PHASE 1 = 9.00 AC (1-4 DUJAC)
 PHASE 2 = 9.00 AC (1-5 DUJAC)
 REMAINDER = 4.47 AC (1-5 DUJAC)

TOTAL NUMBER OF UTILITIES:
 F-HASE 1 = 33
 F-HASE 2 = 41 (3 ADDITIONAL)
 REMAINDER PARCELS = 3

CLT: 01-0
 PARCEL 077
 PART OF PARCELS 0-8, 076, 080, 081



1-SE-08-C
 1-H-08-WR
 REVISED
 12-18-07



NO.	DATE	DESCRIPTION	BY	EXTD.
		REVISED		
GENERAL LAYOUT				
THE PARK AT BABELAY ROAD - PHASE 2				
CONCEPT PLAN				
ROBERT G. CAMPBELL & ASSOC., L.P. CONSULTING ENGINEERS KNOXVILLE, TENNESSEE				
DESIGNED BY	TBF	CHECKED BY	TBF	SCALE
DRAWN BY	TBF	DATE	12/21/07	1"=100'
		FILE NO.	07016	
		SHEET NO.	2	
		OF FIVE SHEETS		

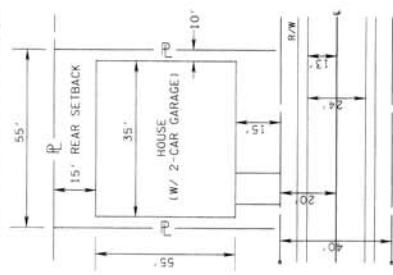


CURVE 1	CURVE 2	CURVE 3
PT 41+02.87 PC 41+57.80 Δ 32°23'06" D 28'38'52" R 200.000 L 113.045 T 58.077	PT 42+04.99 PC 43+96.72 Δ 3°50'17" D 22'55'06" R 250.000 L 17.450 T 8.729	PT 44+94.46 PC 44+15.74 Δ 15°22'31" D 38'11'50" R 150.000 L 144.978 T 78.714

CURVE 4	CURVE 5
PT 48+44.79 PC 48+10.66 PT 48+77.78 Δ 25'38'08" R 150.000 L 67.114 T 34.128	PT 49+46.06 PC 60+32.50 PT 61+32.25 Δ 34°02'06" D 28'38'52" R 200.000 L 89.100 T 45.909

- VARIANCES:
- HORIZONTAL CURVE ON BOWMAN PARK WAY @ STA 41+02.87 FROM 250' TO 200'
 - HORIZONTAL CURVE ON BOWMAN PARK WAY @ STA 44+94.46 FROM 250' TO 150'
 - HORIZONTAL CURVE ON BOWMAN PARK WAY @ STA 48+44.79 FROM 250' TO 150'
 - HORIZONTAL CURVE ON BOWMAN PARK WAY @ STA 49+46.06 FROM 250' TO 150'
 - BROKEN BACK TANGENT VARIANCE ON BOWMAN PARK WAY FROM 150' TO 38.43' STA 41+75
 - GRADE VARIANCE ON BOWMAN PARK WAY STA 42+50 TO STA 49+50 FROM 12% TO 15%
 - GRADE VARIANCE ON GENTRY PARK WAY STA 61+00 TO STA 63+75 FROM 12% TO 15%

NOTE: A 35' PERIPHERAL SETBACK APPLIES AROUND SUBDIVISION PERIMETER.



ENGINEERS:
ROBERT G CAMPBELL AND ASSOCIATES, L.P.
7033 TAGGART LANE
KNOXVILLE, TN 37921
PHONE: (615) 947-5896
FAX: (615) 947-7556



I, HEREBY CERTIFY THAT SIGHT DISTANCE OF 400 FEET CAN BE ACHIEVED IN BOTH DIRECTIONS ALONG PARK SHADOW WAY FROM THE PROPOSED INTERSECTION AT BOWMAN PARK WAY.

NOTES:
1) EXCAVATE PERMANENT STORMWATER DETENTION BASINS IN CONFORMANCE WITH THE TYPICAL DETENTION BASIN DESIGN AND LAYOUT. THE POND AREA SHALL BE ACCURATELY SURVEYED AND MAINTAINED TO THE POND AREA THE UPSTREAM DRAINAGE AREA IS 5.76 ACRES.
2) SIGHT DISTANCE MUST BE 300 FT IN EACH DIRECTION.
3) ACCESS TO ALL UNITS FROM INTERNAL ROAD SYSTEM ONLY.
4) EXISTING CONTOURS FROM TOPOGRAPHIC FIELD SURVEY.
5) CONTRACTOR IS RESPONSIBLE FOR VERIFYING THAT NEW SUBDIVISION REGULATIONS INCLUDING BUT NOT LIMITED TO: PAVEMENT STRIPING, STOP SIGNS, ETC., COMPLY WITH REGULATIONS OF UNDERGROUND UTILITIES, SO PWS ARE APPROXIMATELY THE OWNER AND CONTRACTOR IS RESPONSIBLE FOR CONVEYING THE INFORMATION TO THE UTILITY PROVIDER FOR CONVEYING TO THE UTILITY PROVIDER.
6) CONTRACTOR IS RESPONSIBLE FOR ALL THE HIGH SAFETY PRACTICES.
7) IT IS RESPONSIBLE FOR THE UTILITY PROVIDER TO VERIFY THAT THE UTILITY PROVIDER HAS BEEN ADVISED OF THE PROJECT'S LOCATION AND THAT THE UTILITY PROVIDER HAS BEEN ADVISED OF THE PROJECT'S LOCATION.
8) CONTRACTOR SHALL VERIFY THAT ALL EXISTING UTILITIES ARE DELETED FROM THE PROJECT'S LOCATION.
9) ALL EXISTING UTILITIES SHALL BE REMOVED OR RELOCATED.
10) ALL EXISTING BUILDINGS TO BE REMOVED OR RELOCATED.
11) THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTAINING THE DRIVEWAY AND DRIVEWAY DRIVEWAY SHALL BE MAINTAINED BY ALL DRIVEWAY OWNERS.
12) ALL CUT AND FILL SLOPES ARE 2:1 EXCEPT AS NOTED.
13) THE OWNER IS RESPONSIBLE FOR THE INSULATION AND MAINTENANCE OF THE DRIVEWAY TO PREVENT POLLUTION PREVENTION MEASURES THROUGHOUT THE LIFE OF THE PROJECT.
14) ALL CORRUGATED METAL PIPE SHALL BE 1" GAUGE.

CLT: 060
PARCEL 077
PART OF PARCELS 066, 076, 380, 081
DEED REFERENCE:
20070703-C-201059
1383-801
20071129-C-143096
2002-23
2007-685
PLAT REFERENCE:
20070702-C-200235
13-101
PROPERTY ZONE: PR - 4 C JIAC
TOTAL ACRES: 21.87 ACRES
PHASE 1 = 8.40 AC (1.4 DU/AC)
PHASE 2 = 9.00 AC (1.5 C JIAC)
REMAINDER = 4.47 AC (1.5 C JIAC)
TOTAL NUMBER OF UNITS: 73
PHASE 1 = 33 (39 ADDITIONAL)
REMAINDER PARCEL = 3

NO.	DATE	DESCRIPTION	BY	CHKD.

DESIGNED BY: CHECKED BY: SCALE: SHEET THREE
DATE: 11/21/07 FILE NO.: NO. 3
DRAWN BY: DATE: 11/21/07 OF FIVE SHEETS

PHASE 2 GENERAL LAYOUT

THE PARK AT BABELAY ROAD - PHASE 2
CONCEPT PLAN

ROBERT G. CAMPBELL & ASSOC., L.P.
CONSULTING ENGINEERS
KNOXVILLE, TENNESSEE

