

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

▶ **FILE #:** 8-SB-05-C **AGENDA ITEM #:** 14

POSTPONEMENT(S): 8/11/2005-11/10/2005 **AGENDA DATE:** 3/12/2009

▶ **SUBDIVISION:** ROSEBAY PLACE

▶ **APPLICANT/DEVELOPER:** GLENN WORLEY

OWNER(S): Glenn Worley

TAX IDENTIFICATION: 58 D B 015.01

JURISDICTION: City Council District 4

▶ **LOCATION:** East side of Rosebay Rd., south of Garden Dr.

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

WATERSHED: First Creek

▶ **APPROXIMATE ACREAGE:** 2.48 acres

▶ **ZONING:** R-1 (Single Family Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached single family subdivision

SURROUNDING LAND USE AND ZONING: Property in the area is zoned R-1, R-1A R-2 residential. Development in the area consists of single family dwellings. Central High School is located to the south of this site with access to Rosebay Rd.

▶ **NUMBER OF LOTS:** 7

SURVEYOR/ENGINEER: Robert G. Campbell and Associates

ACCESSIBILITY: Access is via Rosebay Rd., a local street with a pavement width of 20' within a 50' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** None

**STAFF RECOMMENDATION:**

▶ **WITHDRAW** because staff has not received any communication from the applicant requesting this case be continued. The applicant no longer has an ownership interest in the property.

**COMMENTS:**

The applicant has not been in contact with the staff since this matter was tabled in 2005. He did not respond to staff's recent inquiry regarding his continued interest in this project. The applicant sold the property in 2006 and no longer has an ownership interest in the property.

The applicant is proposing to divide this 2.48 acre site into 7 lots. The proposed lots meet the requirements of the R-1 (Single Family Residential) zoning district. The staff of the Knoxville Engineering Dept. and the MPC staff have voiced concerns regarding the existing drainage situation in the area. Additionally, staff is concerned about the available sight distance at the proposed entrance to the development.

An upstream area of more than 130 acres drains through this site. There are two 42" drainage pipes under Rosebay Rd. which appear to overtop at present. With the preliminary drainage information that has been provided by the engineer, staff will recommend approval of the concept plan. However, as the drainage plan is refined, the applicant may be faced with losing one or more of the proposed lots.

The southern terminus of Rosebay Rd. dead ends into the parking lot at Central High School. The existing geometrics of Rosebay Rd. limit the available sight distance looking to the south toward the high school. The applicant's engineer will have to certify there is 300' of sight distance, in both directions, at the proposed entrance to the development.

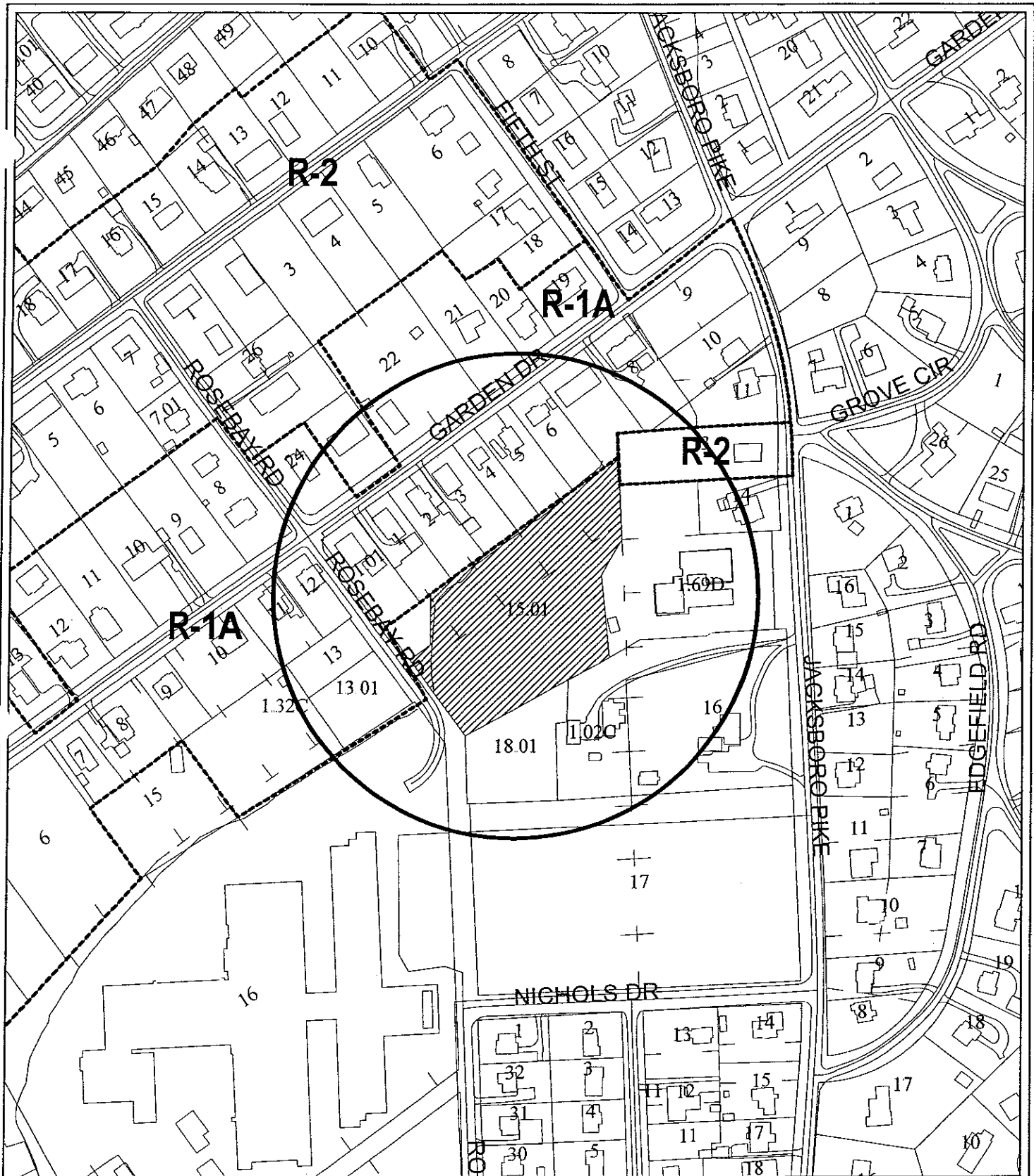
This matter was postponed at the 8/11/2005 MPC meeting in order to permit the applicant time to address these concerns. In postponing this matter, MPC requested that a detailed drainage plan be prepared by the applicant for review by the City Engineer. The drainage plan has been submitted for review. The City Engineer's office has reviewed the plan and advised the applicant's engineer of the needed changes. The needed revisions have not been supplied to the city engineer at the time this staff report was being prepared.

ESTIMATED TRAFFIC IMPACT 90 (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: 3 (public and private school children, ages 5-18 years)

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




8-SB-05-C  
CONCEPT PLAN

Subdivision: Rosebay Place

Map No: 58

Jurisdiction: City

 Approval of a Concept Plan

Original Print Date: 07/27/05    Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, IN 37902



## MEMORANDUM

DATE: August 3, 2005

TO: MPC, Dan Kelly

CC: David McGinley, City of Knoxville Engineering Department

FROM: Charissa C. Oglesby, City of Knoxville Engineering Department

SUBJECT: Rosebay Place

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Please note the following comments regarding the concept plan for the above-mentioned project.

1. A proper roadway cross-section that meets all necessary requirements is required.
2. The proposed turn around is not allowed for a JPE that serves 5 lots or more. For a JPE that serves 5 lots or more all requirements for streets must be met. An appropriate cul-de-sac is required.
3. Provide complete set of detention calculations that meet all City of Knoxville requirements for submittal.
4. Calculations for water surface elevations are required in order to set minimum finished floor elevations for lots 1 thru 4.
5. A spread calculation is required to ensure the fill placed by the development will not additionally impact any adjacent property in the 50-year storm.
6. A spread calculation is required to ensure the fill placed by the development will not additionally impact any existing structure or flood proposed structures in the 100-year storm.
7. Required sight distance is 300 feet, and must be verified on the final plat.
8. The property contains a stream as identified on the USGS Quadrangle map. Appropriate TDEC permits/classifications and buffer zones will apply.

We reserve the right to make recommendations, approve, or deny the design plan once we have received engineering documentation in sufficient detail to determine compliance with the City of Knoxville Stormwater and Street Ordinance.

If you have any questions feel free to contact me any time.  
Thank you,

Charissa C. Oglesby



# ENG. COMMENTS

## MEMORANDUM

DATE: July 28, 2005

TO: Garry Tucker, Robert G. Campbell & Assoc (fax: 947-7556)

CC: Glenn Worley (fax: 922-5378)

FROM: Charissa C. Oglesby, City of Knoxville Engineering Department

SUBJECT: Rosebay Place

DATE SUBMITTED: July 13, 2005

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Please note the following comments regarding the above-mentioned project. These issues must be addressed in order to complete the review process.

1. MPC approval is required for this project prior to issuance of a site development permit.
2. The required mandatory utility and drainage easement is ten (10) feet from exterior property lines. Detention and/or water quality facility easements may not overlap the mandatory easement. A variance thru MPC (Metropolitan Planning Commission) will be required to eliminate or decrease the mandatory utility easement in any areas where these two easements overlap.
3. Please locate and identify two permanent monuments (permanent reference markers), as required by the City of Knoxville for major subdivisions. Please see section 74-10 of the Minimum Subdivision Regulations.
4. Provide City of Knoxville standard road section. Road section requires 26 feet pavement width, tack coat of 0.05 to 0.10 gallons per square yard, prime coat of 0.2 to 0.5 gallons per square yard, 8" Class A Grade D stone subbase, 2.5" Grade B binder, and 1.5" Grade D surface.
5. For concrete curb, specify contraction joints located at maximum spacing of 5 feet, and expansion joints located at maximum spacing of 25 feet and at fixed objects.
6. Appropriate site distance must be verified on the final plat.
7. Cul-de-sacs requires minimum right-of-way radius of fifty (50) feet and a transition curve radius of no less than seventy-five (75) feet, and paved area of the cul-de-sac requires minimum radius of forty (40) feet.
8. According to the USGS quadrangle map the existing water conveyance on the property is a stream. For any work within this area an ARAP (Aquatic Rehabilitation and Alteration Permit) may be required from TDEC before grading and/or alteration may commence. Provide verification from TDEC that no permit is required (declassification) or provide copy of ARAP.

9. Streams where a floodway profile has not been computed, as part of the Flood Insurance Study and are not named on the USGS 7.5 minute quadrangle map, shall require a natural buffer zone measured fifteen (15) feet from the center of the low flow channel. Clearly show centerline and buffer zone on the plan.
10. The proposed drainage easement clips the proposed swale near the property line of lot 1 and lot 2. Please revise.
11. Why are grate elevations called out for HW1, HW2, and Pond in the drainage table? Please revise.
12. Why are some slopes in the table negative? Please revise.
13. Pipes from HW1 to JB1/2 cannot be 15" RCP. Please revise.
14. Additionally hydrological study is required. Please address the following:
  - a. Show calculations for water surface elevations and set minimum finished floor elevations for lots 1 thru 4.
  - b. A spread calculation is required to ensure the fill placed by the development will not additionally impact any adjacent property in the 50-year storm.
  - c. A spread calculation is required to ensure the fill placed by the development will not additionally impact any existing structure or flood proposed structures in the 100-year storm.
  - d. Pipes under the road must be sized to handle the 25-year design storm. There is current evidence that water overtops the road. Provide calculations and propose improvement.
15. Pond storage and/or easement may not be located within the propose right-of-way.
16. Pond easement is required to extend 5 feet outside the toe of the berm.
17. The pond inlet and outlet are extremely close to each other. Inlet and outlet should be located as far apart as possible. Please revise.
18. Provide a clear summary of pre verses post flows.
19. When the Engineering Department recreated the calculations for verification the post developed flow exceeded the pre developed flow for the 100-year storm. Please address this matter.
20. Outlet structure detail indicates corrugated pipe. Please revise.
21. Due to the size of the drainage area and minimal erosion control there should be a double row of silt fence along the property line/stream. Please add another row of perimeter silt fence.
22. Please provide inlet protection for the culverts under the road prior to the new junction boxes and headwalls.

23. The proposed construction entrance cannot be located as shown until the area is filled and new headwalls/pipe have been installed. Please revise.
24. Per figure ES-24-2, note 2, of the BMP manual, straw bale barriers are not effective for silt/clay sediment. Please revise inlet protection. Refer to figure ES-24-1.
25. Please provide appropriate trench detail for use in right-of-way.
26. The total disturbed area of the site is 1 acre or greater. Therefore, a NOI/NOC will be required from the State of Tennessee. Please contact TDEC for specific information regarding a permit. A copy of the TDEC permit must be submitted to the Engineering Department before a City of Knoxville permit will be issued.
27. Also required to complete this process is a bond (performance and indemnity agreement), a covenant for permanent maintenance, a pre-construction conference, and a right-of-way permit. Please contact the engineering department to arrange for these measures.
28. Please be aware that a plat, which includes all necessary easements (access, water quality, etc.), must be recorded prior to issuance of a building permit.

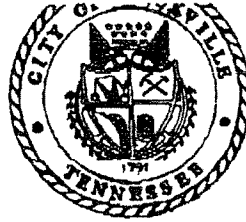
In order to facilitate the review process, itemized documentation is requested with the next submittal. The document should address each issue as numbered on this memorandum, and specify where the clarification/correction may be found. Please note that additional corrections may be required following the review of any new information. Thank you, and if you have any questions or comments feel free to contact me any time.

Charissa C. Oglesby

JUL. 28. 2005 2:28PM

CITY OF KNOXVILLE ENGINEERING

NO. 911 P. 1



**BILL HASLAM, MAYOR**

**City of Knoxville**

**OPERATIONS & ENGINEERING**



**LETTER OF TRANSMITTAL**

**DATE:** July 28, 2005

**TO:** Garry Tucker, Robert G. Campbell & Assoc. (fax: 947-7556)

**CC:** Glenn Worley (fax: 922-5378)

**FROM:** Charissa C. Oglesby, City of Knoxville Engineering Department


**SUBJECT:** Rosebay Place

**NO. OF PAGES INCLUDING THIS SHEET:** 4

**TITLE/DESCRIPTION OF ITEM TRANSMITTED:** Comments regarding the above referenced project.

**REMARKS:** If there are any questions and/or comments please feel free contact me.

**SIGNED:** Charissa C. Oglesby



**CITY OF KNOXVILLE**  
DEPARTMENT OF ENGINEERING

---

**CHARISSA C. OGLESBY**  
STORMWATER ENGINEER I  
PLANS REVIEW

CITY COUNTY BLDG., SUITE 480 (865) 215-2148  
P.O. BOX 1831 FAX (865) 215-2631  
KNOXVILLE, TN 37901 coglesby@ci.knoxville.tn.us

CITY COUNTY BUILDING - 400 MAIN STREET - SUITE 480 - P.O. BOX 1631 - KNOXVILLE, TENNESSEE 37901  
PHONE: 865-215-2148 • FAX: 866-215-2631  
<http://www.cityofknoxville.org>

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JUL 28 2005 2:28PM

CITY OF KNOXVILLE ENGINEERING

NO. 911 P. 2

**MEMORANDUM**

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CC: Glenn Worley (fax: 922-5378)

FROM: Charissa C. Oglesby, City of Knoxville Engineering Department

SUBJECT: Rosebay Place

DATE SUBMITTED: July 13, 2006

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MPC 10/13/05 Page 20-8  
MPC March 12, 2009

Agenda Item # 14

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JUL 28 2005 2:29PM

CITY OF KNOXVILLE ENGINEERING

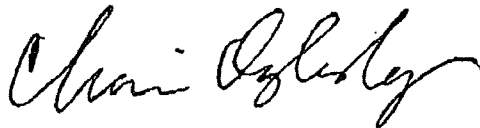
NO. 911

P. 4

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In order to facilitate the review process, itemized documentation is requested with the next submittal. The document should address each issue as numbered on this memorandum, and specify where the clarification/correction may be found. Please note that additional corrections may be required following the review of any new information. Thank you, and if you have any questions or comments feel free to contact me any time.

Charissa C. Oglesby



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STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
KNOXVILLE ENVIRONMENTAL FIELD OFFICE  
2700 MIDDLEBROOK PIKE, SUITE 220  
KNOXVILLE, TENNESSEE 37921-5602

PHONE (865) 694-6036 STATEWIDE 1-866-861-6282 FAX (865) 594-6105

August 22, 2005

Mr. Glen Worley  
8077 Cailey Dale Way  
Corryton, Tennessee 37721

**RE: General Permit for the Alteration of Wet Weather Conveyances**  
Proposed Rosebay Place  
Knox County  
KFO# 2005-143  
Unnamed tributary to First Creek

Dear Mr. Worley:

At your request, a review of the proposed development was conducted on August 17, 2005. The purpose of this review was to determine the presence or absence of waters of the State. The watercourse in question was determined to be a wet weather conveyance (highlighted in yellow on the attached map). The watercourse was determined to be a wet weather conveyance within the referenced property. Alteration to this watercourse determined to be a wet weather conveyance can be authorized under the *General Permit for the Alteration to Wet Weather Conveyances* (enclosed). The watercourse was determined to be a wet weather conveyance based upon the following: lack of flow, and lack of evidence of aquatic life with extended life cycles. Please be advised that alterations to wet weather conveyances may not cause pollution to other waters of the State.

This wet weather conveyance determination is considered to be valid for two years from the date of this letter. The work may also require authorization from the U.S. Army Corps of Engineers. They may be reached at 865-986-7296. If you need additional information or clarification, please contact Larry Everett at 865-594-5593.

Sincerely,

*Natalie Harris*

Natalie Harris  
Environmental Field Office Manager  
Division of Water Pollution Control

cc: Larry Everett, TDEC-WPC/KEFO  
File: (Waters of State/Knox County/KFO2005-143)

Enclosure

## Fountain City Town Hall, Inc.

September 7, 2005

Metropolitan Planning Commission  
Knoxville•Knox County Tennessee  
400 Main Street, Suite 403  
Knoxville, TN 37902

Dear Commissioners:

### **Concept Plan for Rosebay Place, East side of Rosebay Rd., South of Garden Dr., Council District 4 (Agenda Item 8-SB-05-C)**

Fountain City Town Hall, Inc. (Town Hall) has significant concern over the proposed Rosebay Place development, east side of Rosebay Rd., south of Garden Dr.

The site for the development serves as a large drainage area for the surrounding neighborhood and has flooded on several occasions in recent years, reaching into the yards of adjacent homes, as documented by the neighbors. In the late 1990's, when Fountain City experienced a major hale storm and flooding rains, there was literally a raging river running through this property. Neighbors have met with the developer and City Engineering to ensure that they are fully aware of the problems with the site.

We believe that this a very difficult piece of property to develop; and any subdivision of the property for multiple dwellings must be carefully evaluated such that any new structures be above the 100-year flood, and there be no additional impact to any adjacent property in a 50-year storm event, as required in City of Knoxville ordinances.

We believe that it is imperative that the developer satisfactorily address all questions and issues identified by City Engineering in their memo dated, July 28, 2005 (enclosed) and any subsequent concerns prior to approval of the concept plan. In particular, the developer must provide a hydrological study to ensure that City storm water regulations have been met. We do not believe that the developer has responded to City Engineering's July 28<sup>th</sup> memo.

Given overall flooding concerns in Fountain City, Town Hall is trusting that the Metropolitan Planning Commission (MPC), MPC Staff, the developer, and City Engineering will not allow the design and construction of Rosebay Place to negatively impact the surrounding neighbors nor the rest of the community.

Thanks for your consideration.

Sincerely,

Michael A. Kane  
Chair, Fountain City Town Hall

MAK

Enclosure: As Stated

cc: Mark Donaldson  
Rob Frost, Council Fourth District  
Tina Greer

Steve & Pam Truan  
5407 Jacksboro Pike  
Knoxville, TN 37918

September 6, 2005

Mr. Richard Graf  
PO Box 11336  
Knoxville, TN 37939

Dear Mr. Graf,

My wife and I are writing to you personally, as we are to your fellow MPC Commissioners, to appeal for your help. We are homeowners, having restored a depression-era home that has been in my family for 75 years, and live on nearly two acres that adjoin Jacksboro Pike, Central High School, and a newly-proposed development of a ravine, Rosebay Place. It is this development that we correspond about, as we carry a heavy concern in two areas: its impact on the general neighborhood condition, and the added burden on flood-prone areas and lots adjoining it.

First, we carry grave reservations about the type of development - 7 two-story crackerboxes crammed onto 7 small lots. According to the developer, Mr. Glen Werley, these will carry a fairly low price tag, in order to help them sell. As you may know, many homeowners on Garden Drive have spent many \$1,000's of dollars on their homes, restoring them to the vintage look that fits nicely in North Knoxville. These are residents with spacious yards, white picket fences, lots of mature trees, and beautifully painted clapboard siding. It is obvious that the type of development proposed will destroy the symmetry and "economic demographic" of this neighborhood.

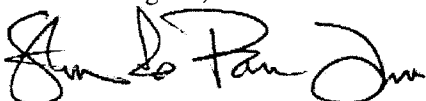
Of greater concern is the flooding issue! While it does not affect us due to elevation, it is seriously affecting about 8-9 neighbors on Garden Drive. I speak respectfully, but I am not sure that MPC realizes the magnitude of the problems that already exists.

In reviewing a USGS topo map (copy enclosed), you will note that this creek is in the headwaters of First Creek, one of the most severe flood problems in the city. I know this firsthand, as we attend church in a building located along First Creek (on the corner of Knox Dr. and Fair Dr.), and remember the structure being flooded numerous times during my childhood. In 1991, the church spent several hundred thousand dollars rebuilding on higher ground, but the parking lot is still subject to flooding.

Now, back to the proposed development, Rosebay Place - enclosed please find photos taken a few years ago, to show severity of this problem, where the entire ravine flooded. Our neighbors on Garden Drive have similar pictures, only from a different, yet more frightening, vantage point. The architect, Mr. Robert Campbell Jr., has stated that he cannot "guarantee" the situation will be any better once the development is complete. However, they propose significant grading to level off this property, throwing a much higher water load onto the Garden Drive properties.

In closing, we feel that this development carries with it grave implications - financially, legally, and physically, for the current residents of the area, future residents of the development, the developer, and the City of Knoxville. Mr. Werley, the developer, has acknowledged that this property has serious issues. With this in mind, we ask the MPC to please take the time to reassess the impact and risk of this proposed development, and make such recommendation as it sees fit.

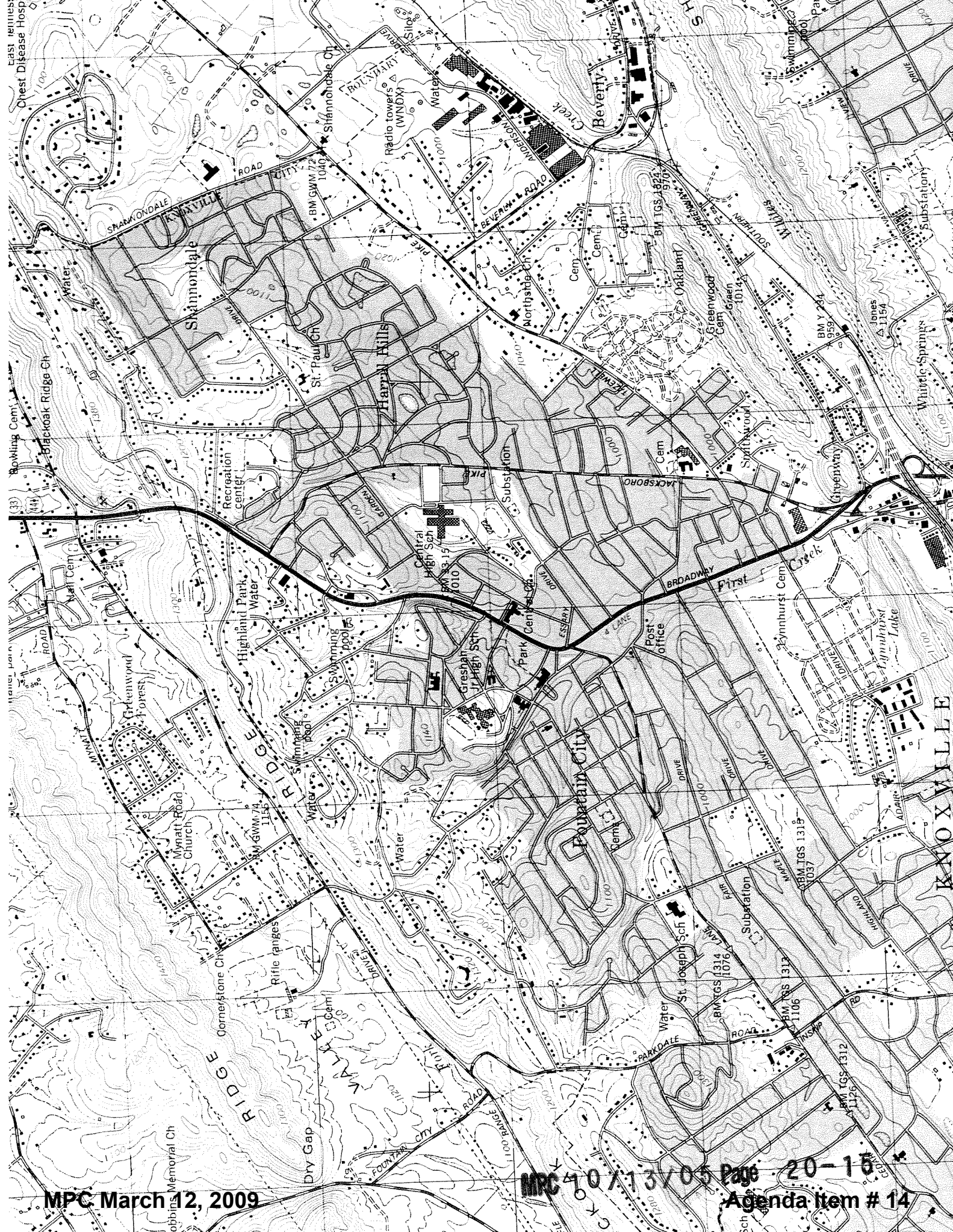
With kind regards,



Steve & Pam Truan

P.S. The developer has mentioned the possibility of selling this property at cost to the neighbors.

**MPC 10/13/05 Page 20-14**



East Tennessee Chest Disease Hospital  
Bowling Cem  
Blackoak Ridge Ch  
Mynatt Church  
Cornerstone Ch  
Robbins Memorial Ch  
St. Paul Ch  
St. Joseph Sch  
Central High Sch  
Gresham Jr High Sch  
Park Central Sch  
Post office  
Sinnondale  
Harris Hills  
Fountain City  
Knoxville



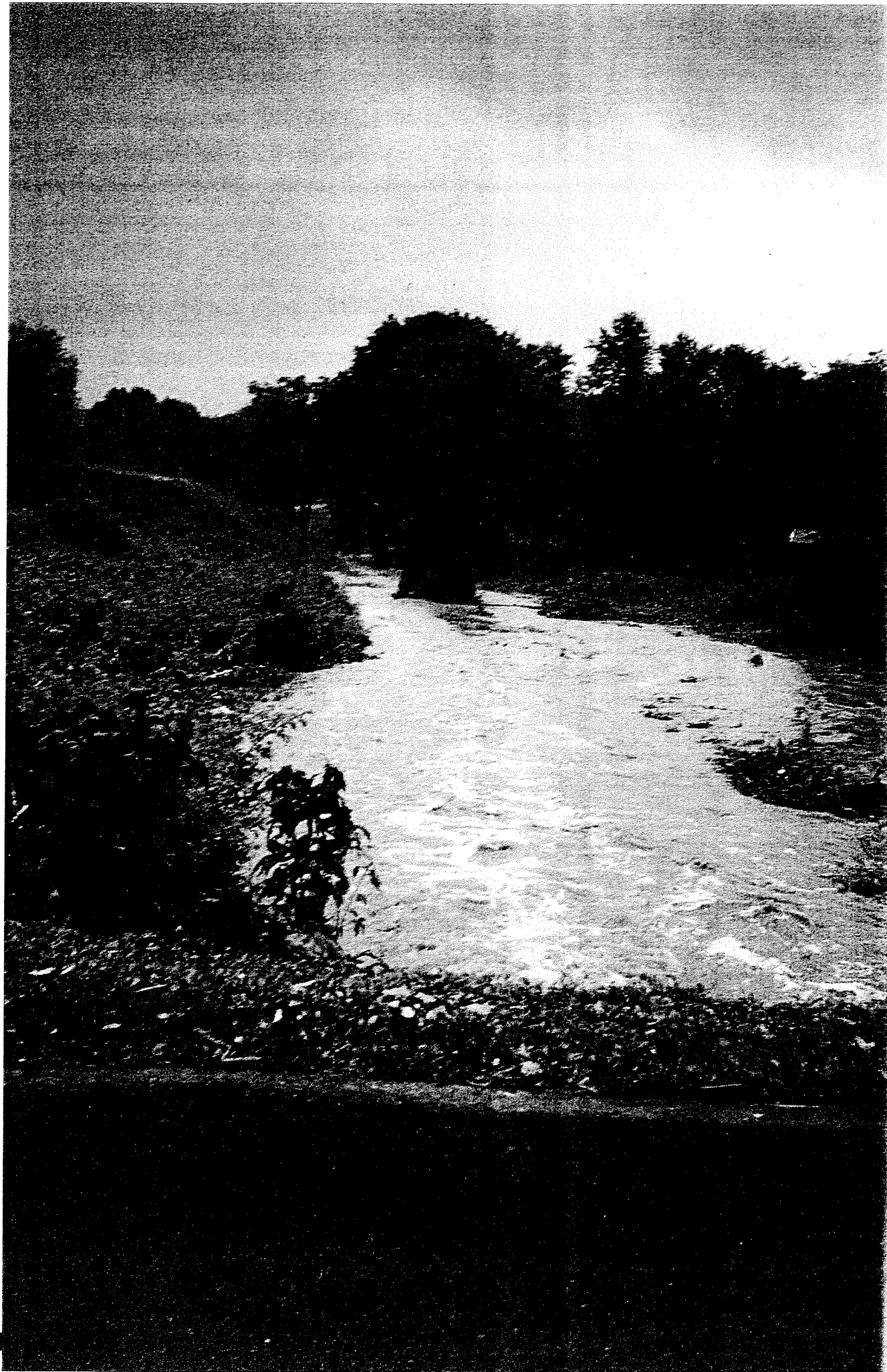
# PROPOSED LOCATION OF ROSEBAY DEVELOPMENT



MPC Map



**RAVINE ACROSS ROSEBAY FROM PROPERTY**



# PROPOSED LOCATION OF ROSEBAY DEVELOPMENT



**RAVINE ACROSS ROSEBAY FROM PROPERTY**

