

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

CONCEPT PLAN



File Number: 10-SD-18-C Related File Number: 10-D-18-UR
Application Filed: 8/27/2018 Date of Revision:
Applicant: BALL HOMES, INC

PROPERTY INFORMATION

General Location: Southwest side of Lobetti Rd, northeast of Bakertown Rd.
Other Parcel Info.:
Tax ID Number: 91 20402 Jurisdiction: County
Size of Tract: 37.51 acres
Accessibility: Access is via Lobetti Rd., a local street with a 15' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use: North: Residences - A (Agricultural) and CA (General Business)
South: Railroad, residences and vacant land - PR (Planned Residential) and A (Agricultural)
East: Residences and vacant land - A (Agricultural)
West: Vacant land / PC (Planned Commercial) and PR (Planned Residential)
Proposed Use: Detached Residential Subdivision Density: 4.45 du/ac
Sector Plan: Northwest County Sector Plan Designation:
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 7711 Ball Camp Pike
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: Ball Homes, Inc - Lobetti Road

No. of Lots Proposed: 167 **No. of Lots Approved:** 0

Variances Requested: Variances requiring Planning Commission approval.:
1. Horizontal Curve variance on Road D at STA 8+00, from 250' to 125'.
2. Horizontal Curve variance on Road D at STA 18+50, from 250' to 125'.
3. Right-of-way reduction on Schaad Rd., from 112' to 102'
4. Reduction of the depth of double frontage lots from 150' to 102' (minimum).

Waiver approved by Knox County Department of Engineering and Public Works:
1. Intersection grade waivers from 1% to 3% at all intersections except in the case of sidewalk crosswalks where maximum grade is 1%.

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE variances 1-3 because site conditions restrict compliance with the Subdivision Regulations and the variances will not create a health or safety hazard.
DENY variance 4 (See comments).

APPROVE the Concept Plan subject to 14 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 (Ord 91-1-102).
3. If the requested variance for the lot depth of double frontage lots is denied, the applicant shall submit a revised concept plan meeting the lot depth requirements to Planning Commission and Knox County Department of Engineering and Public Works staff for review. An alternative to providing a minimum lot depth of 150' for the double frontage lots would be the creation of a common area strip (currently shown on the revised plans as a landscape buffer easement) between the rear lot lines and the public right-of-way. Staff may grant an administrative approval for the required changes if no additional variances from the Subdivision Regulations are needed and the maximum number of units are not exceeded.
4. Prior to obtaining a design plan approval for the subdivision, submitting a landscape plan for the 15' deep common area strips (or landscape buffer easement if approved) that border Lobetti Rd. and Schaad Rd. Extension to Planning Commission staff for review and approval. The landscape plan should include existing vegetation when possible or include a combination of new landscaping and berms.
5. The proposed street connection to the Schaad Road Extension on the south side of the road shall be designed as a right in/right out only connection meeting all Knox County Department of Engineering and Public Works requirements for barriers and signage. Following the final design by Knox County Department of Engineering and Public Works of the proposed median opening in Schaad Rd. at this location, this proposed street connection may require approval of a variance from the Knox County Access Control and Driveway Design Policy for median offset requirements for new streets.
6. Revise the concept plan to add a 5' wide sidewalk along one side of Roads C, F and G.
7. Installation of sidewalks as identified on the concept plan, including sidewalks along Roads C, F and G. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knox County Department of Engineering and Public Works. A bond shall be provided to the Knox County Department of Engineering and Public Works by the developer in an amount sufficient to guarantee the installation of the sidewalks.
8. During the design plan phase of the subdivision, the design plans for the required widening of Lobetti Rd to a width of 20' from the northern subdivision entrance to Ball Rd. shall be submitted to the Knox County Department of Engineering and Public Works for approval. The applicant shall provide documentation that there is adequate public right-of-way to accommodate the improvements. The applicant is responsible for completing these improvements prior to the approval of a final plat for the subdivision.
9. Implementation of any recommended improvements identified in the Transportation Impact Study

prepared by Ajax Engineering, dated November 1, 2017 and as revised and approved by the Knox County Department of Engineering and Public Works and Planning Commission staff. The improvements shall be installed to the standards approved by the Knox County Department of Engineering and Public Works. Future revisions to the Traffic Impact Study may be required based on the timing of the development on the south side of Schaad Road and the construction progress for Schaad Road.

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

11. A final plat for the phases of the subdivision located on the south side of the Schaad Road Extension (proposed lots 42-167) shall not be approved until one of the following conditions exists: a) Substantial completion of the Schaad Road extension as determined by the Knox County Department of Engineering and Public Works; or b. Ball Homes widens Lobetti Road to 20 feet from the southernmost entrance for the proposed subdivision to Ball Road, including any necessary roadwork to achieve intersection sight distance. The improvements shall be installed to the standards approved by the Knox County Department of Engineering and Public Works.

12. Prior to certification of the final plat for the first phase of the subdivision, establishing a property owners association that will be responsible for the maintenance of the common areas, amenities and drainage system.

13. Placing a note on the final plat that all lots will have access only to the internal street system.

14. Submitting to Planning Commission staff prior to final plat review by the Planning Commission, the certification of design plan approval form as required by the Knoxville-Knox County Subdivision Regulations.

Comments:

The applicant has submitted a concept plan/use on review application for this 37.51 acre site located on the southwest side of Lobetti Rd., southeast of Ball Rd. The Planning Commission has previously approved two concept plan/use on review applications for this site (5-SD-17-C / 5-G-17-UR for a 164 lot subdivision on June 8, 2017 and 11-SD-17-C/11-F-17-UR for a 186 lot subdivision on December 13, 2017). The new concept plan will include a total of 167 lots at a density of 4.45 du/ac.

The proposed subdivision will be separated by the future Schaad Road extension. Knox County has already purchased the right-of-way for this new road. The extension of Schaad Road has been designed as a four lane - median divided arterial street with access control. The subdivision has access to Lobetti Road that will connect to Schaad Road at a designed intersection. The Knox County Department of Engineering and Public Works has decided that limited access would be allowed on the south side of the road but a connection on the north side would not be permitted. The proposed subdivision will include 41 detached residential lots on the northwest side of the future Schaad Road extension with the remaining 126 detached residential lots being located on the southeast side.

The subdivision as proposed and as identified in the traffic impact study includes two phases. The first phase of the subdivision is the property located on the north side of the Schaad Road extension. The second phase of the subdivision is located on the south side of the Schaad Road extension. The applicant will be required to widen Lobetti Rd. to a width of 20' from the northern subdivision entrance to Ball Rd. These improvements will be required prior to approval of the final plat for the first phase of the subdivision.

Knox County is planning to move the overall Schaad Road extension project forward sooner than anticipated. The County will phase the construction such that the work on side roads, including Lobetti Road, will be the initial phases. A final plat for the phases of the subdivision located on the south side of the Schaad Road extension (proposed lots 42-167) shall not be approved until one of the following conditions exists: a) Substantial completion of the Schaad Road extension as determined by the Knox County Department of Engineering and Public Works; or b. Ball Homes widens Lobetti Road to 20 feet from the southernmost entrance for the proposed subdivision to Ball Road, including any necessary roadwork to achieve intersection sight distance. The improvements shall be installed to the standards approved by the Knox County Department of Engineering and Public Works.

In the two previous concept plan approvals sidewalks have been provided throughout the subdivision as an amenity and to allow connection to the proposed amenity areas and to connect to the sidewalks that will be located along the Schaad Rd extension. In the revised plans that were submitted for the current proposal, the applicant removed the sidewalks along Roads C, F & G. Staff is recommending that sidewalks be added back along these streets.

This property was rezoned to PR (Planned Residential) and PC (Planned Commercial) by Knox County Commission on December 15, 2008. The Planning Commission recommended approval of the rezoning of the PC (Planned Commercial) and A (Agricultural) portion of the property to PR (Planned Residential) at the April 13, 2017 meeting. The Knox County Commission approved the rezoning on May 22, 2017. The approved PR density is for up to 5 du/ac.

VARIANCE DENIAL RECOMMENDATION:

Staff is recommending denial of the requested Subdivision Regulations variance to reduce the minimum depth of a double frontage lot from 150 feet to a minimum of 102 feet for the following reasons:

1. When the Subdivision Regulations were amended on October 12, 2017, revisions were made to the double frontage lot standards with a change in the language that "double frontage lots shall be avoided" to "double frontage lots should be avoided". With that change a provision was added that "Double frontage lots shall have a minimum depth of at least 150 feet." This is one of two provisions that allows the Planning Commission to consider use of double frontage lots. This change in the Regulations was discussed in the workshops on the Subdivision Regulations changes and was in the draft changes that were out for public review for over a year before they were adopted.
2. The two previous concept plans were approved before this change in the Regulations was adopted. This new concept plan is subject to meeting the new standard,
3. The applicant has not identified any hardship or justification for not complying with the regulation. Staff had discussed the option of creating a common area strip between the rear lot lines and the public right-of-way that would become a landscape buffer to the adjoining streets. While the applicant has included a 15' landscape buffer easement along the external street frontage, it is staff's position that it would difficult to enforce this restriction on individual homeowners. Staff is recommending that a 15' common area landscape buffer be established which would eliminate the need for the Subdivision Regulations variance.

Action: Withdrawn **Meeting Date:** 11/8/2018
Details of Action: WITHDRAWN
Summary of Action: WITHDRAWN
Date of Approval: **Date of Denial:** **Postponements:** 10/11/2018
Date of Withdrawal: 11/8/2018 **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knox County Chancery Court	Date of Legislative Action, Second Reading:
Date of Legislative Action:		Other Ordinance Number References:
Ordinance Number:		Disposition of Case, Second Reading:
Disposition of Case:		If "Other":
If "Other":		Amendments:
Amendments:		Effective Date of Ordinance:
Date of Legislative Appeal:		