

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION  
CONCEPT PLAN



File Number: 11-SB-19-C      Related File Number: 11-D-19-UR  
Application Filed: 9/27/2019      Date of Revision:  
Applicant: RALPH SMITH / PLS

## PROPERTY INFORMATION

**General Location:** East side of Cate Road at the intersection with Cateland Lane.  
**Other Parcel Info.:**  
**Tax ID Number:** 66 093 OTHER: 066KH PARCELS 001, 003, 004, 005, &      **Jurisdiction:** County  
**Size of Tract:** 8.02 acres  
**Accessibility:** Access is via Cate Road, a minor collector street with a pavement width of 19' within a 50' wide right-of-way

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:** North: Vacant land and residence - A (Agricultural)  
South: Vacant land and residence - A (Agricultural)  
East: Residences - A (Agricultural)  
West: Residences - PR (Planned Residential)  
**Proposed Use:** Duplex Subdivision      **Density:** 3.74 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:** 0 Cate Rd.  
**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: Taryn's Nest

No. of Lots Proposed: 15                      No. of Lots Approved: 0

Variations Requested: VARIANCES REQUIRING PLANNING COMMISSION APPROVAL:

1. Vertical curve variance on Gina Way at the intersection with Cate Road between STA 0+26.86 and STA 0+69.42, from a K-value of 25 to a K-value of 20.
2. Broken back curve tangent length variance on Gina Way at STA 6+48.05, from 150' to 108'.
3. Horizontal curve variance on Gina Way at STA 0+63.82, from 250' to 100'.
4. Horizontal curve variance on Gina Way at STA 2+41.90, from 250' to 100'.
5. Horizontal curve variance on Gina Way at STA 9+27.18, from 250' to 100'.
6. Horizontal curve variance on Gina Way at STA 12+47.79, from 250' to 100'.
7. Horizontal curve variance on Gina Way at STA 5+59.45, from 250' to 50'.
8. Horizontal curve variance on Gina Way at STA 7+56.66, from 250' to 50'.
9. Horizontal curve variance on Gina Way at STA 10+92.42, from 250' to 50'.
10. Standard utility and drainage easement variance along the rear lot line/peripheral boundary line for Lots 3, 4, 5, & 6 from 5' in width to 3' in width.

APPROVED WAIVERS BY THE KNOX COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS:

1. Intersection grade waiver for Gina Way at Cate Road and Gina Way at Gina Way, from 1% up to 2%.

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 1-10 because the existing site conditions restrict compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 10 conditions:

- Staff Recomm. (Full):
1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
  2. Posting speed limit signs within the subdivision at a speed no greater than 20 mph as determined by the Knox County Department of Engineering and Public Works.
  3. Obtaining an off-site drainage easement from the owner of the property to the south for the proposed stormwater detention within the sinkhole or submitting a design plan for on-site retention.
  4. Installation of sidewalks as identified on the concept plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act 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.
  5. Shifting the driveway for the western unit of the duplex on Lot 10 towards the middle of duplex. The driveways for the duplexes on Lots 10, 11, 13 and 14 shall be installed as shown (and modified by this condition) on the concept plan.
  6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  7. Including the sight-distance easements across Lots 11, 13 and 14 on the final plat.
  8. The 50' building setback from the sinkhole/closed contour on the site shall be shown on the final plat.
  9. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the private street, drainage system, common area, and any amenities.
  10. Submitting to Planning staff prior to final plat review by the Planning Commission or Planning staff, the certification of design plan approval form as required by the Knoxville-Knox County Subdivision Regulations.

Comments: This is a request to permit the construction of 15 duplexes (30 dwelling units) on a total of 15 lots on this 8.02 acre site located on the east side of Cate Road at the intersection with Cateland Lane. Each

lot will have access to a private right-of-way with access out to Cate Road, a collector street. This concept plan will replace a use on review approval (2-B-17-UR) granted by the Planning Commission for a portion of this site on December 13, 2018 for 3 duplexes (6 units).

The Planning Commission had recommended approval of the rezoning of this property to PR (Planned Residential) at a density of up to 4 du/ac on August 8, 2019. The Knox County Commission approved the rezoning request on September 23, 2019.

The Knox County Department of Engineering and Public Works is supporting the requested variances for the three horizontal curves for this private street that have a radius of only 50 feet. This is conditioned on the posting of a speed limit of no greater than 20 mph with appropriate sight distance easements through the curves. The County as a rule will not support horizontal curve variances below 100' on public streets. This will serve as a test case to see if the design of the private street, with the recommended conditions, will work to keep speeds at a safe level within this subdivision.

Stormwater retention will be required for this development since the system will discharge into an existing sinkhole located on the adjoining property to the south, unless, the applicant is able to obtain an off-site drainage easement from the owner of that property.

**Action:** Approved **Meeting Date:** 11/14/2019

**Details of Action:**

**Summary of Action:** APPROVE variances 1-10 because the existing site conditions restrict compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 10 conditions:

**Date of Approval:** 11/14/2019 **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:**