

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION
CONCEPT PLAN



File Number: 11-SI-24-C Related File Number: 11-L-24-DP
Application Filed: 10/2/2024 Date of Revision:
Applicant: SCOTT SMITH

PROPERTY INFORMATION

General Location: East side of Ebenezer Rd, north of Rosemont Blvd
Other Parcel Info.:
Tax ID Number: 132 037 (PART OF) **Jurisdiction:** County
Size of Tract: 33.14 acres
Accessibility: Access is via Ebenezer Road, a minor collector street with a 23-ft pavement width within a 50-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use: North: Agriculture/forestry/vacant land, rural residential - RAE (Exclusive Residential), OB (Office, Medical, and Related Services), PC (Planned Commercial)
South: Single family residential - PR (Planned Residential)
East: Single family residential, multifamily residential - RAE (Exclusive Residential), PR (Planned Residential)
West: Agriculture/forestry/vacant land, office - OB (Office, Medical, and Related Services), OA (Office Park)
Proposed Use: Reduction of the peripheral setback along the north property boundary **Density:** 3.2 du/ac
Planning Sector: Southwest County **Plan Designation:** SR (Suburban Residential), BP (Business Park)
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 0 EBENEZER RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR(k) (Planned Residential) up to 4 du/ac
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: Ebenezer Subdivision

No. of Lots Proposed: 106 No. of Lots Approved: 0

Variations Requested: VARIANCES

1. Allow a T-turnaround in lieu of a cul-de-sac at the termination of Road 'B'.
2. Increase the maximum grade through the T-turnaround of Road 'B' from 10% to 13.8%.
3. Allow a T-turnaround in lieu of a cul-de-sac at the termination of Road 'A'.
4. Increase the maximum grade through the T-turnaround of Road 'A' from 10% to 11.75%.

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. Increase the maximum road grade from 12 percent to 13.8 percent for Road 'B'.

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL (PLANNING COMMISSION APPROVAL NOT REQUIRED)

1. Increase the maximum intersection grade from 1% to 2% on Road 'B' at Road 'A'.

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): Variance 1 - Approve the variance to allow a T-turnaround in lieu of a cul-de-sac of Road B per Concept Plan condition 3.

- A. The utilization of T-turnarounds on these stub streets will allow for future access to the adjacent properties.
- B. The properties to the north must use Road A and/or Road B for access if they are developed in the future per the condition of their rezoning.
- C. The granting of the variance will not be detrimental to public safety, health, or welfare because the turnarounds meet the American Association of State Highway and Transportation Officials (AASHTO) standards for emergency service providers.

Variance 2 - Approve the variance to increase the maximum grade through the T-turnaround of Road B from 10 percent to 13.80 percent.

- A. The increase in road grade is due to the topography of the existing property. The proposed increase in slope will also allow the road to better accommodate a future connection to the property north of the project.
- B. The unique topography of the property and future road extension is the basis for the request (reference description in Item A above).
- C. To our knowledge, the variance will not be a detriment to public safety, health, or welfare, or be injurious to other properties and improvements in the neighborhood.

Variance 3 - Deny the variance to allow a T-turnaround in lieu of a cul-de-sac of Road A, leaving in place the previous approval of a temporary cul-de-sac, because the conditions regarding the uncertainty of this road being extended in the future have not changed.
(See the attached variance form for the applicant's justification for approval.)

Variance 4 - Deny the variance to increase the maximum grade through the T-turnaround of Road A from 10 percent to 11.75 percent based on the recommendation for variance 3, leaving in place the previous approval to increase the road grade through the cul-de-sac on Road A to 11.75 percent.
(See the attached variance form for the applicant's justification for approval.)

Approve the alternative design standards based on the justification provided by the applicant and recommendations of the Knox County Department of Engineering and Public Works.

Approve the revisions to the concept plan of Ebenezer Subdivision (6-SD-24-C) subject to 3 conditions.

Staff Recomm. (Full):

- 1) Meeting the conditions of approval for concept plan 6-SD-24-C as presented in Exhibit B, except for replacing condition #10 with condition #2 below.
- 2) Providing a temporary cul-de-sac at the northern terminus of Road 'A' and a temporary T-turnaround at the terminus of Road 'B'. The public right-of-way may remain 50 ft wide through the turnarounds, with any portion of the paved surface outside of the right-of-way being in an easement per the requirements of Knox County Engineering and Public Works during the design plan phase. When the road is extended into the adjacent property, the curbing and pavement can be removed outside the extended roadway when the standard 26 ft wide paved and curbed road cross section is installed, and, if needed, the adjacent residential driveways are extended to the new curb line. The cost of these modifications and extensions is the sole responsibility of the person(s) extending the road.
- 3) The T-turnaround at the Road 'B' terminus must be adequate for emergency service providers to turn around, per the requirements of Knox County Engineering and Public Works. A turning template must be provided during the design plan phase.

Comments:

This request is for minor modifications to the previously approved Ebenezer Subdivision concept plan (6-SD-24-C) and the associated development plan (6-H-24-DP). The modifications are listed below and are highlighted in Exhibit C. All other elements of the previous concept plan remain in effect.

Modifications:

- 1) Changing the temporary cul-de-sac turnarounds at the end of Roads 'A' and 'B' to temporary T-turnarounds that meet AASHTO requirements. – NOTE: If approved, the turnaround(s) must be adequate for emergency service providers to turn around per the requirements of Knox County Engineering and Public Works (County EPW) during the design plan phase.
- 2) A new retention pond on the side of the property, to the rear of lots 83-88.
- 3) An emergency access driveway for adjacent property to the northwest. This access will only be used by emergency services. —NOTE: Approval by the Planning Commission is not formally required for this access driveway but is listed to explain its purpose.
- 4) The retention ponds along the Ebenezer Road frontage, on either side of the entrance road, have been moved further away from the Ebenezer Road right-of-way to allow for future road improvements, if needed.

VARIANCES

The applicant requests a T-turnaround instead of a cul-de-sac at Road 'A' and Road 'B' termini. These turnarounds are meant to be temporary because these are stub streets that will allow future access to the adjacent properties to the north. During the original application review for this concept plan (6-SD-24-C / 6-H-24-DP), staff opposed the temporary T-turnaround because there was uncertainty about whether the adjacent properties would use these stub streets. They were zoned RAE (Exclusive Residential) and with access to Grospoint Drive in the Suburban Hills subdivision. In September 2024, the County Commission rezoned the adjacent lots north of Road 'B' to PR (Planned Residential) with a condition prohibiting access to Grospoint Drive once the properties are redeveloped. Because of this condition, there is more certainty that Road 'B' will be extended into the adjacent sites. However, the property to the north of Road 'A' was not rezoned and retains access to Grospoint Drive if it is redeveloped. Because of the remaining uncertainty, staff is recommending denial of the T-turnaround on Road 'A'.

The applicant also requests two variances to increase the maximum grade through the T-turnarounds from 10 percent to 11.75 percent on Road 'A' and 13.8 percent on Road 'B'. The same variances were approved in June 2024 with the original concept plan; however, they were for cul-de-sacs instead of T-turnarounds. Staff support the request for Road 'B' because it will make the continuation of this road smoother once it is extended to the adjacent site. Otherwise, there will be a dip in the road where the turnaround was removed and will cause additional grading to install the turnaround and subsequently extend the road into the adjacent property. Staff recommend denial of the variance for Road 'A' based on the denial recommendation of the T-turnaround. If denied, the previously approved variance to increase the road grade through the cul-de-sac will remain in place.

ALTERNATIVE DESIGN STANDARDS

In June 2024, the Planning Commission approved the same alternative design standard request to increase the maximum road grade from 12 percent to 13.8 percent on Road 'B'. The proposed road grade will allow for less grading and comply with access standards for emergency services. There is also a request to increase the intersection grade from 1 percent to 2 percent for Road 'B' at Road 'A'. The intersection grade is approved by Knox County Engineering and Public Works, not the Planning Commission.

These are listed for reapproval because they are on the same road as one of the T-turnarounds. The alternative design standards for Road 'C' do not have to be reapproved because the road design has not changed.

Action: Approved with Conditions

Meeting Date: 11/14/2024

Details of Action:

Summary of Action:

Variance 1 - Approve the variance to allow a T-turnaround in lieu of a cul-de-sac of Road B per Concept Plan condition 3.

A. The utilization of T-turnarounds on these stub streets will allow for future access to the adjacent properties.

B. The properties to the north must use Road A and/or Road B for access if they are developed in the future per the condition of their rezoning.

C. The granting of the variance will not be detrimental to public safety, health, or welfare because the turnarounds meet the American Association of State Highway and Transportation Officials (AASHTO) standards for emergency service providers.

Variance 2 - Approve the variance to increase the maximum grade through the T-turnaround of Road B from 10 percent to 13.80 percent.

A. The increase in road grade is due to the topography of the existing property. The proposed increase in slope will also allow the road to better accommodate a future connection to the property north of the project.

B. The unique topography of the property and future road extension is the basis for the request (reference description in Item A above).

C. To our knowledge, the variance will not be a detriment to public safety, health, or welfare, or be injurious to other properties and improvements in the neighborhood.

Variance 3 - Deny the variance to allow a T-turnaround in lieu of a cul-de-sac of Road A, leaving in place the previous approval of a temporary cul-de-sac, because the conditions regarding the uncertainty of this road being extended in the future have not changed.

(See the attached variance form for the applicant's justification for approval.)

Variance 4 - Deny the variance to increase the maximum grade through the T-turnaround of Road A from 10 percent to 11.75 percent based on the recommendation for variance 3, leaving in place the previous approval to increase the road grade through the cul-de-sac on Road A to 11.75 percent.

(See the attached variance form for the applicant's justification for approval.)

Approve the alternative design standards based on the justification provided by the applicant and recommendations of the Knox County Department of Engineering and Public Works.

Approve the revisions to the concept plan of Ebenezer Subdivision (6-SD-24-C) subject to 3 conditions.

Date of Approval:

11/14/2024

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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: