

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION
CONCEPT PLAN



File Number: 12-SC-22-C **Related File Number:** 12-C-22-DP
Application Filed: 10/25/2022 **Date of Revision:**
Applicant: W. SCOTT WILLIAMS & ASSOCIATES

PROPERTY INFORMATION

General Location: Northeast side of Beverly Rd, north of Greenway Dr
Other Parcel Info.:
Tax ID Number: 59 00201,002 **Jurisdiction:** County
Size of Tract: 84.56 acres
Accessibility: Access is via Beverly Road, a major collector with a pavement width of 21-ft within a right-of-way width of 48-ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use: North: Industrial, Agricultural/Forestry/Vacant -- I-G (General Industrial), I (Industrial)
South: Single family residential, Rural residential, agricultural/forestry/vacant, Office, and Industrial -- RB (General Residential), RA (Low Density Residential), I (Industrial), A (Agricultural)
East: Agricultural/forestry/vacant -- RB (General Residential), I (General Industrial), F (Floodway)
West: Agricultural/forestry/vacant -- I-G (General Industrial District), HP (Hillside Protection Overlay), F (Floodplain Overlay)
Proposed Use: Attached and detached residential subdivision **Density:** 2.31 du/ac
Sector Plan: North City **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 4760 BEVERLY RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential), F (Floodway)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection), SP (Stream Protection)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: The Preserve at Whites Creek

No. of Lots Proposed: 196 **No. of Lots Approved:** 0

Variances Requested: VARIANCES

1. Reduce the minimum vertical curve on Road 'A' from K=25 to K=18.33 at STA 0+93.22

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. Reduce the minimum horizontal curve radius from 250' to 150' on Road 'A' at STA 0+53.67

2. Reduce the minimum horizontal curve radius from 250' to 200' on Road 'B' at STA 2+03.29

3. Reduce the minimum horizontal curve radius from 250' to 200' on Road 'B' at STA 17+89.77

4. Reduce the minimum street frontage width from 25' to 22' for lots 6-10, 16-20, 26-30, 41-45, 51-55, 61-65, 71-80, 86-90, 96-100, and 106-110.

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

1. NONE

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.): Approve the requested variance and 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 Concept Plan subject to 11 conditions.

Staff Recomm. (Full):

- 1) Connection to sanitary sewer and meeting other relevant utility provider requirements.
- 2) Provision of street names consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
- 3) Certifying that the required sight distance is available along Beverly Road in both directions at the Road 'A' intersection, with documentation provided to the City of Knoxville Department of Engineering for review and approval during the design plan phase. The sight distance shall be certified using design grades at the entrance before grading permits are issued for the site.
- 4) Obtaining all necessary permits from the City of Knoxville for work within the Beverly Road right-of-way.
- 5) Provide guest parking in accordance with Section 3.03.B.1. of the Subdivision Regulations, which allows reduction of the minimum 25-ft street frontage if guest parking is provided throughout the development. Adjustments to the guest parking location may be approved by Planning staff during the design plan phase.
- 6) Providing a 50-ft wide right-of-way stub-out at the eastern terminus of Road 'A' that extends to the eastern property boundary. The stub-out shall be provided on the Final Plat and identified for future connection per section 3.04.C.2.d. of the Subdivision Regulations.
- 7) Land disturbance within the HP area shall not exceed 12.6 acres, as recommended by the slope analysis (attached). The limit of disturbance is to be verified and delineated on the site with high-visibility fencing before grading permits are issued for the site. Undergrowth in the undisturbed HP areas may be cleared for passive recreational uses, such as walking trails. Selective tree removal is permissible for the removal of invasive species or to alleviate safety hazards, such as trees that are falling, dead, or dying.
- 8) Implementing the recommendations of the Transportation Impact Analysis for The Preserve at Whites Creek (AJAX Engineering, 11/16/2022), as revised and approved by Planning Commission staff, Knox County Engineering and Public Works, and City of Knoxville Engineering (see Exhibit A). The City of Knoxville is not requiring the applicant to make off-site improvements. However, sight distance along Beverly Road must be certified per condition #3.
- 9) Meeting all applicable requirements of the Knox County Department of Engineering and Public

Works and the City of Knoxville Department of Engineering.

10) Before certification of the final plat for the subdivision, establish a home owners association responsible for maintaining common facilities, such as common areas, amenities, private roads, and/or stormwater drainage systems. The PR (Planned Residential) zone requires all common open space to be controlled by an HOA if lots less than 3,000 sqft are created.

11) The boundary of the F (Floodway) zone must be provided on the plans submitted for design plan review with Knox County Engineering and Public Works. All uses, including structures, must meet the requirements of the F (Floodway) zone (Section 5.70 of the Knox County Zoning Ordinance). No residential structures are permitted in the F (Floodway) zone per Section 5.70.04.B.1.

Comments:

This proposal is a residential subdivision with 196 lots on 84.56 acres at a density of 2.31 du/ac. There are 110 attached and 86 detached residential house lots.

REZONING AND ALLOWED DENSITY [CORRECTED 2/6/2023 -- added F (Floodway) to the property zoning]

In February 2021, Knox County Commission approved rezoning the property from I (Industrial), RB (General Residential), and F (Floodway) to PR (Planned Residential) zoning up to 2.51 du/ac and F (Floodway), as recommended by the Planning Commission (1-E-21-RZ). As documented in the staff report, the recommended density was based on allowing the requested 196 dwelling units on the total acreage of the site, which was assumed to be 78 acres at the time (196 units / 78 acres = 2.51 du/ac). The staff report noted that the applicant requested a density of 3.22 du/ac on the 61 acres (3.22 du/ac x 61 acres = 196 units), which excluded the 16-17 acres in the floodway.

The applicant intends to donate land in and around the floodway to Legacy Parks Foundation. The applicants concern during the rezoning was that the act of donating the land would reduce the total area of the site and therefore reduce the number of residential dwellings allowed. If the land donation happens, it will be after the approval of the concept plan and development plan, so it will not negatively impact the allowed number of dwelling units.

It is staff's opinion that up to 196 dwellings can be requested and approved on this site because the total acreage of the site, including the portion zoned F (Floodway), and the requested 196 dwelling units on the rezoning application were considered when determining the recommended and approved density (dwelling units per acre) for the site. During the rezoning, the assumed acreage of the site was 78 acres. The concept plan states that the site is 84.56 acres. Even though the site is approximately 6 acres larger than previously thought, the number of dwelling units cannot exceed 196.

SITE CONSTRAINTS

This 84-acre site has approximately 40.5 acres in the Hillside Protection (HP) area, and approximately 26.5 acres in the FEMA 500-year floodplain. There are approximately 17 acres that are not constrained (20% of the site), which is where the majority of the lots are located. The slope analysis recommends a maximum disturbance of 12.6 acres in the HP area. The preliminary limit of disturbance proposes 9.5 acres of disturbance in the HP area. Staff is recommending that disturbance within the HP area not exceed 12.6 acres, as recommended by the slope analysis. This is to be verified during the design plan phase and delineated with high visibility fencing before grading permits are issued for the site.

ROAD CONNECTIVITY

This 196-lot development has single access from Beverly Road and a single-loaded 26-ft wide road until the first intersection with Road 'B'. The number of dwellings exceeds the long-standing unwritten design policy requiring a second entrance or a boulevard entrance road when a subdivision has more than 150 lots. The purpose of this policy is to address access for emergency services, but it also has the secondary benefit of increasing connectivity when multiple entrances are established.

This site does not have a feasible secondary access point because of the limited frontage on Beverly Road, the stream and rail line to the north, and the ridge to the south. In staff's opinion, a boulevard road cross-section from Beverly Road to the Road 'B' intersection does not provide enough additional benefit to warrant requiring a boulevard in this case. With dwellings located only on one side of the street, the roadway between Beverly Road and Road 'B' will be less congested with on-street parking and vehicles entering and exiting driveways.

A right-of-way stub-out is provided at the eastern terminus of Road 'A'. However, this only provides marginal benefit as secondary access, such as for emergency purposes, if the Beverly Road access is blocked. The only potential road connection to the east is McCampbell Drive, which is narrow with limited opportunity for widening because of the adjacent rail line, and is frequently flooded by Murphy Creek and Whites Creek.

STORMWATER

The site design must meet the standards in the Knox County Stormwater Ordinance. The preliminary stormwater plan on the concept plan includes three (3) detention ponds; one near Beverly Road and two in the eastern half of the development on the north side of Road 'A'.

VARIANCES AND ALTERNATIVE DESIGN STANDARDS

There is one (1) variance and four (4) alternative design standards requested. The variance is to reduce the minimum vertical curve at the entrance of the subdivision, Road 'A' at Beverly Road, from K=25 to K=18.33. This results in a road grade transition that is sharper than normally required at an intersection with a classified road (collector or arterial). The Beverly Road right-of-way (ROW) is in the City of Knoxville. The Road 'A' connection must meet the City standards for sight distance and road design in the ROW and the County road design standards on the subject site. The City uses AASHTO road design standards which has alternative methods of design to match the needs of the site. The County uses the standards in the Subdivision Regulations, which are not flexible. Once the Road 'A' enters the subject property, a variance is required to match the road design allowed in the City. One reason that a greater K value is required along classified roads is to make it easier, or in some instances feasible, to widen the classified road and tie in the side street with grades that are not too steep. If Beverly Road is ever widened or realigned in the future, it will most likely be to the west side of Beverly Road because of the steep hillside to the east, and it will reduce the sharpness of the S-curve in this section of roadway.

There are three (3) alternative design standard requests to reduce the minimum 250-ft horizontal curve radius. On Road 'A', the request is for a 150-ft radius near the Beverly Road intersection. The larger required radius is less of a concern in this location because vehicles will be traveling at a reduced speed as they slow when approaching the intersection or still accelerating as they enter the site. On Road 'B', there are two requests for 200-ft radii. These horizontal curves are near intersections but they are longer in length so they need to accommodate a slightly greater vehicle speed. The 200-ft horizontal curve meets AASHTO standards for a road design speed of 25 mph, which all residential streets in Knox County are posted.

The other alternative design standard is a request to reduce the minimum lot frontage from 25 ft to 22 ft. Section 3.03.B.1. of the Subdivision Regulations allows the Planning Commission to reduce the minimum street frontage to 20 ft for attached house lots if guest parking is provided throughout the development. Guest parking is provided in several locations on Road 'A' and Road 'B'.

Action: Approved with Conditions **Meeting Date:** 2/9/2023

Details of Action:

Summary of Action: Approve the requested variance and 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 Concept Plan subject to 11 conditions.

Date of Approval: 2/9/2023 **Date of Denial:** **Postponements:** 12/8/2022

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:**