

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

CONCEPT PLAN



File Number: 3-SA-20-C      Related File Number:  
Application Filed: 1/24/2020      Date of Revision:  
Applicant: S & E PROPERTIES

## PROPERTY INFORMATION

General Location: Southeast side of Westland Dr., east of Gothic Manor Ln.  
Other Parcel Info.:  
Tax ID Number: 133 050      Jurisdiction: County  
Size of Tract: 23.7 acres  
Accessibility: Access is via Westland Drive, a minor arterial with approximately 18 ft pavement width and 88 ft right-of-way per the 2018 Major Road Plan.

## GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land  
Surrounding Land Use: North: Railroad & Residences / A (Agricultural) & PR (Planned Residential)  
South: Residences & stables / A (Agricultural)  
East: Residences, utility substation, & vacant land / PR (Planned Residential) & A (Agricultural)  
West: Residences / PR (Planned Residential) & A (Agricultural)  
Proposed Use: Detached single family residential      Density: 3.16  
Sector Plan: Southwest County      Sector Plan Designation:  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context:

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

Street: 8444 Westland Dr.  
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: Westland Creek

No. of Lots Proposed: 75      No. of Lots Approved: 0

Variances Requested: 1. Reduction of the minimum double frontage lot depth of 150 ft for lots 70-75 to 113 ft minimum.

ALTERNATIVE DESIGN STANDARDS REQUIRING PLANNING COMMISSION APPROVAL:

1. Road "C" road slope from 12% to 14% from STA 1+15 to STA 4+73.

S/D Name Change:

### **OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

### **PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Tarren Barrett

Staff Recomm. (Abbr.): APPROVE variance 1 and alternate design standard 1 because topographic constraints and site conditions restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the concept plan subject to 11 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
2. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knox County (Ord. 91-1-102).
4. Installation of sidewalks as identified on the concept plan. Sidewalks shall meet all applicable requirements of the American 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 the amount sufficient to guarantee the installation of the sidewalks.
5. Implementation of the intersection improvements and recommendations outlined in the Transportation Impact Study (TIS) prepared by Fulgham MacIndoe & Associates, Inc. as revised on March 29, 2017. The design details and timing of the installation of the improvements shall be worked out with Knox County Department of Engineering and Public Works during the design plan stage for the subdivision.
6. Meeting all applicable requirements of Knox County Fire Marshal's office.
7. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of all common areas, amenities including sidewalks, and stormwater/drainage facilities. A maintenance agreement for the sidewalks will have to be agreed upon with Knox County Department of Engineering and Public Works prior to the bond release.
8. 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.
9. The right-of-way of the cul-de-sacs at the ends of Roads A and B are made wide enough to allow for the creation of one or two lots from the adjoining tracts of land allowing access to the public streets.
10. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
11. 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: The applicant's concept plan had expired prior to a final plat being approved for the subdivision. Therefore, the applicant needed to update the concept plan with a new approval. The applicant is staying within the same general road structure as previously approved, but slightly modifying their lot layout on the site plan.

The applicant is proposing to subdivide this 23.7-acre tract into 75 detached residential lots and common area at a density of 3.16 du/ac. This property which is zoned PR at less than 5 du/ac (Low Density Residential) is located on the south side of Westland Drive just east of Gothic Manor Lane. The proposed subdivision will be served by public streets with one access out to Westland Drive. There is frontage for the rear portion of the property (not included in this application) out to Nubbin

Ridge Road, but this future development area has severe grade issues with no proposed connection out to Nubbin Ridge Road. The proposed plan is currently showing a right-of-way dedication and access to this future development area within the proposed subdivision, thus, allowing for the subdivision to maintain internal connection from one subdivision entrance.

This site is not located within the parental responsibility zone (PRZ). The proposed subdivision will include sidewalks on one side of Road A. One of the general provisions for the PR zoning district is that it encourages open space for recreational use. The addition of sidewalks would in part meet that objective. When the previous concept plan for this proposed subdivision was approved (2017), there was no minimum double frontage lot depth. Since that time, the Subdivision Regulations have changed to require a minimum double frontage lot depth of 150 ft. Staff felt there was justification to allow lower than 150 ft since the subdivision was a previously approved plan and there was right-of-way (ROW) dedicated along Westland Drive to meet the Major Road Plan dedication requirements.

The previous proposed plan (4-SB-17-C & 4-G-17-UR) had a completed Transportation Impact Study (TIS) dated March 29, 2017. Although the TIS was dated 3 years ago, Knox County Engineering staff and Planning staff did not see the need to revise the TIS since there were 7 less lots than previously proposed in the study and the recommendations for the turn lane would not change. The project engineer certified in the TIS that over 400 ft of sight distance is available east and west along Westland Drive at the proposed subdivision entrance. This is required per Subdivision Regulations since the access is from a Minor Arterial road per the Major Road Plan. The study mentions the warrant for a westbound left-turn lane at the proposed entrance of the subdivision, which would be installed per Knox County Department of Engineering and Public Works requirements.

The applicant had requested a reduction of the peripheral setback from 35 ft to 25 ft in the 2017 concept plan. This was approved by the Planning Commission at the April 14, 2017 meeting, which is still valid for this concept plan.

**Action:** Approved

**Meeting Date:** 4/9/2020

**Details of Action:**

**Summary of Action:** APPROVE variance 1 and alternate design standard 1 because topographic constraints and site conditions restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the concept plan subject to 11 conditions.

**Date of Approval:** 4/9/2020

**Date of Denial:**

**Postponements:** 3/12/2020

**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:**