

# CASE SUMMARY

APPLICATION TYPE: **SUBDIVISION**  
CONCEPT PLAN



**File Number:** 5-SD-23-C **Related File Number:**  
**Application Filed:** 3/28/2023 **Date of Revision:**  
**Applicant:** SMITHBILT HOMES

## PROPERTY INFORMATION

**General Location:** North and south sides of W Emory Rd, west of Rio Grande Dr  
**Other Parcel Info.:**  
**Tax ID Number:** 66 121,122,122.01 **Jurisdiction:** County  
**Size of Tract:** 52.62 acres  
**Accessibility:** Access is via W. Emory Road, a major arterial street with 24-ft of pavement width within 60-ft of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land, Rural Residential  
**Surrounding Land Use:** North: Rural Residential, Agriculture/Forestry/Vacant Land, Utility -- A (Agricultural)  
South: Agriculture/Forestry/Vacant Land -- A (Agricultural), RA (Low Density Residential)  
East: Single Family Residential, Agriculture/Forestry/Vacant Land -- A (Agricultural), RA (Low Density Residential), PR (Planned Residential)  
West: Rural Residential, Single Family Residential, Agriculture/Forestry/Vacant Land -- A (Agricultural), PR (Planned Residential)  
**Proposed Use:** **Density:** 3.2 du/ac  
**Sector Plan:** Northwest County **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

**Street:** 4515 W EMORY RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PD (Planned Development) and A (Agricultural)  
**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:** Belltown

**No. of Lots Proposed:** 169      **No. of Lots Approved:** 0

**Variations Requested:** VARIANCES

1. Reduce the minimum tangent distance between reverse curves from 50 ft to 22.01 ft on Road 'G' between STA 1+40.32 and 1+62.33
2. Reduce the minimum tangent distance between broken back curves from 150 ft to 93.37 ft on Road 'A' between STA 1+20.99 and 2+14.36
3. Reduce the minimum tangent distance between broken back curves from 150 ft to 65.57 ft on Road 'E' between STA 7+68.11 and 8+33.68
4. Reduce the minimum tangent distance between broken back curves from 150 ft to 135.78 ft on Road 'C' between STA 9+99.02 and 11+34.80

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. Reduce the minimum horizontal curve radius from 250 ft to 200 ft on Road 'A' at STA 0+72.8 to 1+21.0
2. Reduce the minimum horizontal curve radius from 250 ft to 200 ft on Road 'A' at STA 19+49.93 to 20+93.24
3. Reduce the minimum horizontal curve radius from 250 ft to 200 ft on Road 'E' at STA 8+33.68 TO 9+13.76

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

\*\* See the Requested Variations and Alternative Design Standards memo attached to the staff report.

**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 variations and alternative design standards based on the justification provided by the applicant and recommendations of Knox County 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) Meeting the approved development standards in the preliminary plan for the Belltown planned development (11-A-22-PD).
- 4) Provide the dimensional standards for the Single Family Designated Area of the Belltown preliminary plan, Section 8.1, on the final plat (Exhibit B).
- 5) The design details of Road 'A' shall be worked out during the design plan phase with Planning Commission staff and Knox County Engineering and Public Works, including but not limited to the width and length of the curb extensions at intersections.
- 6) Complying with the terms and conditions of the proposed Knox County Road Ordinance (Exhibit C) by partnering with Knox County to implement the recommended improvements to the W. Emory Road and Clinton Highway intersection (Exhibit A) as outlined in the Belltown Planned Development Traffic Impact Study (Cannon & Cannon, 3/20/2023), and as revised and approved by Planning Commission staff, Knox County Engineering and Public Works, and Tennessee Department of Transportation (TDOT).
- 7) The amenity located on the "Common Area & Amenity" lot on the concept plan shall start construction before home construction begins in any subsequent phase of the single family designated area. The amenity shall be in keeping with what was presented on the Master Plan Map, Exhibit J in the Preliminary Plan document, which shows a structure, pool, and parking. The cemetery must be included in the amenity plan, showing it in context to the proposed amenity and any modifications to

the cemetery, such as fencing and pedestrian access.

8) If any building construction is proposed within the 50-ft buffer area around the designated sinkholes/depressions (including the depressions), a registered engineer must prepare a geotechnical report to determine soil stability. That report must be submitted to the Knox County Department of Engineering and Public Works for consideration. Any construction in these areas is subject to approval by the County following a review of the report. Engineered footings must be designed for these areas. For those lots that do not have a building site outside of the 50-ft buffer, approval by Knox County will be required prior to final plat approval. The sinkholes/depressions and 50-ft buffer shall be designated on the final plat even if they are approved to be filled.

9) Alleys shall be platted and maintained as private right-of-way.

10) Providing a detailed landscape plan for the W. Emory Road frontage and, if necessary, the western boundary of the development, consistent with the requirements of Section 8.1.4 (Peripheral Boundary) of the Belltown preliminary plan. This shall be reviewed and approved by Planning Commission staff during the design plan phase.

11) Meeting all applicable requirements and obtaining all necessary permits from TDOT.

**Comments:**

**SUMMARY**

This proposal is phases 1 & 2 of the Belltown Planned Development. Phase 1 is the residential subdivision on the north side of W. Emory Road, which includes 169 detached residential lots on approximately 52.62 acres at a density of 3.2 du/ac. Phase 2 is the widening and installation of turn lanes on W. Emory Road along the frontage of the development. These are two separate phases on the concept plan, but Phase 2 will be completed in conjunction with Phase 1. The development must be in conformance with the approved Belltown Preliminary Plan (11-A-22-PD).

**BACKGROUND**

The Belltown development was approved through the Planned Development process (Article 6.80), which provides an optional process for projects that may not fit within the bounds of the standard zoning districts established by the Knox County Zoning Code. The underlying zoning for the subject site is A (Agricultural). The underlying zoning district dimensional, design, and use regulations apply unless an exception is granted as part of the planned development approval. The Belltown Preliminary Plan was approved in January 2023, which added permitted uses to those already allowed in the A zone and replaced the dimensional standards in their entirety.

Belltown was approved with up to 1,200 residential units and 64,000 sqft of commercial floor area. The residential is split into three categories; single-family, townhouse, and multi-family. The single family designated area, north of W. Emory Road, had 561 lots proposed in the conceptual Master Plan Map, Exhibit J in the preliminary plan document; however, the maximum number of single-family lots is 752. This concept plan has 169 lots, leaving 392 additional lots based on the conceptual Master Plan Map or 583 based on the maximum allowed. The single family designated area is only on the 215 acres north of W. Emory Road. The south side of W. Emory Road has townhouses, multi-family, and commercial uses.

**NEXT STEPS**

The next steps for the Belltown development are to submit concept plans to create lots and public roads and development plans for Final Plan approval. The Planning Commission must approve the concept plans, which must comply with the Knoxville-Knox County Subdivision Regulations, the Belltown preliminary plan, and any other applicable Knox County Zoning Code requirements. The Final Plans for individual developments have to be reviewed and approved by Planning staff to certify compliance with the Belltown preliminary plan and any other applicable zoning standards.

**CONCEPT PLAN**

The current application is a concept plan, which includes a detailed review of the lot layout, roads, and preliminary stormwater drainage plan, and may include plans for off-site improvements. The proposed lot layout and road design conform to the approved area regulations for the single family designated area and the general road layout presented in the preliminary plan.

The applicant is requesting several variances and alternative design standards for road design, which Staff supports for approval. These requests include reductions to horizontal curve radii, tangent lengths between horizontal curves, and pavement widths, and increases to the intersections grades. The specific requests do not create a safety concern at the 25 MPH design speed for residential streets.

There is one request for increasing the maximum intersection grade that Knox County Engineering and Public Works (EPW) cannot approve as requested. Road 'A' is proposed with a sidewalk on both sides which will result in the need for a crosswalk on Road 'A' at the intersection with Road 'C'. The requested intersection grade is 2.79 percent; however, the maximum cross slope for a crosswalk is 2 percent, which Knox County EPW can approve for the intersection grade.

**BELLTOWN PRELIMINARY PLAN**

The Belltown development must conform to the preliminary plan and the conditions of the approval (11-

A-22-PD).

Applicable conditions of approval (see Exhibit D, case summary, for the full list of conditions):

1) Submitting a Concept Plan application for review and approval by the Planning Commission. The Concept Plan shall include additional details regarding the required road improvements and the pedestrian facilities across and along W. Emory Road, and that planning staff is to be a part of the design plan review process along with Knox County Engineering and Public Works, Knox County Parks and Recreation and TDOT to oversee the additional items as outlined [Conditions #9, 10 and 11], as well as working with the developer.

NOTE: This submittal satisfies the requirement to submit a concept plan. The preliminary design of the W. Emory Road improvements and pedestrian crossings are provided in the concept plan. The final plans will be approved administratively during the design plan phase.

2) Partnering with Knox County to implement the recommended improvements to the W. Emory Road and Clinton Highway intersection by providing funding commensurate to the projected 2030 traffic volumes added to this intersection by the development as outlined in the Bell Farms (Belltown) Master Plan Traffic Impact Study (CDM Smith, 9/21/2022), and as revised and approved by Planning Commission staff and Knox County Engineering and Public Works. The Traffic Impact Study must be revised to be consistent with the maximum allowed development intensity in Section 7.2. (Proposed Density) of the Belltown preliminary plan (revised 12/5/2022) and, if applicable, condition #4 and to provide design details for the westbound receiving lane on W. Emory Road at the Clinton Highway intersection. The details regarding the shared costs of the improvements for this intersection shall be NOTE: Knox County has initiated an ordinance amendment that changes the process for how required off-site road improvements are completed (see condition #6 of this concept plan). The pending ordinance amendment satisfies the requirement to partner with Knox County on the off-site improvements. The TIS has been revised as required. Additional revisions are still necessary but are not anticipated to change any of the recommendations or conclusions of the study.

3) Amending Section 13. (Project Phasing) to clarify that the developer will provide funding toward the improvements at the W. Emory Road and Clinton Highway intersection commensurate to the projected 2030 traffic volumes added to this intersection per the revised Traffic Impact Study.  
NOTE: Condition #3 is no longer relevant based on the pending ordinance amendment as noted above.

4) Amending Section 7.2. (Proposed Density) to state that there shall be no more than 1,200 residential dwelling units in the areas designated single family, townhouse, and multi-family, and to clarify that each residential area shall not to exceed the maximum density as presented in Section 7.2. (Proposed Density) and Section 7.3. (Proposed Land Use Map) of the Belltown preliminary plan (revised 12/5/2022).

NOTE: This has been updated.

11) Add construction of amenities to the phasing plan [Section 13, Exhibit L] for the north (separately) and south sides of the development.

NOTE: The phasing plan has been updated.

Applicable standards in the Belltown preliminary plan:

Section 7.2.A. – The single family designated area shall not exceed 3.5 du/ac acre.

NOTE: Phase 1 has a density of 3.2 du/ac.

Section 8.1.1. (Area Regulations) – The standards applicable to the creation of the lots are below.  
D. Lot Width.

1. For front-loaded dwellings, the minimum lot width shall be forty (40) feet.

2. For alley-loaded dwellings, the minimum lot width shall be thirty (30) feet.

3. For side-loaded dwellings, the minimum lot width shall be fifty (50) feet.

E. Lot Area

1. For front-loaded dwellings, the minimum lot area shall be 4,000 square feet.

2. For alley-loaded dwellings, the minimum lot area shall be 4,000 square feet.

3. For side-loaded dwellings, the minimum lot area shall be 5,000 square feet.

NOTE: All lots meet the lot width and area standards.

Section 8.1.4. (Peripheral Boundary) -- All buildings shall be set back at least twenty-five (25) feet from any peripheral boundary, including West Emory Road. At least ten (10) feet of natural vegetation shall be left undisturbed along any peripheral boundary. If natural vegetation must be removed for development, then the developer must install a landscape buffer of at least one (1) evergreen tree every twenty-five (25) linear feet where natural vegetation is removed. The boundary abutting West Emory Road shall be landscaped with a minimum of one (1) evergreen tree every twenty-five (25) linear feet.

NOTE: All lots have buildable areas outside the 25-ft peripheral setback. A detailed landscape plan

must be provided during the design plan phase, per condition #10 of this concept plan.

Section 8.1.5. (Sidewalk) -- Each street shall have at least one (1) sidewalk with the exception of the "estate lots".

NOTE: All roads have a sidewalk on at least 1 side.

**Action:** Approved with Conditions

**Meeting Date:** 5/11/2023

**Details of Action:**

**Summary of Action:**

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

Approve the concept plan subject to 11 conditions.

**Date of Approval:** 5/11/2023

**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:**