

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

## CONCEPT PLAN



File Number: 6-SB-19-C  
Application Filed: 4/26/2019  
Applicant: JOHN KING

Related File Number: 6-A-19-UR  
Date of Revision:

### PROPERTY INFORMATION

**General Location:** Southeast side of Rather Road, East of George Light Road  
**Other Parcel Info.:**  
**Tax ID Number:** 89 218 **Jurisdiction:** County  
**Size of Tract:** 7.84 acres  
**Accessibility:** Access is via Rather Rd., a local street with 15' of pavement width within 50' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural residential  
**Surrounding Land Use:** This area to the east of Pellissippi Parkway, that is accessed from George Light Rd. and Rather Rd., is developed with agricultural and rural to low density residential uses under A, RA and PR zoning.  
**Proposed Use:** Attached residential subdivision **Density:** 3.43 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:** 10620 Rather 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:** Rather Road

**No. of Lots Proposed:** 26      **No. of Lots Approved:** 26

**Variances Requested:**

- 1) Reduction of right-of-way turning radius at corner of Road "A" and Rather Road from 25' to 10'.
- 2) Reduction of pavement turning radius on Road "A" at Rather Road from 25' to 22'.
- 3) Reduction of minimum lot frontage width from 25' to 22.83' for Lot 9.

**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 variances 1-3 because the site's topography and shape restricts compliance with the Subdivision Regulations and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 8 conditions.

**Staff Recomm. (Full):**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (Ord 91-1-102).
3. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
4. Place a note on the final plat that all lots will have access only to the internal street system.
5. Prior to certification of the final plat for the subdivision, establishing a property owners association for the purpose of maintaining the storm water drainage system, private road, and common open space.
6. Widening Rather Rd. to a minimum width of 20' from the George Light Rd. intersection to the eastern frontage boundary of the subject property, including the proposed realignment of Rather Rd. to increase the curve radius along the northern boundary of the property as proposed. The widening is to be done with the approval of and under the supervision of the Knox County Dept. of Engineering and Public Works, and must be completed before final plat approval, unless the Knox County Department of Engineering and Public Works accepts a bond to ensure completion of the improvements to Rather Road.
7. Certification on the final plat by the applicant's engineer that there is 250' of sight distance at the proposed subdivision entrance to the widened and realigned Rather Rd.
8. Establish a 25' access easement across Lot 17 to Road "B" to create legal access for Lot 16.

**Comments:** King Properties is proposing to subdivide this 7.84 acre tract into 26 attached residential lots at a net density of 3.43 du/ac. The net acreage for determining the density is 7.59 acres and excludes the land area designated floodway on the FEMA map (.25 acres). The development will also be dedicating .40 acres of right-of-way, which is normally taken out of the acreage used for determining the number of units allowed, however, in this case the dedication is in addition to the 25' from the centerline of the road that would normally be required because they are realigning Rather Rd. Because of this public improvement, staff is using the acreage of the site before the right-of-way dedication for the realignment of Rather Rd but not the right-of-way that would otherwise be required by the Major Road Plan.

In March 2018 (3-SC-18-C / 3-E-18-UR) the Planning Commission approved a detached residential subdivision with 24 lots with public roads. This proposal has 26 attached units on individual lots with private roads. The proposed right-of-way width is 40' and pavement width is 24'. For private roads, the Planning Commission has the authority to approve a right-of-way reduction from 50' to 40' and pavement width from 26' to 20'.

The previous approval included improvements and realignment of Rather Road, and these improvements are also included within this request. Rather Road is currently only about 15' wide and does not meet the minimum County road standards. The developer is required to widen Rather Road to a minimum of 20' pavement, 2' shoulders, and swales from the George Light Rd. intersection to the eastern boundary of the property. In addition, there is a sharp curve in the road along the northern boundary of the property and a steep road grade east of this curve. The developer proposes to realign Rather Road in this curve to increase the radius and decrease the road grade to 15 percent, which is the maximum recommended for new streets. There are two private driveways on the opposite side of Rather Road that will need to be extended by the developer because of the road realignment.

The final design and installation of the Rather Road improvements are to be completed by the developer with the approval and supervision of the Knox County Department of Engineering and Public Works (Knox County EPW). These improvements should be completed before final plat approval by the Planning Commission, which is the preference of Knox County EPW. However, if the circumstances warrant and Knox County EPW is agreeable, a bond may be accepted to ensure the completion of the Rather Road improvements and allow consideration of final plat approval by the Planning Commission.

The applicants engineer must certify and add a note to the final plat that at the sight distance at the Road "A" intersection with Rather Road is a minimum of 250' in both directions. The sight distance is to be to the widened and realigned Rather Road and not the current condition. In most cases the minimum sight distance is 300' or more because the requirement is 10 times the posted speed limit but not less than 250'. Rather Road has a posted speed limit of 20 mph so the minimum sight distance is 250'.

The applicant has requested a reduction of the peripheral setback from 35' to 25' along Lots 13-15. The Planning Commission can approve a peripheral setback reduction down to 15' when the subdivision adjoins specific residential zoning districts, including the Agricultural zone. Staff is recommending approval of this request because of the topography of the site and 25' of common area is what staff typically requests as a separation between external roads and lots when there is a double frontage condition.

**Action:** Approved **Meeting Date:** 6/13/2019

**Details of Action:**

**Summary of Action:** APPROVE variances 1-3 because the site's topography and shape restricts compliance with the Subdivision Regulations and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 8 conditions.

**Date of Approval:** 6/13/2019 **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:**