



SUBDIVISION REPORT - CONCEPT/USE ON REVIEW

▶ **FILE #:** 4-SI-21-C **AGENDA ITEM #:** 30
4-H-21-UR **AGENDA DATE:** 5/13/2021

POSTPONEMENT(S): 4/8/2021

▶ **SUBDIVISION:** M & M PARTNERS - PEBBLEPASS LANE
▶ **APPLICANT/DEVELOPER:** M & M PARTNERS / WALLACE MCCLURE
OWNER(S): Wallace McClure

TAX IDENTIFICATION: 76 031 090 001 (PART OF) [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 1922 W. Emory Rd. (8609 Diamondview Way)

▶ **LOCATION:** South side of West Emory Rd., North terminus of Pebblepass Road, east of Oak Ridge Hwy.

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

WATERSHED: Beaver Creek

▶ **APPROXIMATE ACREAGE:** 29.31 acres

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING: North: Single detached dwellings - A (Agricultural)
South: Vacant land - I (Industrial) & A (Agricultural)
East: Mobile home park, Vacant land and residence - RB (General Residential) & A (Agricultural)
West: Single detached dwellings - A (Agricultural) & I (Industrial)

▶ **NUMBER OF LOTS:** 82

SURVEYOR/ENGINEER: Batson, Himes, Norvell & Poe

ACCESSIBILITY: Access is via Pebblepass Rd, a local road with 26 ft of pavement width within 50-65ft of right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** VARIANCES:

1. REDUCE MINIMUM REVERSE CURVE TANGENT LENGTH FROM 50' TO 25' FROM STA 0+85 TO STA 1+10, ROAD "B".
2. REDUCE MINIMUM VERTICAL CURVE LENGTH FROM 150' TO 90' (K=25 to 15) AT STA 2+00, ROAD "B".

ALTERNATIVE DESIGN STANDARDS REQUIRING PLANNING COMMISSION APPROVAL:

1. REDUCE MINIMUM HORIZONTAL CURVE RADIUS FROM 250' TO

150' AT STA 6+50, FOR ROAD "C".
2. REDUCE MINIMUM HORIZONTAL CURVE RADIUS FROM 250' TO 200' AT STA 2+00, FOR ROAD "B".

ALTERNATIVE DESIGN STANDARDS APPROVED BY KNOX COUNTY ENGINEERING AND PUBLIC WORKS:

1. INCREASE THE MAXIMUM INTERSECTION GRADE FROM 1 TO 3 PERCENT.

STAFF RECOMMENDATION:

- **APPROVE** variances 1-2 and alternative design standards 1-2 based on the recommendations of the Knox County Department of Engineering and Public Works and because the site conditions restrict compliance with the Subdivision Regulations and the proposed variances and alternative design standards will not create a traffic hazard.

APPROVE the Concept Plan subject to 11 conditions.

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
 2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
 3. Implementing the recommendations of the Pebblepass Road Subdivision Transportation Impact Study (AJAX Engineering, April 1, 2021), as revised and approved by Planning Commission staff and Knox County Engineering and Public Works.
 4. Obtaining all applicable permits from the Tennessee Department of Transportation (TDOT) for any work within the TDOT right-of-way.
 5. Providing a 25-FT common area on the final plat between W. Emory Road and any double frontage lot that has an average depth less than 150-FT per Section 3.02.A.4 (Double Frontage Lots) of the Knoxville-Knox County Subdivision Regulations.
 6. Modifying the curbing on the east side of the existing Pebblepass Road cul-de-sac, at the Diamondview Way approach, to create a T-intersection. The design is to be reviewed and approved by Knox County Engineering and Public Works during the design plan phase.
 7. Installing notification of future street connection at the west end of Road "B" as required by Section 3.04.C.2.d. of the Knoxville-Knox County Subdivision Regulations.
 8. Providing all stream buffers as required by Knox County Engineering and Public Works during the design plan phase.
 9. Placing a note on the final plat that all lots will have access only to the internal street system.
 10. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 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.
- **APPROVE the development plan for up to 82 detached residential lots, subject to 1 condition.**
- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a use on review.

COMMENTS:

This proposal is for an 82 lot residential subdivision on 29.31 acres (2.8 du/ac). Access to the site will be from Pebblepass Road which connects to Oak Ridge Highway and currently only provides access to the Volunteer Village Mobile Home Park. A road stub-out is provided at the northern terminus of Road "B" to the 70-acre tract zone A (Agricultural) to the northeast. The applicant originally intended to make a road connection to W. Emory Road as well as Pebblepass Road, however, the it was removed because of safety concerns.

There are approximately 11.6 acres of this 29.31-acre property in the Hillside Protection (HP) area. Based on the Hillside & Ridgetop Protection Plan land disturbance guidelines, the maximum recommended land disturbance in the HP area is 7.45 acres (see the attached slope analysis). The proposed land disturbance within the HP area is 8.64 acres according to the applicant, however, the applicant's estimate for the total HP area is .47 acres more than that of Planning staff so the additional HP acreage should be subtracted from the proposed land disturbance for the purposes of this review. This results in the proposed land disturbance being

8.17 acres of the 11.6 acres in the HP area. This is .72 acres (10%) more than recommended by the Hillside and Ridgetop Protection Plan guidelines.

There are four double frontage lots along W. Emory Road that must meet the 150-FT average lot depth, provide a 25-FT common area strip between the lot and the external roadway, or obtain a variance by the Planning Commission. Lots 40 and 41 at the northern end of Road "C" have an average lot depth of 150-FT, measured to the outer edges of the lot along the W. Emory Road frontage to the closest edge of the cul-de-sac ROW. Lots 60 and 61 at the northern terminus of Road "D" are located to the side of the cul-de-sac which extends within 31-FT to the W. Emory Road ROW. Because of this, the average depths of these lots are approximately 70-FT and 108-FT. Staff is recommending that a 25-FT common area strip be located between these lots and W. Emory Road or an alternative is to shorten Road "D" so these lots are located at the end of the cul-de-sac, similar to Lot 40 & 41, and can obtain a minimum average depth of 150-FT.

The Pebblepass Road Subdivision Transportation Impact Study (AJAX Engineering, revised 4/1/2021) was prepared to address the impact of the proposed development on Oak Ridge Hwy. The study concluded that a traffic signal may be warranted at the Pebblepass Road and Oak Ridge Hwy intersection but the warrant that justifies the signal is not one that the Tennessee Department of Transportation (TDOT) will typically accept and TDOT is not recommending the installation of a traffic signal at this time. The TIS recommends conducting traffic counts again at this intersection when either the current pandemic has ended and when it is surmised that overall traffic volumes have reached a "new normal". The TIS goes on to recommend other improvements to the Oak Ridge Hwy intersection to improve safety that TDOT can implement over time if in the future it is determined that signaling this intersection is not warranted based on normalized traffic volumes.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

A. [REVISED 5/7/2021 to correct sector plan designation] The Northwest County Sector Plan recommends RR (Rural Residential) uses for this site with a maximum of 3 du/ac if the request complies with the requirements of the Growth Policy Plan (see 1.B below). The property was rezoned to PR up to 3 du/ac in 2002 (1-I-02-RZ) and the sector plan designation at that time was LDR (Low Density Residential) which allows consideration of up to 5 du/ac. The proposed subdivision has a density of 2.8 du/ac.

B. The Growth Policy Plan requirements to allow up to 3 du/ac include; 1) the property must be zoned PR (Planned Residential), 2) public water and sewer must be available, 3) connecting collector or arterial from the development to the Urban Growth Boundary or the Planned Growth Boundary must meet the standards Knox County Engineering, and 4) provide a traffic impact analysis demonstrating the development will not unreasonably impair traffic flow along arterials through the adjacent Planned Growth Area. The development meets these criteria because the property is zoned PR, public utilities are available, Pebblepass Road connects directly to Oak Ridge Hwy which is an arterial street, and the Planned Growth Area is on the opposite side of Oak Ridge Hwy from the intersection of Pebblepass Road.

C. There are 11.6 acres of this property within the Hillside Protection (HP) area. The guidelines of the Hillside & Ridgetop Protection Plan recommend a maximum land disturbance of 7.4 acres. The applicant proposes approximately 8.17 acres of land disturbance in the HP area which is .72 acres more than recommended. The additional disturbance is approximately 2.5% of the entire site.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

B. The property was zoned PR (Planned Residential) up to 3 du/ac in 1989 and has remained undeveloped since. The proposed subdivision has a density of 2.8 du/ac.

C. The area surrounding the subject property includes rural residential and agricultural uses to the west, north and northeast, and medium density residential to the east.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS

PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed single-family detached subdivision has a similar character as other residential subdivisions in this area that have access to Oak Ridge Hwy but are smaller than the properties that access W. Emory Road. The proposed subdivision only has 4 lots that back up to W. Emory Road but a larger number of homes will be visible from W. Emory Road because the development is lower than the road.

B. The property to the northeast is a 70-acre property zone A (Agricultural) and according to the current property owner, they wish to use the property for raising livestock as the property had previously been used. The proposed residential subdivision on the subject site will not directly impact the use of the adjacent site for agricultural purposes but could create points of conflict that are not currently present.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The proposed residential development is compatible with the surrounding residential uses and will not significantly impact the value of adjacent properties.

B. The historic Cherokee Caverns site is to the southwest of the subject site but not directly adjacent. The caverns had the most severe flooding in recorded history during the large rain events in 2019. The stream that passes through the subject site passes under Oak Ridge Hwy to the east of the Cherokee Caverns property. If the culvert under the highway were to be clogged, the stormwater should flow over the top of Oak Ridge Hwy before reaching the height of the entrance of the caverns unless there is another infiltration point at a lower elevation near the Oak Ridge Hwy frontage.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The development will have direct access to Oak Ridge Highway via Pebblepass Road.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. The property has a blue line stream through it and the required buffers are being provided.

B. There are no other known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

ESTIMATED TRAFFIC IMPACT: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

ESTIMATED STUDENT YIELD: 27 (public school children, grades K-12)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

Knoxville-Knox County Planning Commission's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

Knoxville-Knox County Planning Commission's approval or denial of this use on review request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.