



SUBDIVISION REPORT - CONCEPT/USE ON REVIEW

▶ **FILE #:** 4-SE-22-C
4-I-22-UR

AGENDA ITEM #: 38
AGENDA DATE: 4/14/2022

▶ **SUBDIVISION:** W. GALLAHER FERRY SUBDIVISION

▶ **APPLICANT/DEVELOPER:** BALL HOMES, LLC

OWNER(S): Kathleen H. Davis

TAX IDENTIFICATION: 129 035 [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 2205 W. Gallaher Ferry Rd.

▶ **LOCATION:** North side of Hickory Creek Road, west side of Gallaher Ferry Road

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

WATERSHED: Conner Creek

▶ **APPROXIMATE ACREAGE:** 23.26 acres

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING:
North: Agriculture/forestry/vacant -- A (Agricultural)
South: Agriculture/forestry/vacant, single family residential -- A (Agricultural), PR (Planned Residential)
East: Agriculture/forestry/vacant, rural residential, single family residential -- A (Agricultural)
West: Agriculture/forestry/vacant, rural residential -- A (Agricultural), PR (Planned Residential)

▶ **NUMBER OF LOTS:** 81

SURVEYOR/ENGINEER: Brian Stephens / Ball Homes, LLC

ACCESSIBILITY: Access is via West Gallaher Ferry Rd, a local street with 19-20 ft of pavement width within 40-50 ft of right-of-way; and via Hickory Creek Road, a minor arterial with 23 ft of pavement width within 50-60 ft of right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** **VARIANCES**
1. Reduce the minimum tangent for broken back curves from 150 ft to 94.8 ft on Road 'E' between STA 1+40.98 and 2+35.78.
2. Reduce the minimum intersection approach vertical curve for W. Gallaher Ferry Road at Hickory Creek Road from K=25 to K=15.
3. Reduce the minimum vertical curve K value on W. Gallaher Ferry Road from K=25 to K=20 at STA 9+48
4. Reduce the minimum vertical curve K value on W. Gallaher Ferry Road from K=25 to K=20 at STA 11+34

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

- 1. Increase the maximum grade for W. Gallaher Ferry Road from 12 percent to 12.5 percent**
- 2. Reduce the minimum horizontal curve radius from 250 ft to 150 ft on Road 'D' between STA 5+16.81 and 5+92.02**

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

- 1. Increase the maximum intersection grade from 1 percent to 3 percent at the intersection of W. Gallaher Ferry Road at Hickory Creek Road.**

STAFF RECOMMENDATION:

- **Approve variances 1-4 and alternative design standards 1-2 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 will not create a traffic hazard.**

Approve the Concept Plan subject to 13 conditions.

1. Connection to sanitary sewer and meeting any 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. [REVISED 4/11/2022] Implementing the recommendations of the W Gallaher Ferry Road Subdivision Transportation Impact Study (Fulghum MacIndoe, revised 3/25/2022), as revised and approved by Planning Commission staff and Knox County Engineering and Public Works (see Exhibit A), including but not limited to the realignment of W. Gallaher Ferry Road as proposed on the Concept Plan (revised 3/28/2022) and obtaining any necessary off-site grading/construction easements. The final design of the road alignment and timing of the construction are to be worked out with Knox County Engineering and Public Works during the design plan phase. All off-site road improvements are to be completed before the first phase of the subdivision is platted. If any portion of the proposed W. Gallaher Ferry Road changes from the proposed realignment, Planning and Knox County Engineering and Public Works staff may require a new Concept Plan to be approved by the Planning Commission or the elimination of some or all of the lots with direct access to W. Gallaher Ferry Road.
4. Providing a vehicular turnaround for Lots 1-14, located outside of the public right-of-way and any required sight distance easements.
5. Providing a sidewalk connection from the internal road system of the subdivision to the intersection of Hickory Creek Road and W. Gallaher Ferry Road. The timing of the sidewalk installation shall be worked out with Knox County Engineering and Public Works during the design plan phase.
6. Providing a 300 ft sight distance easement on the final plat along the W. Gallaher Ferry Road frontage, south of the Road 'A' intersection, as shown on the Concept Plan and as required by Knox County Engineering and Public Works during the design plan phase.
7. Extending the existing driveways to the new W. Gallaher Ferry Road alignment and providing any necessary access easements for the property on the southeast side of the road (parcel 129 03516). The location of the driveway connections and access easements shall be worked out during the design plan phase.
8. Providing a note on the final plat that all structures are to be located outside of the 50-ft buffer (building setback) for sinkholes/closed contours unless a geotechnical study prepared by a registered engineer states that building within the 50-ft sinkhole/closed contour buffer (building setback) is acceptable and the study is approved by the Knox County Department of Engineering and Public Works. The geotechnical study must be reviewed and approved by Knox County Department of Engineering and Public Works prior to approval of a plat for any proposed lots that do not have adequate building area outside of the 50-ft buffer (building setback) area. Building construction is not permitted within the sinkhole/closed contour area or any required drainage easement for the sinkhole/closed contour area.
9. Dedicating 30 ft of ROW from the centerline of Hickory Creek Road as required the Major Road Plan.
10. Meeting all applicable requirements of the Knox County Zoning Ordinance.
11. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
12. 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.
13. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for the maintenance of the common areas, amenities, and drainage system.

► **Approve the development plan for up to 81 detached dwelling units on individual 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:

Condition #3 was revised 4/11/2022 to include a requirement that all off-site road improvements are to be completed before the first phase of the subdivision is platted.

This proposal is for an 81-lot detached residential subdivision on 23.26 acres at a density of 3.48 du/ac. The property was rezoned from A (Agricultural) to PR (Planned Residential) up to 3.5 du/ac in January 2022 (12-K-21-RZ). W. Gallaher Ferry Road will be realigned by the developer along their frontage to correct deficiencies in the existing road design.

ROAD REALIGNMENT

The developer has entered into an agreement with Knox County Engineering and Public Works to realign and improve approximately ¼ mile (1,500 feet) of W. Gallaher Ferry Road. The improvements include the following:

- 1) Widen the road from approximately 19 feet to 22 feet from Hickory Creek Road to the northeast boundary line.
- 2) Adjust the Hickory Creek Road intersection to a 90-degree angle. The current intersection angle is approximately 50 degrees which is less than the minimum 75-degree angle required by the Subdivision Regulations.
- 3) Increase the horizontal curve radius of the sharp curve to meet the minimum requirements of the Subdivision Regulations (250 ft radius), approximately 750 ft from the Hickory Creek Road intersection.
- 4) Increase the crest vertical curve radius south the Road 'A' access by lowering the road grade 5-6 feet. This will remove the existing blind hill and allow the Road 'A' access point to achieve the minimum 300 ft sight distance looking to the south. The resulting crest vertical curve will have a K value of 20 which is less than the minimum K value of 25 that the Subdivision Regulations require. Knox County Engineering and Public Works recommend approval of the requested variance because the proposed vertical curve allows for the 200 ft stopping sight distance recommended by the AASHTO road design standards.

TRANSPORTATION IMPACT STUDY

The W Gallaher Ferry Subdivision Transportation Impact Study (Fulghum MacIndoe, revised 3/25/2022) recommends the realigned W. Gallaher Ferry Road geometry outlined above and concludes that turn lanes on Hickory Creek Road are not warranted. The TIS evaluated the available sight distance at the Road 'A' intersection but this was to the current W. Gallaher Ferry Road alignment, not the proposed realignment. The applicant's traffic engineer provided a supplemental sight distance study to verify Road 'A' will have the required sight distance of 300 ft after W. Gallaher Ferry Road is realigned (see Exhibit B). The study shows that the line of sight extends outside of the right-of-way, so a sight distance easement is required across the proposed common area south of Road 'A' and Lot 14. Additional sight distance easements may be necessary across the frontage of lots 11-13, but this will be evaluated during the design plan phase.

LOTS FRONTING ON W. GALLAHER FERRY ROAD

This proposal has 14 lots that front and directly access the realigned W. Gallaher Ferry Road. The Subdivision Regulations requires residential lots to have vehicular turnarounds if access is provided from a collector or arterial street. West Gallaher Ferry Road is classified as a local street, but for safety reasons, staff is recommending that turnarounds be provided on Lots 1-14 because of the curves and hills in this short stretch of road (condition #4). Also, the TIS mentions that even though W. Gallaher Ferry Road is classified as a local street, it functions more like a collector.

PEDESTRIAN CONNECTION

The proposed subdivision does not have internal sidewalks but a sidewalk connection from the internal road system is provided to the Hickory Creek Road intersection. The current proposal is to extend the sidewalk from the Road 'C' cul-de-sac but it can be moved if this location is not feasible. The subdivision on the south side of Hickory Creek Road was required to provide a greenway easement along its entire road frontage. It is anticipated that a greenway or sidewalk will be installed along Hickory Creek Road but there are no current plans for the construction.

HILLSIDE PROTECTION

There is 7.99 acres of the 23.26-acre property within the Hillside Protection (HP) area. The slope analysis recommends disturbing a maximum of 7.4 acres of the HP area (92.1%). The proposed disturbance within the HP area is 7.24 acres. There is a discrepancy between the total land area of the site according to the slope analysis (25.29 acres) and the Concept Plan (23.26 acres). Regardless, the total acres disturbed is within the limits recommended by the slope analysis.

SETBACKS

The applicant proposes a 10 ft side street setback for Lots 74 & 75, as shown on the Concept Plan. Section 3.30.02 of the Knox County Zoning Ordinance allows the side yard next to the side road to be ½ the minimum width of the required front yard. The reduced side street setback is only applicable to corner lots that face (front) parallel streets and have rear yards that abut.

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. The Northwest County Sector Plan recommends RR (Rural Residential) and HP (Hillside Protection) for the site. The RR land use allows consideration of up to 2 du/ac, and under certain circumstances, up to 3 du/ac.
- B. The property is in the Rural area on the Knoxville-Knox County-Farragut Growth Policy Plan map which allows consideration of up to 2 du/ac, and under certain circumstances, up to 3 du/ac.
- C. In January 2022, Knox County Commission approved rezoning the property to PR (Planned Residential) up to 3.5 du/ac, with consideration to allow additional density because of proposed road improvements to W. Gallaher Ferry Road as part of this development.
- D. The site has 7.99 acres within HP (Hillside Protection) area, and the slope analysis recommends disturbing a maximum of 7.4 acres of the HP area. The proposed disturbance within the HP area is 7.24 acres.

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 is zoned PR up to 3.5 du/ac, and the proposed density is 3.48 du/ac.
- C. The proposed lot layout clusters the house lots away from sinkholes and for a portion of the property to be dedicated to the realignment of W. Gallaher Ferry Road.

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 detached residential lots are consistent with other residential subdivisions in the area.

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

- A. The proposed detached residential subdivision is compatible with the surrounding detached residential uses and will not significantly impact the value of the adjacent property.

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

- A. The subdivision will access the portion of W. Gallaher Ferry Road that is being realigned and widened by the developer.

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. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed 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: 33 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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.