



SUBDIVISION REPORT - CONCEPT/DEVELOPMENT PLAN

▶ **FILE #:** 12-SB-22-C
12-B-22-DP

AGENDA ITEM #: 32
AGENDA DATE: 12/8/2022

▶ **SUBDIVISION:** FOX ROAD SUBDIVISION

▶ **APPLICANT/DEVELOPER:** MESANA INVESTMENTS, LLC

OWNER(S): Mesana Investments, LLC

TAX IDENTIFICATION: 143 11201,112 [View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 504 FOX RD (0 Fox Rd)

▶ **LOCATION:** East side of Fox Rd, south of Castleglen Ln

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Sinking Creek

▶ **APPROXIMATE ACREAGE:** 23.6 acres

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

▶ **EXISTING LAND USE:** Single Family Residential

▶ **PROPOSED USE:** Detached residential lots

SURROUNDING LAND USE AND ZONING: North: Single family residential, agriculture/forestry/vacant -- PR (Planned Residential) up to 3 du/ac, RA (Low Density Residential), A (Agricultural)
South: Single family residential, public/quasi public land, rural residential -- A (Agricultural)
East: Agriculture/forestry/vacant -- A (Agricultural)
West: Rural residential, single family residential, right-of-way -- RA (Low Density Residential), A (Agricultural), ROW (Right-of-Way)

▶ **NUMBER OF LOTS:** 90

SURVEYOR/ENGINEER: Mesana Investments, LLC

ACCESSIBILITY: Access is via Fox Road, a minor collector street with a 30-ft pavement width within a right-of-way with varying width.

▶ **SUBDIVISION VARIANCES REQUIRED:** **VARIANCES**

1. Reduce the minimum intersection separation from 300' to 255' from the centerlines of Road 'A' and Foxvue Road
2. Reduce the minimum vertical curve K value from K=25 to K=18.96 at STA 11+21.67, Road 'B'
3. Increase the intersection grade from 1% to 3.91% along Road 'A' at its intersection with Fox Road

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. Reduce the minimum horizontal curve from 250' to 200' on Road 'A'

at STA 1+21

2. Reduce the minimum horizontal curve from 250' to 200' on Road 'A' at STA 11+97

3. Reduce the minimum horizontal curve from 250' to 200' on Road 'B' at STA 0+81

4. Reduce the minimum horizontal curve from 250' to 200' on Road 'B' at STA 3+07

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

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

STAFF RECOMMENDATION:

- ▶ **Approve variance #1 & 2 and the alternative design standards based on the justification provided by the applicant and recommendations of the Knox County Department of Engineering and Public Works and the City of Knoxville Department of Engineering. [REVISED 12/6/2022]**

Approve variance #3 subject to providing justification for the intersection grade using AASHTO standards during the design plan phase with review and approval by the City of Knoxville Department of Engineering. [REVISED 12/6/2022]

Approve the Concept Plan subject to 9 conditions.

- 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) Providing the stream buffers on the Final Plat, shown on lots 10-12, unless documentation to Knox County Engineering and Public Works during the design plan phase that this is a wet weather conveyance.
- 4) Implementing the recommendations of the Fox Road Subdivision Transportation Impact Study (AJAX Engineering, revised November 2022) as revised and approved by Planning and Knox County Engineering and Public Works staff (see Exhibit A).
- 5) Obtaining all necessary permits from the City of Knoxville for work within the Fox Road right-of-way.
- 6) Certifying that the required sight distance is available along Fox Road in both directions at the Road 'A' intersection, with documentation provided to the City of Knoxville Department of Engineering for review and approval during the design plan phase.
- 7) If any building construction is proposed within the 50' buffer area around the designated sinkholes/depressions (including the depressions), a geotechnical report must be prepared by a registered engineer to determine soil stability and 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 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' buffer, approval by Knox County will be required prior to final plat approval. The sinkholes/depressions and 50' buffer shall be designated on the final plat even if they are approved to be filled.
- 8) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works and the City of Knoxville Department of Engineering.
- 9) Before certification of the final plat for the subdivision, establish a property owners association or other legal entity responsible for maintaining common facilities, such as common areas, amenities, private roads, and/or stormwater drainage systems.

- ▶ **Approve the development plan for a residential subdivision with up to 90 detached dwellings, subject to 1 condition.**

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.

COMMENTS:

SUMMARY OF PROPOSAL

This proposal is for a 90-lot residential development on 23.6 acres at a density of 3.8 du/ac. The area labeled "Future Development" on the north side of the entrance is being purchased by the applicant but was inadvertently left off the rezoning application for the subject property that was approved PR up to 4 du/ac in October 2022 (9-D-22-RZ). The rezoning request for the "Future Development" area is also on the December

agenda (12-M-22-RZ), and if approved, the applicant intends to propose an additional 4 house lots, for a total of 94 lots for the Fox Road Subdivision.

VARIANCES AND ALTERNATIVE DESIGN STANDARDS -- [REVISED 12/6/2022]

The applicant is requesting several road design variances and alternative design standards ("variances"). The intersection separation variance is supported by staff because it does not pose a safety hazard, as outlined in the conclusion and recommendations of the TIS (Exhibit A). The requested Road 'A' intersection grade of 3.91% must be justified during the design plan phase using AASHTO standards. The City and County engineering departments have the authority to approve an intersection grade up to 3% as an alternative design standard, which does not require approval by the Planning Commission. An intersection grade above 3% requires a variance approval by the Planning Commission. If the proposed 3.91% intersection grade cannot be justified using AASHTO, the grade must be reduced to a grade that can be justified.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) up to 4 du/ac:

a) The PR zone allows houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

b) This PR zone district is approved for a maximum of 4 du/ac. The proposed density is 3.8 du/ac.

2) GENERAL PLAN – DEVELOPMENT POLICIES

a) Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) – The development will consist of detached houses, which is the same as other nearby residential developments.

b) Encourage a mixture of housing sizes and prices within planned residential developments (Policy 9.8) – This development is exclusively detached, single-family houses, which does not diversify the housing mix in the area. It is unknown if the price ranges will vary from nearby residential developments

3) NORTHWEST COUNTY SECTOR PLAN

a) The property is classified LDR (Low Density Residential), which allows consideration of up to 5 du/ac. The proposed density is 3.8 du/ac.

b) There are 17.24 acres of the 23.6-acre property in the HP (Hillside Protection) area. The slope analysis recommends a maximum of 10.8 acres of land disturbance within the HP area. The development, as proposed, will disturb the entire HP area.

4) KNOXVILLE – FARRAGUT – KNOX COUNTY GROWTH POLICY PLAN

a) The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services.

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: 37 (public school children, grades K-12)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Farragut 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 development plan request is final, unless the action is appealed to the Court of Competent Jurisdiction. The date of the Court of Competent Jurisdiction hearing will depend on when the appeal application is filed.