



SUBDIVISION REPORT - CONCEPT/USE ON REVIEW

▶ **FILE #:** 2-SC-22-C
2-E-22-UR

AGENDA ITEM #: 19
AGENDA DATE: 2/10/2022

▶ **SUBDIVISION:** LOY FARMS

▶ **APPLICANT/DEVELOPER:** EAGLE BEND, LLC

OWNER(S): Denny Koontz / William Wilson Construction

TAX IDENTIFICATION: 162 062 [View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 12320 S. Northshore Dr.

▶ **LOCATION:** Southeast side of S. Northshore Dr., north of Choto Rd.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Tennessee River

▶ **APPROXIMATE ACREAGE:** 11.4 acres

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

▶ **EXISTING LAND USE:** Two houses with a barn

▶ **PROPOSED USE:** Attached and detached residential subdivision

SURROUNDING LAND USE AND ZONING: North: Single family residential -- A (Agricultural), PR (Planned Residential)
South: Single family residential, agricultural, and self-storage -- A (Agricultural), PR (Planned Residential), CN (Neighborhood Commercial)
East: Single family residential and rural residential -- PR (Planned Residential), A (Agricultural)
West: Single family residential -- PR (Planned Residential), A (Agricultural)

▶ **NUMBER OF LOTS:** 57

SURVEYOR/ENGINEER: Robert G Campbell & Associates

ACCESSIBILITY: Access is via S. Northshore Drive, a minor arterial with 19-ft of pavement width within a 68-ft right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** **VARIANCES [CORRECTED 2/7/2022]**
1) Reduce the minimum vertical curve K value from K=25 to K=20 on Road 'A' at STA 11+15 [Applicant request: K=18.8]
2) Reduce the minimum vertical curve K value from K=15 to K=6.3 on Road 'B' at STA 25+50
3) Reduce the minimum vertical curve K value from K=25 to K=20 on Road 'B' at STA 26+80 [Applicant request: K=14.3]

ALTERNATIVE DESIGN STANDARDS REQUIRING PLANNING COMMISSION APPROVAL

1) Reduce the minimum private right-of-way width from 50 ft to 40 ft for Road 'A' and Road 'B'

- 2) Reduce the minimum pavement width for a private right-of-way from 26 ft to 24 ft for Road 'A' and Road 'B'
- 3) Increasing the maximum grade of a private right-of-way from 12 to 15 percent on Road 'D'
- 4) Reduce the minimum horizontal curve radius from 250 ft to 200 ft for Road 'A' from STA 15+44.19 to 18+43.22

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

- 1) Increase the maximum intersection grade from 1 to 2 percent on Road 'B' at the Road 'A' intersection approach.

STAFF RECOMMENDATION:

- ▶ **Approve variance 1 & 3 as recommended by staff and alternative design standards 1-4 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 will not create a traffic hazard. [Modified 2/7/2022]**

Deny variance 2 based on the recommendations of the Knox County Department of Engineering and Public Works. [Added 2/7/2022]

Approve the Concept Plan subject to 14 conditions.

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
 2. Provision of street names consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
 3. Prior to certification of the plat for the first phase of this subdivision, verifying the acreage of the PR (Planned Residential) zoning for the entire subdivision. The maximum number of residential lots must not exceed the maximum allowed by the PR up to 5 du/ac zoning. If the acreage of the subdivision is less than the 11.40 acres stated on the plan, then lots must be eliminated to come into compliance with the PR zoning.
 4. Revising the sidewalk width along the S. Northshore Drive to have a consistent width as the greenway to the southwest. The design details for the sidewalk (greenway) will be reviewed and approved by Knox County Engineering and Public Works during the design plan phase.
 5. Providing the 25-foot common area strip along the S. Northshore Drive frontage, as shown on the Concept Plan.
 6. Providing a minimum 200-ft sight distance easement on the final plat on the inside of Curve 2 for Road 'A'. Any driveway that is within the sight distance easement must have a depth of 20 ft beyond the sight distance easement.
 7. Providing a note on the final plat that the private right-of-way are not public streets and will not be maintained by Knox County.
 8. Providing a minimum 25 ft of road frontage for each lot.
 9. 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. Any 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.
 10. Providing a note on the final plat that the private right-of-way shall function as a utility easement.
 11. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 12. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 13. 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.
 14. 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, private roads, and drainage system.
- ▶ **Approve the development plan for up to 57 attached and detached residential houses on individual lots and the peripheral setback reduction from 35-ft to 25-ft along the S. Northshore Drive frontage, subject to 3 conditions.**

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2) Verifying the proposed number of residential dwellings conforms with the PR up to 5 du/ac density for the property per Concept Plan condition #3 (2-SC-22-C).
- 3) Providing a 10-ft non-disturbance area or a Type 'B' landscape screen (see Exhibit A) along the eastern boundary of the development from Lot 4 to Lot 11.

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:

UPDATES (2/7/2022)

Variance requests 1 & 3 have been updated to reflect the recommendations of Knox County Engineering and Public Works. The variance requested by the applicant is provided at the end of those variances. Variance #1 is to reduce the sag vertical curve at the Road 'A' intersection approach to S. Northshore Drive. If S. Northshore Drive was classified as a local road, the minimum requirement for the vertical curve would be K=15. However, S. Northshore Drive is a minor arterial so the minimum requirement is K=25.

Staff is now recommending denial of variance 2. This is a sag vertical curve that results in an abrupt road grade change at the Road 'B' and Road 'A' intersection.

This proposal is a 57-lot subdivision on approximately 11.4 acres at a density of 5 du/ac. The subdivision includes 50 attached and 7 detached houses. The property was rezoned from A (Agricultural) to PR (Planned Residential) up to 5 du/ac in November 2020 (10-M-20-RZ). The internal roads will be private and the applicant has requested the private right-of-way be reduced from 50 ft to 40 ft, and the pavement width reduced from 26 ft to 24 ft.

A sidewalk is proposed along the S. Northshore Drive frontage per the Knox County sidewalk ordinance (Chapter 54, Article IV). The design details for the sidewalks will be determined during the design plan phase per condition # 4.

Staff is recommending that there be vegetative screening along the eastern boundary of the development from Lot 4 to Lot 5, by either providing a 10' non-disturbance area to protect the existing vegetation or to install a Type 'B' landscape screen. The adjacent property is a large residential lot. The landscape screening is to make the proposed development more compatible with the surrounding development.

The peripheral setback reduction from 35-ft to 25-ft was recommended by staff to simplify the required setbacks on the lots that are adjacent to the 25-ft common area strip along S. Northshore Dr, and because the common area provides a similar or better buffer to the road than the peripheral setback. If the setback is not reduced, the 35-ft peripheral setback would extend 10 ft into Lots 43-49 and would restrict the placement of common accessory structures like sheds which would normally have to be setback 5-8 ft, depending on the situation. In addition, these lots would have a 15-ft rear building setback that would only apply to the principal structure and a 10 ft peripheral setback that applies to accessory structures. The overlapping setbacks is an unnecessary confusion to property owners and for enforcement officials.

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 Southwest County Sector Plan recommends LDR (LDR) uses for this site with a maximum density of 5 du/ac. The proposed subdivision has a density of 5 du/ac.
 - B. Knox County has plans to extend the Concorde greenway through this portion of S. Northshore Drive but the design has not started and the completion date is to still to be determined. This proposal includes a pedestrian facility along its S. Northshore Drive frontage, which is required by the Knox County sidewalk ordinance because the property is within a ¼ mile of commercial development.

- 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 proposed subdivision includes a mix of detached and attached houses.

C. The property was rezoned to PR up to 5 du/ac and the proposed subdivision has a density of 5 du/ac.

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 attached and detached houses will have a similar character as other residential uses in this area.

B. Staff is recommending a landscape screen along the eastern boundary to help with the compatibility of the development with the adjacent larger lot residential properties.

C. This attached residential development is a transitional use from the commercial establishments to the southwest and the lower density residential uses to the east.

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

A. The proposed use of the property for attached and detached residential should not significantly injure the value of the adjacent properties.

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

A. The development will have direct access to S. Northshore Dr, a minor arterial street.

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 residential use.

ESTIMATED TRAFFIC IMPACT: 602 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 6 (public school children, grades K-12)

Schools affected by this proposal: Northshore Elementary, Farragut 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 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.