



SUBDIVISION REPORT - CONCEPT/USE ON REVIEW

▶ **FILE #:** 3-SC-22-C **AGENDA ITEM #:** 18
3-D-22-UR **AGENDA DATE:** 3/10/2022

▶ **SUBDIVISION:** BABELAY SUBDIVISION
▶ **APPLICANT/DEVELOPER:** ERIC MOSELEY / S & E PROPERTIES, LLC
OWNER(S): Eric Moseley / S & E Properties, LLC

TAX IDENTIFICATION: 50 174, 178, & 171 [View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 0 & 6513 Babelay Rd.

▶ **LOCATION:** Northwest side of Babelay Road, east side of Harris Road, west side of Link Road

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

WATERSHED: Woods Creek

▶ **APPROXIMATE ACREAGE:** 106 acres

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING: North: Agricultural/forestry/vacant and single family residential -- A (Agricultural)

South: Agricultural/forestry/vacant, rural residential, and single family residential -- A (Agricultural)

East: Agricultural/forestry/vacant and single family residential -- A (Agricultural) & PR (Planned Residential)

West: Agricultural/forestry/vacant, rural residential, and single family residential -- A (Agricultural)

▶ **NUMBER OF LOTS:** 262

SURVEYOR/ENGINEER: Eric Moseley / S & E Properties, LLC

ACCESSIBILITY: Access is via Babelay Road, a minor collector with 18 ft of pavement width within a 40 - 45 ft right-of-way width, and Harris Road, a minor arterial with 17-19 ft of pavement width within 40 ft right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** **ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL**
1) Reduce the minimum horizontal curve radius from 250 ft to 150 ft on Road 'C' from STA 29+59.45 to 30+52.45
2) Reduce the minimum horizontal curve radius from 250 ft to 200 ft on Road 'E' from STA 3+00.95 to 3+75.02

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

- 1) Increase the maximum road grade approach to an intersection from 1 percent to 2 percent for the Road 'A' intersection with Babelay Road
- 2) Increase the maximum road grade approach to an intersection from 1 percent to 2 percent for the Road 'E' intersection with Road 'C'

STAFF RECOMMENDATION:

- **Approve alternative design standards 1-2 based on the justifications provided by the applicant and 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.**

Approve the Concept Plan subject to 13 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. All sidewalks and crosswalks within the public right-of-way shall meet the applicable ADA standards. The design details shall be worked out with Knox County Engineering and Public Works during the design plan phase.
 4. Providing the sidewalk and/or pedestrian trail system (pedestrian system) that connects the Babelay Road and Harris Road access points as required by the Knox County Sidewalk Ordinance. Access to the pedestrian system shall be accommodated for all lots within the subdivision utilizing the minimal amount of on-street access as possible on the following road segments; the full length of Road 'F', Road 'C' from the Road 'A' intersection to Road 'E' & Road 'F' intersection, and the full length of Road 'A'. This access can be accommodated via a combination of sidewalks and additional connections to the proposed walking trail, or entirely with sidewalks on the road segments referenced above. The design details and timing of the installation of the pedestrian system shall be worked out with the Knox County Department of Engineering and Public Works during the design plan stage for the subdivision.
 5. Implementing the recommendations outlined in the Babelay Subdivision Transportation Impact Analysis prepared by Fulghum MacIndoe (Revised 2/21/2022), as revised and approved by the Knox County Department of Engineering and Public Works and Planning staff (see Exhibit A). The design details and implementation of the recommendations shall be worked out with the Knox County Department of Engineering and Public Works during the design plan stage for the subdivision.
 6. Providing the 25-ft common area along the Babelay Road and Link Road frontages where the adjacent lots do not meet the double frontage lot depth standard per Section 3.02.A.4. of the Subdivision Regulations.
 7. Providing a minimum 200-ft sight distance easement as identified on the Concept Plan. The driveway on the lots must be located outside of the sight distance easement and shown on the plat, or the driveway must have a depth of 20-ft beyond the sight distance easement if it cannot be located outside of the sight distance easement.
 8. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 9. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 10. Providing a note on the final plat that all lots will have access to internal streets.
 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.
 12. 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.
 13. [ADDED 3/8/2022] Harris Road shall be widened to a consistent minimum of 18 feet. In the event of right of way or utility constraints prevent these improvements, the developer shall coordinate with Knox County to install suitable operational improvements such as guardrail, signage, striping, etc., to mitigate the additional traffic volumes.
- **Approve the development plan for 262 detached residential houses on individual lots and the peripheral setback reduction from 35 ft to 25 ft for all double frontage lots with an adjacent 25-ft common area strip along the Babelay Road and/or Link Road frontages, 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 of Use on Review in a PR zoning district.

COMMENTS:

Condition #13 was added 3/8/2022.

This proposal is for a 262-lot detached residential subdivision on 105.66 acres at a density of 2.48 du/ac. Access to the site is from Babelay Road (minor collector) and Harris Road (minor arterial). The A 25 ft wide common area is provided for a portion of the Babelay Road and Link Road frontages to meet the double frontage lot standards in the Subdivision Regulations.

AMENITIES

A walking trail connects two proposed park and amenity areas through the large common open space in the middle of the development.

TRANSPORTATION IMPACT STUDY (TIS)

The conclusions and recommendations of the Babelay Subdivision TIA (Fulgham MacIndoe, 2/21/2022) are presented in Exhibit A. The study notes that turn lanes are not warranted at either of the proposed entrances and the development will not significantly impact the Harris Road intersections at Babelay Road or Washington Pike. The TIS did find that the current width of Harris Road ranges from 17-19 ft and recommends that between Babelay Road and Washington Pike the road be widened, resurfaced, striped, etc., in coordination with Knox County Engineering and Public Works (see condition #13).

SIDEWALKS

The Knox County sidewalk ordinance requires a sidewalk along the Harris Road frontage because the development is within a parental responsibility zone and internal to the development because the road system connects to classified streets. The developer proposes a combination of sidewalks within the right-of-way and walking trails in the common open space to make the pedestrian connection between the two subdivision entrances; however, the current proposal does not provide adequate pedestrian access to the eastern half of the subdivision. Staff is recommending a condition that additional pedestrian accommodations be provided during the design plan phase (see condition #4).

VARIANCES AND ALTERNATIVE DESIGN STANDARDS

The applicant's engineer listed the requested deviations from the Subdivision Regulations on the Variances/Alternative Design Standards Request form (attached) and the stated hardships for the requests. The Knox County Engineering and Public Works department agree with the requested alternative design standards. The requested for increased intersection grades will be reviewed in more detail during the design plan phase to ensure ADA standards are met where there are crosswalks.

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 Northeast County Sector Plan designates this property for low density residential uses with a maximum density 5 du/ac; however, the property is also in the Rural Area on the Growth Policy Plan with a maximum density of 3 du/ac. The proposed development with a density of 2.48 du/ac is consistent with the Sector Plan and the Growth Policy Plan.

B. There are 9.8 acres of this 106-acre property located in the Hillside Protection (HP) area. The maximum land disturbance recommended within the HP area is 5.5 acres (see the attached slope analysis). This proposal will disturb approximately 3.5 acres within the HP area and is consistent with the HP land disturbance guidelines.

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 will have detached residential lot sizes comparable to those in existing and recently approved subdivisions in the area.

C. The residential lots are clustered to the most suitable portion of the site for homes, leaving a large common area with amenities in the middle of the site.

D. The property is zoned PR up to 2.5 du/ac, and the proposed subdivision has a density of 2.48 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 subdivision will have detached residential lot sizes and setbacks that are similar to others in the area.

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

A. The use of the property for single-family 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 has direct access to Babelay Road (minor collector) and Harris Road (minor arterial).

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

Schools affected by this proposal: Ritta Elementary, Holston Middle, and Gibbs 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.