

SUBDIVISION REPORT - CONCEPT/DEVELOPMENT PLAN

► FILE #: 4-SA-23-C AGENDA ITEM #: 36

4-B-23-DP AGENDA DATE: 4/13/2023

► SUBDIVISION: THE PRESERVE AT HINES BRANCH CREEK

► APPLICANT/DEVELOPER: ZENITH HOMES / RANDY GUIGNARD

OWNER(S): Café International LLC

TAX IDENTIFICATION: 48 070 <u>View map on KGIS</u>

JURISDICTION: County Commission District 7
STREET ADDRESS: 3009 RIFLE RANGE DR

► LOCATION: North side of Rifle Range Drive, east of Magnum Lane

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Beaver Creek

APPROXIMATE ACREAGE: 6.523 acres

ZONING: PR (Planned Residential)

EXISTING LAND USE: Rural Residential

▶ PROPOSED USE: Attached and detached residential subdivision

SURROUNDING LAND This is a residential area comprised of detached single family homes, multifamily homes and mobile home neighborhoods. The forested slopes of

Black Oak Ridge are to the south and Hines Branch are to the north.

► NUMBER OF LOTS: 32

SURVEYOR/ENGINEER: David Harbin; Batson, Himes, Norvell and Poe

VARIANCES

ACCESSIBILITY: Access is via Rifle Range Drive, a minor arterial with a 20-ft pavement width

within a 50-65-ft right-of-way.

SUBDIVISION VARIANCES

REQUIRED: 1. Reduce the minimum intersection separation from 400 ft to 372 ft

between the centerlines of Postmaster Lane and Magnum Lane

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX

COUNTY PLANNING COMMISSION APPROVAL

None

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY

ENGINEERING AND PUBLIC WORKS APPROVAL

** See attached variance and alternative design request form

STAFF RECOMMENDATION:

Approve requested variance based on the justification provided by the applicant and the

AGENDA ITEM #: 36 FILE #: 4-SA-23-C 4/3/2023 06:28 PM MIKE REYNOLDS PAGE #: 36-1

recommendations of Knox County Engineering and Public Works.

Approve the Concept Plan subject to 6 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 a 50 ft right-of-way connection to the adjacent property to the west to allow for a future public or private road connection (3003 Rifle Range Drive, parcel 048 07001). The location of this right-of-way connection will be reviewed and approved by Planning Commission staff and Knox County Engineering and Public Works during the design plan phase.
- 4) Certifying that the required sight distance is available at the Rifle Range Drive access point with documentation provided to Knox County Engineering and Public Works for review and approval during the design plan phase. The sight distance shall be certified using design grades at the entrance before grading permits are issued for the site.
- 5) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 6) 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, and/or stormwater drainage systems.
- ► Approve the development plan for a 32-lot subdivision and reduction of the peripheral setback to 25 ft along the eastern boundary, subject to 2 conditions.
 - 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
 - 2) The maximum height of the attached dwellings shall be 35 feet.

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

COMMENTS:

This proposal is for a 27-lot lot subdivision, with 24 lots for attached houses and 3 lots for detached houses, including the existing house that will remain. The subject property is 6.523 acres and was rezoned from A (Agricultural) to PR (Planned Residential) up to 5 du/ac in May 2022 (4-N-22-RZ). The proposed density is 4.14 du/ac.

The Postmaster Lane access point to Rifle Range Drive is near the crest of a hill. The required 300 feet of sight distance must be certified during the design plan phase. If the access location has to be shifted to obtain sight distance, a new Concept Plan approval may be required if it results in significant changes to the subdivision layout or new variances that cannot be approved as part of a final plat.

The Postmaster Lane connection to Rifle Range Drive requires one variance to reduce the intersection separation from 400 ft to 372 ft. Staff is recommending approval of the intersection separation variance because the location of the proposed access point provides for the greatest sight distance looking to the west along Rifle Range Drive.

Staff is recommending a 50-ft right-of-way connection be provided for the property to the west (3003 Rifle Range Drive, parcel 048 07001). This right-of-way connection is provided in the northeast corner of 3003 Rifle Range Drive. Because of the crest vertical curve in Rifle Range Drive, it is beneficial to as few road and driveway connections in this area as possible.

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 5 du/ac:

- a) The PR zone allows attached and detached dwellings 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 5 du/ac. The proposed density is 4.9 du/ac.
- c) The peripheral setback is 35 feet, however, the planning commission may reduce it to 15 feet when the adjacent property is zoned agricultural or residential. The applicant requests a 25 ft peripheral setback along

AGENDA ITEM #: 36 FILE #: 4-SA-23-C 4/3/2023 06:28 PM MIKE REYNOLDS PAGE #: 36-2

the eastern boundary, which is adjacent to a mobile home park in the RB (General Residential) zone. There is a vegetated drainage area between the mobile homes and the subject property.

2) GENERAL PLAN - DEVELOPMENT POLICIES

- a) Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat (Policy 9.2) The required stream buffers are provided for Hines Branch on the north side of the property.
- b) Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) The proposed peripheral setback reduction should have minimal impact on adjacent properties because of the distance to adjacent residential structures to the east and the vegetated drainage area that is predominantly located on the adjacent property.
- c) Encourage a mixture of housing sizes and prices within planned residential developments (Policy 9.8) This proposal is for 31 attached and 1 detached house. The mix of house sizes and price points are to be determined by the developer.

3) NORTH COUNTY SECTOR PLAN

a) The property is classified LDR (Low Density Residential), which allows consideration of up to 5 du/ac. The development will have a density of 4.9 du/ac.

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: 348 (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: 2 (public school children, grades K-12)

Schools affected by this proposal: Adrian Burnett Elementary, Halls Middle, and Halls 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.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).

AGENDA ITEM #: 36 FILE #: 4-SA-23-C 4/3/2023 06:28 PM MIKE REYNOLDS PAGE #: 36-3

Requested Variances & Alternative Design Standards

4-SA-23-C / 4-B-23-DP— THE PRESERVE AT HINES BRANCH

VARIANCES

1. Reduce the minimum intersection separation from 400 ft to 372 ft between the centerlines of Postmaster Lane and Magnum Lane.

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. None

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

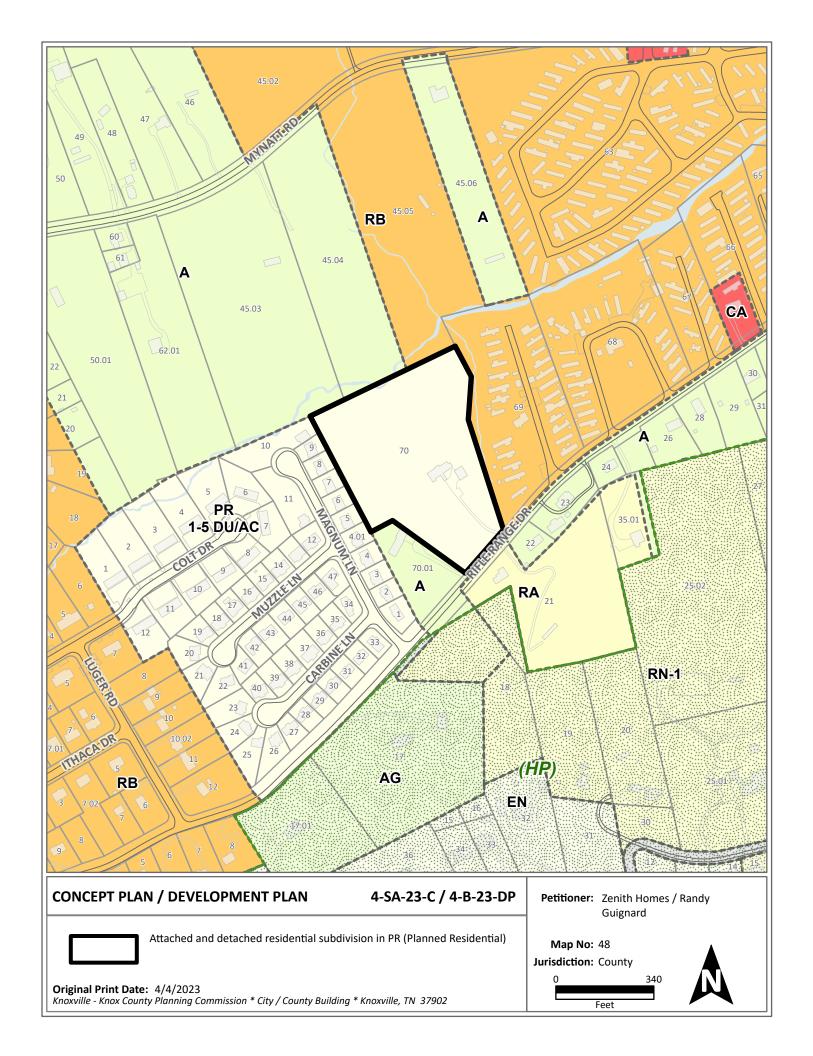
- 1. Increase the maximum intersection grade from 1 to 3 percent on Postmaster Lane at the Rifle Range Drive intersection.
- 2. Reduce the minimum intersection right-of-way radius from 25 ft to 10 ft on the southwest side of the Postmaster Lane and Rifle Range Drive intersection.

KNOX COUNTY ENGINEERING AND PUBLIC WORKS RECOMMENDATION:

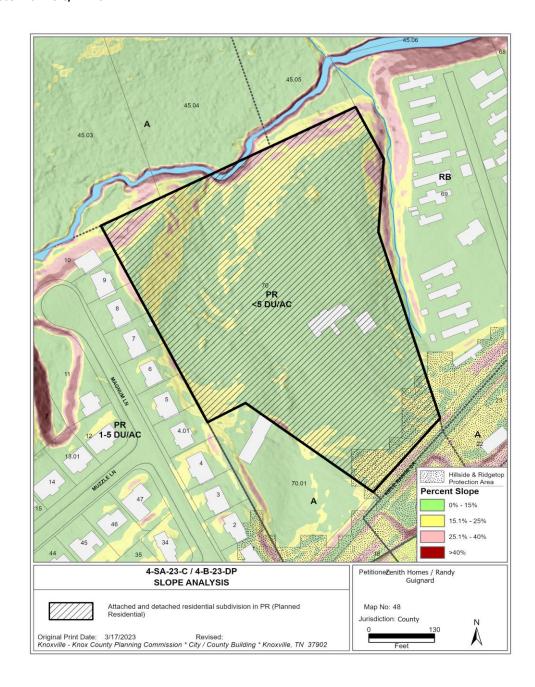
Aprroves variances and ADS as requested since they will not create unsafe conditions.

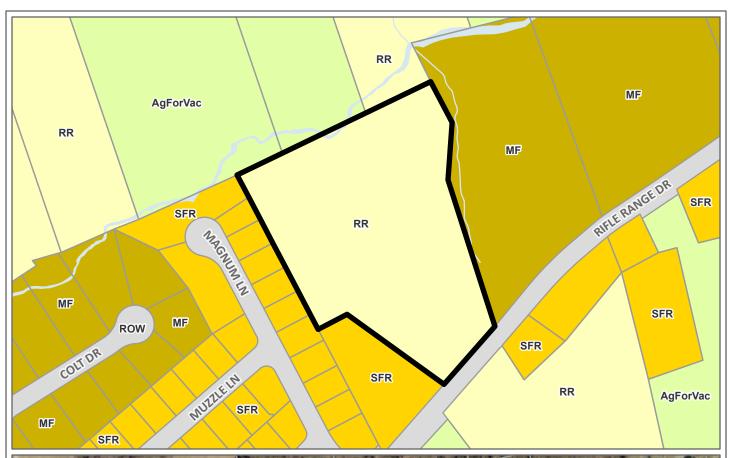
Steve Elliott 4/5/2023

4/4/2023 Page 1 of 1

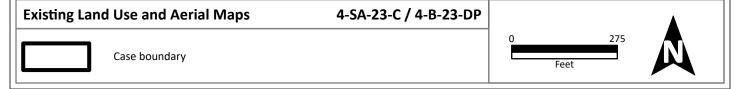


CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	6.75		
Non-Hillside	6.42	N/A	
0-15% Slope	0.11	100%	0.11
15-25% Slope	0.21	50%	0.11
25-40% Slope	0.00	20%	0.0001
Greater than 40% Slope	0.00	10%	0.00
Ridgetops			
Hillside Protection (HP) Area	0.33	Recommended disturbance budget within HP Area (acres)	0.22
		Percent of HP Area	0.67













Development Request

	DEVELOPMENT	SUBDIVISION	ZONING
Diameira	Development Plan	✓ Concept Plan	☐ Plan Amendment
Plannin	☐ Planned Development	☐ Final Plat	☐ Sector Plan
KNOXVILLE I KNOX COUNTY	☐ Use on Review / Special Use		☐ One Year Plan
	☐ Hillside Protection COA		☐ Rezoning
	Thiside Protection COA		☐ Nezoming
Zenith Homes / Randy Guign	nard		
Applicant Name		Affiliatio	on
2/23/2023	4/13/2023	4-SA-23-C / 4-B-23	B-DP
Date Filed	Meeting Date (if applicable)	File Number(s)	
CORRESPONDENCE	All correspondence related to this application sh	ould be directed to the app	proved contact listed below.
David Harbin; Batson, Himes	, Norvell and Poe		
Name / Company			
4334 Papermill Dr. Dr. Knoxy	ville TN 37909		
Address			
865-588-6472 / harbin@bhn	-p.com		
Phone / Email			
CURRENT PROPERTY IN	NFO		
Café International LLC	5408 Fountain Gate Rd Knoxville	TN 37918 86	5-244-8050
Owner Name (if different)	Owner Address	Ow	ner Phone / Email
3009 RIFLE RANGE DR			
Property Address			
48 070		6.5	23 acres
Parcel ID	Part of Pa	arcel (Y/N)? Tra	act Size
Hallsdale-Powell Utility Distr	rict Hallsdale-Powell Ut	ility District, Knoxville	
Sewer Provider	Water Provider		Septic (Y/N)
STAFF USE ONLY			
North side of Rifle Range Dri	ve, east of Magnum Lane		
General Location			
City Commission District	t 7 PR (Planned Residential)	Rural Resi	dential
✓ County District	Zoning District	Existing L	and Use
North County	LDR (Low Density Residential), HP (Hillside Prot	tection) Planned G	rowth Area
Planning Sector	Sector Plan Land Use Classification	Growth Po	olicy Plan Designation

4-SA-23-C Printed 3/21/2023 12:21:12 PM

DEVELOPMENT REQUEST			
☐ Hillside Protection COA	ed Development Use o	n Review / Special Use ential Non-residential	Related City Permit Number(s)
Home Occupation (specify)			
Other (specify) Attached and det	ached residential subdivision	1	
SUBDIVSION REQUEST			
The Preserve at Hines Branch Cree	ek		Related Rezoning File Number
Proposed Subdivision Name			
Unit / Phase Number	olit Parcels	Total Number of Lots Created	
Additional Information			
Attachments / Additional Requir	rements		
ZONING REQUEST			
☐ Zoning Change Proposed Zoni	ng		Pending Plat File Number
☐ Plan Amendment Proposed Pla	n Designation(s)		
Proposed Density (units/acre) Pr	revious Zoning Requests		
Additional Information			
STAFF USE ONLY			
PLAT TYPE		Fee 1	Total
Staff Review Planning	Commission	\$1,350.00	
ATTACHMENTS			
Property Owners / Option Holde	·	Fee 2	
ADDITIONAL REQUIREMENT COA Checklist (Hillside Protection			
 □ Design Plan Certification (Final F ☑ Site Plan (Development Request □ Traffic Impact Study ☑ Use on Review / Special Use (Compared to the content of the content	Plat)	Fee 3	
AUTHORIZATION	insept Harry		
	7enith Homes / Randy	Guignard	2/23/2023
Zenith Homes / Randy Guignard Applicant Signature Please Print		Date	
Phone / Email			
Thone / Email	Café International LLC		2/23/2023
Property Owner Signature	Please Print		Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.

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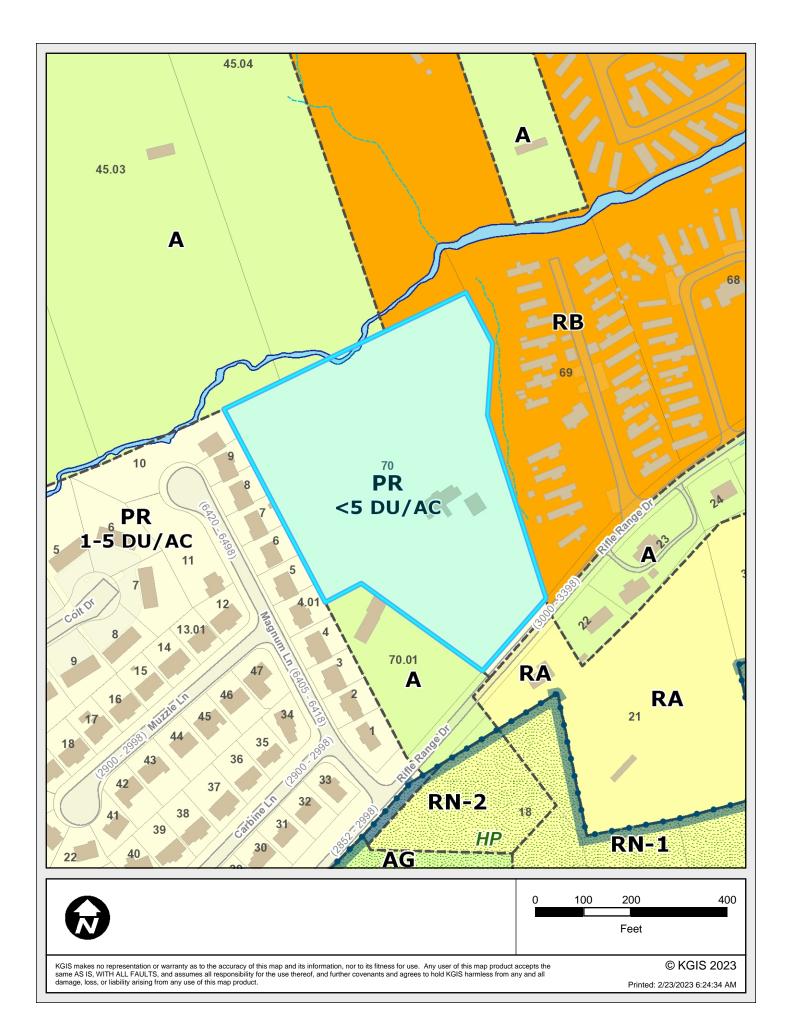


	Deve	lopm	ent	Reg	uest
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Plann KNOXVILLE I KNOX	Attack	☑ Development Plan 🗵		SUBDIVIS ☑ Concep ☐ Final P	ot Plan	ZONING ☐ Plan Amendment ☐ SP ☐ OYP ☐ Rezoning
ZEUITH J Applicant Name	lomes,	RAnpy	Guignae	20	Affiliatio	on
211-2						File Number(s)
2/22/23 Date Filed		Meeting Date	e (if applicable)		4-SA-23	i-C / 4-B-23-DP
CORRESPONDE	NCE All co	orrespondence relate	d to this application s	should be direct	ed to the app	proved contact listed below.
☐ Applicant ☐	Property Owner	☐ Option Holder	☐ Project Surveyo	r 💢 Enginee	r 🗌 Archit	ect/Landscape Architect
Name	HARB	rn .	BATSON	Himes	s Uce	vell+POE
4334 H	apern	ill Dr	Knoxui	lle	State	37909 ZIP
865-S88- Phone	10472	Email	rbinak	ohn-p.	Corr)
CURRENT PROF	PERTY INFO		Fountain G			- 244 - 80SO
Property Owner Nar	me (if different)		erty Owner Address	1910	003	Property Owner Phone
3009 RIFIE Property Address	Range	De.		O48 C	70	
HDPS Sewer Provider			HDPS Water Provider			Septic (Y/N)
STAFF USE ONL						
North side of R General Location	ifle Range Driv	e, east of Magnui	n Lane		6.523 a	
Serieral Education					Tract Siz	e
☐ City 🔀 County	7th District	PR (Planned Zoning District		Rural r Existing Lar	esidential id Use	
North County		LDR & F	НР	52 	Plan	ned Growth
Planning Sector		Sector Plan Land Use Classification			Growth	Policy Plan Designation

DEVELOPMENT REQUEST			
		Related C	ity Permit Number(s)
Home Occupation (specify)			
Other (specify) Attached and detached residential subdivision	ion		
SUBDIVISION REQUEST			
		Related F	Rezoning File Number
The Preserve at Hines Branch Creek Proposed Subdivision Name			
	32		
Unit / Phase Number	Total Number of Lots Crea	ited	
☐ Other (specify)		0.00	
☐ Attachments / Additional Requirements			
ZONING DEOLIEST			
ZONING REQUEST		Pendin	g Plat File Number
☐ Zoning Change		renam	g Hat Hie Hamber
Proposed Zoning			
Plan Amendment Change Proposed Plan Designation(s)			
Proposed Density (units/acre) Previous Rezoning	Requests		
Other (specify)			
STAFF USE ONLY			
PLAT TYPE	Fee 1		Total
☐ Staff Review ☐ Planning Commission ATTACHMENTS	0102	Concept Plan	
☐ Property Owners / Option Holders ☐ Variance Request	Fee 2	The Control of the Survey of the Control of the Con	
ADDITIONAL REQUIREMENTS			\$1,350
Design Plan Certification (Final Plat)	Fee 3		
☐ Use on Review / Special Use (Concept Plan) ☐ Traffic Impact Study	1663		
☐ COA Checklist (Hillside Protection)			
AUSTRICATION			
(1) (1)			
Davic Davic	HARBIN	2/2	2/23
Applicant Signature Please Print		Date	
905-568-6472 harbin	nabhn-r). com)
Phone Number Email			
8-5C-22-C/8-4-22-pp Randy	Guignaep	2/22	123
Property Owner Signature Please Rrint		Date	

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

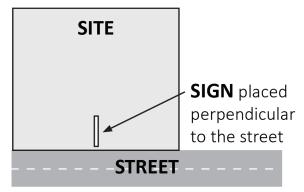




Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-ofway closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

March 31, 2023	and	April 14, 2023
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Randy Guignard		
Date: 2/23/2023		Sign posted by Staff
File Number: 4-SA-23-C / 4-B-23-DP		Sign posted by Applicant