Planning
KNOXVILLE I KNOX COUNTY

# SUBDIVISION REPORT -CONCEPT/DEVELOPMENT PLAN

► FILE #: 6-SF-23-C	AGENDA ITEM #: 34
6-I-23-DP	AGENDA DATE: 6/8/2023
SUBDIVISION:	KV CONSTRUCTION, LLC - ELLISTOWN RD
APPLICANT/DEVELOPER:	KV CONSTRUCTION, LLC
OWNER(S):	ALIY VALERIY
TAX IDENTIFICATION:	40 166.01 View map on KGI
JURISDICTION:	County Commission District 8
STREET ADDRESS:	0 ELLISTOWN RD
LOCATION:	East side of Ellistown Rd, southeast of Washington Pike
SECTOR PLAN:	Northeast County
GROWTH POLICY PLAN:	Rural Area
WATERSHED:	Roseberry Creek
APPROXIMATE ACREAGE:	20.448 acres
ZONING:	PR (Planned Residential)
EXISTING LAND USE:	Agriculture/Forestry/Vacant Land
PROPOSED USE:	Detached residential subdivision
SURROUNDING LAND USE AND ZONING:	North: Vacant land, Utility, Rural residential, Single family A (Agricultural), CA (General Business) South: Rural residential, Agricultural A (Agricultural) East: Agricultural PR (Planned Residential), A (Agricultural) West: Single family residential, Agricultural/forestry/vacant A (Agricultural), PR (Planned Residential)
NUMBER OF LOTS:	47
SURVEYOR/ENGINEER:	David Harbin Batson, Himes, Norvell and Poe
ACCESSIBILITY:	Access is via Ellistown Road, a minor collector with 20-ft of pavement width within 40-ft to 56-ft of right-of-way.
<ul> <li>SUBDIVISION VARIANCES REQUIRED:</li> </ul>	VARIANCES 1. Reduce the minimum tangent distance between broken back curves from 150 ft to 79 ft on Road 'B' between STA 1+46 and 2+25.
	ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL 1. Reduce the minimum horizontal curve radius from 250 ft to 100 ft on Road 'B' at STA 1+00.
	ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL ** See attached variance and alternative design request form
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#### STAFF RECOMMENDATION:

#### Approve the requested variance and alternative design standard based on the justification provided by the applicant and recommendations of the Knox County Department of Engineering and Public Works.

#### Approve the Concept Plan subject to 8 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) Certifying that the minimum sight distance can be obtained in both directions along Ellistown Road at the Road 'A' access point during the design plan phase and before grading permits are issued.

4) A geotechnical study must be provided for the pond predominately located on Lot 31 during the design plan review if required by Knox County Engineering and Public Works. If this is confirmed to be a

sinkhole/depression, it must be shown on the plat with a 50-ft buffer. For any building construction within the 50ft buffer around the designated sinkhole/depression (including the depressions), a registered engineer must prepare a geotechnical report to determine soil stability. 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 a 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-ft buffer, approval by Knox County will be required prior to final plat approval. The sinkholes/depressions and 50-ft buffer shall be designated on the final plat even if they are approved to be filled. If it is determined to be a sinkhole, any lot that does not have a buildable area outside of the designated sinkhole must be eliminated or combined with other lots so it does have a buildable area.

5) The stub outs shall be provided on the Final Plat and identified for future connection, and installing notification of future street connection as required by Section 3.04.C.2.d. of the KnoxvilleKnox County Subdivision Regulations.

6) Providing a temporary turnaround at the northern end of Road 'D'. The design details are to be worked out with Knox County Engineering and Public Works during the design plan phase.

7) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8) 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 detached residential subdivision with up to 47 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 development plan.

#### COMMENTS:

This proposal is for a 47-lot detached residential subdivision on 20.448 acres, with a density of 2.3 du/ac. The property was rezoned from A (Agricultural) to PR (Planned Residential) up to 2.5 du/ac in 2005 (8-Q-05-RZ). A sector plan amendment was also approved from AG/RR (Agricultural/Rural Residential) to LDR (Low Density Residential). When the Northeast County Sector Plan was updated in 2015, the land use designation was changed back to AG (Agricultural).

A sidewalk is required along the Ellistown Road frontage because the property is within a quarter mile of a property zoned CA (General Business) at the intersection of Ellistown Road and Washington Pike.

The applicant requests a reduction of a broken reverse curve tangent and a reduction of a horizontal curve on Road 'B'. Both of these requests are located at the intersection of Road 'B' with Road 'A'. Vehicle travel speeds will be low in this location because vehicles on Road 'B' will be slowing to turn onto Road 'A', and vehicles on Road 'A' have to come to a stop before turning onto Road 'B'. These requests are supported by staff because the road design will not create a traffic hazard due to the reduced travel speeds.

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 2.5 du/ac:

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a) The PR zone allows 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 2.5 du/ac. The proposed density is 2.3 du/ac.

### 2) GENERAL PLAN - DEVELOPMENT POLICIES

a) Policy 9.2, Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands, and wildlife habitat – There are two branches of a stream that run through the property. The inner 25-ft buffers on either side of the stream will remain undisturbed, as well as the area between the stream and the adjacent properties.

b) Policy 9.3, Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities -- The proposed single-family houses should have a similar scale as the other residential development in the area.

c) Policy 9.8, Encourage a mixture of housing sizes and prices within planned residential developments – This proposal is for detached residential units only. The mix of house sizes and price points is to be determined by the developer.

### 3) NORTHEAST COUNTY SECTOR PLAN

a) The property is classified AG (Agricultural), which allows consideration of up to 1 du/ac. However, when this property was rezoned in 2005, Knox County Commission approved a sector plan amendment to LDR (Low Density Residential) which allows up to 5 du/ac. This proposal has a a density of 2.3 du/ac, which is consistent with the recommendation of the Rural Area on the Growth Policy Plan, which allows consideration of densities up to 3 du/ac under certain circumstances.

#### 4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

a) The property is within the Rural Area. Rural areas are to include land to be preserved for farming, recreation, and other non-urban uses. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning.

b) The Rural Area recommends a maximum density of 2-3 du/ac. Three (3) du/ac can be considered as an extension of low density residential development if the property is PR, sanitary sewer and public water is provided, connecting collector and arterial roads from the development to the Planned Growth area meet the standards of Knox County Engineering and Public Works, and a transportation impact analysis demonstrates to the satisfaction of the Planning Commission that the effect of the proposed and similar developments in the traffic analysis zone will not reasonably impair traffic flow.

c) Ellistown Road is a minor collector street, and the subject property is approximately 700 ft from Washington Pike, which is minor arterial street.

### ESTIMATED TRAFFIC IMPACT: 504 (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: 20 (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.

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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).

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### Requested Variances & Alternative Design Standards

### 6-SF-23-C / 6-I-23-DP- KV CONSTRUCTION, LLC ON ELLISTOWN RD SUBDIVISION

### VARIANCES

 Reduce the minimum tangent distance between broken back curves from 150 ft to 79 ft on Road 'B' between STA 1+46 and 2+25.

# ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. Reduce the minimum horizontal curve radius from 250 ft to 100 ft on Road 'B' at STA 1+00.

# ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

- 1. Increase the maximum intersection grade from 1 to 2 percent on Road 'A' at the Ellistown Road intersection.
- 2. Increase the maximum intersection grade from 1 to 3 percent on Road 'A' at the Road 'B' intersection.
- 3. Increase the maximum intersection grade from 1 to 3 percent on Road 'C' at the Road 'B' intersection.
- 4. Increase the maximum intersection grade from 1 to 3 percent on Road 'D' at the Road 'B' intersection.

### KNOX COUNTY ENGINEERING AND PUBLIC WORKS RECOMMENDATION:

Approve as requested since no unsafe conditions are created.

Steve Elliott 6/1/23







# **Development Request**

### DEVELOPMENT

Development Plan

□ Planned Development

Use on Review / Special Use
 Hillside Protection COA

### SUBDIVISION

Concept PlanFinal Plat

### ZONING

Plan Amendment
 Sector Plan
 One Year Plan
 Rezoning

**KV** Construction, LLC **Applicant Name** Affiliation 4/24/2023 6/8/2023 6-SF-23-C / 6-I-23-DP Date Filed Meeting Date (if applicable) File Number(s) CORRESPONDENCE All correspondence related to this application should be directed to the approved contact listed below. David Harbin Batson, Himes, Norvell and Poe Name / Company 4334 Papermill Dr. Dr. Knoxville TN 37909 Address 865-588-6472 / harbin@bhn-p.com Phone / Email **CURRENT PROPERTY INFO** ALIY VALERIY 1552 Cherrybrook Dr Knoxville TN 37912 865-660-1712 Owner Name (if different) **Owner Address Owner Phone / Email 0 ELLISTOWN RD Property Address** 40 166.01 20.59 acres Parcel ID Part of Parcel (Y/N)? Tract Size **Knoxville Utilities Board** Northeast Knox Utility District Sewer Provider Water Provider Septic (Y/N) **STAFF USE ONLY** East side of Ellistown Rd, southeast of Washington Pike **General Location** City **Commission District 8 PR (Planned Residential)** Agriculture/Forestry/Vacant Land ✓County District **Zoning District** Existing Land Use **Northeast County** AG (Agricultural) **Rural Area** 

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST				
🖌 Development Plan 🗌 Planned Deve	lopment 🗌 Use on	Review / Special Use	Related City Permit Nun	nber(s
Hillside Protection COA	🗌 Resider	ntial 🗌 Non-residential		
Home Occupation (specify)				
Other (specify) <b>Detached residential sub</b>	division			
SUBDIVSION REQUEST				
KV Construction, LLC - Ellistown Rd			Related Rezoning File N	lumbe
Proposed Subdivision Name				
		47		
Unit / Phase Number 🖌 Split Parc	els	Total Number of Lots Created		
Additional Information				
Attachments / Additional Requirement	5			
ZONING REQUEST				
Zoning Change			Pending Plat File Num	nber
Proposed Zoning			-	
] Plan				
Amendment Proposed Plan Desig	nation(s)			
Proposed Density (units/acre) Previous	Zoning Requests			
Additional Information				
STAFF USE ONLY				
PLAT TYPE		Fee 1	Tota	al
Staff Review Planning Comm	ission	\$1,600.00		
ATTACHMENTS				
Property Owners / Option Holders	Variance Request	Fee 2		
ADDITIONAL REQUIREMENTS COA Checklist (Hillside Protection)				
Design Plan Certification (Final Plat)		Fee 3		
✓ Site Plan (Development Request)		166.5		
Traffic Impact Study				
Use on Review / Special Use (Concept F	Plan)			
AUTHORIZATION				
I declare under penalty of perjury the fore			perty, AND 2) the applicatio	on and
all associated materials are being submitt	ed with his/her/its consel (V Construction, LLC		4/24/202	3
	Please Print		Date	
Phone / Email				
			4/24/202	3

Property	Owner	Signature
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Please Print

Date

Planning KNDXVILLE I KNDX COUNTY	<b>Development</b> Development Plan Planned Development Use on Review / Special II Hillside Protection COA	SUBDIVISION SCONCEPT Plar Final Plat Jse	ZONING
KV CONSTRUCTION U Applicant Name	C / 90 Keis Valer	Af	filiation
4/24/2023	6/8/2023		File Number(s)
Date Filed	Meeting Date (if applicable		SF-23-C -23-DP
CORRESPONDENCE All	correspondence related to this appl	ication should be directed to th	ne approved contact listed below.
Applicant Property Owner	Option Holder	Surveyor 🛛 Engineer 🗌 /	Architect/Landscape Architect
DAVIO HARBIN	Batson -	Company HORVELL	+ Poe
4334 Papermill Address	Dr Knoxvi		L 37909 ate ZIP
865-588-6472 Phone	Email	hn-p.com	
CURRENT PROPERTY INFO			
Property Owner Name (if different)	1552 CHEER Knoxuille T Property Owner	J 37912 81	75-660-1712 Property Owner Phone
0 Ellistown en Property Address	CLT	MAP 40 PARC	EL 166.01
KUB	KU	NEUD	nd
Sewer Provider	Water Pr		Septic (Y/N)
STAFF USE ONLY			-
East side of Ellistown Rd, s	southeast of Washington Pil	ke 2	0.45 acres
General Location		Tra	act Size
City X County	PR	Agriculture/fc	prestry/vacant
District	Zoning District	Existing Land Use	
Northeast County	AG		Rural area
Planning Sector	Sector Plan Land Use Class	ification Gr	owth Policy Plan Designation

August 29, 2022

### **DEVELOPMENT REQUEST**

🗙 Development Plan	Use on Review / Special Use	Hillside Protection COA	Related City Permit Number(s)
🗙 Residential	🗌 Non-Residential		
Home Occupation (spe	cify)		
Other (specify) Deta	ched residential subdivisior	า	

### SUBDIVISION REQUEST

KV Construction, LLC - Ellistor	wn Rd			Related Rezoning File Number
Proposed Subdivision Name				
Combine Pa	arcels 🖪 Divide Parcel	47	Lots	
Unit / Phase Number		Total Numb	er of Lots Created	ł

### Other (specify) Detached residential subdivision

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change		Pending Plat File Number
	Proposed Zoning	
Plan Amendmei	nt 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 Comr	nission	102	Concept Plan	
ATTACHMENTS  Property Owners / Option Holders Variance Request  ADDITIONAL REQUIREMENTS  Design Plan Certification (Final Plat) Use on Review / Special Use (Concept Plan) Traffic Impact Study COA Checklist (Hillside Protection)		Fee 2		\$1,600
		Fee 3		
Applicant Signature	DAVIO HAR Please Print	rein	Ц. Z Date	423
805 - 588 - 6472 Phone Number	harbin (	2 bhn-p.	Com	
Kaisim Airi	Vairian Al	• •	1171	172

MISTIAN /41.9	CHOMAN ANY	4.24.25
Property Owner Signature	Please Print	Date
I declare under penalty of periury the forea	ping (i.e., he/she/they is/are the owner of the property and	that the application and all associated

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-of-way 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:

May 26, 2023	and	June 9, 2023	
(applicant or staff to post sign)		(applicant to remove sign)	
Applicant Name: KV Construction, LLC			
Date: 4/24/2023		Sign posted by Staff	
File Number: _6-SF-23-C / 6-I-23-DP		Sign posted by Applicant	