

SUBDIVISION REPORT - CONCEPT

► FILE #: 9-SC-24-C AGENDA ITEM #: 41

POSTPONEMENT(S): 9/12/2024 **AGENDA DATE: 10/3/2024**

► SUBDIVISION: FOX & FOGERTY ON YOSEMITE DR

► APPLICANT/DEVELOPER: DAVID CHEBAN

OWNER(S): David Cheban

TAX IDENTIFICATION: 107 B A 018 <u>View map on KGIS</u>

JURISDICTION: City Council District 2
STREET ADDRESS: 0 YOSEMITE TRL

LOCATION: Eastern terminus of Yosemite Trl and northern terminus of Farland Dr

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A (Within City Limits)

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Third Creek, Fourth Creek

► APPROXIMATE ACREAGE: 13.05 acres

► ZONING: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection

Overlay)

EXISTING LAND USE: Agriculture/Forestry/Vacant Land

► PROPOSED USE: single family lots

SURROUNDING LAND North: Single family residential, office - OP (Office Park), I-G (General

USE AND ZONING: Industrial), HP (Hillside Protection Overlay)

South: Multi family residential - RN-5 (General Residential Neighborhood),

HP (Hillside Protection Overlay)

East: Single family residential, rural residential - RN-1 (Single-Family Residential Neighborhood), RN-3 (General Residential Neighborhood), HP

(Hillside Protection Overlay)

West: Single family residential, agriculture/forestry/vacant land, private

recreation (swimming pool) - RN-1 (Single-Family Residential

Neighborhood), HP (Hillside Protection Overlay)

► NUMBER OF LOTS: 22

SURVEYOR/ENGINEER: David Harbin Batson, Himes, Norvell & Poe

ACCESSIBILITY: Access is via Yosemite Trl and Farland Dr, local streets with a pavement

width of 25 ft within a right-of-way of 50 ft.

SUBDIVISION VARIANCES

REQUIRED:

ALTERNATIVE DESIGN STANDARD REQUIRING ENGINEERING APPROVAL (PLANNING COMMISSION APPROVAL NOT REQUIRED)

1. Increase the intersection grade from 1 to 2%, STA 0+13 to STA 1+15

Rd "A"

STAFF RECOMMENDATION:

Approve the concept plan subject to 9 conditions.

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- 1. Connection to sanitary sewer and meeting any other relevant utility provider requirements.
- 2. Provision of a street name consistent with the Uniform Street Naming and Addressing System within the City of Knoxville (City Ord. 0-280-90).
- 3. Confirm that the road design complies with American Association of State Highway and Transportation Officials (AASHTO) standards during the design plan phase, with review and approval by the Knoxville Department of Engineering.
- 4. Meeting the land disturbance limitations of the HP (Hillside Protection Overlay) zone district and adding the disturbance limitation line on the final plat(s) for the subdivision. Planning staff can review and approve adjustments to the disturbance limitation line provided the overall development does not exceed the maximum allowed land disturbance.
- 5. Providing a pedestrian connection from Yosemite Trl to Farland Dr or Yosemite Trl to Road A during the design plan phase.
- 6. Meet all applicable requirements of the City of Knoxville Zoning Ordinance.
- 7. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
- 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, and/or stormwater drainage systems.
- 9. Meeting all applicable requirements of the Knoxville Utility Board regarding the placement of stormwater infrastructure or other site improvements, such as fences, within the existing natural gas line easement.

COMMENTS:

This proposal is for a 21-lot residential subdivision on this 13.05-acre property. The property is zoned RN-1 (Single-Family Residential Neighborhood) and is in the HP (Hillside Protection Overlay). The RN-1 zone requires a minimum lot size of 10,000 sq ft. The proposed lot sizes range from 10,491 sq ft to 35,309 sq ft and are generally equivalent to lots in the adjacent neighborhoods.

The public roads Yosemite Trail and Farland Drive will be extended to dead end with cul-de-sacs, and a new public road, Road A, will be created off Farland Drive, ending with a cul-de-sac turnaround. The front setback of the single family homes on Yosemite Trail must be within 10 ft of the average of the blockface. The north side of Yosemite will have a front setback range of 25.5-45.5 ft, and the south side will range from 81.5-101.5 ft. The first houses developed on Road A and the Farland Drive cul-de-sac will create the setback range for the other houses developed along that street. The plan shows the minimum 25 ft setback, allowing homes to be built within the 25-35 ft range.

Planning is conditioning a pedestrian connection between Yosemite Trail and Farland Drive or Yosemite Trail and Road A, to be worked out during the design plan phase. Since the neighborhoods do not have sidewalks, the connection could be like a greenway, such as paved asphalt or crushed stone pathways.

Our adopted plans and regulations include connectivity in residential developments. Per Subdivision Regulation 3.04.C, an interconnected street system is important for sound neighborhood development. A pedestrian connection will connect neighborhoods, promote walking and biking, reduce miles of travel that result in lower air emissions and wear on the roadway, reduce the volume of traffic and traffic delays on major streets (collectors and arterials), and ultimately improve livability in communities by providing parallel routes and alternative route choices.

A Tennessee Natural Gas easement runs through Lots 21 and 10-13 of the property. Tennessee Natural Gas may restrict improvements within the easement, such as stormwater infrastructure and fences.

The entirety of the property is within the HP (Hillside Protection Overlay) zone, and there are some steep slopes on the property. Grading is kept to concentrated area closer to the streets, preserving slopes around most of the perimeter of the property. The projected disturbance of the site is 7.43 acres, which is below the permitted disturbance of 9.18 acres according to the slope analysis conducted to enforce the Hillside Protection overlay. There is a condition for the final plat to include the maximum disturbance limitation line. Each lot must be allocated a certain amount of land disturbance to ensure the development complies with the HP overlay standards over time.

ESTIMATED TRAFFIC IMPACT: 240 (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.

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

Schools affected by this proposal: Bearden Elementary, Bearden Middle, and West 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 request is final, unless the action is appealed to Knoxville-Knox County Planning Commission. The date of the Knoxville-Knox County Planning Commission appeal hearing will depend on when the appeal application is filed.

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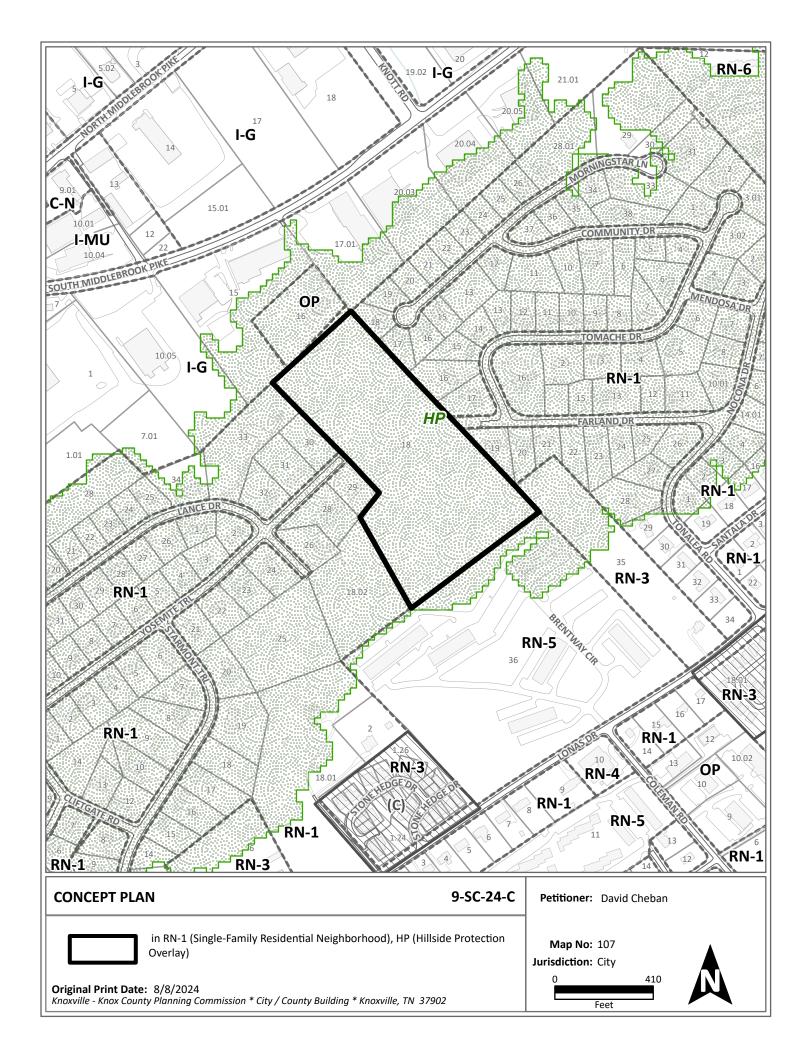
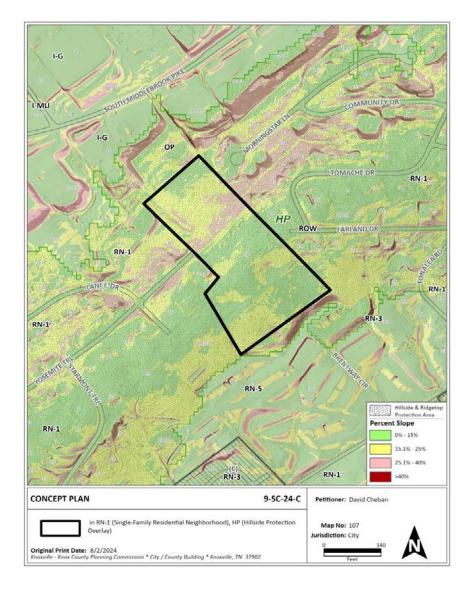
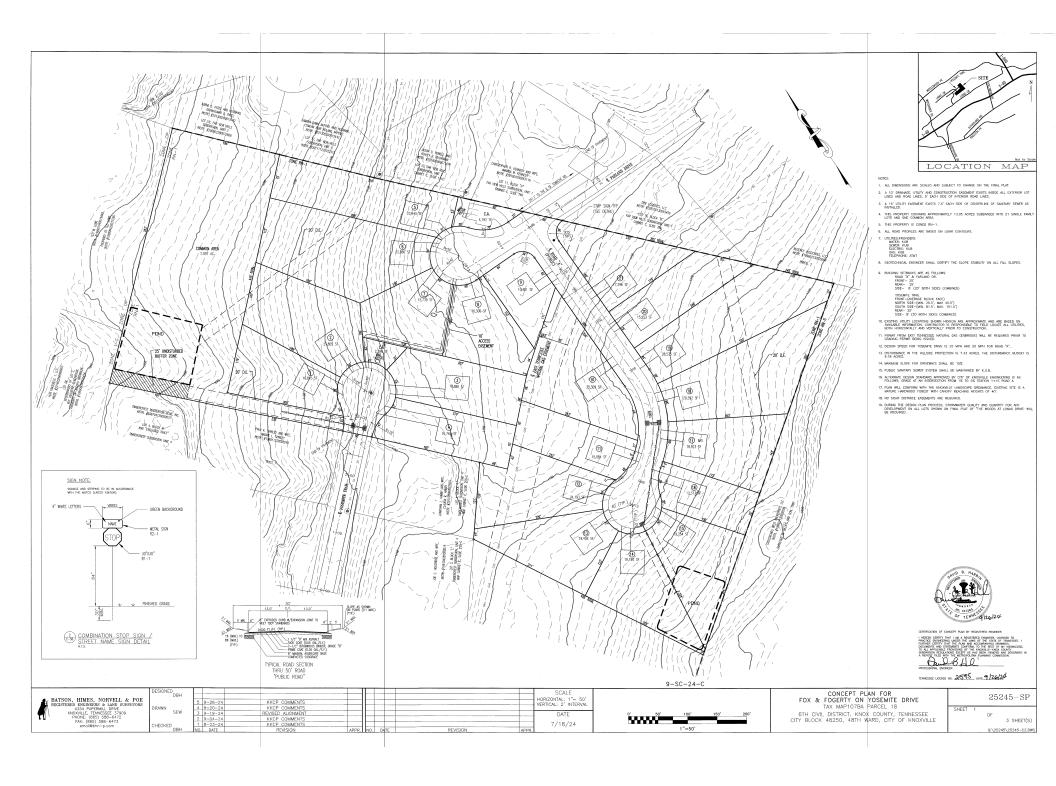


Exhibit A. Contextual Images A Striking lie and lie bre **Location Map** AND ENINGSTAR LN SUNF OWER OR SOUTH MIDDLEBROOK PINE COMMUNITY DR TOMACHE DR ON INDUSTRIBLINAY FARLAND DR LANCE DA ONTRA ORIECTO CANYON OAK PL CAIN OAK PL C. ENONE WILLOW OAK OF SCARLETT ONLOT **Aerial Map** SOUTHMIDDLE **CONTEXTUAL MAPS 1** 9-SC-24-C 825 Case boundary

Staff - Slope Analysis Case: 9-SC-24-C

CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	568,364.8	13.05			
Non-Hillside	0.0	0.00	N/A		
0-15% Slope	262,811.7	6.03	100%	262,811.7	6.03
15-25% Slope	252,981.7	5.81	50%	126,490.9	2.90
25-40% Slope	52,569.9	1.21	20%	10,514.0	0.24
Greater than 40% Slope	1.5	0.00	10%	0.2	0.00
Ridgetops					
Hillside Protection (HP) Area	568,364.8	13.05	Recommended disturbance budget within HP Area	399,816.7	9.18
			Percent of HP Area	70.3	3%





NOTE: THREE DAYS PRIOR TO ANY EARTHWORK OR CONSTRUCTION CONTRACTOR MUST CONTACT: TENNESSEE ONE—CALL 1—BOO—351—1111

RECORD AND SAVE YOUR CONFIRMATION NUMBER.

NOTE:

BEFORE START OF CONSTRUCTION

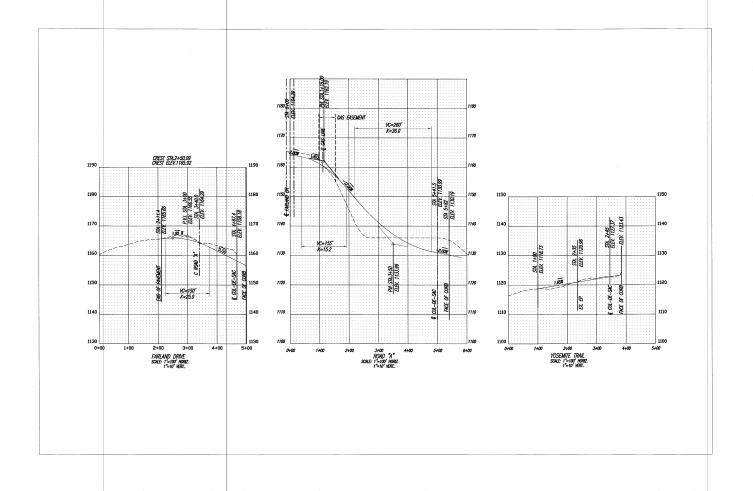
NOTE:

CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY

ALL THERMET SAFETY

CONTRACTOR SHALL SHORE AND
BRACE ALL OPEN CUT TERNIFIES AS
REQUIRED BY STATE AND FEDERAL
LAWS AND LOCAL ORDINANCES; TO
CONFORM WITH RECOMMENDATIONS
SET FORTH IN AGC MANUAL OF
ACCIDENT PREVENTION IN
CONSERVENTION IN OPENIOR
CONSERVENT OF PROTECTION
UNSTABLE MATERIAL.

OSHA RULES SHALL BE ABIDED BY.





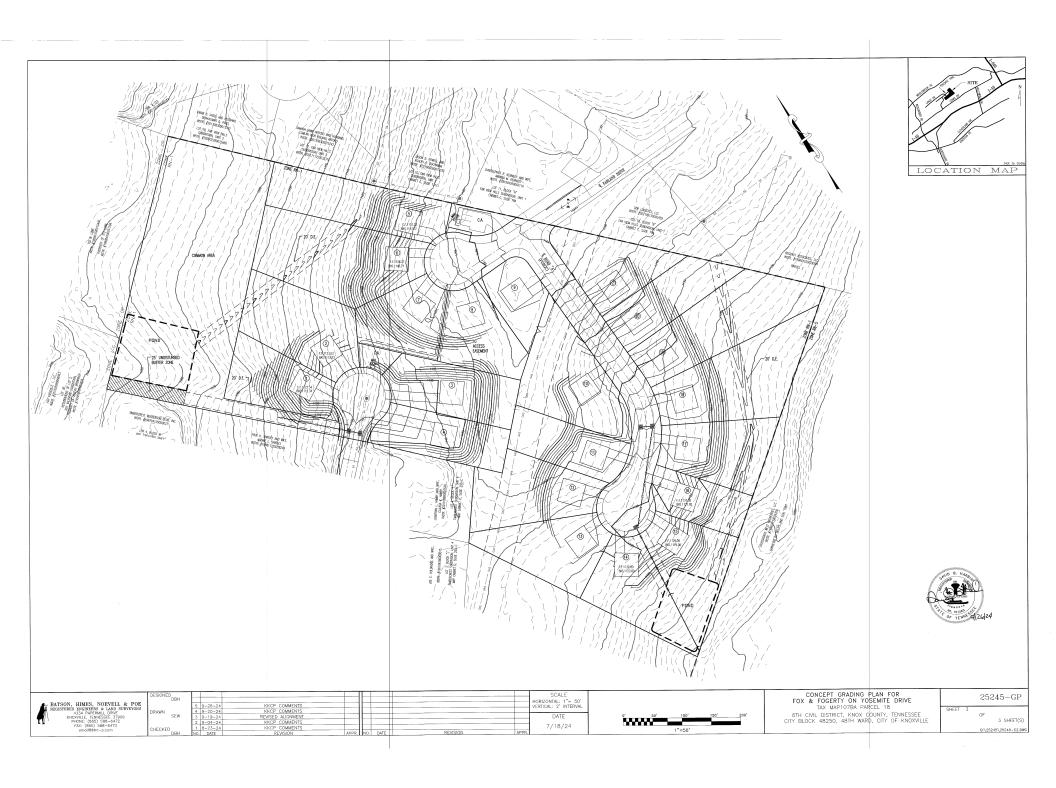
24	BATSON, HIMES, NORVELL & POE REGISTERED ENGINEERS & LAND SURVEYORS 4334 PAPERMILL DRIVE
	KNOXVILLE, TENNESSEE 37909 PHONE: (865) 588-6472
	FAX: (865) 588-6473

ESIGNED DBH					\Box				- 1	
DBH										
	5	9-26-24	KKCP COMMENTS					 		
RAWN	4	9-20-24	KKCP COMMENTS							
SEW	3	9-19-24	REVISED ALIGNMENT							DATE
	2	9-04-24	KKCP COMMENTS							
HECKED DBH	1	8-23-24	 KKCP COMMENTS		L					6/24/24
DBH	NO.	DATE	REVISION	 APPR.	NO.	DAT	E	REVISION	APPR.	

CONCEPT ROAD PROFILES FOR FOX & FOGERTY ON YOSEMITE DRIVE		
TAX MAP107BA PARCELS 18, 18.02 & 25	SHEET	
TAX MAP107GB PARCEL 25		
6TH CIVIL DISTRICT, KNOX COUNTY, TENNESSEE	1	
CITY BLOCK 48250 48TH WARD CITY OF KNOXVILLE		

	25245	-	R	Р
2	 -			_

OF 3 SHEET(S)





Alternative Design Standards

The minimum design and performance standards shall apply to all subdivisions unless an alternative design standard is permitted within Article 3 Section 3.01.D, Application of Alternative Design Standards, or Article 4.01.C, Street Standards (within Hillside and Ridgetop Areas).

There are some alternative design standards that require Planning Commission approval, and some that can be approved by the Engineering Departments of the City or County. However, the City or County Engineering Departments, as applicable, will provide review comments on any alternative design proposed. These comments will be provided during the review process.

Alternative Design Standards Requiring Planning Commission Approval

Section 3.03.B.2 - Street frontage in the PR (Planned Residential) zone, Knox County

Section 3.03.E.1.e - Maximum grade of private right-of-way

Section 3.03.E.3.a - Pavement width reduction, private rights-of-way serving 6 or more lots

Section 3.04.H.2 - Maximum grade, public streets

Section 3.04.I.1.b.1 - Horizontal curves, local streets in Knox County

Alternative Design Standards Approved by the Engineering Departments of the City of Knoxville or Knox County

Section 3.03.E.3.a - Right-of-way width reduction, private rights-of-way serving 6 or more lots

Section 3.04.A.3.c - Right-of-way dedication, new subdivisions

Section 3.04.F.1 - Right-of-way reduction, local streets

Section 3.04.G.1 - Pavement width reduction, local streets

Section 3.04.H.3 - Intersection grade, all streets

Section 3.04.J.2 - Corner radius reduction in agricultural, residential, and office zones

Section 3.04.J.3 - Corner radius reduction in commercial and industrial zones

Section 3.11.A.2 – Standard utility and drainage easement

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision Regulations are requested above or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested.

Signature

Printed Name

Date

For each alternative design standard requested, identify how the proposed alternative design either meets the intent of the standard in the Subdivision Regulations or meets an alternative, nationally recognized engineering standard such as The American Association of State Highway and Transportation Officials (AASHTO) or Public Right-of-Way Accessibility Guidelines (PROWAG).

1. ALTERNATIVE DESIGN STANDARD REQUESTED: Sta otis to Sta 1+15 Pd." A" Graduatan intersection from 120+20, sta otis to Sta 1+15 Pd." A"
Approval required by: Planning Commission ☐ Engineering [X
Engineering supports the alternative design standard requested (to be completed during review process): YES □ NO □ Engineering Comments:
2. ALTERNATIVE DESIGN STANDARD REQUESTED:
Approval required by: Planning Commission ☐ Engineering ☐
Engineering supports the alternative design standard requested (to be completed during review process): YES □ NO □ Engineering Comments:
3. ALTERNATIVE DESIGN STANDARD REQUESTED:
Approval required by: Planning Commission □ Engineering □
Engineering supports the alternative design standard requested (to be completed during review process): YES □ NO □ Engineering Comments:



Development Request

	DEVELOPMENT	SUBDIVISION	ZONING
Planning	☐ Development Plan	Concept Plan	☐ Rezoning
rtaining	\square Planned Development	☐ Final Plat	☐ Plan Amendment
KNOXVILLE I KNOX COUNTY	\square Use on Review / Special Use		☐ Sector Plan
	☐ Hillside Protection COA		☐ City OYP / County Comp Plan
David Cheban			
Applicant Name		Affiliatio	n
7/29/2024	9/12/2024	9-SC-24-C	
Date Filed	Meeting Date (if applicable)	File Number(s)	
CORRESPONDENCE			
CORRESPONDENCE	All correspondence related to this application sl	hould be directed to the a	pproved contact listed below.
David Harbin Batson, Himes, Norv	ell and Poe		
Name / Company			
4334 Papermill Dr. Dr. Knoxville Tl	N 37909		
Address			
865-588-6472 / harbin@bhn-p.cor	n		
Phone / Email			
CURRENT PROPERTY INFO			
David Cheban	5331 Cain Rd. Rd. Knoxville TN 3	7921 8	865-816-4099
Owner Name (if different)	Owner Address	(Owner Phone / Email
0 YOSEMITE TRL			
Property Address			
107 B A 018		1	13.05 acres
Parcel ID	Part of F	Parcel (Y/N)?	ract Size
Knoxville Utilities Board	Knoxville Utilities E	Board	
Sewer Provider	Water Provider		Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice and Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). We require applicants to acknowledge their role in this process.

9-SC-24-C Printed 8/21/2024 9:15:40 AM

DEVELOPMENT REQUEST					
☐ Development Plan ☐ Plann ☐ Hillside Protection COA Home Occupation (specify) Other (specify)	ed Development	☐ Use on Review☐ Residential	/ Special Use	Related City	Permit Number(s)
SUBDIVSION REQUEST	<u> </u>				
Fox & Fogerty on Yosemite Dr Proposed Subdivision Name				Related Rezo	oning File Number
Additional Information	plit Parcels	Total	Number of Lots Created		
Attachments / Additional Requi	rements				
ZONING REQUEST					
Zoning Change Proposed Zoning				Pending P	lat File Number
Plan Amendment Proposed Plan De Proposed Density (units/acre) P Additional Information	esignation(s) revious Rezoning R	equests			
STAFF USE ONLY					
PLAT TYPE ☐ Staff Review ☐ Planning	g Commission		Fee 1 \$1,075.0	0	Total
ATTACHMENTS Property Owners / Option Hold Amendment Request (Compreh		e Request	Fee 2		
ADDITIONAL REQUIREMENT Use on Review / Special Use (Co Traffic Impact Study COA Checklist (Hillside Protection	oncept Plan)		Fee 3		
AUTHORIZATION					
I declare under penalty of perjury			he/it is the owner of the pr	operty, AND 2) tl	ne application and
	David Cheb	an			7/29/2024
Applicant Signature	Please Print				Date
Phone / Email	David Cheba				7/20/2024
Property Owner Signature	Please Print	ali			7/29/2024 Date

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Development Request
DEVELOPMENT SUBDIVISION ZONING

Planning KNOXVILLE I KNOX COUNTY	 □ Development Plan □ Planned Development □ Use on Review / Special Use □ Hillside Protection COA 	☑ Concept Plan ☐ Final Plat	☐ Plan Amendment☐ SP☐ PA☐ Rezoning
DAVIO CHEBAN Applicant Name		Affili	ation
07/29/2024	September 12, 2024		File Number(s)
Date Filed	Meeting Date (if applicable)	9-S	C-24-C
CORRESPONDENCE All	correspondence related to this application s	hould be directed to the	approved contact listed below.
☐ Applicant ☐ Property Owner	☐ Option Holder	Engineer 🗆 Ard	chitect/Landscape Architect
DAVIO HARBIN	BATSON Hime Compa		+ POE
4334 Papermill	RD Knoxuille	State	
865-588-6412 Phone	harbin @ bh	nn-p.com	
CURRENT PROPERTY INFO			
DAVIO Cheban Property Owner Name (if different)	5331 Cain EC Ynoxuille, To Property Owner Address		565-8 16-4099 Property Owner Phone
O Yosemie tell Property Address	TAX MAPI	07BA PAR	CEL 18
KUB Sewer Provider	Water Provider		ρδ Septic (Y/N)
STAFF USE ONLY			
General Location		Tract	: Size
☐ City ☐ County ☐ District	Zoning District	Existing Land Use	
Planning Sector	Land Use / Place Type	Grov	wth Policy Plan Designation

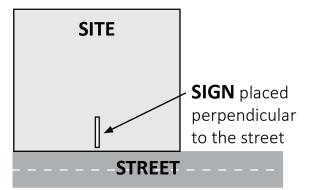
DEVELOPMENT REQUEST		
☐ Development Plan ☐ Use on Review / Special L☐ Residential ☐ Non-Residential	Related City Permit Number(s)	
riome decapation (specify)		
Other (specify)		
SUBDIVISION REQUEST		
		Related Rezoning File Number
Proposed Subdivision Name		
☐ Combine Parcels	Divide Parcel 21 LOTS	
Unit / Phase Number	Total Number of Lots Created	d
Other (specify)		
☐ Attachments / Additional Requirements		
ZONING REQUEST		
☐ Zoning Change		Pending Plat File Number
Proposed Zoning		
☐ Plan Amendment Change		
Proposed Plan Designa	tion(s)	V - 1 S 1 - 1 1 1 1 1 1 1 1 1
Proposed Density (units/acre) Previou	s Rezoning Requests	
☐ Other (specify)		
STAFF USE ONLY		
PLAT TYPE	Fee 1	Total
☐ Staff Review ☐ Planning Commission	1	
ATTACHMENTS	Fee 2	
☐ Property Owners / Option Holders ☐ Variance R☐ Amendment Request (Comprehensive Plan)	equest	Φ4 07E 00
		\$1,075.00
ADDITIONAL REQUIREMENTS ☐ Use on Review / Special Use (Concept Plan)	Fee 3	
☐ Traffic Impact Study		
☐ COA Checklist (Hillside Protection)		1
AUTHORIZATION		
I declare under penalty of perjury the foregoing is true of 1) He/she/it is the owner of the property AND 2) The app	and correct: lication and all associated materials are being sub	omitted with his/her/its consent
Aud L		7 70 4.1
	Please Print	7-29-24 Date
	1.1	
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(1). Chelre	· - 0//	07-29-24 ,SG
	NIO CHERAN	Date Paid



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:

08/30/2024	and	09/13/2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: David Cheban		
Date: 07/29/2024		Sign posted by Staff
File Number: 9-SC-24-C		Sign posted by Applicant