



SUBDIVISION REPORT - CONCEPT

► **FILE #:** 9-SC-24-C

AGENDA ITEM #: 44

AGENDA DATE: 9/12/2024

► **SUBDIVISION:** FOX & FOGERTY ON YOSEMITE DR

► **APPLICANT/DEVELOPER:** DAVID CHEBAN

OWNER(S): David Cheban

TAX IDENTIFICATION: 107 B A 018

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 0 YOSEMITE TRL

► **LOCATION:** Eastern terminus of Yosemite Trl and Northern terminus of Farnland 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 USE AND ZONING: North: Single family residential, office - OP (Office Park), I-G (General Industrial)
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:** 21

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**
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 8 conditions.

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 AASHTO standards during the design plan phase, with review and approval by the Knoxville Department of Engineering.
4. Confirm that the proposed land disturbance complies with the HP (Hillside Protection Overlay) zone district during the design plan phase.
5. Meet all applicable requirements of the City of Knoxville Zoning Ordinance.
6. Meeting all applicable requirements of the City of Knoxville Department of Engineering.
7. 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.
8. 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), HP (Hillside Protection Overlay). The RN-1 zone requires a minimum lot size of 10,000 sqft. The proposed lot sizes range from 10,491 sqft to 38,384 sq ft.

The public road Yosemite Trail will be continued and connected to Farland Dr, connecting the two neighborhoods of Timbercrest and Lonas Drive. The single family homes on Yosemite Trl must be within 10 ft of the average blockface. The north side of Yosemite will have a front setback range of 25.5-45.5 ft, and the south side will be 81.5-101.5 ft. Road A is a new public road that dead ends with a cul-de-sac. The first houses developed on Road A will create the setback range for the other houses developed along that street. The plan shows the minimum 25 ft setback, which would allow homes to be built within the range of 25-35 ft.

A Tennessee Natural Gas Easement runs through Lots 6 and 14-17 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. Disturbance with the Hillside Protection area is 7.24 acres within the 9.18 acres disturbance budget.

ESTIMATED TRAFFIC IMPACT: 240 (average daily vehicle trips)

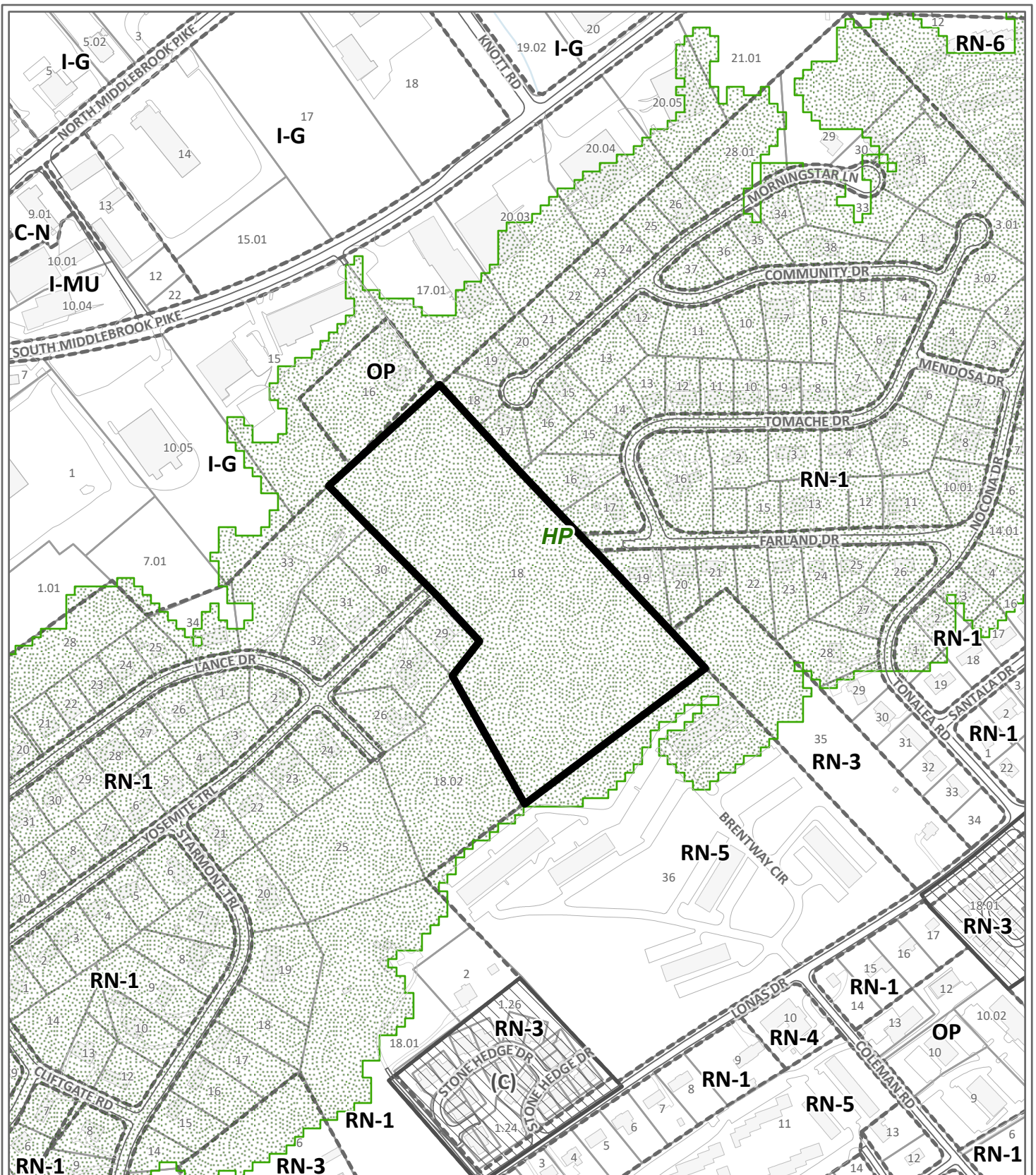
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

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

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden 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.



CONCEPT PLAN

9-SC-24-C



in RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Original Print Date: 8/8/2024

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: David Cheban

Map No: 107

Jurisdiction: City

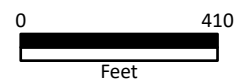
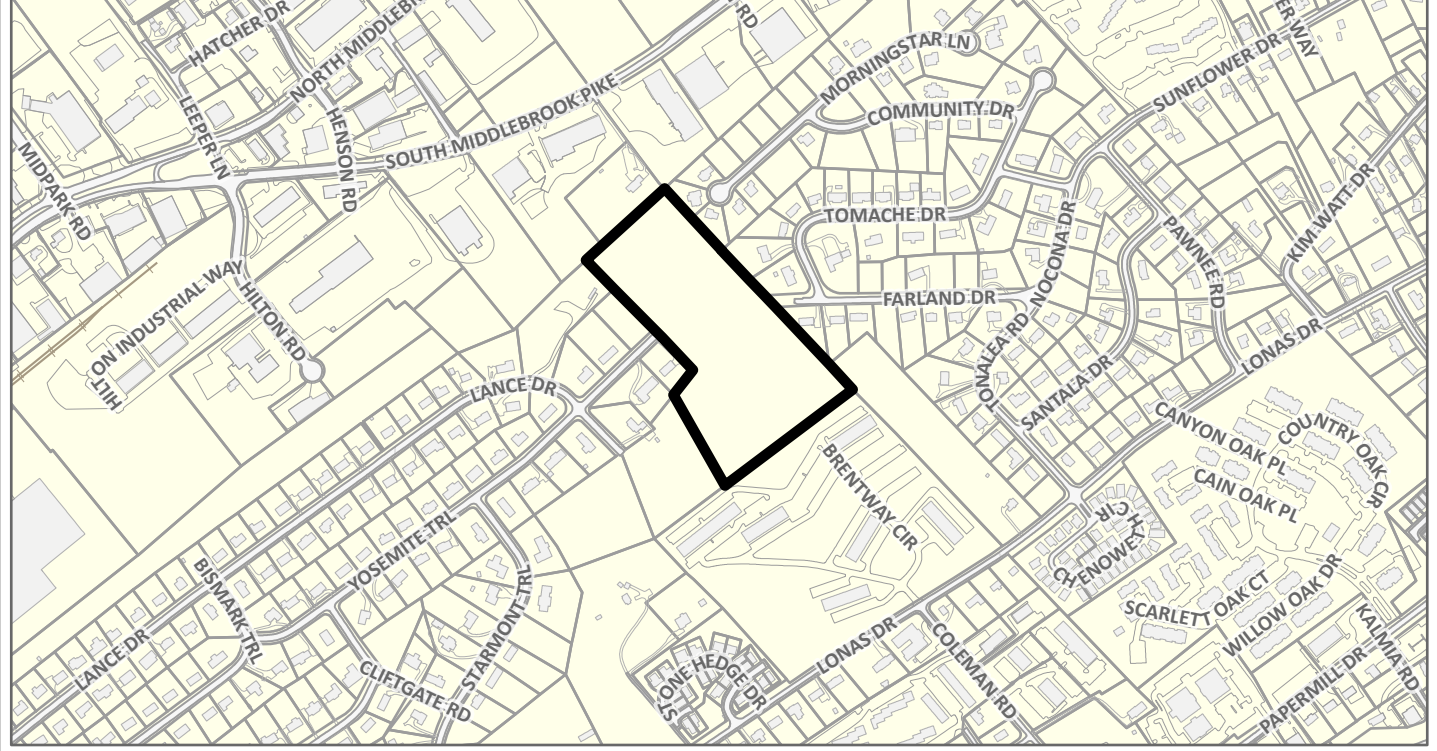


Exhibit A. Contextual Images

Location Map

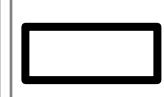


Aerial Map

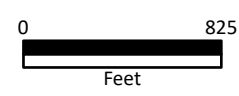


CONTEXTUAL MAPS 1	9-SC-24-C
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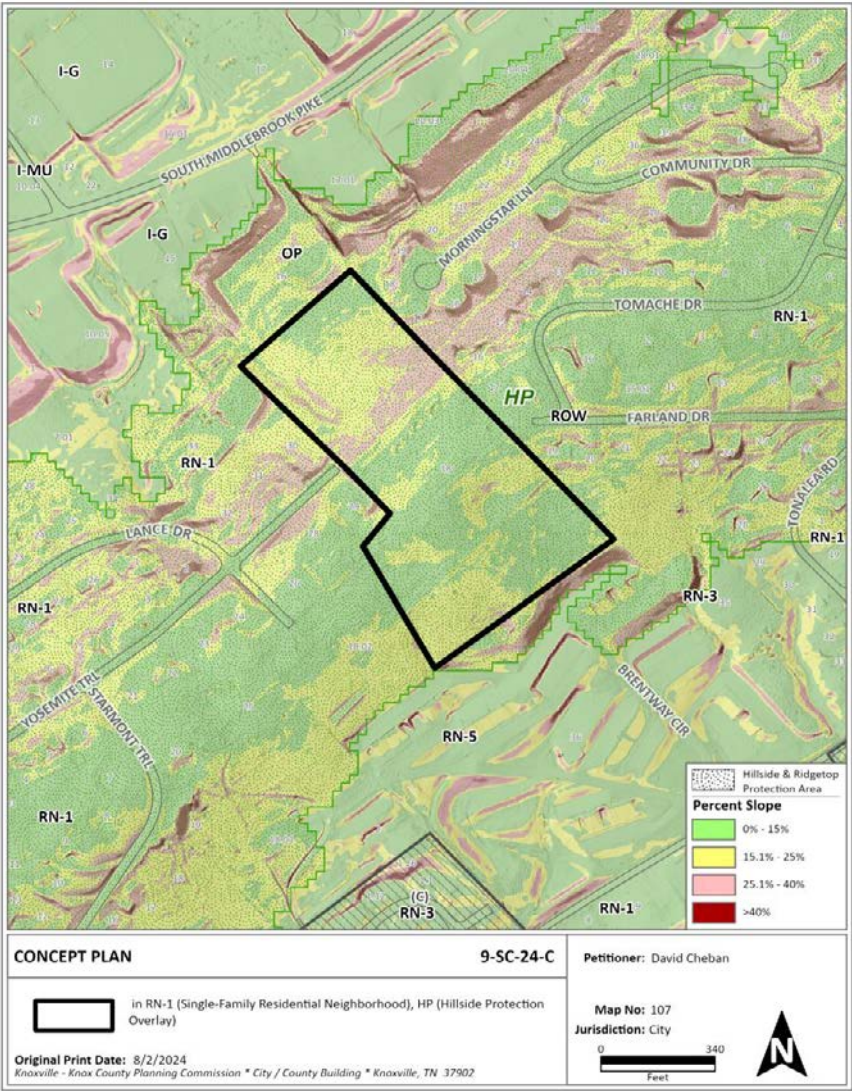
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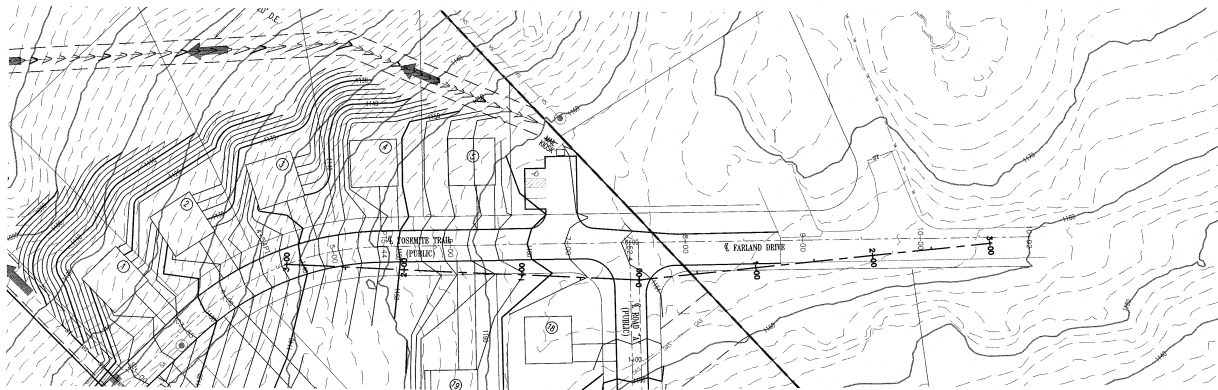


Case boundary

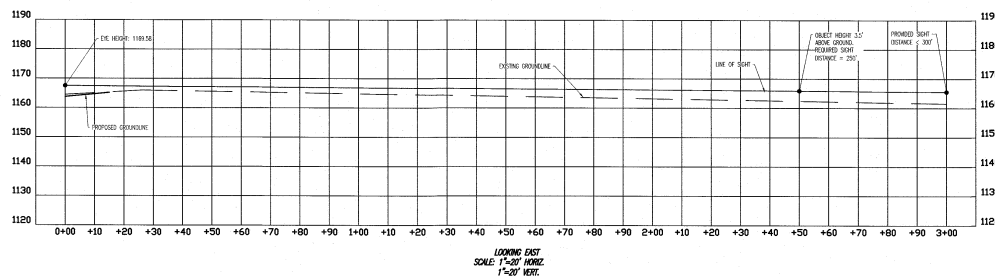
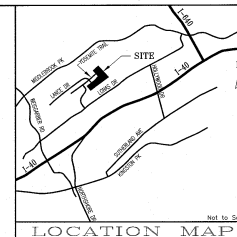


CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	568,364.8	13.05			
Non-Hillside	0.0	0.00	N/A		
0-15% Slope	262,811.7	6.03	100%	262,811.7	6.03
15-25% Slope	252,981.7	5.81	50%	126,490.9	2.90
25-40% Slope	52,569.9	1.21	20%	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%	

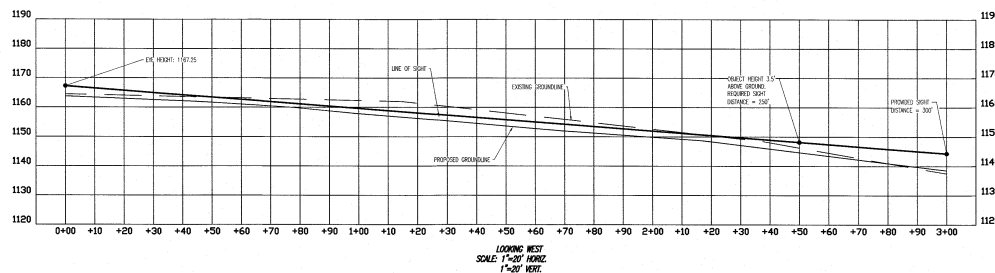




PLAN
SCALE: 1"=50'



LOOKING EAST
SCALE: 1"=20' HORIZ.
1"=20' VERT.



LOOKING WEST
SCALE: 1"=20' HORIZ.
1"=20' VERT.



BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS & LAND SURVEYORS
4334 PARKVIEW DRIVE
KNOXVILLE, TENNESSEE 37929
PHONE: (865) 588-6472
FAX: (865) 588-6473
email@bhn-9.com

DESIGNED DBH
DRAWN SEW
CHECKED DBH

NO. DATE

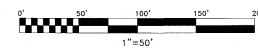
REVISION

APPR. NO. DATE

REVISION

APPR.

SCALE
AS NOTED
DATE
7/18/24



CONCEPT SIGHT DISTANCE PLAN FOR
FOX & FOGERTY ON YOSEMITE DRIVE
TAX MAP 107BA PARCEL 18
6TH CIVIL DISTRICT, KNOX COUNTY, TENNESSEE
CITY BLOCK 48250, 48TH WARD, CITY OF KNOXVILLE

25245-SD

SHEET 2 OF 4 SHEET(S)

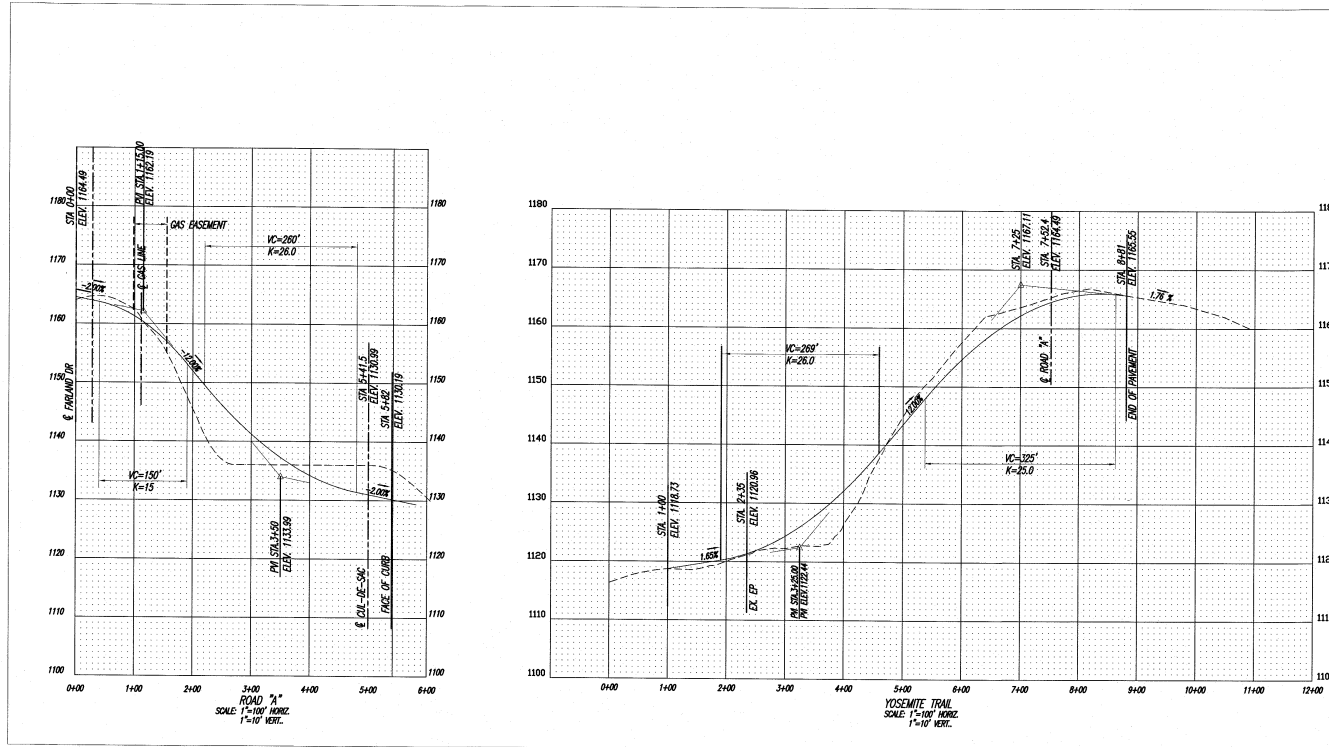
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NOTE:
THREE DAYS PRIOR TO ANY EARTHWORK
OR CONSTRUCTION CONTRACTOR MUST
CONTACT:
TENNESSEE ONE-CALL
1-800-351-1111
RECORD AND SAVE YOUR CONFIRMATION
NUMBER.


NOTE:
CONTRACTOR TO NOTIFY ENGINEER
BEFORE START OF CONSTRUCTION

NOTE:
CONTRACTOR IS RESPONSIBLE FOR
ALL TRENCH SAFETY.


CONTRACTOR SHALL SHORE AND
BRACE ALL OPEN CUT TRENCHES AS
REQUIRED BY STATE AND FEDERAL
LAWS AND LOCAL ORDINANCES; TO
CONFORM WITH RECOMMENDATIONS
SET FORTH IN AGC MANUAL OF
ACCIDENT PREVENTION IN
CONSTRUCTION TO PROTECT LIFE,
PROPERTY OR WORK; TO AVOID
EXCESSIVELY WIDE CUTS IN
UNSTABLE MATERIAL.
OSHA RULES SHALL BE ABIDED BY.



DAVID B. HARBIN
REGISTERED PROFESSIONAL ENGINEER
NO. 101155
STATE OF TENNESSEE
9/4/25

 <div>BATSON, HIMES, NORVELL & POE REGISTERED ENGINEERS & LAND SURVEYORS 4334 PAPERMILL DRIVE KNOXVILLE, TENNESSEE 37909 PHONE: (855) 588-6472 FAX: (855) 588-6473 email@hnp-p.com</div>	DESIGNED	DBH																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		</
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 BATSON, HIMES, NORVELL & POE REGISTERED ENGINEERS & LAND SURVEYORS 4324 PAPERMILL DRIVE KNOXVILLE, TENNESSEE 37909 PHONE: (865) 588-6472 FAX: (865) 588-6473 email@bhn-p.com	DESIGNED	DBH																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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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:

Grade at an intersection from 1% + 2%, Sta 0+13 to Sta 1+15 Rd. "A"

Approval required by: Planning Commission ☐ Engineering ☒

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

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☒ Concept Plan
☐ Final Plat

ZONING

- ☐ Rezoning
☐ Plan Amendment
☐ Sector Plan
☐ City OYP / County Comp Plan

David Cheban

Applicant Name

Affiliation

7/29/2024

Date Filed

9/12/2024

Meeting Date (if applicable)

9-SC-24-C

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

David Cheban

Owner Name (if different)

5331 Cain Rd. Rd. Knoxville TN 37921

Owner Address

865-816-4099

Owner Phone / Email

0 YOSEMITE TRL

Property Address

107 B A 018

Parcel ID

Part of Parcel (Y/N)?

13.05 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

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.***

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ Use on Review / Special Use
☐ Hillside Protection COA ☐ Residential ☐ Non-residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Fox & Fogerty on Yosemite Dr

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number

☒ Split Parcels

21

Total Number of Lots Created

Additional Information _____

☐ Attachments / Additional Requirements

ZONING REQUEST

☐ Zoning
Change

Proposed Zoning

Pending Plat File Number

☐ Plan

Amendment

Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Rezoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

\$1,075.00

Total

Fee 2

Fee 3

AUTHORIZATION

☐ I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

David Cheban

7/29/2024

Applicant Signature

Please Print

Date

Phone / Email

David Cheban

7/29/2024

Property Owner Signature

Please Print

Date



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☒ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ PA
☐ Rezoning

DAVID CHEBAN

Applicant Name

Affiliation

07/29/2024

Date Filed

September 12, 2024

Meeting Date (if applicable)

File Number(s)

9-SC-24-C

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☐ Property Owner ☐ Option Holder ☒ Project Surveyor ☒ Engineer ☐ Architect/Landscape Architect

DAVID HARBIN

Name

BATSON Himes NORVELL + Poe

Company

4334 Papermill RD

Address

KNOXVILLE

City

TN

State

37909

ZIP

865-588-6412

Phone

harbin@bhn-p.com

Email

CURRENT PROPERTY INFO

DAVID CHEBAN

Property Owner Name (if different)

5331 Cain RD

KNOXVILLE, TN 37921

Property Owner Address

865-816-4099

Property Owner Phone

0 Yosemite TRL

Property Address

TAX MAP 107BA

PARCEL 1B

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

no

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type
CITY COUNTY

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA
☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

☐ Combine Parcels☒ Divide Parcel21 LOTS

Total Number of Lots Created

☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☐ Zoning Change

Proposed Zoning _____

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Pending Plat File Number

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

☐ Other (specify) _____**STAFF USE ONLY****PLAT TYPE**☐ Staff Review☒ Planning Commission**ATTACHMENTS**☐ Property Owners / Option Holders ☐ Variance Request☐ Amendment Request (*Comprehensive Plan*)**ADDITIONAL REQUIREMENTS**☐ Use on Review / Special Use (*Concept Plan*)☐ Traffic Impact Study☐ COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

\$1,075.00

Fee 3

AUTHORIZATION☐ I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature

DAVID HARBIN
Please Print7-29-24
Date

Phone Number

865-588-6472

Email

harbin@bhn-p.com

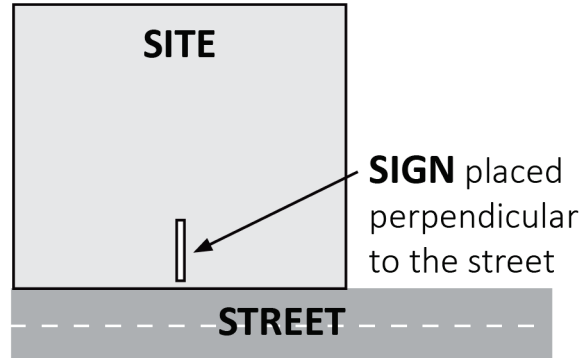
Property Owner Signature

DAVID CHEBAN
Please Print

07-29-24 ,SG

Date Paid

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

File Number: 9-SC-24-C



Sign posted by Staff



Sign posted by Applicant