

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION  
CONCEPT PLAN



File Number: 5-SD-24-C                      Related File Number:  
Application Filed: 3/25/2024              Date of Revision:  
Applicant: JOSH SANDERSON

## PROPERTY INFORMATION

General Location: Northeast terminus of Freedom Bell Ave, north side of W. Emory Rd  
Other Parcel Info.:  
Tax ID Number: 66 121 (PART OF)                      Jurisdiction: County  
Size of Tract: 23.23 acres  
Accessibility: Access is via Freedom Bell Ave, a local street with 26 ft of pavement width within 50 ft of right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land  
Surrounding Land Use: North: Agriculture/forestry/vacant land - A (Agricultural), PD (Planned Development)  
South: Agriculture/forestry/vacant land - A (Agricultural), PD (Planned Development)  
East: Single family residential - PR (Planned Residential) 1-5 du/ac  
West: Agriculture/forestry/vacant land, single family residential - A (Agricultural), PD (Planned Development)  
Proposed Use:    Density:  
Planning Sector: Northwest County              Plan Designation: LDR (Low Density Residential)  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context:

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 0 FREEDOM BELL AVE  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural), PD (Planned Development)  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning:

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential)

**Requested Plan Category:**

### **SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** Belltown, Phase III

**No. of Lots Proposed:** 67      **No. of Lots Approved:** 0

**Variations Requested:** VARIANCES

1) Increase the maximum number of lots on one side of a road without a turnaround from 1 to 2, for the portion of Road 'N' northwest of the Road 'L' intersection.

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1) Reduce the horizontal curve radius from 250 ft to 150 ft between STA 21+78 and 23+90 on Freedom Bell Ave.

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL (PLANNING COMMISSION APPROVAL NOT REQUIRED)

1) Increase the maximum intersection grade from 1% to 1.12% at the intersection of Roads 'L' at Freedom Bell Ave.

2) Increase the maximum intersection grade from 1% to 1.5% at the intersection of Roads 'M' at Freedom Bell Ave.

3) Increase the maximum intersection grade from 1% to 3% at the intersection of Road 'N' at Freedom Bell Ave.

4) Increase the maximum intersection grade from 1% to 2.81% at the intersection of Road 'M' at Road 'N'.

**S/D Name Change:**

### **OTHER INFORMATION (where applicable)**

**Other Bus./Ord. Amend.:**

### **PLANNING COMMISSION ACTION AND DISPOSITION**

**Planner In Charge:** Mike Reynolds

**Staff Recomm. (Abbr.):** Approve the requested variance to increase the maximum number of lots on one side of a road without a turnaround from 1 to 2, for the portion of Road 'N' northwest of the Road 'L' intersection.

A. There is a large depression north of the terminus of Road 'N' and providing a turnaround would extend the paved road surface into the closed contour of the depression.

B. Road 'N' cannot continue north due to a large depression, which is a unique characteristic of the site.

C. The granting of the variation will not be detrimental to public safety, health, or welfare because this portion of Road 'N' will be used very little by the general public and does not require a turnaround per the fire code.

Approve the alternative design standards 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 10 conditions.

**Staff Recomm. (Full):**

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) Meeting the approved development standards in the preliminary plan for the Belltown planned development (11-A-22-PD).

4) Provide a reference on the final plat to the dimensional standards for the Single Family Designated Area of the Belltown preliminary plan, Section 8.1, as provided on the Belltown, Phase I plats. See Exhibit C for the approved dimensional standards.

5) Revising the intersection grade of Road 'N' at Freedom Bell Avenue to be no greater than 2 percent.

6) Complying with the terms and conditions of the Memorandum of Understanding with Knox County to implement the recommended improvements to W. Emory Road and the Clinton Highway intersection as outlined in the Belltown Planned Development Traffic Impact Study by Cannon & Cannon (Exhibit B) and as revised and approved by Planning Commission staff, Knox County Engineering and Public Works, and Tennessee Department of Transportation (TDOT).

7) Providing 200-ft sight distance easements through curves with a horizontal radius of less than 200

ft, as required by Knox County Engineering and Public Works during the design plan phase. Driveways must have a depth of 20 ft past the sight distance easement.

8) If any building construction is proposed within the 50-ft buffer area around the designated sinkholes/depressions (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.

9) Providing a detailed landscape plan for the W. Emory Road frontage and the eastern boundary of the development, consistent with the requirements of Section 8.1.4 (Peripheral Boundary) of the Belltown preliminary plan. This shall be reviewed and approved by the Planning staff during the design plan phase.

10) Meeting all applicable requirements of the Department of Engineering and Public Works.

**Comments:**

**SUMMARY**

This proposal is phase 3 of the Belltown Subdivision, with 67 detached residential lots on 23.24 acres. Phases 1 and 2 include the residential subdivision on the north side of W. Emory Road (169 detached residential lots on approximately 52.62 acres) and the widening and installation of turn lanes on W. Emory Road along the development's frontage. The development must conform with the approved Belltown Preliminary Plan (11-A-22-PD).

**BACKGROUND**

The Belltown development was approved through the Planned Development process (Article 6.80), which provides an optional process for projects that may not fit within the bounds of the standard zoning districts established by the Knox County Zoning Code. The underlying zoning for the subject site is A (Agricultural). The underlying zoning district dimensional, design, and use regulations apply unless an exception is granted as part of the planned development approval. The Belltown Preliminary Plan was approved in January 2023, which added permitted uses to those already allowed in the A zone and replaced the dimensional standards in their entirety.

Belltown was approved to have up to 1,200 residential units and 64,000 sqft of commercial floor area. The residential is split into three categories: single-family, townhouse, and multi-family. The single family designated area had 561 lots proposed in the conceptual Master Plan Map, Exhibit J in the preliminary plan document; however, the maximum number of single-family lots is 752. If this concept plan is approved, there will be 236 house lots, leaving 325 additional lots based on the conceptual Master Plan Map or 516 based on the maximum allowed. The single family designated area is on the 215 acres north of W. Emory Road. The south side of W. Emory Road is proposed to have townhouses, multi-family, and commercial uses.

**NEXT STEPS**

The next steps for the Belltown development are to submit concept plans to create lots and public roads and development plans for Final Plan approval. The Planning Commission must approve the concept plans, which must comply with the Knoxville-Knox County Subdivision Regulations, the Belltown preliminary plan, and any other applicable Knox County Zoning Code requirements. The Final Plans for individual developments must be reviewed and approved by the Planning staff to certify compliance with the Belltown preliminary plan and any other applicable zoning standards.

**CONCEPT PLAN**

The current application is a concept plan, which includes a detailed review of the lot layout, roads, and preliminary stormwater drainage plan and may include plans for off-site improvements. The proposed lot layout and road design conform to the approved area regulations for the single family designated area and the general road layout presented in the preliminary plan.

**VARIANCE AND ALTERNATIVE DESIGN STANDARDS**

The variance request is to allow 2 lots on one side of a dead-end street without a turnaround (cul-de-sac). The Subdivision Regulations allow 1 lot on each side of a dead-end street without a turnaround. When an access, such as a driveway or road, exceeds 150 feet in length, the fire code requires an AASHTO turnaround. This road segment is less than 100 feet long.

The applicant is requesting several alternative road design standards. The requests to increase intersection grades from 1 percent to no more than 3 percent. All intersections with a crosswalk will have a maximum grade of 2 percent to meet ADA standards (see condition #5). The 150-ft horizontal curve radius on Freedom Bell Avenue is appropriate for a street with a 25-mph posted speed limit. A 200-ft sight distance easement is provided on the inside of the curve to ensure impediments are not installed, such as large plantings. A sidewalk is proposed on the inside of the curve, which provides additional safety to pedestrians.

## BELLTOWN PRELIMINARY PLAN

The Belltown development must conform to the preliminary plan and the conditions of the approval (11-A-22-PD).

Applicable conditions of approval (see Exhibit D, case summary, for the full list of conditions):

1) Submitting a Concept Plan application for review and approval by the Planning Commission. The Concept Plan shall include additional details regarding the required road improvements and the pedestrian facilities across and along W. Emory Road, and that planning staff is to be a part of the design plan review process along with Knox County Engineering and Public Works, Knox County Parks and Recreation and TDOT to oversee the additional items as outlined [Conditions #9, 10 and 11], as well as working with the developer.

NOTE: These details were part of the concept plan for phases 1 & 2 and are currently in permit review.

2) Partnering with Knox County to implement the recommended improvements to the W. Emory Road and Clinton Highway intersection by providing funding commensurate to the projected 2030 traffic volumes added to this intersection by the development as outlined in the Bell Farms (Belltown) Master Plan Traffic Impact Study (CDM Smith, 9/21/2022), and as revised and approved by Planning Commission staff and Knox County Engineering and Public Works. The Traffic Impact Study must be revised to be consistent with the maximum allowed development intensity in Section 7.2. (Proposed Density) of the Belltown preliminary plan (revised 12/5/2022) and, if applicable, condition #4 and to provide design details for the westbound receiving lane on W. Emory Road at the Clinton Highway intersection. The details regarding the shared costs of the improvements for this intersection shall be determined during the design plan phase.

NOTE: The applicant has entered into a Memorandum of Understanding with Knox County to complete the required road improvements.

3) Amending Section 13. (Project Phasing) to clarify that the developer will provide funding toward the improvements at the W. Emory Road and Clinton Highway intersection commensurate to the projected 2030 traffic volumes added to this intersection per the revised Traffic Impact Study.

NOTE: Condition #3 is no longer relevant based on the pending ordinance amendment as noted above.

4) Amending Section 7.2. (Proposed Density) to state that there shall be no more than 1,200 residential dwelling units in the areas designated single family, townhouse, and multi-family, and to clarify that each residential area shall not exceed the maximum density as presented in Section 7.2. (Proposed Density) and Section 7.3. (Proposed Land Use Map) of the Belltown preliminary plan (revised 12/5/2022).

NOTE: This has been updated.

11) Add construction of amenities to the phasing plan [Section 13, Exhibit L] for the north (separately) and south sides of the development.

NOTE: The phasing plan has been updated.

Applicable standards in the Belltown preliminary plan:

Section 7.2.A. – The single family designated area shall not exceed 3.5 du/ac acre.

NOTE: Phases 1-3 have a density of approximately 3.2 du/ac.

Section 8.1.1. (Area Regulations) – The standards applicable to the creation of the lots are below.

D. Lot Width.

1. For front-loaded dwellings, the minimum lot width shall be forty (40) feet.
2. For alley-loaded dwellings, the minimum lot width shall be thirty (30) feet.
3. For side-loaded dwellings, the minimum lot width shall be fifty (50) feet.

E. Lot Area

1. For front-loaded dwellings, the minimum lot area shall be 4,000 square feet.
2. For alley-loaded dwellings, the minimum lot area shall be 4,000 square feet.
3. For side-loaded dwellings, the minimum lot area shall be 5,000 square feet.

NOTE: All lots meet the lot width and area standards.

Section 8.1.4. (Peripheral Boundary) -- All buildings shall be set back at least twenty-five (25) feet from any peripheral boundary, including W Emory Road. At least ten (10) feet of natural vegetation shall be left undisturbed along any peripheral boundary. If natural vegetation must be removed for development, then the developer must install a landscape buffer of at least one (1) evergreen tree every twenty-five (25) linear feet where natural vegetation is removed. The boundary abutting W Emory Road shall be landscaped with a minimum of one (1) evergreen tree every twenty-five (25) linear feet.

NOTE: All lots have buildable areas outside the 25-ft peripheral setback. Per condition #9 of this concept plan, a detailed landscape plan must be provided during the design plan phase.

Section 8.1.5. (Sidewalk) -- Each street shall have at least one (1) sidewalk with the exception of the

“estate lots”.

NOTE: All roads have a sidewalk on at least 1 side.

**Action:** Approved with Conditions

**Meeting Date:** 6/13/2024

**Details of Action:**

**Summary of Action:**

Approve the requested variance to increase the maximum number of lots on one side of a road without a turnaround from 1 to 2, for the portion of Road ‘N’ northwest of the Road ‘L’ intersection.

A. There is a large depression north of the terminus of Road ‘N’ and providing a turnaround would extend the paved road surface into the closed contour of the depression.

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Approve the alternative design standards 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 10 conditions.

**Date of Approval:** 6/13/2024

**Date of Denial:**

**Postponements:** 5/9/2024

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Chancery Court

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**