

PLAN INFORMATION (where applicable)

Current Plan Category: MDR/O (Medium Density Residential/Office)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: 0 Broome Rd

No. of Lots Proposed: 28 **No. of Lots Approved:** 0

Variations Requested: VARIANCES:
1. Reduce the minimum intersection separation between the centerlines of Middlebrook Pike and Road 'A' from 300 ft to 185.2 ft (variance from Section 3.04.J.4).
2. Reduce the minimum common area buffer strip depth required for double frontage lots between lots 18 - 28 and the Middlebrook Pike right-of-way from 25 ft to 10 ft (variance from Section 3.02.A.4.f).

ALTERNATIVE DESIGN STANDARDS REQUIRING PLANNING COMMISSION APPROVAL:
None.

ALTERNATIVE DESIGN STANDARD REQUIRING ENGINEERING APPROVAL (PLANNING COMMISSION APPROVAL NOT REQUIRED):
1. Increase the maximum intersection grade on Road 'A' at Broome Road from 1% to 1.5% (Section 3.04.H.3).
2. Reduce the minimum private right-of-way width of Road 'A' from 50 ft to 40 ft (Section 3.03.D.3.a).

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Samiul Haque

Staff Recomm. (Abbr.): Approve the requested variance to reduce the minimum intersection separation between the centerlines of Middlebrook Pike and Road 'A' from 300 ft to 185.2 ft, based on the following evidence of hardship.
A. There is not sufficient depth or width to meet the required intersection separation along either of Middlebrook Pike or Broome Road. Access via Middlebrook Pike is not desirable here as this is a median-divided major arterial street and would require a right in, right out access. The Tennessee Department of Transportation (TDOT) would also prefer access via Broome Road.
B. The shape of the property and its location with respect to the adjacent streets are unique to the property. Broome Road also has a crest on its winding portion to the south that further restricts the location of the proposed access road. The access needs to be closer to Middlebrook Pike to obtain the required sight distance looking to the south.
C. Approval of the variance is not anticipated to be detrimental to public safety, health, or welfare because there is no through-connectivity that could generate high traffic volume. Left-turn egress to Broome Road is restricted to reduce potential conflicts with oncoming traffic from the blind hill to the south.

Approve the requested variance to reduce the minimum common area buffer strip depth required for double frontage lots between lots 18 - 28 and the Middlebrook Pike right-of-way from 25 ft to 10 ft, based on the following evidence of hardship.

A. The shallow depth of the property makes it challenging to meet the required 25 ft buffer yard.
B. The shape is unique to the property. As stated by the applicant, there are also some topographical challenges on this property with a maximum elevation change of 29 ft from the southern property line to the Middlebrook Pike right-of-way.
C. Approval of the variance is not anticipated to be detrimental to public safety, health, or welfare. The reduced buffer strip cannot be used for vehicular access to Middlebrook Pike since a retaining wall is proposed along the rear boundaries of lots 18 – 28 for topographical issues. The City of Knoxville Engineering Department and TDOT have shared no safety concerns for the reduced depth or the retaining wall that is approximately 20 ft away from the nearest travel lane.

Approve the concept plan subject to 7 conditions.

Staff Recomm. (Full): 1. Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to, ensuring that the driveway of lot 1 meets the 50' corner clearance requirement, as shown on the plan.

2. Meeting all applicable requirements of the City of Knoxville Engineering Department.
3. Obtaining connection to sanitary sewer and meeting any other relevant utility provider requirements.
4. Providing a street name that is consistent with the Uniform Street Naming and Addressing System within the City of Knoxville (City Ord. 0-280-90).
5. Before certification of the final plat for the subdivision, establishing a property owners association or other legal entity responsible for maintaining common facilities, such as common areas, amenities, and/or stormwater drainage systems.
6. Ensuring that the retaining wall along the northern boundary is identical or similar to the shared example, as shown in Exhibit B.
7. Installing a vegetative buffer along the southern boundary, as shown on the plan. During the design plan phase, a detailed landscape plan shall be provided for review and approval by Planning staff.

Comments:

This proposal is for a 28-lot subdivision for a townhouse development, which is permitted by right in the RN-5 district. Seven groups of townhouses are proposed, accumulating 28 dwelling units on this 3.12-acre property. The two existing houses will be demolished. The requested alternative design standards do not require Planning Commission approval.

VARIANCE: The first variance, related to intersection separation, is primarily tied to the shape and location of the property. The distance between the centerline of Middlebrook Pike and the southern boundary of the property is approximately 310 ft. Therefore, there is not sufficient depth to meet the required 300 ft intersection separation along a collector street (Broome Road) since the centerline of the entrance would need to be located north of the property line. Sight distance issues on Broome Road further restrict the location of the proposed access, as stated before. At the proposed intersection separation of 185.2 ft, the road meets the minimum required sight distance of 290 ft looking to the south (Exhibit C).

An access on Middlebrook Pike would also require a variance because Broome Road and Bennett Place are only 660 ft apart. These streets would need to be at least 800 ft apart for a new intersection to meet the minimum intersection separation distance of 400 ft along an arterial street. Access via Middlebrook Pike, a busy state route, is not preferable by TDOT.

The second variance that is related to the common area buffer strip is mainly requested because of the shallow depth of the property. The required buffer strip reduces the buildable area of these lots since they are also subject to the 25-ft rear and front setback requirements. The 25-ft rear setback provides additional distance between the buildings and the right-of-way, essentially creating a 35 ft buffer. The applicant pointed out that some right-of-way acquisition by TDOT in the 1990s contributed to the shallow depth of the property. However, the property has since been subdivided via a 2019 plat.

The City of Knoxville Engineering Department and TDOT have no objections to this reduction. All lots shall have access via the interior private road, and the proposed retaining wall will restrict vehicular access to Middlebrook Pike. Planning staff also contacted the Knoxville Utility Board (KUB), and they confirmed that KUB does not have any public utility facilities located within or near the northern portion of that boundary. Staff believes a variance to reduce the width of the buffer strip is more desirable than a possible alternative variance to reduce the depth of the double frontage lots. The common area buffer strip between the proposed retaining wall and the Middlebrook Pike right-of-way is preferable than individual ownership of strips of land that are disconnected from the main property by the retaining wall. The urbanized nature of this area with its higher densities, and the fact that Middlebrook Pike is not likely to be widened further, also support the variance request.

Action: Approved with Conditions **Meeting Date:** 10/3/2024

Details of Action:

Summary of Action:

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- B. The shape of the property and its location with respect to the adjacent streets are unique to the property. Broome Road also has a crest on its winding portion to the south that further restricts the location of the proposed access road. The access needs to be closer to Middlebrook Pike to obtain the required sight distance looking to the south.
- C. Approval of the variance is not anticipated to be detrimental to public safety, health, or welfare because there is no through-connectivity that could generate high traffic volume. Left-turn egress to Broome Road is restricted to reduce potential conflicts with oncoming traffic from the blind hill to the south.

Approve the requested variance to reduce the minimum common area buffer strip depth required for

double frontage lots between lots 18 - 28 and the Middlebrook Pike right-of-way from 25 ft to 10 ft, based on the following evidence of hardship.

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B. The shape is unique to the property. As stated by the applicant, there are also some topographical challenges on this property with a maximum elevation change of 29 ft from the southern property line to the Middlebrook Pike right-of-way.

C. Approval of the variance is not anticipated to be detrimental to public safety, health, or welfare. The reduced buffer strip cannot be used for vehicular access to Middlebrook Pike since a retaining wall is proposed along the rear boundaries of lots 18 – 28 for topographical issues. The City of Knoxville Engineering Department and TDOT have shared no safety concerns for the reduced depth or the retaining wall that is approximately 20 ft away from the nearest travel lane.

Approve the concept plan subject to 7 conditions.

Date of Approval:

10/3/2024

Date of Denial:

Postponements: 9/12/2024

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: