

# CASE SUMMARY

**APPLICATION TYPE: SUBDIVISION**

## CONCEPT PLAN

File Number: 1-SF-04-C Related File Number: 1-H-04-UR  
 Application Filed: 12/8/2003 Date of Revision:  
 Applicant: HOUSING CAPITAL, INC.  
 Owner: WEATHERSTONE, LLC



Suite 403 • City County Building  
 400 Main Street  
 Knoxville, Tennessee 37902  
 865 • 215 • 2500  
 F A X • 215 • 2068  
 www.knoxmpc.org

### PROPERTY INFORMATION

General Location: Southwest side of Pipken Ln., northwest of Fox Rd.  
 Other Parcel Info.:  
 Tax ID Number: 143 110 Jurisdiction: City  
 Size of Tract: 57.45 acres  
 Accessibility: Access is via Pipken Ln., a local street with a pavement width of 26'.

### GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land  
 Surrounding Land Use: Property in the area is zoned A agricultural, RA and RP-1 residential. Development consists of single family dwellings.  
 Proposed Use: Attached and detached single family subdivision Density: 2.34 du/ac  
 Sector Plan: Southwest County Sector Plan Designation:  
 Growth Policy Plan: Urban Growth Area (Inside City Limits)  
 Neighborhood Context:

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

Street:  
 Location:  
 Proposed Street Name:  
 Department-Utility Report:  
 Reason:

### ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (Planned Residential) pending  
 Former Zoning:  
 Requested Zoning:  
 Previous Requests:  
 Extension of Zone:  
 History of Zoning:

### PLAN INFORMATION (where applicable)

Current Plan Category:  
 Requested Plan Category:

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

**Subdivision Name:** Housing Capital, Inc. on Pipken Lane  
**Surveyor:** Batson, Himes, Norvell & Poe  
**No. of Lots Proposed:** 134      **No. of Lots Approved:** 0  
**Variances Requested:**  
1. Grade at intersection from 1% to 3% at sta. 0+10 of Road A.  
2. Vertical curve variance from 396.5' to 300' at sta. 12+50 of Road D.  
3. Grade at intersection from 1% to 3% at sta. 0+13 of Road B.  
4. Grade at intersection from 1% to 3% at sta. 11+00 of Road B.  
5. Horizontal curve variance from 250' to 100' at sta.9+00 of Road D.  
**S/D Name Change:**

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

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

## **MPC ACTION AND DISPOSITION**

**Planner In Charge:** Dan Kelly  
**Staff Recomm. (Abbr.):** APPROVE variances 1-5 because the topography of the site restricts compliance with the Subdivision Regulations  
  
APPROVE the concept plan subject to 13 conditions  
**Staff Recomm. (Full):**  
1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.  
2. Meeting all applicable requirements of the Knoxville Department of Engineering.  
3. Placing a note on the final plat that all structures will have to be located at least 50' from the top of any sinkholes (closed contour area) on this site, as determined by the Tennessee Department of Environment and Conservation. Construction within the 50' setback may be permitted if a geotechnical study prepared by a registered engineer states that building within the 50' sinkhole buffer is acceptable and the study is approved by the Knoxville Department of Engineering. An engineered footing is required for any structures within the 50' sinkhole buffer.  
4. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation for any alteration or drainage discharge into sinkholes.  
5. Constructing the proposed boulevard entrance per the requirements of the Knoxville Dept. of Engineering.  
6. Prior to certification of the final plat, establish a homeowners association for the purpose of assessing fees for the maintenance of the common area and any other commonly held assets.  
7. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knoxville, Ord. (O-280-90).  
8. Place a note on the final plat that all lots will only have access from the internal street system.  
9. Meeting all requirements of the approved Use-on-Review development plan.  
10. A final plat application based on this concept plan will not be accepted for review by the MPC until certification of design plan approval has been submitted to the MPC staff.  
11. Final approval of the rezoning of this site to Planned Residential at 1-3 du/ac.  
12. Review and approval of the grading plan for this site by the gas pipeline owners before any grading or other land disturbance within the pipeline easement begins on this site.  
13. Meeting all applicable requirements of the Tenn. Scenic Highways Act.  
**Comments:** This project will consist of both attached and detached single family dwellings. The attached dwellings will be located on the eastern most portion of the site adjoining Pellissippi Parkway. Pellissippi Parkway is designated as a Scenic Highway. Since this site is located above the level of the Parkway, no structures will be permitted to exceed 35 feet in height if they are located on lots that are within 1000 feet of the Parkway.

A large sinkhole is located on the southern boundary of this site. Construction within 50' of the top of this sinkhole will not be permitted until a geotechnical study has been reviewed and approved by the Knoxville City Engineer. All construction within the 50' sinkhole buffer will require engineered footings.

A large natural gas distribution pipeline crosses this site. The owners of this pipeline must review and approve the grading plan for this project prior to commencing any grading on the property.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposed subdivision will have minimal impact on local services since all utilities are in place to serve this site.
2. The proposed attached and detached single-family subdivision is consistent in use and density with the previous units of the subdivision. Where the attached units (duplexes) back-up to detached units in adjoining subdivisions, additional landscaping is required in the peripheral setback.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. The proposed attached and single-family lots meet the standards for development within a RP-1 (Planned Residential) district and all other requirements of the Zoning Ordinance. The proposed lots within the subdivision designated for detached units will have to be revised to meet the minimum requirements of the RP-1 district
2. The proposed subdivision is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.
3. The proposed subdivision density of 2.34 du/ac is consistent with the recommended zoning density of 1 - 3 du/ac.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The Southwest County Sector Plan identifies the property as low density residential with a maximum density of 5 du/ac. At a maximum proposed density of 2.34 du/ac, the subdivision is consistent with the Sector Plan.

**MPC Action:**

Approved

**MPC Meeting Date:** 1/8/2004

**Details of MPC action:**

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**Summary of MPC action:**

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 APPROVE the concept plan subject to 13 conditions

**Date of MPC Approval:**

1/8/2004

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

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

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**Date of Legislative Action:**

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

**Ordinance Number:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**