

# CASE SUMMARY

**APPLICATION TYPE: SUBDIVISION**

## CONCEPT PLAN

**File Number:** 10-SH-06-C                      **Related File Number:** 10-W-06-UR  
**Application Filed:** 9/5/2006                      **Date of Revision:** 10/20/2006  
**Applicant:** HARDIN VALLEY LAND PARTNERS  
**Owner:** HARDIN VALLEY LAND PARTNERS

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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## PROPERTY INFORMATION

**General Location:** Southeast side of Hardin Valley Rd., southwest side of Pellissippi Parkway.  
**Other Parcel Info.:**  
**Tax ID Number:** 103 117, 118, 119.06 & 120                      **Jurisdiction:** County  
**Size of Tract:** 69.8 acres  
**Accessibility:** Access is via Hardin Valley Rd., a three lane minor arterial street with center median within 75' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence and vacant land  
**Surrounding Land Use:** North: Businesses and residences / BP (Business and Technology) / TO (Technology Overlay) & PC (Planned Commercial) / TO (Technology Overlay)  
South: Vacant land / BP (Business and Technology) / TO (Technology Overlay)  
East: Pellissippi Parkway / A (Agricultural) / TO (Technology Overlay)  
West: Vacant land and residences / A (Agricultural) / TO (Technology Overlay)  
**Proposed Use:** Commercial subdivision                      **Density:**  
**Sector Plan:** Northwest County                      **Sector Plan Designation:**  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

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

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC (Planned Commercial) / TO (Technology Overlay) 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:** Vista Dei Monte (FKA: Hardin Valley Town Center)

**Surveyor:** Site, Inc.

**No. of Lots Proposed:** 19                      **No. of Lots Approved:** 19

**Variances Requested:** 1. Reduction of required right-of-way on Hardin Valley Rd., from 44' to 40' to centerline.

**S/D Name Change:**

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

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

### **MPC ACTION AND DISPOSITION**

**Planner In Charge:** Tom Brechko

**Staff Recomm. (Abbr.):** APPROVE variance 1 because the existing road improvements restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the Concept Plan subject to 7 conditions:

- Staff Recomm. (Full):**
1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
  2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knox county (Ord. 91-1-102)
  3. Revising the typical street cross section to show the asphalt binder course as 2.5".
  4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  5. Including the notation on the final plat that all lots shall have access only to the internal street with no direct access to Pellissippi Parkway or Hardin Valley Rd.
  6. A final plat application based on this concept plan will not be accepted for review by MPC until certification of design plan approval has been submitted to the MPC staff
  7. Meeting all requirements of the approved use-on-review.

**Comments:** The applicant is proposing to subdivide this 69.8 acre tract into 19 lots for development under the PC (Planned Commercial) / TO (Technology Overlay) zoning designations. The Planning Commission recommended approval of both sector plan amendments and rezoning requests (7-B-06-SP/7-K-06-RZ & 8-C-06-SP/8-M-06-RZ) for this property on August 10, 2006. The recommended zoning change was to PC (Planned Commercial) / TO (Technology Overlay) with conditions. The Knox County Commission approved these requests on September 25, 2006.

Access to the proposed lots will be via a new public street off of Hardin Valley Road that will meet commercial street design standards. The southern terminus of the street will stub-out to the adjacent tract allowing for future connection to Carmichael Rd. A temporary turnaround will be provided until the connection is made to Carmichael Rd. The Northwest County Sector Plan includes a section referencing the Pellissippi Parkway Access Control Plan. This plan calls for the creation of new service roads running parallel to Pellissippi Parkway to eliminate at-grade access points. The proposed road serving this subdivision provides a major part in the implementation of that plan. When the rezoning requests were presented to the Planning Commission a Conceptual Master Plan for development of the property was provided. While this site has over 1500' of frontage along Pellissippi Parkway, the Conceptual Master Plan showed no access to the Parkway. There will be no direct access from the lots to Pellissippi Parkway or Hardin Valley Rd.

A copy of the Executive Summary from the Traffic Impact Study that was prepared for this commercial subdivision is attached. The street improvements recommended by the study are reflected in the revised concept plan.

The preliminary grading plan for the proposed street shows grades from the road at a 2:1 slope in some areas. Traversable access to some of the lots is questionable. Access to individual lots will be addressed through the Use-on-Review application for each development site at which time site grading, location of other access drives and having adequate sight distance will be considered. Shared access drives shall be provided when feasible.

A preliminary site grading (for the public street) and drainage plan has been submitted with the revised concept plan. The site grading plan is scheduled for review by the Tennessee Technology Corridor Development Authority on November 6, 2006.

The applicant has also submitted a draft copy of the Declaration of Protective Covenants, Conditions and Restrictions which is a requirement for developments within the PC (Planned Commercial) zoning district.

**MPC Action:** Approved

**MPC Meeting Date:** 11/9/2006

**Details of MPC action:**

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knox county (Ord. 91-1-102)
3. Revising the typical street cross section to show the asphalt binder course as 2.5".
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. (Modified by the MPC) Direct access from the proposed lots to Pellissippi Parkway is prohibited and shall be so noted on the final plat. Direct access to Hardin Valley Rd. from the proposed lots is prohibited unless approved by the Planning Commission through a use-on-review application for a site specific development. Access to Hardin Valley Rd. is also subject to approval by the Tennessee Technology Corridor Development Authority.
6. A final plat application based on this concept plan will not be accepted for review by MPC until certification of design plan approval has been submitted to the MPC staff
7. Meeting all requirements of the approved use-on-review.

**Summary of MPC action:** APPROVE variance 1 because the existing road improvements restrict compliance with the Subdivision Regulations, and the proposed variance will not create a traffic hazard.

APPROVE the Concept Plan subject to 7 conditions:

**Date of MPC Approval:** 11/9/2006

**Date of Denial:**

**Postponements:** 10/12/2006

**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:**