

**CASE SUMMARY**  
**APPLICATION TYPE: SUBDIVISION**  
**CONCEPT PLAN**

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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
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www.knoxmpc.org

**File Number:** 11-SA-08-C                      **Related File Number:** 11-M-08-UR  
**Application Filed:** 9/25/2008              **Date of Revision:**  
**Applicant:** WANIS RGHEBI

**PROPERTY INFORMATION**

**General Location:** Northeast side of Heiskell Rd., northwest of E. Copeland Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 46 069 & 069.01                      **Jurisdiction:** County  
**Size of Tract:** 7.09 acres  
**Accessibility:** Access is via Heiskell Rd., a minor arterial street with an 18' to 20' pavement width within an 88' right-of-way (right-of-way was reduced to 35' from the centerline with the previous recorded plat for the property).

**GENERAL LAND USE INFORMATION**

**Existing Land Use:** Vacant  
**Surrounding Land Use:** North: Residences / A (Agricultural) & PR (Planned Residential)  
South: Residences / A (Agricultural)  
East: Residences / A (Agricultural) & RA (Low Density Residential)  
West: Residences / A (Agricultural) & RA (Low Density Residential)  
**Proposed Use:** Residential subdivision                      **Density:** 4.28  
**Sector Plan:** North County                      **Sector Plan Designation:**  
**Growth Policy Plan:** Rural 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:** PR (Planned Residential)  
**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: The Villas at Tyler's Gate

No. of Lots Proposed: 30                      No. of Lots Approved: 0

- Variances Requested:
1. Vertical curve variance on Chandler's Country Way from 175' to 105', STA 0+66.
  2. Vertical curve variance on Chandler's Country Way from 232.5' to 149', STA 5+12.
  3. Vertical curve variance on Road B from 153' to 100', STA 1+65.
  4. Horizontal curve variance at STA 5+00 from 100' to 75' on Chandler's Country Way.
  5. Horizontal curve variance at STA 1+100 from 100' to 65' on Road B.
  6. Intersection grade on Road B at STA 0+13 & STA 2+30 from 1% to 5.1% & 4.9%.

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE variances 1-6 due to existing road improvements that were completed as part of the previous use-on-review.

APPROVE the concept plan subject to the following 13 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
  2. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
  3. Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).
  4. Installing proposed landscaping within six months of the issuance of occupancy permits for each unit, or posting a bond with Knox County Engineering guaranteeing such installation.
  5. As part of the grading plan, certification by the applicant's surveyor that there is the required 400' of sight distance in both directions along Heiskell Rd. at the development's entrance. The bank along Heiskell Rd. may need to be graded in order to achieve adequate sight distance and field verified by Knox County Engineering and Public Works prior to the issuance of a building permit.
  6. Establishing sight distance easements across lots 22 and 23.
  7. Submitting proposed signage plan for the existing eye-brow road design (Do not enter sign).
  8. Place a note on the development plan that all units will have access only to the internal street system.
  9. No structure shall be placed within 50' of the last closed contour of the on-site sinkhole.
  10. All units shall have two car garages.
  11. Adjusting lots 22 and 23 to the north in order to improve sight distance. The proposed structure and driveway on lot 23 will also need to be moved to the north side of the lot.
  12. Recording a plat that combines parcels 69 and 69.01.
  13. Meeting all requirements of the approved use-on-review development plan if applicable.

With the conditions noted above, this request meets all criteria for approval of a use on review in the PR zoning district.

Comments: The applicant is requesting approval of a 30 lot condominium development. The development will access Heiskell Road and have a private interior roadway. A previous use-on-review was approved for a 30 unit condominium development in February of 2008 (2-D-08-UR). Due to the inability to obtain financing, the developer of the property has decided to make individual lots for each unit. Since they are now proposing lots, they are required to comply with current Knox County Road standards instead of private driveway standards. Because of this, 6 variances are required to bring the existing roadway into compliance with the minimum subdivision regulations. The applicant has also requested to reduce the front yard setback from 20' to 15' on lots 3-7, 17, 18 & 27 due to the impact of dedicating more right-of-way. All other lots will have to maintain a 20' front yard setback.

There is a significant sinkhole located in the southeast corner of the property. The applicant will not be allowed to build within 50' of the last closed contour of that sinkhole unless a geotechnical study is prepared by a registered engineer and states that building within the buffer is acceptable and the study

is approved by the Knox County Department of Engineering and Public Works.

**MPC Action:**

Approved

**MPC Meeting Date:** 11/13/2008

**Details of MPC action:**

1. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
2. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
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**Summary of MPC action:**

APPROVE variances 1-6 due to existing road improvements that were completed as part of the previous use-on-review.  
APPROVE the concept plan subject to the following 13 conditions:

**Date of MPC Approval:**

11/13/2008

**Date of Denial:**

**Postponements:**

**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:**