

# CASE SUMMARY

**APPLICATION TYPE: SUBDIVISION**

**CONCEPT PLAN**



**File Number:** 12-SA-19-C **Related File Number:** 12-B-19-UR  
**Application Filed:** 10/25/2019 **Date of Revision:**  
**Applicant:** PRIMOS LAND COMPANY, LLC

## **PROPERTY INFORMATION**

**General Location:** East side of E. Copeland Dr., north side of Greenwell Dr., west side of Pedigo Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 37 025 **Jurisdiction:** County  
**Size of Tract:** 52.62 acres  
**Accessibility:** Access is via Pedigo Rd., a major collector street with 19' of pavement width within 55' of right-of-way; Greenwell Dr., a major collector street with 18' of pavement width within 40' of right-of-way; and E. Copeland Dr., a major collector street with 15' of pavement width within 40' of right-of-way.

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Vacant land  
**Surrounding Land Use:** This area is developed with agricultural and rural to low density residential uses, under A, RA and PR zoning.  
**Proposed Use:** Detached residential lots **Density:** 2.81 du/ac  
**Sector Plan:** North County **Sector Plan Designation:**  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:**

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

**Street:** 1015 E. Copeland Rd.  
**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 Highlands at Copeland (FKA Copeland Heights S/D, Phase II)  
**No. of Lots Proposed:** 148      **No. of Lots Approved:** 0  
**Variances Requested:** 1) Reduce vertical curve from K=25 to K=24.93 @ STA 4+10 to 8+10 on Road "A".  
2) Reduce vertical curve from K=25 to K=22.84 @ STA 3+50 to 4+50 on Road "C".  
3) Reduction of the 25' common area buffer strip for double frontage lots to allow the 15' landscape buffer easement that was approved in Phase 1 for lots 10-16 and 79-100.  
**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 variances 1-3 because topographic constraints and site conditions restrict compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the concept plan subject to 9 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 any other relevant requirements of the utility provider.
3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knox County (Ord. 91-1-102).
4. Construction of 5' wide sidewalks with a minimum of a 2' wide planting strip, as shown on the concept plan. All sidewalk construction must comply with the requirements of the Americans With Disabilities Act and Knox County Department of Engineering and Public Works.
5. Installation of 2 evergreen trees, 2 deciduous trees, and 8 shrubs per 100 feet within the 15' landscape easement on the Pedigo Road, Greenwell Drive, and E. Copeland Drive frontages. A landscaping plan must be provided to Planning staff for review and approval before Design Plan approval. Trees should be selected from the City of Knoxville's Tree List. A final plat application will not be accepted for reviewed by Planning staff until this landscaping is installed or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
6. Installation of private fences shall be prohibited in the 15' landscape easement. This does not prohibit the installation of fencing by the HOA that is a consistent design around the exterior boundary of the subdivision.
7. Implementing the recommendations of the Pedigo Road Subdivision Traffic Impact Study (see Exhibit A), as prepared by Cannon & Cannon, Inc., dated April 27, 2018, and as amended and approved by Knoxville-Knox County Planning and Knox County Department of Engineering and Public Works staff.
8. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of all common areas, amenities and drainage facilities.
9. A final plat application based on this concept plan will not be accepted for review until certification of design plan approval has been submitted to the Planning staff.

**Comments:** This proposal is for a 148 lot subdivision on Pedigo Rd, which is phase 2 of a 240 lot subdivision. The Planning Commission approved phase 1 development in 2018 (7-SG-18-C & 10-SA-18-C) with 92 lots and an amenity area that is shared with phase 1 and phase 2. The property was rezoned to PR up to 3 du/ac (4-G-18-RZ) and the total density for both phases will be 2.99 du/ac. The applicant is requesting a 25' peripheral setback for lots 79-100 along E. Copeland Drive and Greenwell Drive. There will be a sidewalk on one side of all interior roads. The two phases of the subdivision will have different names because they are not connected by an internal street.

The subdivision regulations require 150' lot depth for double frontage lots along classified roads, which all of the surrounding streets are. Lots that have a common area buffer with a minimum depth of 25' along the external road do not have to meet the minimum lot depth standard. The applicant is proposing a 15' landscape easement that will be maintained by the HOA and will be planted with the vegetation recommended in condition #5. Staff is recommending approval of a variance to replace the 25' deep common area buffer with the 15' deep easement because this is consistent with the approval in phase 1. For lots 10-16, there is a stream along the Pedigo Road frontage where existing vegetation cannot be disturbed. In addition, private fences will not be allowed within the 15' easement to help protect the landscaping and provide a consistent streetscape along the external roads.

In previous cases involving double frontage lots less than 150 feet, Planning staff has recommended a fee simple common area that is not part of the lots. Because the proposed 15' landscape easement maintained by the HOA was approved in phase 1 instead of a 25' common area, staff is recommending approval for consistency but will not consider this as a preferred alternative for future developments. The subdivision regulations have been amended since phase 1 was approved to specifically identify that a 25' common area buffer strip is an alternative to creating double frontage lots which is why phase 2 has a variance request to allow the 15' easement as a substitute for the 25' common area buffer.

The access to the subdivision will be from Pedigo Road with the exception of lots 69 and 70 that will utilize the existing driveway on E. Copeland Drive. This driveway currently provides access to the existing house that is located on lot 49, however, the driveway must be disconnected from the lot 49 so there are not three lots with legal access to the driveway which would require it to be a private right-of-way. The existing house must have access to Road "C" and the address will have to change.

The traffic impact study (TIS) that was submitted with phase 1 of the development has several recommendations to improve sight distance which are applicable to phase 2. At the Pedigo Road and E. Copeland Drive access points, the TIS recommends removal and trimming of vegetation to improve sight distance. At the two Knox County intersections that lie adjacent to the development, the TIS recommends adjusting two existing features on the subject property to help with sight distance. The adjustments include cutting back a small embankment on the northeast corner of the E. Copeland Drive and Greenwell Drive/Bishop Road intersection, and the removal of a fence on the northwest corner of the Pedigo Road and Greenwell Drive intersection.

**Action:** Approved **Meeting Date:** 12/12/2019

**Details of Action:**

**Summary of Action:** APPROVE variances 1-3 because topographic constraints and site conditions restrict compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the concept plan subject to 9 conditions.

**Date of Approval:** 12/12/2019 **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:**