

# 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

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**File Number:** 12-SB-10-C                      **Related File Number:** 12-E-10-UR  
**Application Filed:** 10/25/2010              **Date of Revision:**  
**Applicant:** TC & B DEVELOPMENT

### PROPERTY INFORMATION

**General Location:** Northeast side of Heiskell Rd., northwest of Copeland Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 46 69 & 69.01                      **Jurisdiction:** County  
**Size of Tract:** 7.11 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 land  
**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:** Detached Residential Subdivision                      **Density:** 3.66 du/ac  
**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: Villas @ Tyler's Gate

No. of Lots Proposed: 26      No. of Lots Approved: 26

Variances Requested:

1. Horizontal curve variance on Chandler's Country Way at STA 5+00, from 100' to 75'.
2. Horizontal curve variance on Road B at STA 1+25, from 100' to 60'.
3. Vertical curve variance on Chandler's Country Way at STA 0+60, from 157.25' to 95'.
4. Vertical curve variance on Chandler's Country Way at STA 5+15, from 227' to 150'.
5. Vertical curve variance on Road B at STA 1+80, from 136.5' to 100'.
6. Intersection grade variance on Road B at STA 0+13, from 3% to 5.77 %.
7. Intersection grade variance on Road B at STA 1+80, from 3% to 3.33 %.
8. Broken back curve tangent variance on Chandler's Country Way at STA 2+40 to STA 3+23, from 150' to 84'.
9. Broken back curve tangent variance on Chandler's Country Way at STA 4+06 to STA 4+46, from 150' to 36'.

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 variances 1-9 due to existing road improvements that were completed as part of the previous use-on-review approval and the requested variances will not create a traffic hazard.

APPROVE the concept plan subject to the following 5 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
2. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
3. Establishing a sight distance easement across lots 19 and 20.
4. Placing a note on the final plat that all lots will have access only to the internal street system.
5. Placing a note on the final plat that building construction within the 50' sinkhole buffer identified on Lot 26 may be permitted only 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 Knox County Department of Engineering and Public Works. Building construction is not permitted within the hatched contour area of the sinkhole or the drainage easement. Engineered footings may be required for the structure within the 50' sinkhole buffer.

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

Comments: The applicant is requesting approval of a 26 lot detached residential subdivision. A concept plan (1-SB-10-C) was approved for this site on January 14, 2010 for a 30 lot attached residential subdivision. The applicant is requesting a change in the previous approval from attached to detached residences. The development has direct access to Heiskell Road, a minor arterial street via a private street (Joint Permanent Easement (JPE)). Since the street serving the subdivision was originally approved as a driveway serving a 30 unit condominium development (approved on February of 2008) the JPE does not meet public street standards. Because of this, nine variances are required to bring the existing roadway into compliance with the minimum subdivision regulations.

There is a significant sinkhole located in the northwest 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. This restriction only impacts development of Lot 26.

Action: Approved

Meeting Date: 12/9/2010

Details of Action: 1. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

2. Connection to sanitary sewer and meeting all other requirements of the Knox County Health Department.
3. Establishing a sight distance easement across lots 19 and 20.
4. Placing a note on the final plat that all lots will have access only to the internal street system.
5. Placing a note on the final plat that building construction within the 50' sinkhole buffer identified on Lot 26 may be permitted only 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 Knox County Department of Engineering and Public Works. Building construction is not permitted within the hatched contour area of the sinkhole or the drainage easement. Engineered footings may be required for the structure within the 50' sinkhole buffer.

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

**Summary of Action:**

APPROVE variances 1-9 due to existing road improvements that were completed as part of the previous use-on-review approval and the requested variances will not create a traffic hazard.

APPROVE the concept plan subject to the following 5 conditions:

**Date of Approval:**

12/9/2010

**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:**