

# 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:** 7-SK-06-C                      **Related File Number:** 6-J-06-UR  
**Application Filed:** 6/5/2006                      **Date of Revision:**  
**Applicant:** JIMMIE DOSS & JAMES PINKSTON  
**Owner:** DOSS & PINKSTON

### PROPERTY INFORMATION

**General Location:** South side of Hardin Valley Rd., east of Bryant Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 103 112,112.01,113,114,114.01                      **Jurisdiction:** County  
**Size of Tract:** 32.17 acres  
**Accessibility:** Access is via Hardin Valley Rd., a minor arterial street with a 3 lane pavement section within an 80' wide right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:** The site is located within the Tennessee Technology Corridor. Development surrounding the site consists of Pellissippi State Technical Community College and single family residences.  
**Proposed Use:** Commercial & multi-family residential development                      **Density:** 14.28 du/ac  
**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) & OB (Office Medical & Related Services) / TO (Technology Overlay)  
**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 Village at Hardin Valley  
**Surveyor:** Michael Brady, Inc.  
**No. of Lots Proposed:** 8                    **No. of Lots Approved:** 0  
**Variances Requested:** 1. Horizontal curve variance from 250' to 114.5' at sta 1+90 of Road A  
2. Horizontal curve variance from 250' to 135.5' at sta 4+32 of Road A  
3. Horizontal curve variance from 250' to 103" at sta 12+60 of Road A  
4. Horizontal curve variance from 250' to 100' at sta 14+97 of Road A  
**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 1-4 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.  
  
APPROVE the Concept Plan subject to 10 conditions:  
**Staff Recomm. (Full):**  
1. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works  
2. No driveways that will permit two- way access to or from the site to Hardin Valley Rd. will be permitted within 400' of the proposed main entrance to the development  
3. The applicants bearing all of the cost associated with the purchase and installation of a traffic signal at the main entrance to the development, when warranted, per the requirements of the Knox County Dept. of Engineering and Public Works  
4. Establishing the proposed access roads as joint permanent easements as required in order to provide each lot with the necessary legal frontage  
5. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Dept.  
6. Provision of street names which are consistent with the Uniform Street Naming and Addressing System in Knox county (Ord. 91-1-102)  
7. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation  
8. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintaining the joint permanent easements, the storm drainage facilities and any other commonly held assets  
9. 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  
10. Meeting all requirements of the approved use on review 6-J-06-UR  
**Comments:** The applicants are proposing a mixed use development that will contain a shopping center and multi-family dwellings. The shopping center will occupy 20.5 acres of the site and contain approximately 127,000 square feet of retail space and four out parcels. The multi-family development will consist of 168 apartments to be located on 11.77 acres of the site. The site was recently rezoned to PC (Planned Commercial) and OB (Office Medical and Related Services) zones. Since the site is located within the Tennessee Technology Corridor, TO (Technology Overlay) zoning also governs the development of this site.  
  
The development of this site will require MPC to consider a concept subdivision plan and a use on review for the commercial portion of the site under the requirements of the PC zone. The current OB zoning allows apartments as a permitted use if the proposed development density is less than 12 dwelling units per acre. Apartment development in the OB zone requires use on review approval if the proposed development density is between 12 and 24 dwelling units per acre. The plan, as presented, included 168 apartments on 11.77 acres resulting in a development density of 14.28 du/ac. At that proposed density, MPC would have been required to review and the multi-family portion of this plan as a use on review.  
  
During the review process, staff identified deficiencies with the development plans in both the proposed

commercial and the apartment development. The applicants have addressed the deficiencies with the commercial development and staff is recommending approval of the amended plan. Development of the apartment site as shown on the plan would have resulted in excessive grading on the steepest portions of the site. The grading plan as proposed would have required the use of large retaining walls and a circulation pattern that calls for sharp turns on steep driveways. The applicants have decided to eliminate at least one of the proposed apartment buildings and have stated that the overall development density will be less than 12 du/ac. As a result, MPC will not be considering the apartments.

Since the TO (Technology Overlay) zone governs this site, the applicants will still need to obtain approval of the development plan for both the commercial and multi-family portions of the site from the Tennessee Technology Corridor Development Authority (TTCDA). The applicant will eliminate the southern most building shown on the plan that was submitted to MPC and revise the grading plan accordingly in hopes of obtaining a Certificate of Appropriateness from the TTCDA.

#### 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. All utilities are readily available to the site.
2. Traffic capacity exists to support this project due to the recent improvements to Hardin Valley Road and the proposed installation of the a traffic signal at the main entrance.
3. The proposed detached commercial subdivision is consistent in use and density with the zoning and development in the area.
4. Storm drainage will be directed into the existing drainageways on this site. Stormwater detention, grading and drainage plans will be required that meet the Knox County's regulations.

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

1. With the recommended conditions, the proposed commercial development meets the standards for development within the PC (Planned Commercial) Zone and all other requirements of the Zoning Ordinance.
2. The proposed development and subdivision is consistent with the general standards for uses permitted on review:
  - A. The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The Northwest County Sector Plan as amended proposes commercial uses for this site.
  - B. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The proposed development complies with all the height, bulk and area requirements of the Knox County Zoning Ordinance. The proposed development meets all the requirements of the PC (Planned Commercial Zone).
  - C. The use is compatible with the character of the neighborhood where it is proposed.
  - D. The use will not significantly injure the value of adjacent property.
  - E. The use will not draw additional non-residential traffic through residential areas. Hardin Valley Rd. is classified as a minor arterial street. With that classification, it is expected to move traffic to and through the area.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan identifies this property for Commercial use.
2. The site is identified as being within the Planned Growth area on the Knoxville-Knox County-Farragut Growth Policy Plan

**MPC Action:**

Approved

**MPC Meeting Date:** 7/13/2006

**Details of MPC action:**

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**Summary of MPC action:** APPROVE variances 1-4 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to 10 conditions:

**Date of MPC Approval:** 7/13/2006                      **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:**

**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:**