

▶ **FILE #:** 11-SA-08-C  
 11-M-08-UR

**AGENDA ITEM #:** 13  
**AGENDA DATE:** 11/13/2008

▶ **SUBDIVISION:** THE VILLAS AT TYLER'S GATE  
 ▶ **APPLICANT/DEVELOPER:** WANIS RGHEBI  
 OWNER(S): TC&B Development

TAX IDENTIFICATION: 46 069 & 069.01  
 JURISDICTION: County Commission District 7

▶ **LOCATION:** Northeast side of Heiskell Rd., northwest of E. Copeland Dr.

SECTOR PLAN: North County  
 GROWTH POLICY PLAN: Rural Area  
 WATERSHED: Bullrun & Beaver Creek

▶ **APPROXIMATE ACREAGE:** 7.09 acres

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Residential subdivision

SURROUNDING LAND USE AND ZONING: 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)

▶ **NUMBER OF LOTS:** 30

SURVEYOR/ENGINEER: Southland Group, Inc.

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).

▶ **SUBDIVISION VARIANCES REQUIRED:**

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%.

**STAFF RECOMMENDATION:**

▶ **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 14 conditions:**

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. Providing a 4' wide sidewalk along the north side of Chandlers Country Way as per the requirements of the American with Disabilities Act.
9. Place a note on the development plan that all units will have access only to the internal street system.
10. No structure shall be placed within 50' of the last closed contour of the on-site sinkhole.
11. All units shall have two car garages.
12. 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.
13. Recording a plat that combines parcels 69 and 69.01.
14. 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.

► **APPROVE the development plan for up to 30 attached residential lots subject to the following 2 conditions:**

1. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of drainage structures and all other commonly held assets.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.

**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.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. Public water and sewer utilities are in place to serve the site.
2. The proposal is denser compared to the scale and intensity of adjacent development and zoning patterns. However, in terms of traffic, the impact will be minimal due to the fact that this development is approximately 800' from the intersection of Heiskell Rd. and Copeland Dr., both of which have sufficient capacity to handle the traffic which will be generated by this development.
3. The proposed development will place minimal additional demand on schools.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. The proposed development is consistent with all relevant requirements of the PR zoning, as well as other

criteria for approval of a use on review.

2. The development is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw a substantial amount of additional traffic through residential areas.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The North County Sector Plan proposes low density residential uses for the site, which is consistent with the proposed 4.28 du/ac.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 323 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

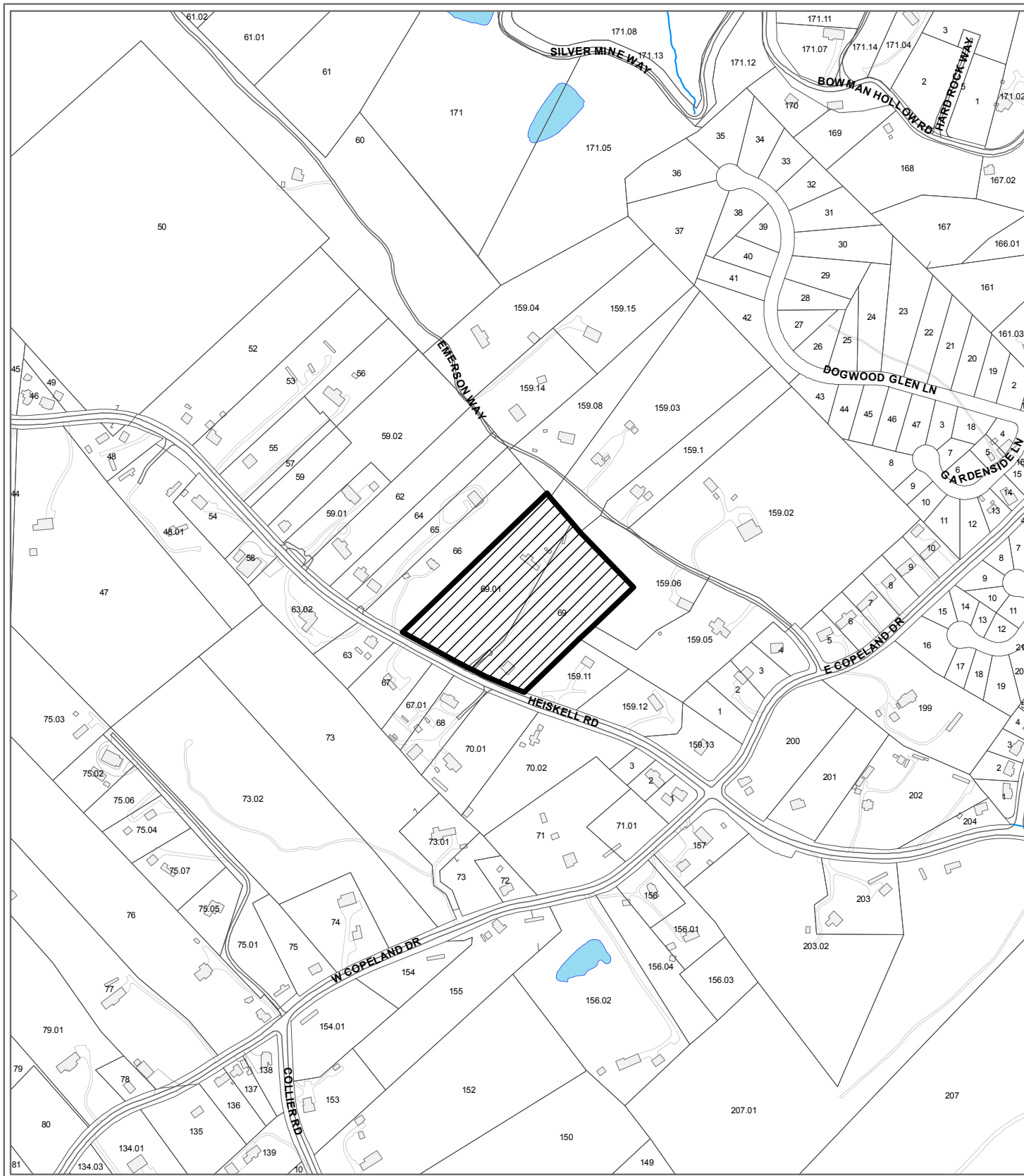
ESTIMATED STUDENT YIELD: 3 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Copper Ridge Elementary, Powell Middle, and Powell High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

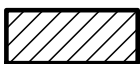
MPC's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

MPC's approval or denial of this use on review request is final, unless the action is appealed to the . The date of the hearing will depend on when the appeal application is filed.



**11-SA-08-C / 11-M-08-UR  
CONCEPT PLAN/USE ON REVIEW**

Petitioner: Rghebi, Wanis  
The Villas at Tyler's Gate



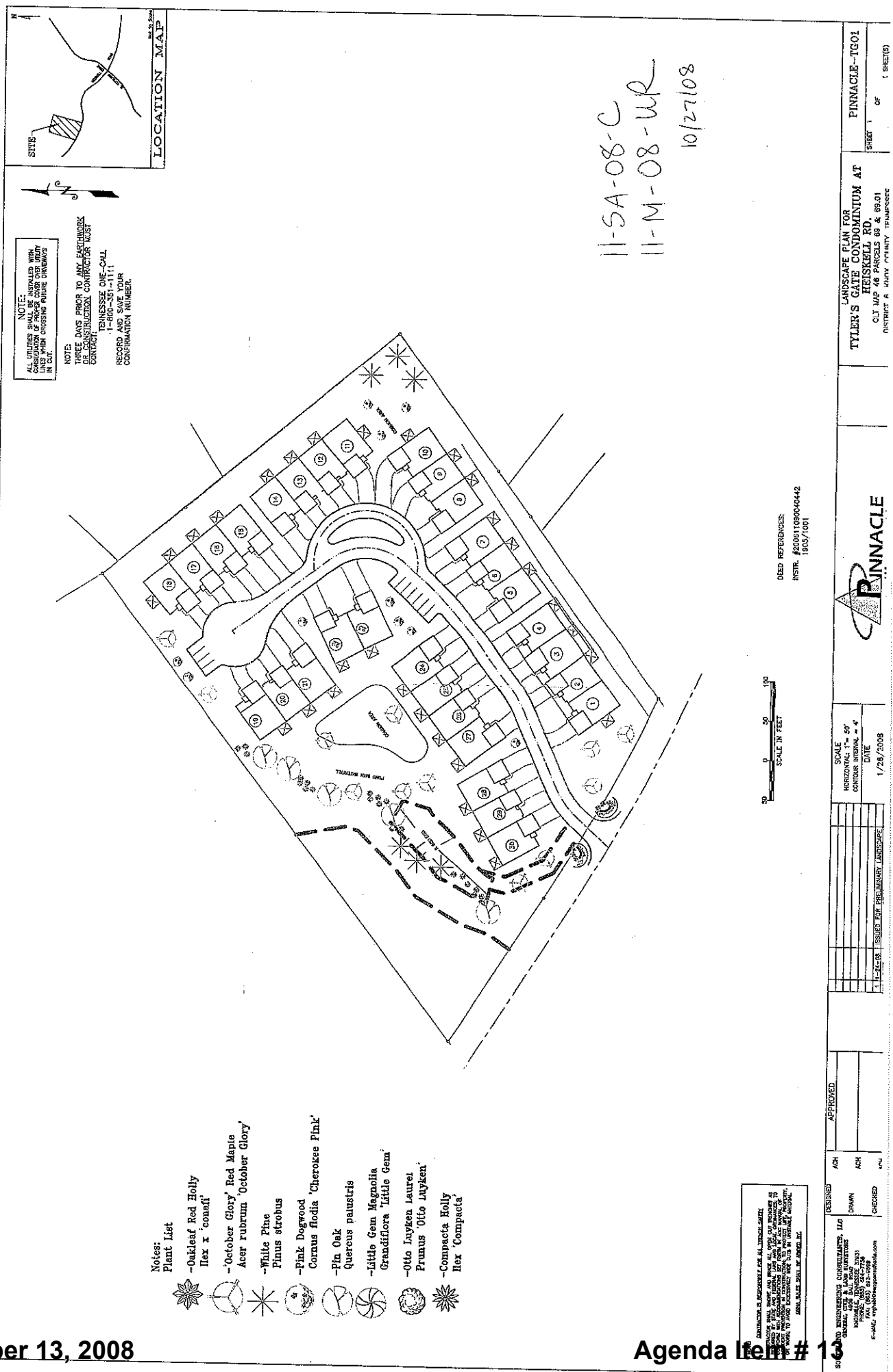
Residential subdivision in PR (Planned Residential)

Original Print Date: 10/29/2008  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

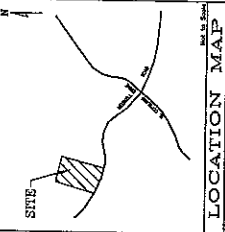
Map No: 46  
Jurisdiction: County

0 500  
Feet





**NOTE:**  
 ALL UTILITIES SHALL BE INSTALLED WITH PROTECTIVE CASING AND SHALL BE MAINTAINED IN PLACE AT ALL TIMES.  
 THREE DAYS PRIOR TO ANY ERECTION OF CONSTRUCTION CONTRACTOR MUST SUBMIT A LETTER TO THE CITY ENGINEER AND RECORD AND SAVE YOUR CONFIRMATION NUMBER.



- Notes:**  
**Plant List**
- Oakleaf Red Holly
  - Hex x 'conafi'
  - 'October Glory' Red Maple
  - Acer rubrum 'October Glory'
  - White Pine
  - Pinus strobus
  - Pink Dogwood
  - Cornus florida 'Cherokee Pink'
  - Pin Oak
  - Quercus paustris
  - Little Gem Magnolia
  - Grandiflora 'Little Gem'
  - Otto Layteen laurel
  - Prunus 'Otto Layteen'
  - Compacta Holly
  - Hex 'Compacta'

DESIGNED BY: [Name]  
 CHECKED BY: [Name]  
 DATE: 1/29/2008

LANDSCAPE PLAN FOR TYLER'S CLAY CONDOMINIUM AT Pinnacle  
 CLT MAP # 48 DISTRICT # 6  
 SHEET 1 OF 1 SHEETS

SCALE: HORIZONTAL 1" = 50' VERTICAL AS SHOWN

DATE: 1/29/2008

ISSUED FOR PRELIMINARY LANDSCAPE

APPROVED: [Signature]

DESIGNED: [Signature]

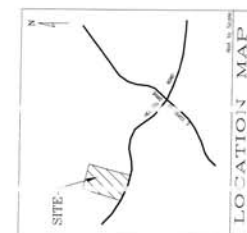
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DATE: 1/29/2008

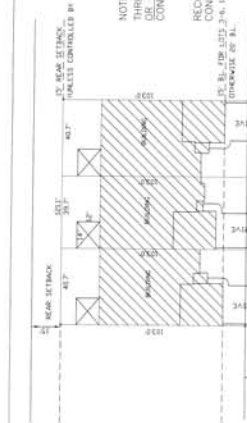
PROJECT: 11-SA-08-C / 11-M-08-WR

SCALE IN FEET: 0, 30, 60, 90, 120

CREATED REFERENCES: INSTR. #200611090040442 10/05/1001



**NOTE:**  
THREE DAYS PRIOR TO ANY EARTHWORK OR CONSTRUCTION CONTRACTOR MUST CONTACT TENNESSEE ONE-CALL 1-800-351-1111 RECORD AND SAVE YOUR CONFIRMATION NUMBER.



**CERTIFICATION OF CONCEPT PLAN**  
I HEREBY CERTIFY THAT I AM AN ENGINEER, LICENSED TO PRACTICE UNDER THE LAWS OF THE STATE OF TENNESSEE, AND THAT THIS CONCEPT PLAN IS TRUE AND IS BASED ON SOUND ENGINEERING PRACTICE.

*William A. G. G. G.*  
TENNESSEE CERTIFICATE NO. 22027



- NOTES:**
1. THE ENGINEER HAS REVIEWED THE PROPOSED LOT LAYOUT AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE ZONING ORDINANCES OF THE CITY OF MEMPHIS.
  2. THE PROPOSED LOT LAYOUT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF MEMPHIS PLANNING AND ZONING DEPARTMENT.
  3. THE PROPOSED LOT LAYOUT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE TENNESSEE DEPARTMENT OF REVENUE.
  4. THE PROPOSED LOT LAYOUT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE TENNESSEE DEPARTMENT OF REVENUE.
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**CONCEPT PLAN FOR THE VILLAS AT TYLERS GATE HEISKELL RD.**  
DISTRICT 0, WINN COUNTY, TENNESSEE

**DEED REFERENCES:**  
INSTR. #2006109004042  
1905/1001

**OWNER/DEVELOPER:**  
C & B DEVELOPMENT  
ZARNOCH, TENNESSEE 37954  
PHONE (603) 384-0404

**SITE ADDRESS:**  
1002 HEISKELL ROAD  
FORBELL, TENNESSEE 37946

**SCALE:**  
HORIZONTAL 1" = 50'  
CONTOUR INTERVAL = 4'

**DATE:**  
5/30/2007

**11-M-08-UR**  
**11-SA-08-C**

**APPROVED:** [Signature]  
**ENGINEER:** [Signature]

**DESIGNED:** [Signature]  
**WAR:** [Signature]

**DRAWN:** [Signature]  
**CHECKED:** [Signature]

**SOUTHLAND ENGINEERING CONSULTANTS, LLC**  
GENERAL CIVIL & LAND SURVEYORS  
NASHVILLE, TENNESSEE 37211  
PHONE (615) 833-9999  
FAX (615) 833-9999  
E-MAIL: weng@sleng.com

EAST GATE  
ARCHITECTURE

HADEN R. REED  
ARCHITECT

1103 JEWELLSTONE LANE  
KNOXVILLE, TENNESSEE  
37918

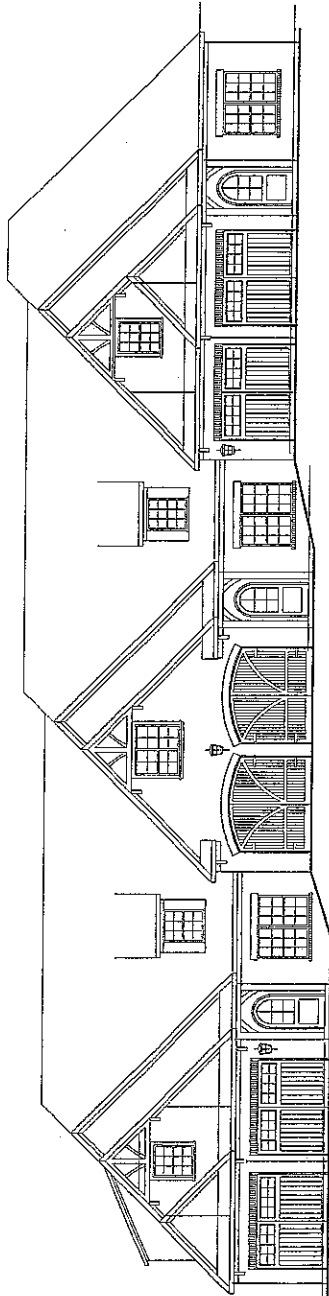
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FACSIMILE: (615-218-4377)

TYLER'S GATE  
TOWNHOUSES  
KNOXVILLE, TENNESSEE

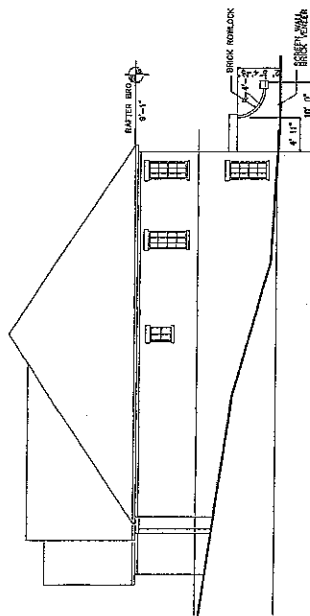
EXTERIOR  
ELEVATIONS

A5

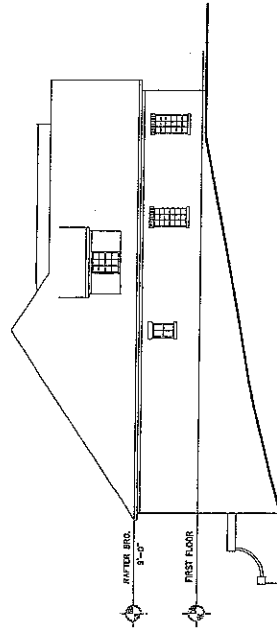
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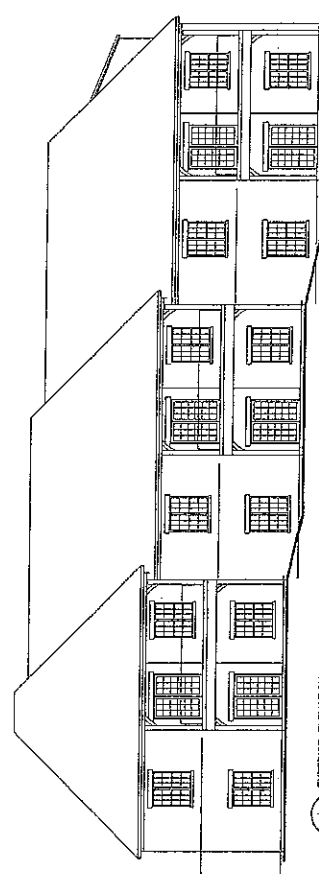
1 FRONT ELEVATION  
SCALE 3/16" = 1'-0"



2 EXTERIOR ELEVATION  
SCALE 1/8" = 1'-0"



3 EXTERIOR ELEVATION  
SCALE 1/8" = 1'-0"



4 EXTERIOR ELEVATION  
SCALE 1/8" = 1'-0"

11-SA-08-C/ 11-M-08-WR 10/31/08

EAST GATE  
ARCHITECTURE

HADEN R. BEID  
ARCHITECT

4145 WINDSTONE LANE,  
KNOXVILLE, TENNESSEE  
37918

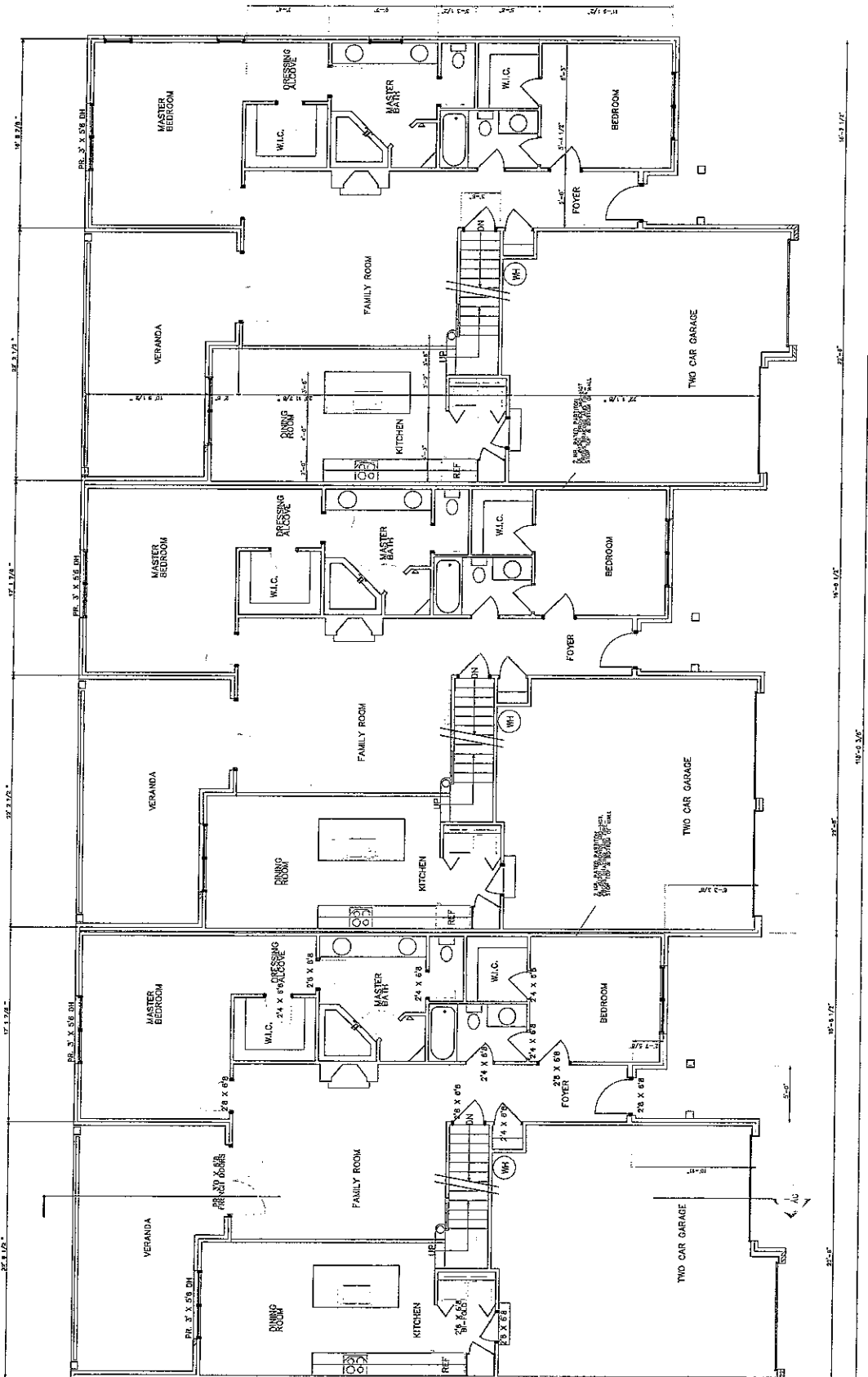
PHONE: (615-518-8370)  
FACSIMILE: (615-518-8372)

TYLER'S GATE  
TOWNHOUSES  
KNOXVILLE, TENNESSEE

FIRST FLOOR PLAN

A1

11/2/08 1425 SF./UNIT



1 FIRST FLOOR PLAN  
A1 SCALE 1/4" = 1'-0"

11-SA-08-C/11-M-08-WR 10/31/08