

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
 SUBDIVISION REPORT - CONCEPT/USE ON REVIEW**

▶ **FILE #:** 7-SA-15-C **AGENDA ITEM #:** 9  
 7-C-15-UR **AGENDA DATE:** 9/10/2015

POSTPONEMENT(S): 8/13/2015

▶ **SUBDIVISION:** HARDIN VALLEY SUBDIVISION

▶ **APPLICANT/DEVELOPER:** SHADY GLEN, LLC

OWNER(S): Shady Glen, LLC

TAX IDENTIFICATION: 104 084 & 01708

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 10105 Hardin Valley Rd

▶ **LOCATION:** South side of Hardin Valley Rd., southern end of Westcott Blvd.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Beaver Creek

▶ **APPROXIMATE ACREAGE:** 94.82 acres

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision and 248 apartment units

SURROUNDING LAND USE AND ZONING: This site is located in an area along Hardin Valley Rd., that includes a mix of industrial, commercial and low to medium density residential development that has occurred under I, PC, PR, RA and A zoning.

▶ **NUMBER OF LOTS:** 170

SURVEYOR/ENGINEER: Fulgum MacIndoe & Assoc.

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 4 lanes and a center median with a required 100' right-of-way

▶ **SUBDIVISION VARIANCES REQUIRED:**

1. Increase maximum street grade on Road D at STA 1+07.11 through STA 4+31.62, from 12% to 15%.
2. Increase maximum street grade on Road E at STA 1+54.79 through STA 3+40, from 12% to 15%.
3. Reduce the horizontal curve radius on Road C at STA 10+59.77, from 250' to 100".
4. Reduce broken back curve tangent on Road E at STA 2+11.79 through STA 2+99.21, from 150' to 87.42'.

**STAFF RECOMMENDATION:**

▶ **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 12 conditions**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (Ord 91-1-102).
3. Revising the typical lot setbacks so that the side yard setbacks are a minimum of 5 feet and adding a note that the side yard setback along street grades over 10% shall be increased to 10 feet (Remove Variance and Zoning Request Note #6).
4. Revising the concept plan by eliminating the sidewalk crossing of Road A just west of the intersection with Road B, and providing a sidewalk along the south side of Road A between Roads B and C. Sidewalks shall be installed as identified on the revised concept plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act ( ADA) and shall be installed at the time the street improvements are installed for the subdivision.
5. Implementation of the intersection improvements and recommendations outlined in the Traffic Impact Study prepared by Fulghum MacIndoe & Associates, Inc. as revised on August 24, 2015. The details for the timing and costs associated with a traffic signal warrant analysis and possible traffic signal at the development entrance onto Hardin Valley Rd. shall be worked out between the applicant and the Knox County Department of Engineering and Public Works during the design plan stage for the subdivision.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. The median crossing for the new driveway access to Road A for the residence at 10100 Hardin Valley Rd. shall be widened to meet the requirements of the Knox County Department of Engineering and Public Works. When the driveway connection is completed, the existing access driveway out to Hardin Valley Rd. shall be closed.
8. Including a sight distance easement across Lot 83 on the final plat.
9. Prior to obtaining a design plan approval for the subdivision, submitting a detailed grading plan to the Knox County Department of Engineering and Public Works and Planning Commission Staff that documents all proposed lots will have adequate building sites with driveway grades not exceeding a 15% grade. Those lots that cannot comply with this condition will have to be combined with adjoining lots on any final plats submitted to the Planning Commission for approval.
10. The concept plan shall be modified for the common area located at the southwestern end of the development by eliminating the reference to the conservation easement and incorporating that area into the common area. The 20' access easement between Lots 126 and 127 that provides access to the common area shall be changed to become part of the common area. The common area shall be identified on the concept plan, final plat and protective covenants for the subdivision as a natural undisturbed area with a prohibition on any clearing and grading except what would be needed for a passive trail system. The boundary line between the lots and common area shall be clearly marked in the field prior to any site grading in order to identify the limits of disturbance and protect those areas of mature vegetation.
11. Prior to certification of the final plat for the subdivision, establishing a homeowners association for the purpose of maintaining the storm water system, common area and any other commonly held assets.
12. A final plat application based on this concept plan will not be accepted for review by the MPC until certification of design plan approval has been submitted to the MPC staff.

► **APPROVE the Concept and Development Plan for up to 170 detached dwelling units on individual lots, 248 apartment units, and the requested reduction of the peripheral setback from 35' to 25', subject to 7 conditions.**

1. Obtaining approval from Knox County Commission of the requested increase of density of Tax Parcel 104 01708 up to 6 du/ac (8-J-15-RZ).
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Connecting the apartments to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
4. Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).
5. Installation of sidewalks for the apartment complex as identified on the development plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act ( ADA) .
6. Installing all landscaping for the apartment complex, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a Use on Review.

## COMMENTS:

The applicant is proposing a residential development on a 94.82 acre tract located on the south side of Hardin Valley Road directly south of Westcott Blvd. and the Westbridge Business Park. The proposed development will include a 248 unit apartment complex and a detached residential subdivision with 170 lots. A proposed public street which will be located approximately 800 feet east of Westcott Blvd. will serve as the single access point for the development. The subdivision will be served by public streets. A private driveway system will provide access to the apartment complex.

The Planning Commission recommended approval of a sector plan amendment to medium density residential and a rezoning to PR (Planned Residential) at a density of up to 6 du/ac. on February 12, 2015 for 84.82 acres of the 94.82 acre site. The Knox County Commission approved the sector plan amendment and the rezoning on March 23, 2015. The Planning Commission recommended approval of a request to increase the density on the remaining 10 acres from 4 du/ac to 6 du/ac on August 13, 2015. The Knox County Commission will consider that request on September 28, 2015.

The proposed subdivision will include sidewalks on one side of all streets. A common area of approximately 10 acres is located at the southwest corner of the subdivision which is the steeper portion of the site. This common area is to remain as a natural undisturbed area with a prohibition on any clearing and grading except what would be needed for a passive trail system. The boundary line between the lots and common area shall be clearly marked in the field prior to any site grading in order to identify the limits of disturbance and protect those areas of mature vegetation.

The main entrance for the proposed apartment complex will be off of the main access street for the subdivision approximately 475 off of Hardin Valley Rd. The apartment complex will include 9 three story buildings with between 24 to 28 dwelling units in each building. The majority of the proposed parking will be located in surface parking areas with 48 spaces located within four of the buildings. An amenity area is being provided near the main entrance to the complex that includes a clubhouse and pool area. Sidewalks will be provided through the complex and will connect to the sidewalk system that serves the subdivision. There will be an emergency access driveway at the southwest corner of the complex that will connect to the main access street for the subdivision.

A Traffic Impact Study was prepared by Fulghum MacIndoe & Associates, Inc. for this development with the last revision date being August 24, 2015. The study concluded that the existing street system will continue to operate at acceptable levels of services with the proposed development. Staff has recommended a condition that the details for the timing and costs associated with a future traffic signal warrant analysis and possible traffic signal at the development entrance onto Hardin Valley Rd. shall be worked out between the applicant and the Knox County Department of Engineering and Public Works during the design plan stage for the subdivision.

The applicant has requested a reduction of the peripheral setback from 35' to 25' along all exterior boundaries of this Subdivision which can be approved by the Planning Commission.

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

1. The proposed apartment development and detached residential subdivision will have minimal impact on local services since utilities are available to serve this site.
2. The proposed low density residential development is compatible with the scale and intensity of recent development that has occurred in this area.
3. The traffic impact study that has been prepared for the development identifies that the street system will continue to operate at acceptable levels of services with the proposed development.
4. The applicant has laid out the development to stay off the steeper portion of the site. The concept plan has included the steeper area within common area, and with the recommended conditions, that area will be protected from development.

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

1. With the recommended conditions, the proposed residential 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 in is

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 additional traffic through residential areas since the development has access to a minor arterial street.

2. The proposed residential development at a density of 4.41 du/ac, is consistent in use and density with the PR zoning of the property at a density of up to 6 du/ac.

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

1. The Northwest County Sector Plan proposes medium density residential (MDR) uses for this site. The proposed development at a density of 4.41 du/ac is consistent with the sector plan.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 3848 (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: 148 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Karns 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 Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.