

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

▶ **FILE #:** 9-SA-16-C **AGENDA ITEM #:** 12
 9-D-16-UR **AGENDA DATE:** 9/8/2016

▶ **SUBDIVISION:** HM PROPERTIES ON HARVEY ROAD
 ▶ **APPLICANT/DEVELOPER:** HM PROPERTIES
 OWNER(S): HM Properties

TAX IDENTIFICATION: 162 04701, 04702, 04706 & 04707, 04708 & 02941 [View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 12716 Raby Way

▶ **LOCATION:** Northeast side of Harvey Rd., southeast of Boyd Station Rd., and north of Mallard Bay Dr.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

WATERSHED: Tennessee River

▶ **APPROXIMATE ACREAGE:** 15.28 acres

▶ **ZONING:** PR (Planned Residential) & F (Floodway) pending

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached Residential Subdivision

SURROUNDING LAND USE AND ZONING: This site is bounded by the main line of the Norfolk-Southern Railway on the north, Ft. Loudon Lake and Mallard Bay Subdivision on the south, detached dwellings on the east and a convenience store on the west. Zoning in the area is A (Agricultural), PR (Planned Residential) and F (Floodway).

▶ **NUMBER OF LOTS:** 10

SURVEYOR/ENGINEER: Batson, Himes, Norvell & Poe

ACCESSIBILITY: Access is via Harvey Rd., a collector street with a pavement width of 19' within a 40' wide right-of-way

▶ **SUBDIVISION VARIANCES REQUIRED:**
 1. Horizontal curve radius variance at STA 1+00, from 250' to 200'.
 2. Horizontal curve radius variance at STA 4+50, from 250' to 100'.

STAFF RECOMMENDATION:

▶ **APPROVE** variances 1 & 2 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 13 conditions:

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102)

3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation (Tennessee Valley Authority, U.S. Army Corps of Engineers).
5. Certification on the final plat by the applicant's surveyor that there is sight distance at the intersection of the proposed JPE with Harvey Rd. meets or exceeds the minimum required by the Subdivision Regulations
6. Place a note on the final plat that all lots in this subdivision and the Robertson property will have access only to the JPE that is being constructed as part of this project
7. In order to prevent vehicular use place a physical barrier at either end of the cut-off section of the Robertson driveway that intersects with Harvey Rd. and the proposed JPE and is adjacent to parcel 162-02943
8. Prior to final plat approval, the Board of First Utility District granting the applicant an access easement for the purpose of constructing the joint permanent easement as shown on this concept plan
9. Prior to final plat certification, record the required access easement across the First Utility District property (162-02941)
10. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for maintenance of the joint permanent easements, common area and drainage system
11. Construction of the joint permanent easement with a pavement width of 22' as required by the Subdivision Regulations
12. Prior to final plat approval, the Knox County Commission approving the rezoning of this site (8-B-16-RZ) to PR (Planned Residential) Zone at a density high enough to meet or exceed the development density proposed by this concept plan/use on review
13. 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 request for up to 10 detached dwellings and reduction of the peripheral boundary setback along the southern boundary of lot #1 to 15' as shown on the concept plan subject to 1 condition**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance

With the condition noted, this plan meets the requirements for approval in the PR (Planned Residential) Zone and the general criteria for approval of a use on review

COMMENTS:

The applicant is proposing to divide this piece of property into 10 lots and permit the construction of one detached dwelling on each lot. The gross acreage of the site is 15.28 acres. The area above 820' contour which is the limit of the Ft. Loudon Lake TVA flowage easement is 8.76 acres. The calculation of the permitted development density is based on the area above the flowage easement. The proposed development density for this project is 1.15 du/ac. On August 11, 2016, MPC approved the rezoning of this site with a maximum density of 2 du/ac. The Knox County Commission will act on the rezoning request at its September 26, 2016 meeting.

A proposal to rezone and subdivide this property came before MPC in July of 2015. At that time the applicant was asking for approval of PR (Planned Residential) zoning at a density great enough to support a subdivision containing 30 lots (3.43 du/ac). In order to provide access to the development, the applicant approached First Utility District about allowing a joint permanent easement to be built across their property. The board of directors of the Utility district were encouraged by the area residents to deny the applicant's request for an easement. At the same time, the rezoning request met with significant public opposition. Area residents were opposed to the request because they felt it was too dense and out of character with the surrounding development. Subsequently, the utility board denied the request for an easement and the rezoning request was withdrawn.

The current applicant is going through the same processes as the previous would-be developer attempted to do. Rezoning of the property and obtaining an access easement from the utility district are needed in order for this project to move forward. After working with the citizens in the area, the applicant filed a rezoning request to change to PR (Planned Residential) at 2 du/ac. At the MPC hearing on August 11, 2016 no one voiced opposition to the request. Additionally, the staff of the utility has told MPC staff that they will recommend their board approve this applicant's request for an access easement across the utility district's property. Just like the 2015 request, this proposed development will need approval of the rezoning and the access easement in order for this project to move forward as planned.

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

1. All utilities are available to serve this site.
2. The proposed low density residential development at a density of 1.15 du/ac is compatible with other development that has occurred in this area.

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

1. With the stated conditions, the proposed detached residential subdivision meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed subdivision is consistent with the general standards for uses permitted on review: The proposed development 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 is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the subdivision has direct access to a major arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan designates this property for low density residential use. The PR zoning recommended for approved will allow consideration of a development density of up to 2.0 du/ac . The actual proposed development of 1.15 du/ac is consistent with the Sector Plan and the recommended zoning designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

This

ESTIMATED TRAFFIC IMPACT: 125 (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.

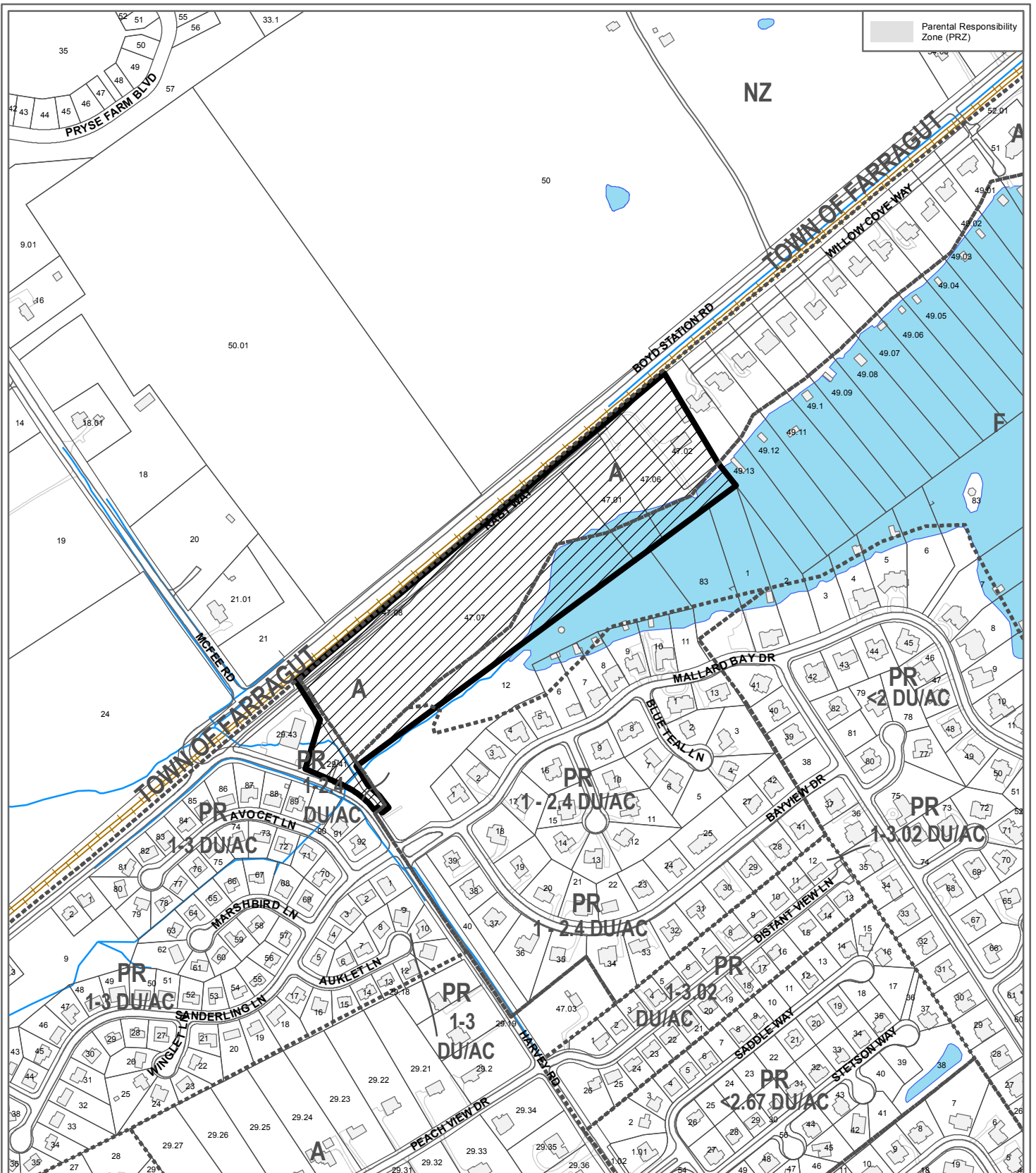
ESTIMATED STUDENT YIELD: 6 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Farragut Primary/Intermediate, Farragut Middle, and Farragut 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.

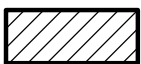
MPC's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

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.



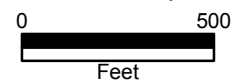
**9-SA-16-C / 9-D-16-UR
CONCEPT PLAN/USE ON REVIEW**

Petitioner: HM Properties
HM Properties on Harvey Road

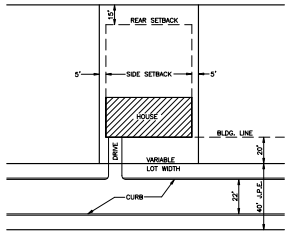


Detached Residential Subdivision in PR (Planned Residential) & F (Floodway) pending

Map No: 162
Jurisdiction: County



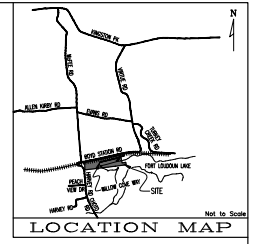
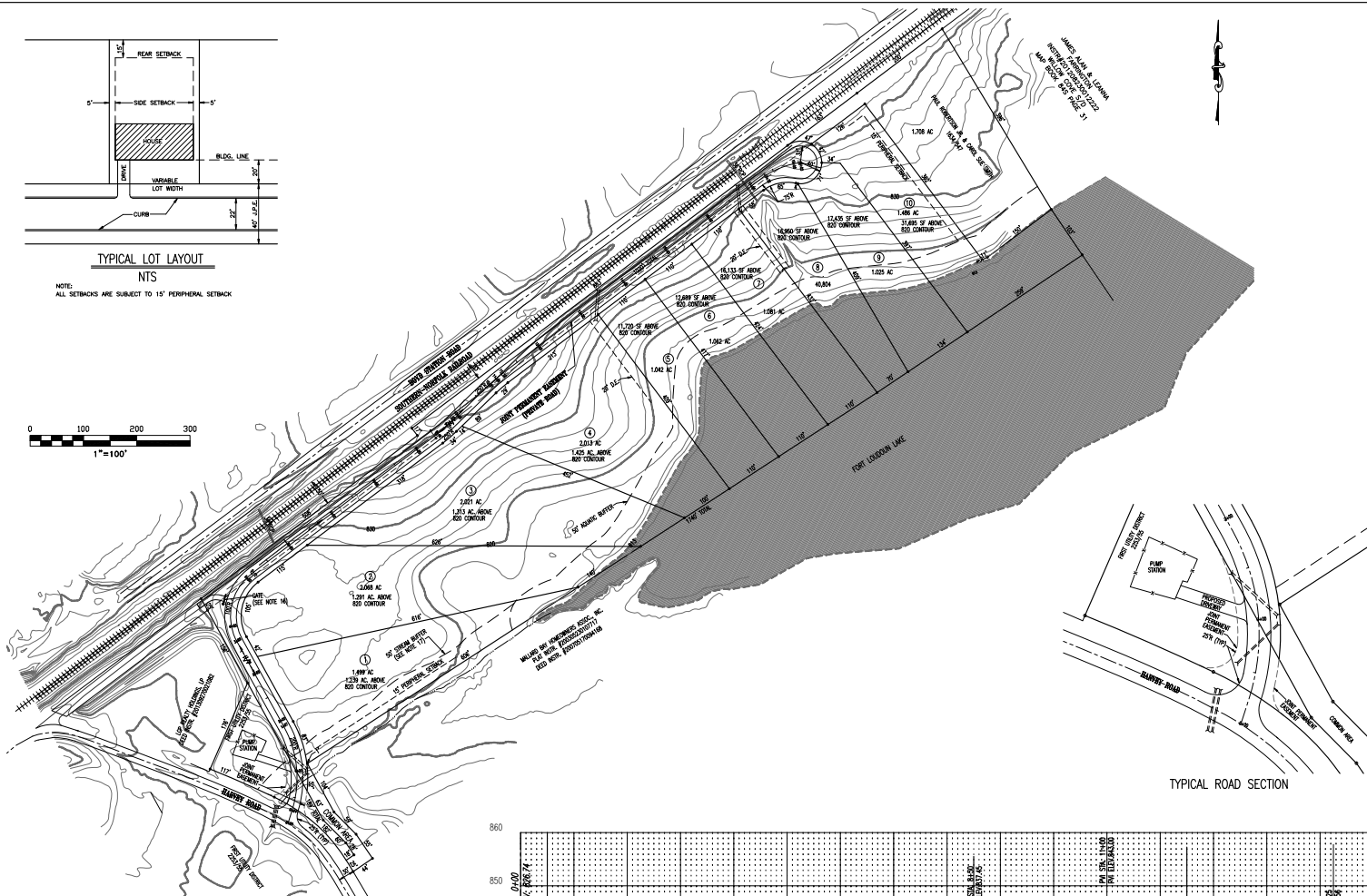
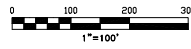
Original Print Date: 8/12/2016
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



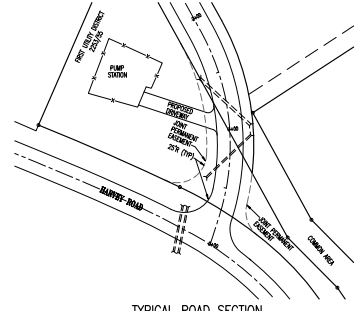
TYPICAL LOT LAYOUT

NTS

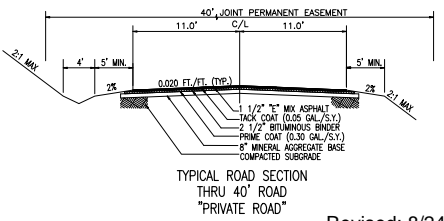
NOTE: ALL SETBACKS ARE SUBJECT TO 15' PERIPHERAL SETBACK



- NOTES:
1. ALL DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAN.
 2. A 10' DRAINAGE UTILITY AND CONSTRUCTION EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES, 5' EACH SIDE OF INTERIOR ROAD LINES.
 3. A 10' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS NOTED.
 4. THIS PROPERTY CONTAINS APPROXIMATELY 15.28 ACRES SUBDIVIDED INTO 10 SINGLE FAMILY DETACHED LOTS, PRIVATE ROAD & COMMON AREA LOT. 8.76 ACRES EXIST ABOVE THE 820 CONTOUR. THE ROBERTSON PROPERTY IS NOT A PART OF THE SUBDIVISION HOWEVER THE FLAG PORTION OF HIS PROPERTY WILL BECOME A PART OF THE JOINT PERMANENT EASEMENT. ACCESS TO THE ROBERTSON PROPERTY WILL BE ON THE JOINT PERMANENT EASEMENT.
 5. THIS PROPERTY IS ZONED PR (PENDING).
 6. ALL ROAD PROFILES ARE BASED ON KGIS TOPOGRAPHY.
 7. UTILITIES:
WATER: FIRST UTILITY DISTRICT
SEWER: FIRST UTILITY DISTRICT
ELECTRIC: KNOX COUNTY UTILITY BOARD
GAS: KNOXVILLE UTILITIES BOARD
TELEPHONE: BELLSOUTH
 8. VARIANCES REQUIRED:
a) HORIZONTAL CURVE RADIUS FROM 250' TO 200', STA. 1+00
b) HORIZONTAL CURVE RADIUS FROM 250' TO 100', STA. 4+50
c) REDUCE ROADWAY WIDTH ON A JOINT PERMANENT EASEMENT SERVING MORE THAN 5 LOTS FROM 22' TO 20'
9. COMPACTION TESTING PURSUANT TO THE REQUIREMENTS OF THE KNOX COUNTY DEPARTMENT OF HIGHWAY GRADES AT INTERSECTIONS BETWEEN 15' AND 20' HAVE BEEN REVIEWED AND APPROVED BY KNOX COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS.
 11. THE 15' PERIPHERAL SETBACK PENDING MPC APPROVAL.
 12. THE OWNERS FLOWAGE EASEMENT RIGHTS BELOW THE 820 CONTOUR, NO BUILDING OR FILL IS ALLOWED BELOW THE 820 CONTOUR WITHOUT PRIOR TPA APPROVAL.
 13. JOINT PERMANENT EASEMENT IS A PRIVATE ROAD AND WILL NOT BE MAINTAINED BY KNOX COUNTY.
 14. JOINT PERMANENT EASEMENT WILL ALSO FUNCTION AS A UTILITY EASEMENT.
 15. MINIMUM FLOOR ELEVATION FOR ALL LOTS IS 821.0 MSL.
 16. ROBERTSON DRIVEWAY TO HARVEY ROAD WILL BE RE-CONNECTED TO JOINT PERMANENT EASEMENT. THIS DRIVEWAY WILL BE GATED FOR THE SOLE USE OF ROBERTSON.
 17. THE 40' STREAM BUFFER ZONE ON LOT 1 MAY BE ELIMINATED PENDING THE RESULTS OF THE STREAM DETERMINATION STUDY.



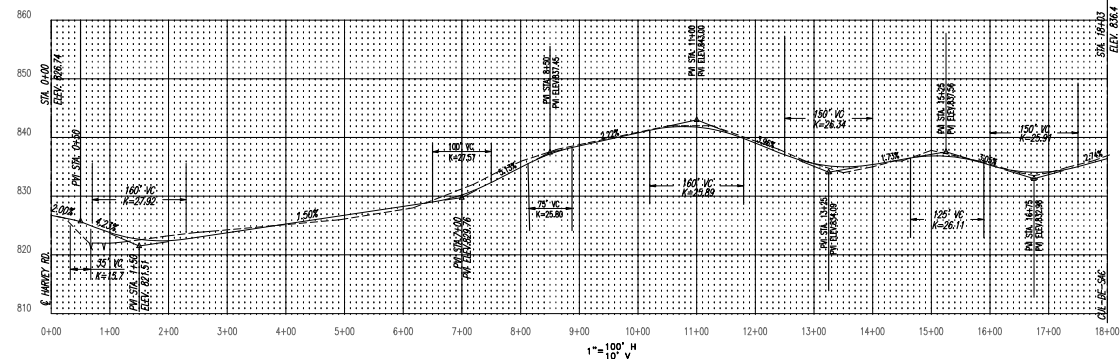
TYPICAL ROAD SECTION



TYPICAL ROAD SECTION THRU 40' ROAD "PRIVATE ROAD"

Revised: 8/24/2016

9-SA-16-C, 9-D-16-UR



CERTIFICATION OF CONCEPT PLAN
I HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE TITLE OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS AND PROCEEDINGS SUBMITTED TO ALL APPLICABLE AGENCIES OF THE KNOXVILLE-KNOX COUNTY COMMISSION RELATIVE TO THIS PROJECT HAVE BEEN REVIEWED AND DESCRIBED IN A REPORT FILED WITH THE KNOX COUNTY PLANNING COMMISSION.

REGISTERED ENGINEER _____
TENNESSEE CERTIFICATE NO. _____

OWNER PARCEL 47.07
JASON C. RABY
4618 SUNFLOWER RD, APT. 70
KNOXVILLE, TN 37908

OWNER PARCEL 47.01 & 47.06
KENDALL W. WRIGHT
8901 HOGSHEDDGE DR
KNOXVILLE, TN 37922

OWNER PARCEL 29.41
FIRST UTILITY DISTRICT
P.O. BOX 2860
KNOXVILLE, TN 37933

OWNER PARCEL 47.02
PAUL JR & CAROL SUE ROBERTSON
1106 HARVEY RD
KNOXVILLE, TN 37922

DEVELOPER
HM PROPERTIES
c/o DOUGLAS S. HODGE
2009 THUNDERBOLT RD., SUITE 204
KNOXVILLE, TN 37922
PHONE: (606)222-9482

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS & LAND SURVEYORS
4334 PAPERMILL DRIVE
KNOXVILLE, TENNESSEE 37909
PHONE: (865) 588-6472
FAX: (865) 588-6473
email@bhn-p.com

DESIGNED	DATE	REVISION	APPR.	DATE	REVISION	APPR.
DBH						
DRAWN	TPD					
CHECKED	DBH					

SCALE:
AS NOTED
DATE
06/14/16

DEED REFERENCES:
INSTR. #200902260053105 (PARCEL 47.07)
INSTR. #201001110645921 (PARCELS 47.01 & 47.06)
DEED BOOK 1634, PAGE 547 (PARCEL 47.02)
DEED BOOK 2253, PAGE 55 (PARCEL 29.41)

CONCEPT AND DEVELOPMENT PLAN & ROAD PROFILES
FOR
HM PROPERTIES ON HARVEY ROAD
CLT 162, PARCELS 47.01, 47.06, 47.07, 29.41 & PART OF 47.02
DISTRICT 6, KNOX COUNTY, TN

24898-SP
SHEET 1 OF 1 SHEET(S)
Q:\DRAWINGS\24898\24898-HM-DWG

SUBDIVISION - CONCEPT

Name of Applicant: H.M. Properties
 Date Filed: 7/25/16 Meeting Date: 9/8/16
 Planner in Charge of Application: Thomas Breckler
 Fee Amount: ~~\$8000~~ File Number: Subdivision - Concept 9-SA-16-C
 Fee Amount: \$7200.00 Related File Number: Use On Review 9-D-16-UR

PROPERTY INFORMATION

Subdivision Name: DSH Assoc. - Harvey Rd.
 Unit/Phase Number: _____
 General Location: NE side Harvey Rd, SE of Boyd Station Road
 Tract Size: 15.28 acres No. of Lots: 10
 Zoning District: PR (pending)
 Existing Land Use: Vacant
 Planning Sector: Southwest County
 Sector Plan Proposed Land Use Classification: LDR/STPA
 Growth Policy Plan Designation: Planned Growth
 Traffic Zone: 243
 Census Tract: 58.12
 Tax Identification Number: 162 - Parcels
47.07, 47.01, 47.02, 47.08 + 0.2941
47.06
 Jurisdiction: City Council _____ District
 County Commission 5TH District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
 Name: Doug Hodge
 Company: H.M. Properties
 Address: 4028 Taliluna Ave
 City: Knoxville State: TN Zip: 37919
 Telephone: 755-8066
 Fax: 480-5953
 E-mail: dhodge@dshassociates.com

AVAILABILITY OF UTILITIES

List utility districts proposed to serve this subdivision:
 Sewer: First Utility District
 Water: First Utility District
 Electricity: Lenoir City Utility Board
 Gas: Knoxville Utilities Board
 Telephone: AT&T Southeast

PROJECT SURVEYOR/ENGINEER

PLEASE PRINT
 Name: David Harbin
 Company: Batson, Himes, Norvell & Poe
 Address: 4334 Papermill Drive
 City: Knoxville State: TN Zip: 37909
 Telephone: 588-6472
 Fax: 588-6473
 E-mail: email@bhn-p.com

TRAFFIC IMPACT STUDY REQUIRED

No Yes

APPLICATION CORRESPONDENCE

All correspondence relating to this application (including plat corrections) should be directed to:

PLEASE PRINT
 Name: David Harbin
 Company: Batson Himes Norvell & Poe
 Address: 4334 Papermill Dr
 City: Knoxville State: TN Zip: 37909
 Telephone: 588-6472
 Fax: 588-6473
 E-mail: harbin@bhn-p.com

USE ON REVIEW No Yes

Approval Requested:
 Development Plans in Planned District or Zone
 Other (be specific): _____

VARIANCE(S) REQUESTED

No Yes (If Yes, see reverse side of this form)

VARIANCES REQUESTED

1. Horizontal Curve radius from 250' to 200', Sta 1400

Justify variance by indicating hardship: topography

2. Horizontal Curve radius from 250' to 100', Sta 41 50

Justify variance by indicating hardship: topography

3. _____

Justify variance by indicating hardship: _____

4. _____

Justify variance by indicating hardship: _____

5. _____

Justify variance by indicating hardship: _____

6. _____

Justify variance by indicating hardship: _____

7. _____

Justify variance by indicating hardship: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, as listed on this form. I further certify that any and all variances needed to meet regulations are requested above, or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested. I hereby waive the requirement for approval or disapproval of the plat within sixty (60) days after its submission, in accordance with the provisions of Tennessee Code Annotated 13-3-404.

PLEASE PRINT

Name: David Harbin

Address: 4334 Papermill Drive

City: Knoxville State: TN Zip: 37909

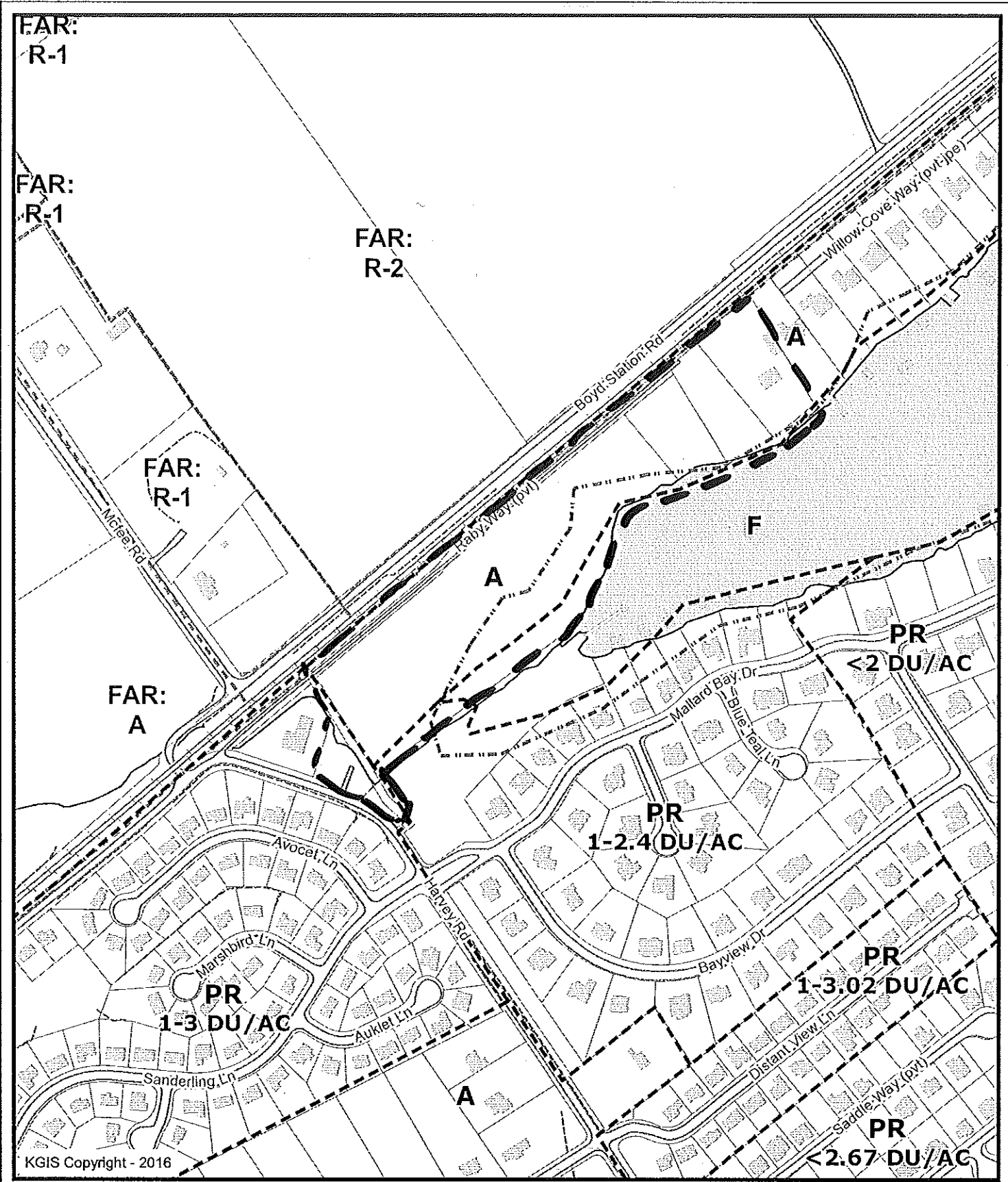
Telephone: 588 6472

Fax: 588-6433

E-mail: harbin@bhm-p.com

Signature: 

Date: 7/25/16

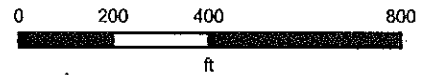


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Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



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