



SUBDIVISION REPORT - CONCEPT/DEVELOPMENT PLAN

▶ **FILE #:** 12-SF-23-C
12-G-23-DP

AGENDA ITEM #: 34
AGENDA DATE: 1/11/2024

POSTPONEMENT(S): 12/14/2023

▶ **SUBDIVISION:** LANTERN PARK

▶ **APPLICANT/DEVELOPER:** S&E PROPERTIES, LLC

OWNER(S): S&E Properties LLC

TAX IDENTIFICATION: 116 06704 [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 12041 Hardin Valley Rd.

▶ **LOCATION:** North side of Hardin Valley Rd, west side of Mission Hills Ln

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

WATERSHED: Conner Creek

▶ **APPROXIMATE ACREAGE:** 8.85 acres

▶ **ZONING:** PR (Planned Residential) up to 3 du/ac

▶ **EXISTING LAND USE:** Rural Residential, Agriculture/Forestry/Vacant Land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING: North: Agricultural/forestry/vacant land - PR (Planned Residential) up to 3 du/ac
South: Single family residential, agricultural/forestry/vacant land - A (Agricultural) and PR (Planned Residential) up to 2 du/ac and 3 du/ac
East: Mission Hill Lane, agricultural/forestry/vacant land - A (Agricultural), PR (Planned Residential) up to 3 du/ac
West: Agricultural/forestry/vacant land - PR (Planned Residential) up to 3 du/ac

▶ **NUMBER OF LOTS:** 25

SURVEYOR/ENGINEER: Aaron Gray, Ardurra

ACCESSIBILITY: Access is via Hardin Valley Road, a minor arterial with a pavement width of 20.5 ft within 60 ft of right-of-way, and Mission Hill Lane, a local street with a central divider median within 100 ft of right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:**

- 1) Reduce the minimum vertical curve (crest) K value from 25 to 20 at VPI STA 3+10 on Lantern Park Lane.
- 2) Reduce the minimum vertical curve (sag) K value from 25 to 15 at the intersection of Lantern Park Lane and Hardin Valley Road.
- 3) Reduce the minimum intersection separation between Mission Hill Lane and Lantern Park Lane from 400 ft to 368 ft.

STAFF RECOMMENDATION:

- ▶ **Postpone the concept plan to the February 8, 2024 Planning Commission meeting as requested by the applicant.**

- ▶ **Postpone the concept plan to the February 8, 2024 Planning Commission meeting as requested by the applicant.**

COMMENTS:

This is a 25-lot subdivision on 8.55 acres with access from Hardin Valley Drive and Mission Hill Lane. There are 21 lots with frontage on the internal road, Lantern Park Lane, that has access from Hardin Valley Road, and four (4) lots with frontage on Mission Hill Lane. The applicant is requesting three variances to the road design standards of the Subdivision Regulations. The applicant's justification of hardships is attached to the staff report.

BACKGROUND

The Planning Commission reviewed and approved two previous Concept Plan and Use on Review (Development Plan) applications for the subject property. In September 2021, the 18-lot Mission Hills Subdivision was approved on 6.98 acres (7-SA-21-C / 7-C-21-UR). The development area did not include the frontage along Mission Hill Lane. In February 2022, the revised Mission Hills Subdivision was approved with 26 lots on 8.85 acres (1-SB-22-C / 1-G-22-UR). The proposal included an additional 1.87 acres along Mission Hill Lane on the east side of the property, which was formerly part of the Hoppe property that wrapped around the subject site. In September 2023, the concept plan was remanded back to the Planning Commission for further consideration. The applicant is requesting withdrawal of the 2022 concept plan (1-SB-22-C).

VARIANCES

Staff supports approval of the two vertical curve variances because of the unique characteristics of the site. There is a knob in the middle of the site that makes meeting vertical curve standards challenging without additional grading that could impact the streams in the north and southeast portions of the property. Staff does not support the intersection separation request for the reasons stated above.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) up to 3 du/ac:

- a) The PR zone allows houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).
- B) This PR zone district is approved for a maximum of 3 du/ac. The proposed density for the subdivision is 2.82 du/ac.

2) GENERAL PLAN – DEVELOPMENT POLICIES

- a) Policy 9.3, Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities – NOTE: The proposed subdivision will have detached residential lot sizes comparable to those in existing and recently approved subdivisions in the area.

3) NORTHWEST COUNTY SECTOR PLAN

- a) The property is classified as RR (Rural Residential), which allows consideration of up to 3 du/ac. The proposed density is 2.82 du/ac.
- B) The property has 4.3 acres within the HP (Hillside Protection) area. The slope analysis recommends a disturbance budget of 2.8 acres. This proposal disturbs the entire area HP area.
- C) The Knox County Greenway Corridor Study (Exhibit B) has a preferred greenway route along Conner Creek, on the north side of this development. A greenway easement is being provided on the south side of Conner Creek to allow for the future installation of a greenway.

4) KNOXVILLE – FARRAGUT – KNOX COUNTY GROWTH POLICY PLAN

- a) The property is within the Rural Area. Rural areas are to include land to be preserved for farming, recreation, and other non-urban uses. The rural designation shall not impede the right of a property owner to use or

develop the property for a purpose permitted by that property's zoning.

B) The Rural Area recommends a maximum density of 2-3 du/ac. Three (3) du/ac can be considered as an extension of low density residential development if the property is PR (Planned Residential), sanitary sewer and public water is provided, connecting collector and arterial roads from the development to the Planned Growth area meet the standards of Knox County Engineering and Public Works, and a transportation impact analysis demonstrates to the satisfaction of the Planning Commission that the effect of the proposed and similar developments in the traffic analysis zone will not reasonably impair traffic flow.

C) A Transportation Impact Letter was submitted with the rezoning application for the property (1-G-21-RZ) and Hardin Valley Road is a minor arterial street.

ESTIMATED TRAFFIC IMPACT: 282 (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: 10 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and 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.

Knoxville-Knox County Planning Commission'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.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



Request to Postpone • Table • Withdraw

Lantern Park

January 4, 2024

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

January 11, 2024

Scheduled Meeting Date

File Number(s)

12-SF-23-C; 12-G-23-DP

POSTPONE

POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: 30 days 60 days 90 days

Postpone the above application(s) until the February 8, 2024 Planning Commission Meeting.

WITHDRAW

WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

Applicant Signature

Benjamin C. Mullins

Please Print

865 546 9321

Phone Number

bmullins@fmsllp.com

Email

STAFF ONLY

Staff Signature

Michael Reynolds

Please Print

No Fee

Date Paid

Eligible for Fee Refund? Yes No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address



Request to Postpone • Table • Withdraw

Lantern Park

12-11-23

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

December 14, 2023

Scheduled Meeting Date

12-SF-²³~~26~~-C; 12-G-23-DP

File Number(s)

POSTPONE

POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

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Applicant Signature

Benjamin C. Mullins

Please Print

865-546-9321

Phone Number

bnullins@fmsllp.com

Email

STAFF ONLY

Staff Signature

Shelley Gray

Please Print

12/11/2023

Date Paid

No Fee

Eligible for Fee Refund? Yes No

Amount:

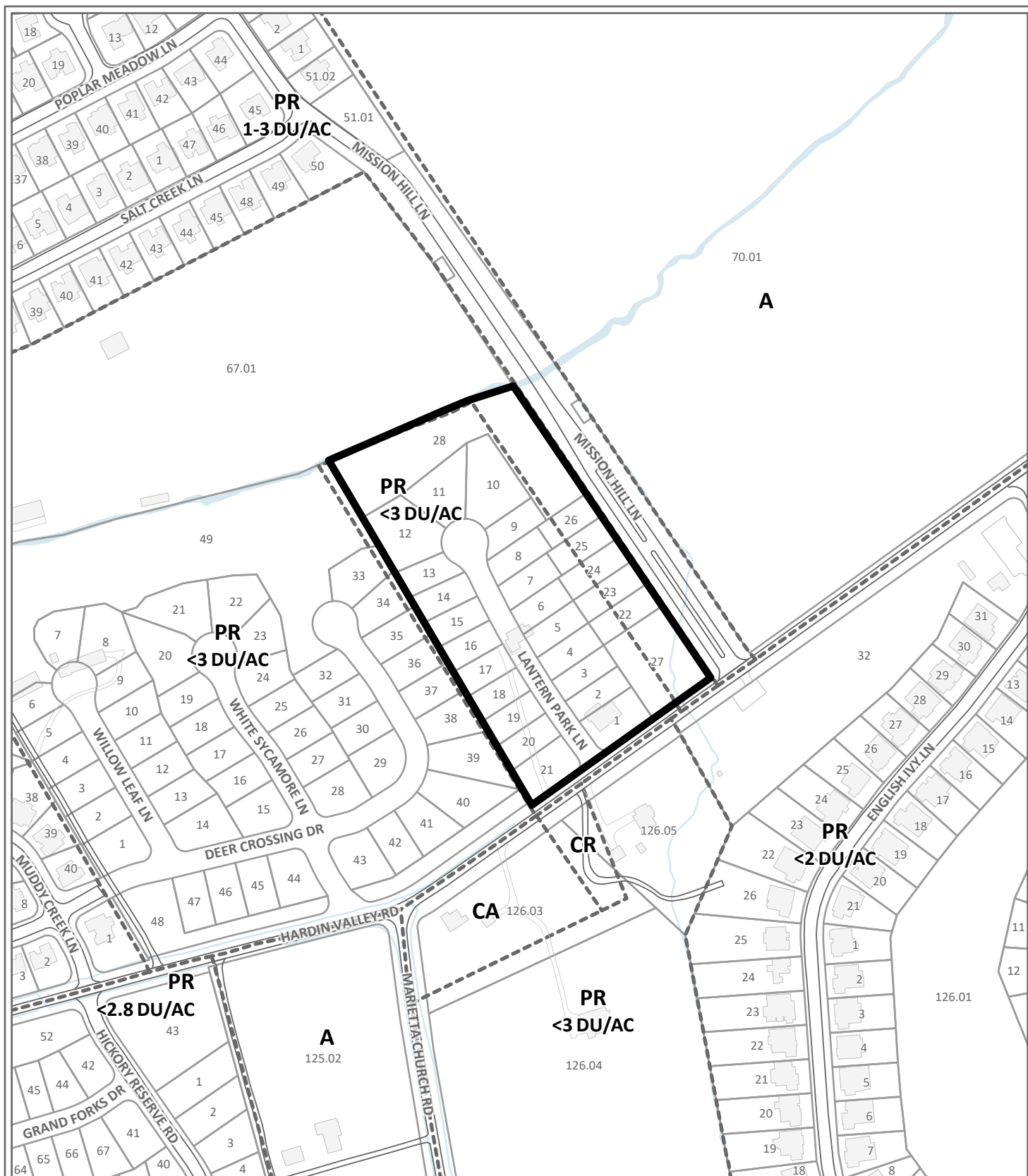
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



DEVELOPMENT PLAN

12-G-23-DP

Petitioner: S&E Properties, LLC



Detached residential subdivision in PR (Planned Residential)

Map No: 116
Jurisdiction: County

Original Print Date: 11/13/2023
 Knoxville - Knoxville County Planning Commission * City / County Building * Knoxville, TN 37902

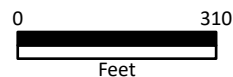
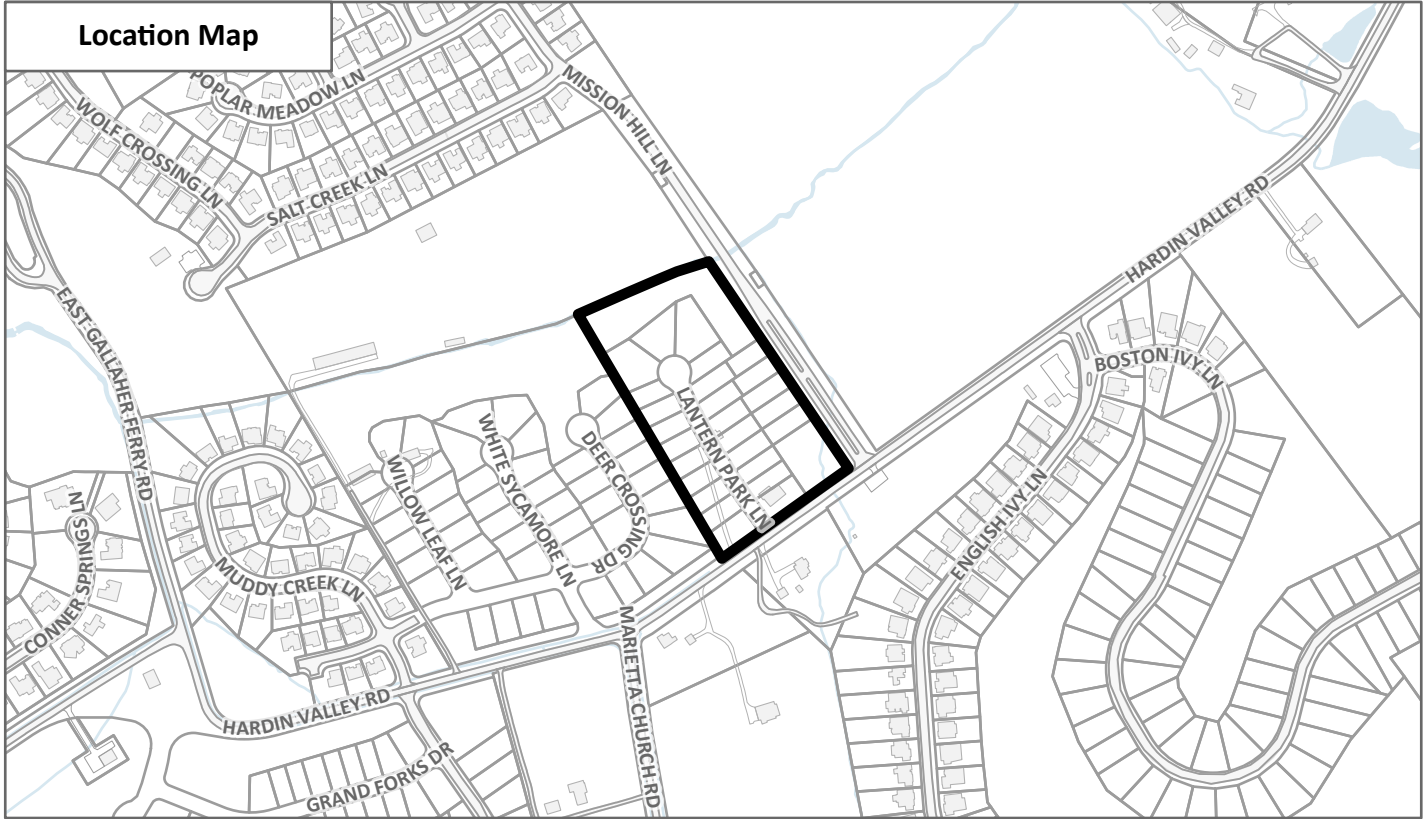
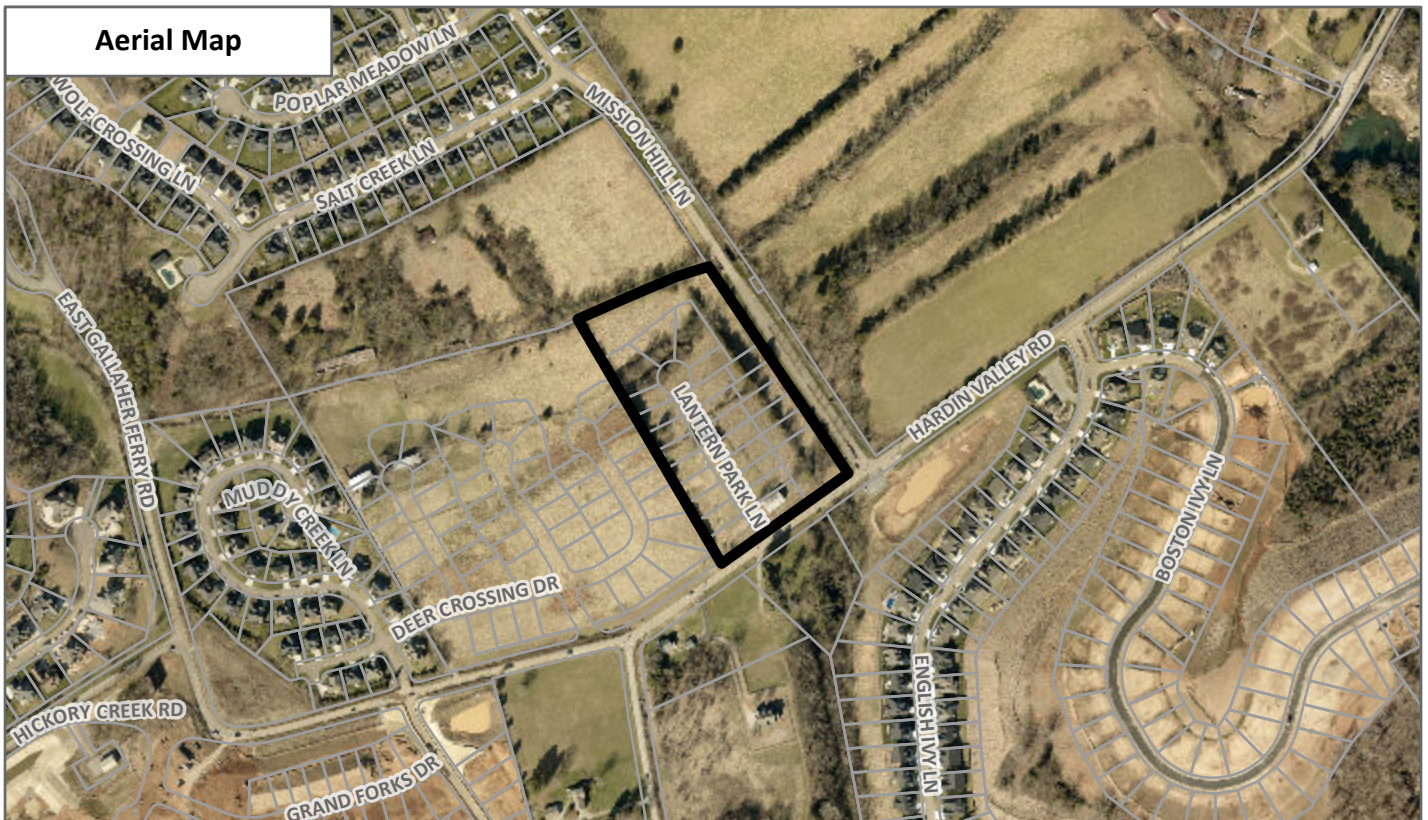


Exhibit A. Contextual Images

Location Map



Aerial Map

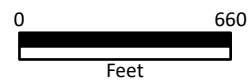


CONTEXTUAL MAPS 1

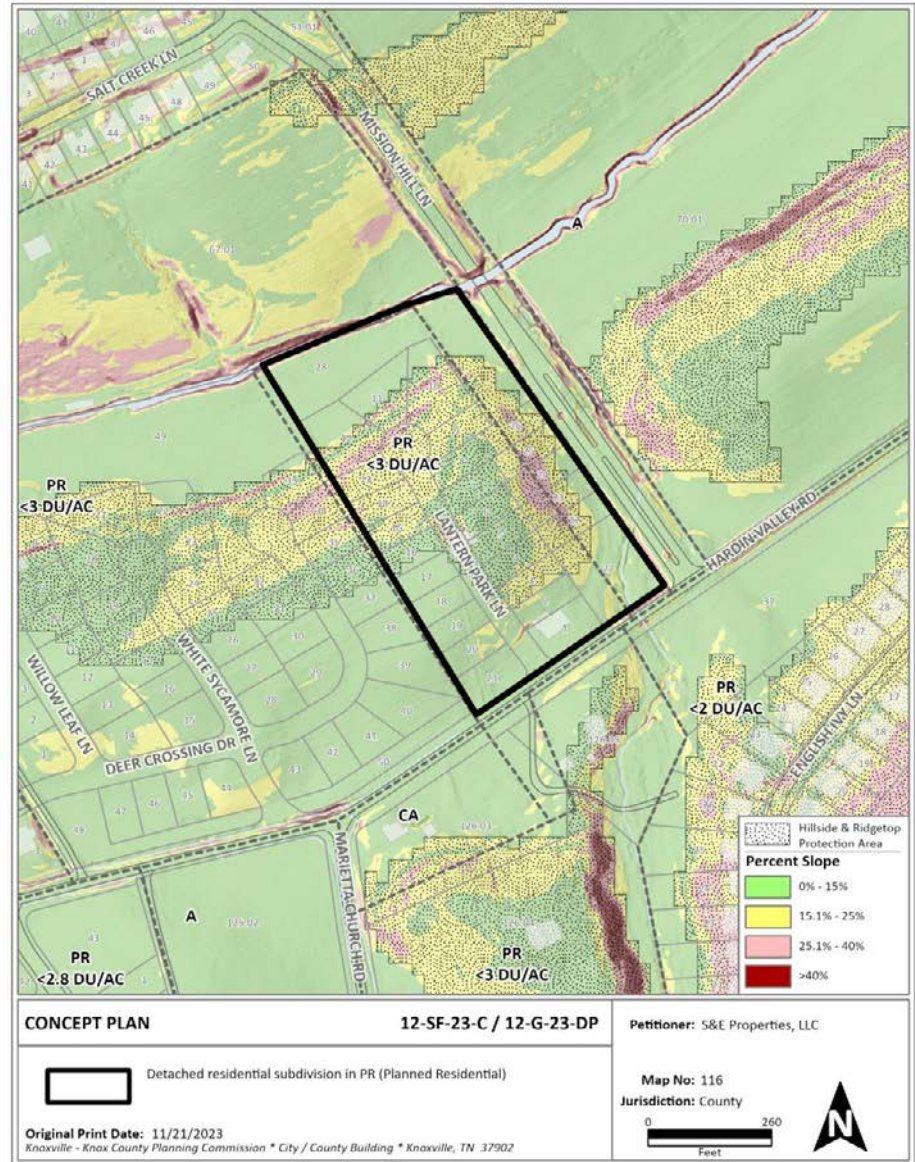
12-SF-23-C / 12-G-23-DP

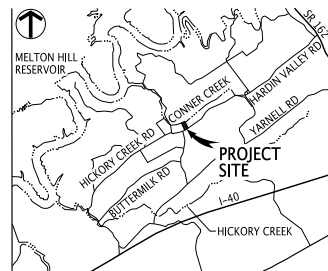
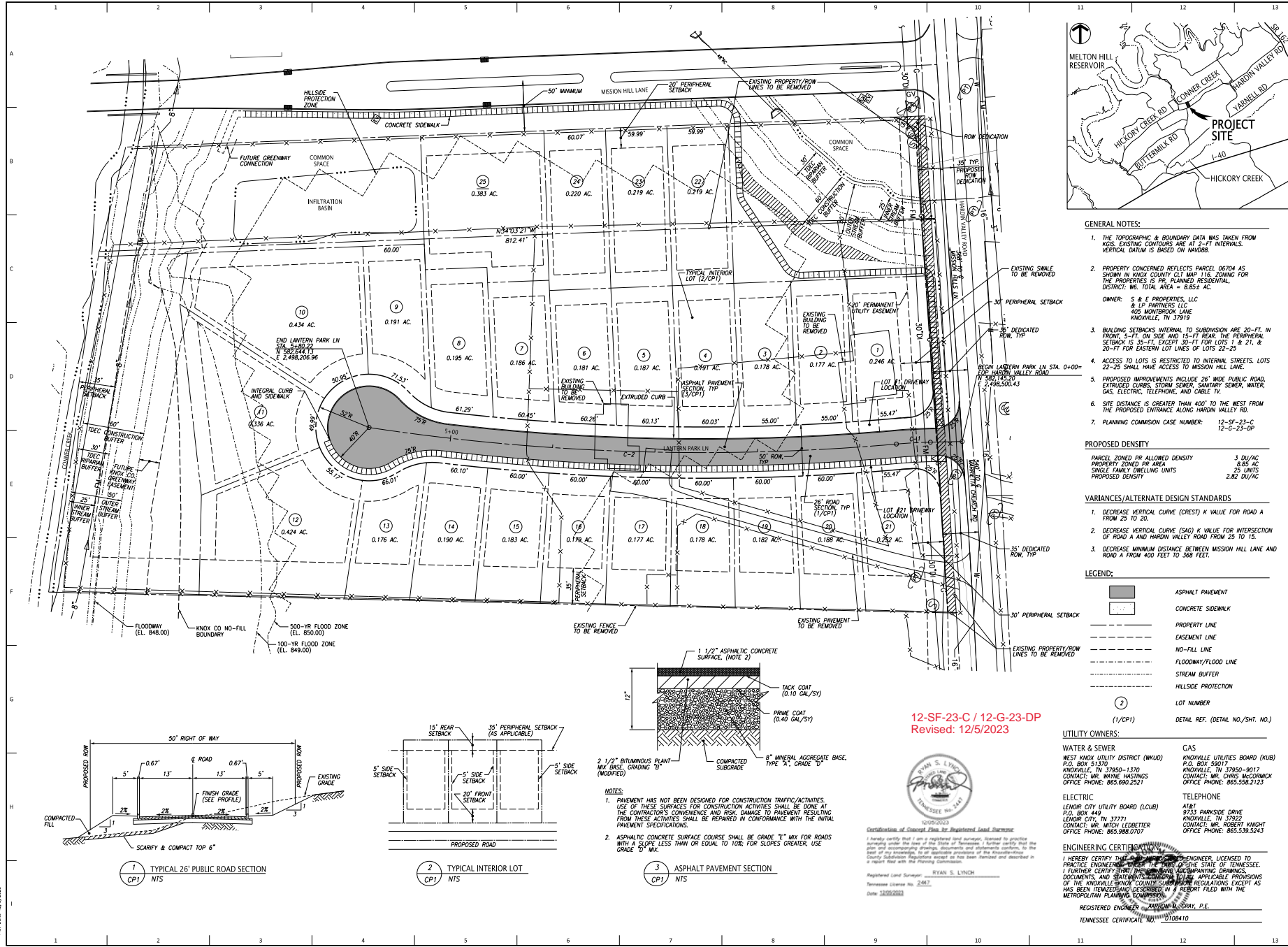


Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	8.8		
Non-Hillside	4.5	N/A	
0-15% Slope	1.6	100%	1.6
15-25% Slope	2.3	50%	1.1
25-40% Slope	0.5	20%	0.1
Greater than 40% Slope	0.0	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	4.3	Recommended disturbance budget within HP Area (acres)	2.8
		Percent of HP Area	64.4%





- GENERAL NOTES:**
1. THE TOPOGRAPHIC & BOUNDARY DATA WAS TAKEN FROM KOS. EXISTING CONTOURS ARE AT 2'-FT INTERVALS. VERTICAL DATUM IS BASED ON NAVD83.
 2. PROPERTY CONCERNED REFLECTS PARCEL 06704 AS SHOWN IN KNOX COUNTY CLT MAP 116. ZONING FOR THE PROPERTIES IS PLANNED RESIDENTIAL DISTRICT. W6. TOTAL AREA = 8.854 AC.
 3. BUILDING SETBACKS INTERNAL TO SUBDIVISION ARE 20'-FT. IN FRONT, 5'-FT. ON SIDES AND 15'-FT REAR. THE PERIPHERAL SETBACK IS 35'-FT EXCEPT 35'-FT FOR LOTS 1 & 21, & 20'-FT FOR EASTERN LOT LINES OF LOTS 22-25.
 4. ACCESS TO LOTS IS RESTRICTED TO INTERNAL STREETS. LOTS 22-25 SHALL HAVE ACCESS TO MISSION HILL LANE.
 5. PROPOSED IMPROVEMENTS INCLUDE 26" WIDE PUBLIC ROAD, EXTRUDED CURBS, STORM SEWER, SANITARY SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE TV.
 6. SITE DISTANCE IS GREATER THAN 400' TO THE WEST FROM THE PROPOSED ENTRANCE ALONG HARDIN VALLEY RD.
 7. PLANNING COMMISSION CASE NUMBER: 12-SF-23-C, 12-G-23-CP

PROPOSED DENSITY

PARCEL ZONED FOR ALLOWED DENSITY 3.0 DU/AC
 PROPERTY ZONED FOR AREA 8.850 AC
 SINGLE FAMILY DWELLING UNITS 282 UNITS
 PROPOSED DENSITY 2.82 DU/AC

- VARIANCES/ALTERNATE DESIGN STANDARDS**
1. DECREASE VERTICAL CURVE (CREST) K VALUE FOR ROAD A FROM 25 TO 20.
 2. DECREASE VERTICAL CURVE (SAG) K VALUE FOR INTERSECTION OF ROAD A AND HARDIN VALLEY ROAD FROM 25 TO 15.
 3. DECREASE MINIMUM DISTANCE BETWEEN MISSION HILL LANE AND ROAD A FROM 400 FEET TO 368 FEET.

LEGEND:

	ASPHALT PAVEMENT
	CONCRETE SIDEWALK
	PROPERTY LINE
	EASEMENT LINE
	NO-FILL LINE
	FLOODWAY/FLOOD LINE
	STREAM BUFFER
	HILLSIDE PROTECTION
	LOT NUMBER
	DETAIL REF. (DETAIL NO./SHT. NO.)

UTILITY OWNERS:

WATER & SEWER:
 WEST KNOX UTILITY DISTRICT (WKUD)
 P.O. BOX 51370
 KNOXVILLE, TN 37950-1370
 CONTACT: MR. WAYNE HASTINGS
 OFFICE PHONE: 865.690.2521

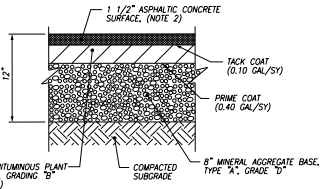
GAS:
 KNOXVILLE UTILITIES BOARD (KUB)
 P.O. BOX 50017
 KNOXVILLE, TN 37950-9017
 CONTACT: MR. CHRIS MACGIBBON
 OFFICE PHONE: 865.558.2123

ELECTRIC:
 LENOX CITY UTILITY BOARD (LCUB)
 P.O. BOX 449
 LENOX CITY, TN 37771
 CONTACT: MR. MITCH LEDBETTER
 OFFICE PHONE: 865.880.0701

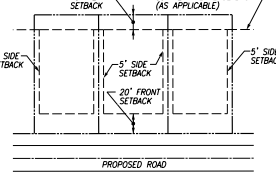
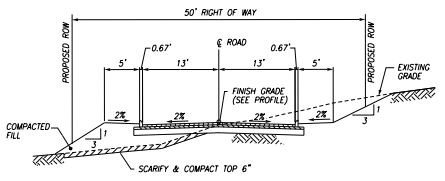
TELEPHONE:
 AT&T
 9733 PARKSIDE DRIVE
 KNOXVILLE, TN 37923
 CONTACT: MR. ROBERT KNIGHT
 OFFICE PHONE: 865.559.5243

ENGINEERING CERTIFICATION:
 I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER, LICENSED TO PRACTICE ENGINEERING IN THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE DRAWINGS AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND STATEMENTS SUBMITTED IN FULL COMPLIANCE WITH THE REGULATIONS OF THE KNOXVILLE AND KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN ITEMIZED AND DESCRIBED IN A RECENT FILING WITH THE METROPOLITAN PLANNING COMMISSION.

REGISTERED ENGINEER: ANDREW M. GRAY, P.E.
 TENNESSEE CERTIFICATE NO. 1018410



- NOTES:**
1. PAVEMENT HAS NOT BEEN DESIGNED FOR CONSTRUCTION TRAFFIC/ACTIVITIES. USE OF THESE SURFACES FOR CONSTRUCTION ACTIVITIES SHALL BE DONE AT THE CONTRACTOR'S CONVENIENCE AND RISK. DAMAGE TO PAVEMENT RESULTING FROM THESE ACTIVITIES SHALL BE REPAIRED IN CONFORMANCE WITH THE INITIAL PAVEMENT SPECIFICATIONS.
 2. ASPHALTIC CONCRETE SURFACE COURSE SHALL BE GRADE "E" MIX FOR ROADS WITH A SLOPE LESS THAN OR EQUAL TO 10%; FOR SLOPES GREATER, USE GRADE "D" MIX.



1 TYPICAL 26" PUBLIC ROAD SECTION
CP1 NTS

2 TYPICAL INTERIOR LOT
CP1 NTS

3 ASPHALT PAVEMENT SECTION
CP1 NTS

12-SF-23-C / 12-G-23-CP
 Revised: 12/5/2023



Registration of Contract Documents and Supplemental Land Documents
 I hereby certify that I am a registered land surveyor, licensed to practice land surveying in the State of Tennessee. I further certify that the drawings and accompanying documents, and statements submitted in full compliance with the regulations of the Knoxville and Knox County Subdivision Regulations except as has been itemized and described in a recent filing with the Metropolitan Planning Commission.

Professional Land Surveyor: RYAN S. LYNCH
 Tennessee License No. 2461
 Date: 12/05/2023

ARDURRA
 COLLABORATE. INNOVATE. CREATE.
 2160 Lakeside Center Way, Suite 201
 Knoxville, TN 37922
 Phone: (865) 690-6419
 www.ardurra.com

S&E PROPERTIES, LLC
 405 MONTBROOK LANE
 KNOXVILLE, TN 37919

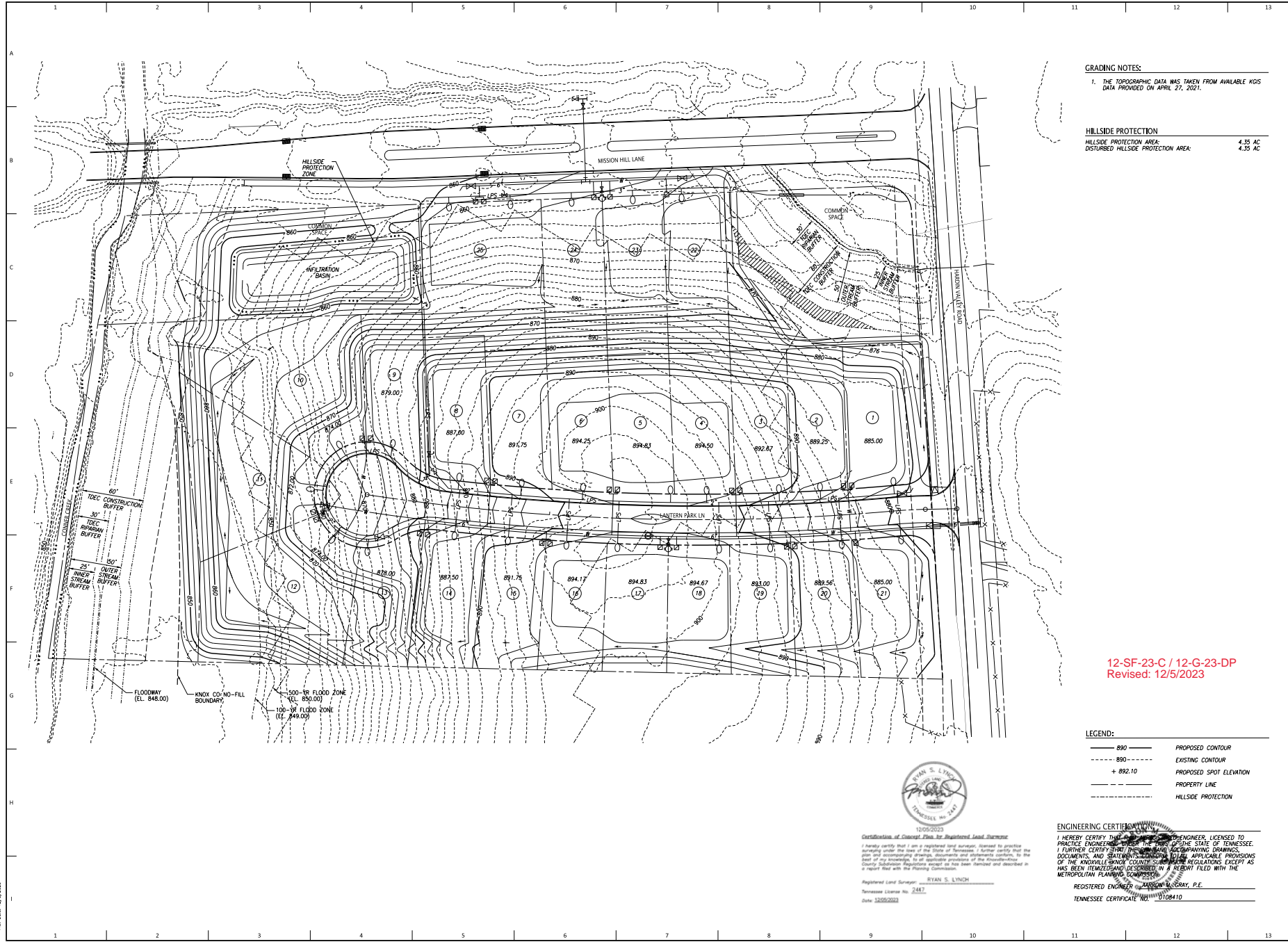
MR. ERIC MOSELEY
 ERICMOSELEY@S&EPROPERTIES.COM
 865.539.3112

NO.	DATE	REVISION
1	12/05/23	ISSUED FOR PERMITS
2	12/05/23	REVISED PER PERMITS COMMENTS
3	12/05/23	REVISED PER PERMITS COMMENTS
4	12/05/23	REVISED PER PERMITS COMMENTS

CONCEPT PLAN OF LANTERN PARK SUBDIVISION
 12041 HARDIN VALLEY ROAD (PARCEL 116 06704)
 KNOXVILLE, TN 37923

CONCEPT PLAN NOT FOR CONSTRUCTION

CP1
 CONCEPT PLAN
 01/30/2023



GRADING NOTES:

1. THE TOPOGRAPHIC DATA WAS TAKEN FROM AVAILABLE KGIS DATA PROVIDED ON APRIL 27, 2021.

HILLSIDE PROTECTION

HILLSIDE PROTECTION AREA: 4.35 AC
 DISTURBED HILLSIDE PROTECTION AREA: 4.35 AC

12-SF-23-C / 12-G-23-DP
 Revised: 12/5/2023

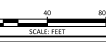
LEGEND:

- 890 — PROPOSED CONTOUR
- - - 890 - - - EXISTING CONTOUR
- + 892.10 PROPOSED SPOT ELEVATION
- — — — — PROPERTY LINE
- - - - - HILLSIDE PROTECTION



12/05/2023
 Certification of General Public Use Registered Land Surveyor
 I hereby certify that I am a registered land surveyor, licensed to practice land surveying in the State of Tennessee, and that the plan and accompanying drawings, documents and statements conform to the best of my knowledge to all applicable provisions of the Metropolitan Planning Commission's Subdivision Regulations except as has been amended and described in a report filed with the Planning Commission.
 Registered Land Surveyor: RYAN S. LYNCH
 Tennessee License No. 2487
 Date: 12/05/2023

ENGINEERING CERTIFICATION
 I HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND STATEMENTS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE-METROPOLITAN PLANNING COMMISSION'S SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN AMENDED AND DESCRIBED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.
 REGISTERED ENGINEER: MEGAN M. GRAY, P.E.
 TENNESSEE CERTIFICATE NO. 0108410



S&E PROPERTIES, LLC
 405 MONTBROOK LANE
 KNOXVILLE, TN 37919
 MR. ERIC MOSELEY
 ERICMOSELEY@S&EPROPS.COM
 865-539-3112

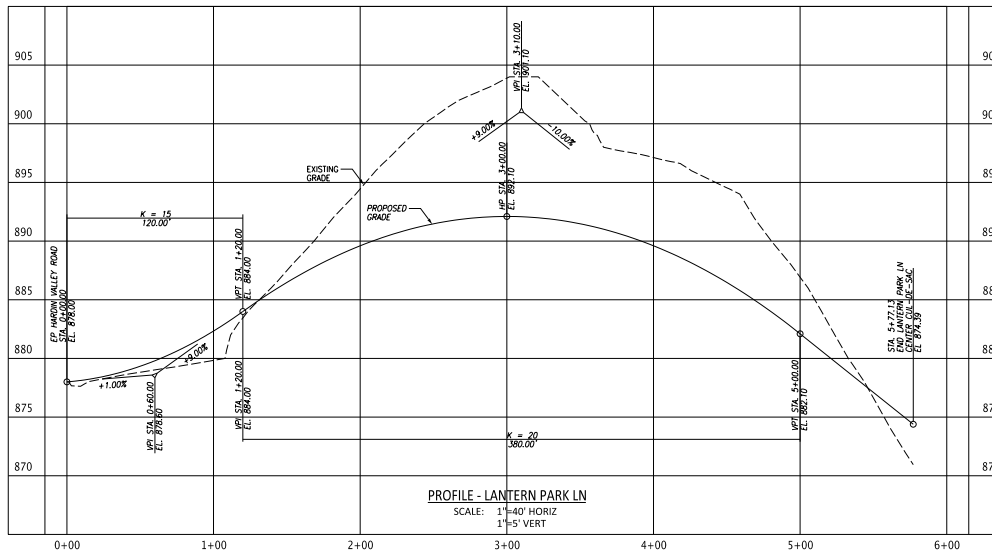
NO.	DATE	REVISION
A	12/05/23	ISSUED FOR PRELIMINARY COMMENTS
B	12/05/23	ISSUED FOR PRELIMINARY COMMENTS
C	12/05/23	ISSUED FOR PRELIMINARY COMMENTS

CONCEPT PLAN OF LANTERN PARK SUBDIVISION
12041 HARDIN VALLEY ROAD (PARCEL 116 06704)
 KNOXVILLE, TN 37932
CONCEPT GRADING PLAN

PRELIMINARY NOT FOR CONSTRUCTION

JOB NO: 1301018
 DATE: 05/21/21

CP2
 CONCEPT PLAN
 01/30/2023



12/05/2023
 Certification of Concept Plan by Registered Land Surveyor
 I hereby certify that I am a registered land surveyor, licensed to practice surveying under the laws of the State of Tennessee. I further certify that the plan and accompanying drawings, documents and statements conform to the best of my knowledge, to all applicable provisions of the Administrative Code of Tennessee and all applicable provisions of the Metropolitan Planning Commission.
 Registered Land Surveyor: RYAN S. LYNCH
 Tennessee License No. 2547
 Date: 12/05/2023

ENGINEERING CERTIFICATION
 I HEREBY CERTIFY THAT ZACOM N. GRAY, P.E. IS AN ENGINEER, LICENSED TO PRACTICE ENGINEERING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND STATEMENTS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE-BAND COUNTY SURVEYING REGULATIONS EXCEPT AS HAS BEEN ITEMIZED AND DESCRIBED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.
 REGISTERED ENGINEER: ZACOM N. GRAY, P.E.
 TENNESSEE CERTIFICATE NO. 110108410

12-SF-23-C / 12-G-23-DP
 Revised: 12/5/2023



S&E PROPERTIES, LLC
 405 MONTBROOK LANE
 KNOXVILLE, TN 37919
 MR. ERIC MOSELEY
 ERICMOSELEY@BELLSOUTH.NET
 865.539.3112

NO.	DATE	REVISION
C	12/05/23	REVISED PER MR. COMMENTS
B	12/05/23	REVISED PER MR. COMMENTS
A		

CONCEPT PLAN OF LANTERN PARK SUBDIVISION
 12041 HARDIN VALLEY ROAD (PARCEL 116 06704)
 KNOXVILLE, TN 37932
 ROAD PROFILE

PRELIMINARY
 NOT FOR
 CONSTRUCTION

JOB NO: 130218
 DATE: 05/21/21

CP3
 CONCEPT PLAN
 01/30/2023

VARIANCES

The Planning Commission may reduce or otherwise vary the requirements of the Subdivision Regulations when it finds the hardship criteria are met. In granting such variances, the Planning Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the varied regulations. Any variance granted by the Planning Commission shall be noted in its official minutes along with the justification for granting the variance (Subdivision Regulations, Section 1.05).

Hardship conditions to be met:

1. **Conditions Required.** Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, they may grant, by way of application, variations to the Subdivision Regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variations shall not have the effect of nullifying the intent and purpose of these regulations or the comprehensive plan.
2. **Evidence of Hardship Required.** The Planning Commission shall not grant variations to the Subdivision Regulations unless they make findings based upon the evidence presented to them in each specific case that:
 - a. Because of the particular surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were adhered to.
 - b. The conditions upon which the request for a variation is based is unique to the property for which the variation is sought and is not applicable, generally, to other property, and has not been created by any person having an interest in the property.
 - c. The purpose of the variation is not based exclusively upon a desire for financial gain.
 - d. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

Variances Requested:

For each variance requested, identify the hardship that would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was adhered to.

1. Variance requested:

Vertical curve (crest) minimum K value for Road A from 25 to 20

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. Reference Attachment 1

b. Reference Attachment 1

c. Reference Attachment 1

d. Reference Attachment 1

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: Approve the variance based upon the justification provided by the applicant.

2. Variance requested:

Vertical curve (sag) minimum K for Road A and Hardin Valley Rd intersection value from 25 to 15.

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. Reference Attachment 1

b. Reference Attachment 1

c. Reference Attachment 1

d. Reference Attachment 1

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: Approve the variance based upon the justification provided by the applicant.

3. Variance requested:

Minimum distance between Mission Hill Lane and Road A from 400 feet to 368 feet

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. Reference Attachment 1

b. Reference Attachment 1

c. Reference Attachment 1

d. Reference Attachment 1

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: See attached.

4. Variance requested:

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. _____

b. _____

c. _____

d. _____

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: _____

5. Variance requested:

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. _____

b. _____

c. _____

d. _____

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: _____

6. Variance requested:

Identify the hardship that would result for each of the above criteria as noted in item 2 above:

a. _____

b. _____

c. _____

d. _____

Engineering supports the variance requested (to be completed during review process): YES NO

Engineering Comments: _____

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision 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.



Signature

Scott Smith

Printed Name

12/05/23

Date

Attachment 1

Project Name: Lantern Park Subdivision

Planning Commission File Number: 12-SF-23-C/12-G-23-DP

Date: December 05, 2023

Variances Requested:

- 1. Vertical curve (crest) minimum K value for Lantern Park Ln from 25 to 20.**
 - a. The reduction was requested based on the topographical shape and constraints of site, minimization of the impact to the hillside, as well as avoiding impacts to the adjacent creek and buffers. Relocating the road to eliminate this vertical curve (crest) variance would not only require additional grading, but also create the need for additional variances. The current road designs with the reduction of additional grading and minimization of additional variances is consistent with standard engineering practices with guidance from current AASHTO standards (see AASHTO Table 3-35).
 - b. The unique shape and topography of the property is the basis for the request (reference description in Part "a" above).
 - c. The purpose of the variance is not based exclusively upon a desire for financial gain but is a result of the physical attributes of the property. Relocating the road to eliminate this vertical curve (crest) variance would require additional grading which could also have a greater negative impact on surrounding properties. The current road designs with the reduction of additional grading and minimization of additional variances are consistent with standard engineering practices with guidance from AASHTO standards (See AASHYO Table 3-35).
 - d. To our knowledge, the variance will not be a detriment to public safety, health, or welfare, or be injurious to other properties and improvements in the neighborhood.
- 2. Vertical curve (sag) minimum K for Lantern Park Ln and Hardin Valley Rd intersection value from 25 to 15.**
 - a. Reduction of the K-value was requested and previously approved based on the topographical constraints for the site area of the roadway intersection, minimizing conflicts with the existing utility lines, and minimizing the impact to the hillside on the site. The current road designs with the reduction of additional grading and minimization of additional variances are consistent with standard engineering practices with guidance from AASHTO standards (See AASHTO Table 3-37).
 - b. The unique shape and topography of the property is the basis for the request (reference description in Part "a" above).
 - c. The purpose of the variance is not based exclusively upon a desire for financial gain but is a result of the physical attributes of the property. Relocating the road to eliminate this vertical curve (sag) variance would require additional grading which could also have a greater negative impact on surrounding properties. The current road designs with the reduction of additional grading and minimization of additional variances are consistent

with standard engineering practices with guidance from AASHTO (See AASHTO Table 3-37).

- d. To our knowledge, the variance will not be a detriment to public safety, health, or welfare, or be injurious to other properties and improvements in the neighborhood.

3. *Minimum distance between Mission Hill Lane and Lantern Park Ln from 400 feet to 368 feet.*

- a. Reduction of the distance between the intersections was requested based on topographical and site constraints. Positioning the proposed road in a location to minimize the impact to the site topography and provide optimal geometry for the road. Placing the road at a different location would require additional variances and would have required more grading than locating it at its current location. Additional grading was avoided to avoid the potential negative impacts additional grading could have on the surrounding properties. The current road designs with the reduction of additional grading and minimization of additional variances are consistent with standard engineering practices.
- b. The unique shape and topography of the property is the basis for the request (reference description in Part "a" above).
- c. The purpose of the variance is not based exclusively upon a desire for financial gain but is a result of the physical attributes of the property. Placing the road at a different location would require additional variances and would have required more grading than locating it at its current location. Additional grading was avoided to avoid the potential negative impacts additional grading could have on the surrounding properties. The current road designs with the reduction of additional grading and minimization of additional variances are consistent with standard engineering practices.
- d. To our knowledge, the variance will not be a detriment to public safety, health, or welfare, or be injurious to other properties and improvements in the neighborhood.

Table 3-35. Design Controls for Crest Vertical Curves Based on Stopping Sight Distance

U.S. Customary				Metric			
Design Speed (mph)	Stopping Sight Distance (ft)	Rate of Vertical Curvature, K_a		Design Speed (km/h)	Stopping Sight Distance (m)	Rate of Vertical Curvature, K_a	
		Calculated	Design			Calculated	Design
15	80	3.0	3	20	20	0.6	1
20	115	6.1	7	30	35	1.9	2
25	155	11.1	12	40	50	3.8	4
30	200	18.5	19	50	65	6.4	7
35	250	29.0	29	60	85	11.0	11
40	305	43.1	44	70	105	16.8	17
45	360	60.1	61	80	130	25.7	26
50	425	83.7	84	90	160	38.9	39
55	495	113.5	114	100	185	52.0	52
60	570	150.6	151	110	220	73.6	74
65	645	192.8	193	120	250	95.0	95
70	730	246.9	247	130	285	123.4	124
75	820	311.6	312				
80	910	383.7	384				

* Rate of vertical curvature, K , is the length of curve per percent algebraic difference in intersecting grades (A), $K = L/A$.

Table 3-37. Design Controls for Sag Vertical Curves

U.S. Customary				Metric			
Design Speed (mph)	Stopping Sight Distance (ft)	Rate of Vertical Curvature, K^s		Design Speed (km/h)	Stopping Sight Distance (m)	Rate of Vertical Curvature, K^s	
		Calculated	Design			Calculated	Design
15	80	9.4	10	20	20	2.1	3
20	115	16.5	17	30	35	5.1	6
25	155	25.5	26	40	50	8.5	9
30	200	36.4	37	50	65	12.2	13
35	250	49.0	49	60	85	17.3	18
40	305	63.4	64	70	105	22.6	23
45	360	78.1	79	80	130	29.4	30
50	425	95.7	96	90	160	37.6	38
55	495	114.9	115	100	185	44.6	45
60	570	135.7	136	110	220	54.4	55
65	645	156.5	157	120	250	62.8	63
70	730	180.3	181	130	285	72.7	73
75	820	205.6	206				
80	910	231.0	231				

* Rate of vertical curvature, K , is the length of curve (m) per percent algebraic difference intersecting grades (A), $K = L/A$.

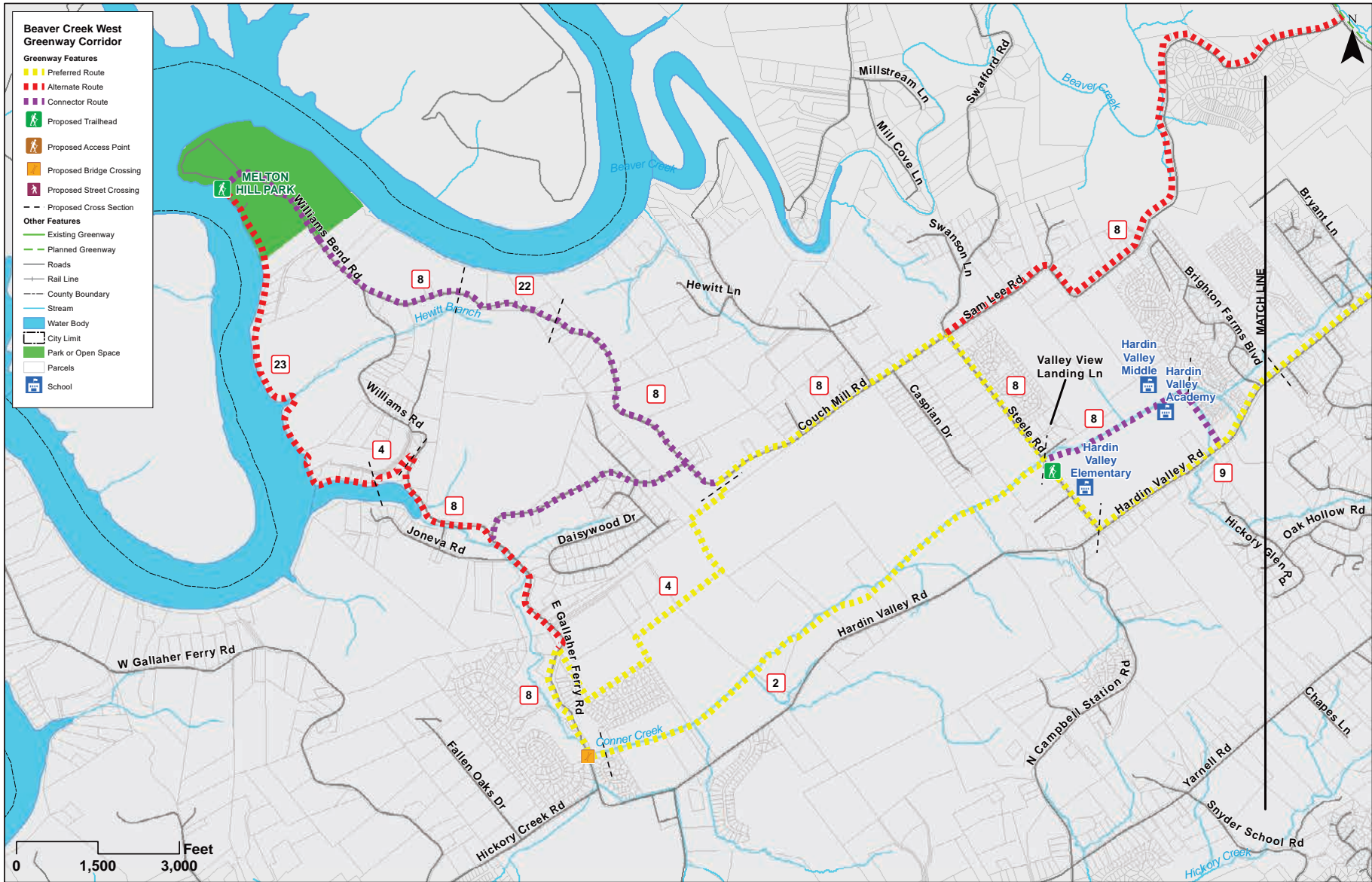
Knox County Engineering and Public Works have routinely supported similar variances for many years, including ones on this roadway network, and specifically twice for this site but after review of Chancellor Weaver's findings in **Massey Creek Home Owners Association vs Knoxville-Knox County Planning Commission** and careful review of the minimum subdivision regulations requirements for granting a variance our staff does not believe adequate justification was provided to show a extraordinary hardship exists.

Steve Elliott

Director of Development Services

12-F-23-C / 12-G-23-DP Exhibit B Knox County Greenway Corridor Study (Adopted by Knox County Commission - January 21, 2020)

Figure 3-1. Beaver Creek West: Melton Hill Park to Brighton Farms Boulevard





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

S&E Properties, LLC

Applicant Name

Affiliation

10/30/2023

Date Filed

12/14/2023

Meeting Date (if applicable)

12-SF-23-C / 12-G-23-DP

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Scott Smith S&E Properties, LLC

Name / Company

405 Montbrook Lane Knoxville TN 37919

Address

865-567-5111 / ssmith@volrealty.com

Phone / Email

CURRENT PROPERTY INFO

S&E Properties LLC

Owner Name (if different)

405 Montbrook Ln. Knoxville TN 37919

Owner Address

865-454-3727

Owner Phone / Email

12041 Hardin Valley Rd. / 12119 Hardin Valley Rd

Property Address

116 067 04, 01

Parcel ID

Part of Parcel (Y/N)?

5.04 acres

Tract Size

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Hardin Valley Rd, west side of Mission Hills Ln

General Location

City **Commission District 6 PR (Planned Residential)**

**Rural Residential,
Agriculture/Forestry/Vacant Land**

County District

Zoning District

Existing Land Use

Northwest County

Planning Sector

RR (Rural Residential), HP (Hillside Protection), SP (Strea

Sector Plan Land Use Classification

Rural Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input checked="" type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Lantern Park	Related Rezoning File Number
Proposed Subdivision Name	
Unit / Phase Number	25
<input checked="" type="checkbox"/> Split Parcels	Total Number of Lots Created
Additional Information _____	
<input checked="" type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment		
Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Zoning Requests		
Additional Information _____		

STAFF USE ONLY

PLAT TYPE	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	\$1,175.00	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	Fee 3	
ADDITIONAL REQUIREMENTS		
<input type="checkbox"/> COA Checklist (Hillside Protection)		
<input type="checkbox"/> Design Plan Certification (Final Plat)		
<input checked="" type="checkbox"/> Site Plan (Development Request)		
<input type="checkbox"/> Traffic Impact Study		
<input checked="" type="checkbox"/> Use on Review / Special Use (Concept Plan)		

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	S&E Properties, LLC Please Print	10/30/2023 Date
---------------------	--	---------------------------

Phone / Email	S&E Properties LLC Please Print	10/30/2023 Date
---------------	---	---------------------------



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Scott Smith

Applicant Name

11/27/2023

Date Filed

12/14/2023

Meeting Date (if applicable)

Owner

Affiliation

File Number(s)

**12-SF-23-C/
12-G-23-DP**

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Scott Smith

Name

405 Montbrook Lane

Address

(865) 567-5111

Phone

S&E Properties, LLC & LP Partners LLC

Company

Knoxville

City

TN

State

37919

ZIP

ssmith@volrealty.com

Email

CURRENT PROPERTY INFO

S&E Properties, LLC & LP Partners LLC

Property Owner Name (if different)

405 Montbrook Lane

Property Owner Address

12041 and 12119 Hardin Valley Road

Property Address

(865) 567-5111

Property Owner Phone

116 06704; 116 06701

Parcel ID

WKUD

Sewer Provider

WKUD

Water Provider

N

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

Development Plan Use on Review / Special Use Hillside Protection COA

Residential Non-Residential

Home Occupation (specify) Single Family Residential

Related City Permit Number(s)

Other (specify) _____

SUBDIVISION REQUEST

Lantern Park

Related Rezoning File Number

Proposed Subdivision Name

NA

25

Unit / Phase Number

Combine Parcels

Divide Parcel

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

Proposed Zoning _____

Pending Plat File Number

Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

Design Plan Certification (*Final Plat*)

Use on Review / Special Use (*Concept Plan*)

Traffic Impact Study

COA Checklist (*Hillside Protection*)

Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature



Scott Smith

11/27/23

Please Print

Date

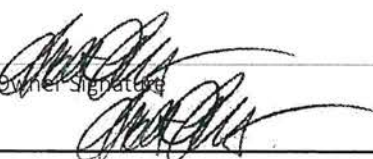
(865) 567-5111

ssmith@volrealty.com

Phone Number

Email

Property Owner Signature



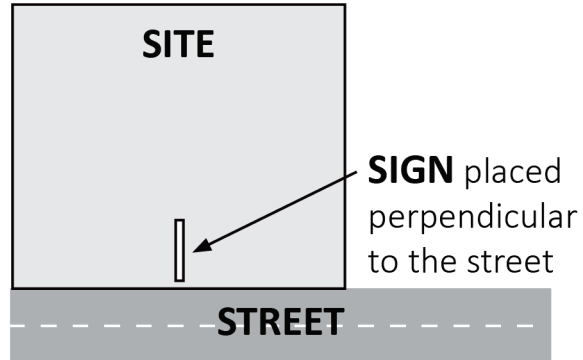
Scott Smith, S&E Properties

Please Print

Date Paid

Scott Smith, LP Partners

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: S&E Properties, LLC

Date: 10/30/2023

File Number: 12-SF-23-C & 12-G-23-DP

- Sign posted by Staff
- Sign posted by Applicant