

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE • KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

**File Number:** 1-D-15-UR  
**Application Filed:** 11/24/2014  
**Applicant:** PAUL MURPHY

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** Southwest side of Wallace Rd., north of S. Northshore Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 133 079 & 07902 **Jurisdiction:** County  
**Size of Tract:** 15.23 acres  
**Accessibility:** Access is via Wallace Rd., a minor collector street with a 20' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Apartments **Density:** 4.99 du/ac  
**Sector Plan:** Southwest County **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located in an area of low density residential development that has developed under PR (Planned Residential) and RA (Low Density Residential) zoning.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 1205 Wallace Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

## ***SUBDIVISION INFORMATION (where applicable)***

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

## ***OTHER INFORMATION (where applicable)***

Other Bus./Ord. Amend.:

## ***MPC ACTION AND DISPOSITION***

Planner In Charge:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the development plan for a multi-dwelling development with up to 76 apartment units, subject to 12 conditions.

Staff Recomm. (Full):

1. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).
3. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
4. Protecting the existing tree coverage within the 35' peripheral setback area for the property. The proposed landscape plan would be supplemental to the existing mature trees in this area. This condition would not apply to the area that will be graded for the entrance driveway and proposed stormwater system and the driveway that parallels the northern property line.
5. Submitting a revised landscape plan to Planning Commission Staff for approval that will include supplemental landscaping in the area of the access driveway and detention pond once the detailed grading and stormwater plans are approved.
6. Installing all landscaping, as shown on the revised landscape plan, within six months of issuance of the first occupancy permit for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation. Landscaping shall not interfere with sight visibility requirements at the driveway entrance on Wallace Rd.
7. The grading plan submitted to the Knox County Department of Engineering and Public Works shall identify the limits of grading in the northeast corner of the property in order to help in protecting any existing trees in that area that are outside of the area to be graded. The grading limits shall be clearly identified in the field prior to any clearing or grading on site.
8. Revise the development plan to identify the sidewalk connections for Buildings 3-5.
9. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
10. Obtaining approval of the proposed security gates from the Knox County Fire Marshal.
11. Obtaining the variances for the reduction in the parking stall size from the Knox County Board of Zoning Appeals.
12. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) zoning district and the other criteria for approval of a Use on Review.

Comments:

The applicant is requesting approval of a 76 unit apartment development on a 15.23 acre tract that is zoned PR (Planned Residential) at a proposed density of 4.99 du/ac. The development is located on the southwest side of Wallace Rd., approximately 1700' northwest of S. Northshore Dr.

### **ZONING & DENSITY**

This property is a portion of a 75 acre tract that was rezoned PR with a density of up to 15 du/ac in 1986. The rezoning request identified apartments as the proposed use for the property with a requested density of 24 du/ac. The Planning Commission recommended approval of the PR zoning with a density of 7 du/ac. The Knox County Commission approved the rezoning to PR with a density of 15 du/ac. The approved zoning for this 15.23 acre site would allow consideration of up to 228 dwelling units.

Prior to submitting this use on review application, the applicant had met with Planning Commission Staff to review a proposed apartment development with 192 dwelling units at a density of 12.6 du/ac which is considered to be high density development under the Knox County sector plans. Staff

advised the applicant that while the zoning designation allowed consideration of the development plan, the Southwest County Sector Plan would only support a low density development that would have a maximum density of 5 du/ac. Based on that meeting, the applicant revised their development plan and submitted the use on review application for a 76 unit low density apartment development.

While the majority of the detached residential subdivisions in the area have developed at densities less than 3 du/ac., the Villas at Lyons Crossing (attached residential subdivision) which is located southwest of the proposed development along S. Northshore Dr., was developed with a density of 5.6 du/ac (falls within the medium density category).

## PROPOSED PLAN

The proposed development will have a single access driveway off of Wallace Rd. just northwest of Galewood Rd. The development will include a total of five apartment buildings with 3 two story buildings having 10 dwelling units each and 2 three story buildings have 24 dwelling units in each building. The dwelling unit mix includes 10 one bedroom units, 41 two bedroom units and 27 three bedroom units. The minimum parking requirement from the Knox County Zoning Ordinance is 109 parking spaces at 1.43 spaces per dwelling unit. The proposed plan includes 175 parking spaces at 2.3 spaces per dwelling unit. The two story buildings will include garages within the building for a total of 28 garage spaces.

The apartment buildings will be clustered around an amenity area that will include a clubhouse, pool, walking trail and multi-use lawn area. An organic garden area is also being proposed as an amenity. The buildings will be located on the hilltop which is the flatter portion of the site in existing fields. The access driveway and parking areas will be around the perimeter of the building complex. All paved areas will be outside of the 35' peripheral setback for the development.

While buildings are allowed to be located to within 35' of the external property line, the closest distance from an apartment building to the external property line is 106', over three times the minimum distance. A landscape plan has been submitted that includes a double offset row of evergreen trees for screening along the property lines that adjoining the Lyons Crossing and Richmond Hill Subdivisions. Staff is recommending a condition that a revised landscape plan be submitted to Planning Commission Staff for approval that would include supplemental landscaping in the area of the access driveway and detention pond once the detailed grading and stormwater plans are approved.

## TRAFFIC IMPACT STUDY

Under the Planning Commission's Traffic Access and Impact Study Guidelines and Procedures, the proposed 76 apartment units falls just shy of the trip rates that would normally require a Level I Traffic Impact Study (looks at driveway access to public street). Based on the existing traffic conditions at the intersections of Wallace Rd. and S. Northshore Dr., and Wallace Rd. and Nubbin Ridge Rd., Staff recommended to the applicant that they prepare a Level II Study to evaluate existing conditions and the impact of the proposed apartment development on the level of service at those intersections. The applicant agreed to prepare the Study as a part of their application. Staff has included the Executive Summary, the sections on crash data, sight distance analysis and final recommendations for improvements in the packet.

The study recommended no changes at the Wallace Rd. and Nubbin Ridge Rd. intersection. While there were sight distance issues at this intersection in the past due to a fence being located within the public right-of-way, that fence has been relocated and approximately 390' of sight distance is now available to the west along Nubbin Ridge Rd. Approximately 450' is available to the east.

The study recommended a number of improvements at the Wallace Rd. and S. Northshore Dr. intersection. These improvements include the addition of turn lanes on S. Northshore Dr. and Wallace Rd. and a traffic signal if warranted. This intersection falls within the jurisdiction of the Tennessee Department of Transportation (S. Northshore Dr.), the City of Knoxville (S. Northshore Dr.) and Knox County (Wallace Rd.). There are no planned improvements for this intersection by the State, City or County. The majority of the improvements are already warranted under existing conditions without the proposed development.

The traffic study also identifies that the proposed development accounts for only 3% of the traffic under future conditions. An initial estimate of the cost of the proposed improvements (including a traffic signal if warranted) is approximately \$400,000.00. If the applicant were to pay their fair share of the improvements (3%) their share would be \$12,000.00. The applicant has paid close to that amount in preparation of the traffic study that has evaluated the traffic problems in the area and provided recommended improvements for consideration by the State, City and County. It should be noted that if this development were replaced by a detached residential subdivision, there would be little change in the traffic impact.

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

1. The proposed apartment development will have minimal impact on local services since utilities are available to serve this site.
2. The proposed development at a density of 4.99 du/ac, is consistent in use and density with the approved rezoning of the property and is within the limits for low density development.
3. Any school age children living in this development are presently zoned to attend Rocky Hill Elementary, Bearden Middle and West High Schools. Studies have shown that multi-dwelling developments have fewer school age children than detached residential subdivision. The estimated number of school age children for this development is 12. A detached residential subdivision with 76 lots would have approximately 48 school age children.

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

1. The proposed apartment development, with the recommended conditions, meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed development 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 since is similar in density to other development along Wallace Rd. Clustering the buildings on the site allows for greater setbacks from the adjoining detached residential subdivisions. The use should not significantly injure the value of adjacent property. With direct access to a collector street, the proposed subdivision will not draw additional traffic through residential neighborhoods.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan designates this property for low density residential use and hillside protection. The PR zoning approved by the Knox County Commission in 1986 allows consideration of a density up to 15 du/ac. The proposed apartment development at a density of 4.99 du/ac is consistent with the Sector Plan's low density designation and the approved zoning.
2. The majority of this site falls within the hillside protection designation of the sector plan. The portion of the site with the steeper slopes is primarily the area that includes the access driveway for the site. Staff has recommended a condition that would protect that portion of the slope that is outside of the grading limits for the driveway. The majority of the apartment development will be located on the hilltop in existing fields. With the applicant proposing only two and three story buildings, and with the landscape plan conditions, the development should comply with the intent of Hillside and Ridgeway Protection Plan regarding ridgetop development.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 2/12/2015

- Details of Action:**
1. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
  2. Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).
  3. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
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- 10. Obtaining approval of the proposed security gates from the Knox County Fire Marshal.
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- 12. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) zoning district and the other criteria for approval of a Use on Review.

**Summary of Action:** APPROVE the development plan for a multi-dwelling development with up to 76 apartment units, subject to 12 conditions.

**Date of Approval:** 2/12/2015      **Date of Denial:**      **Postponements:** 1/8/2015

**Date of Withdrawal:**      **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

<b>Legislative Body:</b>	Knox County Board of Zoning Appeals
<b>Date of Legislative Action:</b>	<b>Date of Legislative Action, Second Reading:</b>
<b>Ordinance Number:</b>	<b>Other Ordinance Number References:</b>
<b>Disposition of Case:</b>	<b>Disposition of Case, Second Reading:</b>
<b>If "Other":</b>	<b>If "Other":</b>
<b>Amendments:</b>	<b>Amendments:</b>
<b>Date of Legislative Appeal:</b>	<b>Effective Date of Ordinance:</b>