

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

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400 Main Street
Knoxville, Tennessee 37902
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www.knoxmpc.org

File Number: 10-C-09-UR **Related File Number:**
Application Filed: 8/24/2009 **Date of Revision:**
Applicant: RIDGEDALE IRREVOCABLE TRUST

PROPERTY INFORMATION

General Location: North, south, east and west side of the intersection of Wood Smith Rd. and Barnard Rd.
Other Parcel Info.:
Tax ID Number: 92 24.01, 24.02 & 24.03 **Jurisdiction:** County
Size of Tract: 10.08 acres
Accessibility: Access is via Wood Smith Rd. a minor collector street with an 18' pavement width within a 60' right-of-way and Barnard Rd. a local street with a 16' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Townhouse style apartments **Density:** 9.13 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** MDR
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The site is located in an area that has a mix of low and medium density residential development.

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

Street: 2504 Wood Smith 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: Property was rezoned to PR (Planned Residential) at a density of up to 9.75 du/ac by Knox County Commission on April 27, 2009.

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 up to 92 townhouse style apartment units and reduction of the peripheral setback to 15' between the development tracts and apartment development to the north, subject to 10 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
4. Widening of Barnard Rd. to a width of 20', from the intersection with Wood Smith Rd. to the intersection with Sood Rd., meeting the requirements of the Knox County Department of Engineering and Public Works. Grading work will also be required to improve sight distance at the intersection and through the curve in Barnard Rd. Detailed plans and schedule for this street improvement project shall be submitted to the Knox County Department of Engineering and Public Works for review and approval during the design review process for stormwater management and grading permit review.
5. Implementing the protection measures for the existing landscaping located within the peripheral setback areas of the development as identified in notes 1 - 4 on the Landscape Plan (RTD-CP-003) as revised on 3/24/10.
6. Once the site has been cleared and graded (with required protection of designated peripheral setback areas), a revised landscape plan shall be submitted to Planning Commission Staff for review and approval identifying supplemental landscaping that will be required for the development.
7. Installing all landscaping, as shown on the revised landscape plan, within six months of issuance of occupancy permits for this project, or approved phase of the project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee installation. The proposed landscape materials shall not interfere with the required sight distances along Wood Smith Rd. and Barnard Rd..
8. All structures will have to be set back at least 50' from the top of the sinkhole (closed contour area) identified on the development plan in the northeast tract. Building construction within the 50' buffer may be permitted if a geotechnical study prepared by a registered engineer states that building within the 50' sinkhole buffer is acceptable and the study is approved by the Knox County Department of Engineering and Public Works. The geotechnical study must be completed and submitted to Knox County Department of Engineering and Public Works prior to submission of a building permit application for the northeast tract. A 5' drainage easement extending outside of the uppermost closed contour is required. Building construction is not permitted within the hatched contour area of the sinkhole or the drainage easement. Engineered footings may be required for any structures within the 50' sinkhole buffer.
9. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
10. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation for any alteration to the sinkhole and stream located on the property.

With the conditions noted, this plan meets the requirements for approval within a PR (Planned Residential) district and the criteria for approval of a use on review.

Comments:

The applicant is proposing to develop this 10.08 acre property with 92 townhouse style apartments at a density of 9.13 du/ac. The property is divided into three tracts by the intersection of Wood Smith Rd. and Barnard Rd. The northeast tract will include 26 apartment units and will have access off of Wood Smith Rd. The southeast tract which is the flattest portion of the property, includes 48 apartment units and will have access from Wood Smith Rd. directly across from the entrance for the northeast tract. The southwest tract includes 18 units and will have access from Barnard Rd. directly across from Sood

Rd.

The Planning Commission considered a Sector Plan amendment and rezoning request (2-A-09-SP & 2-A-09-RZ) for this property on February 12, 2009 and recommended approval of PR (Planned Residential) zoning at a density of up to 7.5 du/ac. The Knox County Commission approved the rezoning to PR with a density of up to 9.75 du/ac.

During the rezoning process, staff had identified that the site included slope constraints that would limit development. The development plan submitted by the applicant has located the proposed apartment units on the flatter portion of the southwest tract leaving the steeper slopes undeveloped.

Staff has recommended conditions on protecting the existing vegetation in the peripheral setbacks for this development and is requiring a revised landscape plan to identify supplemental landscaping.

A traffic impact study was conducted for the development and recommended a future improvement to the Wood Smith Rd. and Barnard Rd. intersection to correct the poor alignment of the Barnard Rd. leg of the intersection. The report included proposed improvements in the alignment. It is the position of the Knox County Department of Engineering and Public Works that the proposed improvements to the intersection would still be substandard and should not be implemented. The applicant is being required to widen Barnard Rd. to a width of 20' from the intersection with Wood Smith Rd. to the intersection with Sood Rd. Grading work will also be required to improve sight distance at the intersection and through the curve in Barnard Rd. The layout of the proposed apartment development will allow for any future realignment of the intersection of Wood Smith Rd. and Barnard Rd.

The applicant is providing a swimming pool as a recreational amenity for the development.

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

1. Public water and sewer utilities are available to serve the site.
2. The proposed widening of Barnard Rd. and improvements in sight distance will improve traffic safety in this area.
3. The conditions on preserving existing vegetation in the peripheral setback and addition of supplemental landscaping will help to reduce the visual impact of this proposed development.

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

1. With the recommended conditions, the proposal meets all requirements of the PR zoning as well as the general criteria for approval of a use-on-review.
2. The proposed apartment development with the recommended conditions is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed since it adjoins an apartment development to the north. The use will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas since the majority of the units have access directly to a collector street. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes medium density residential uses for the site. At a proposed density of 9.13 du/ac, the development complies with the Sector Plan and the approved PR zoning at a density of up to 9.75 du/ac.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action:

Approved

Meeting Date: 4/8/2010

Details of Action:

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- during the design review process for stormwater management and grading permit review.
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Date of Approval:

4/8/2010

Date of Denial:

Postponements:

10/8/2009-3/11/2010

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knox County Board of Zoning Appeals

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: