

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
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 10-F-09-UR **Related File Number:**
Application Filed: 8/27/2009 **Date of Revision:**
Applicant: ORCHARD AT KNOXVILLE

PROPERTY INFORMATION

General Location: South side of Cherokee Trail, west of Edington Rd.
Other Parcel Info.:
Tax ID Number: 108 006 **Jurisdiction:** County
Size of Tract: 6.3 acres
Accessibility: Access is via Cherokee Trail, a two lane 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: Student Housing **Density:** 3.02 du/ac
Sector Plan: South County **Sector Plan Designation:** MDR / SLPA
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This site is in an area of multi-dwelling developments occurring under RP-1 and PR zoning districts.

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

Street: Cherokee Trl
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: Rezoning approved by Knox County Commission on July 27, 2009 for PR at up to 6 du/ac with conditions.

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 19 residential dwelling units with a maximum of 76 bedrooms subject to 9 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 a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County.
4. Submitting a revised landscape plan to Planning Commission Staff for review and approval to address proposed landscaping along the rear of the residences in the area of the retaining walls.
5. Installing all landscaping, as shown on the revised landscape plan, within six months of issuance of occupancy permits for this 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 Cherokee Trail.
6. Prior to the issuance of any building permits, establishing and certifying a minimum of 400' of sight distance in both directions along Cherokee Trail.
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8. Meeting all applicable requirements of the Knoxville Department of Engineering.
9. Recording a final plat for the property showing the required right-of-way dedication as depicted on the development plan.

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 a 19 unit multi-dwelling complex on approximately 6.3 acres at a density of 3.02 du/ac. The property is located on the south side of Cherokee Trail west of the intersection of Cherokee Trail and Edington Rd. This proposed development will be rented out as student housing. This is the second phase of The Orchard at Knoxville. The first phase is located on the north side of Cherokee trail. All dwellings will be detached units with four bedrooms in each unit for a total of 76 bedrooms. The required parking for the development would be 29 spaces. As proposed, 81 parking spaces are being provided. Since the units will be rented out by the number of bedrooms, the applicant is providing an average of 1.07 parking spaces per bedroom. A swimming pool is being provided as a recreational amenity.

The Planning Commission considered a rezoning request (6-B-09-RZ) for this property and recommended approval on June 11, 2009 of PR (Planned Residential) zoning at a density of up to 4.5 du/ac with the condition that no disturbance of the site, including vegetation clearance, shall occur prior to Planning Commission approval of the site plan. The rezoning was approved by Knox County Commission on July 27, 2009 for PR at up to 6 du/ac with conditions.

A traffic impact analysis is not required for this development. The traffic signal that was installed at the intersection of Cherokee Trail and the entrance drive for the University of Tennessee Hospital has helped reduce traffic delays at that intersection. The applicant's engineer has identified that 400' of sight distance will be available at the development entrance with site grading and vegetation removal. Staff is recommending a condition that prior to the issuance of any building permits, the applicant shall establish a minimum sight distance of at least 400' in both directions along Cherokee Trail at the development entrance.

To reduce the impact on the steep slopes located on over half of the site, the applicant has located the proposed development closer to Cherokee Trail and is utilizing retaining walls behind the dwellings to

reduce the amount of grading. To increase sight visibility along Cherokee Trail for traffic on and accessing the road, there will be landscaping limitations between the development and Cherokee Trail.

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. As a proposed student housing development there will be minimal impact on the public school system.
3. The recent installation of a traffic signal at the intersection of Cherokee Trail and the entrance road to the Hospital should reduce the 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 development is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use 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 substantial additional traffic through residential areas since the development is located on 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 South County Sector Plan proposes medium density residential uses for the site and slope protection. The development as proposed complies with the Sector Plan and the current zoning of the site (PR at up to 6 du/ac).
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved as Modified **Meeting Date:** 11/12/2009

- Details of Action:**
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 a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County.
 4. Submitting a revised landscape plan to Planning Commission Staff for review and approval to address proposed landscaping along the rear of the residences in the area of the retaining walls.
 5. Installing all landscaping, as shown on the revised landscape plan, within six months of issuance of occupancy permits for this 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 Cherokee Trail.
 6. Prior to the issuance of any building permits, establishing and certifying a minimum of 400' of sight distance in both directions along Cherokee Trail.
 7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 8. Meeting all applicable requirements of the Knoxville Department of Engineering.
 9. Recording a final plat for the property showing the required right-of-way dedication as depicted on the development plan.
 10. SOUTHERN PORTION OF PROPERTY WHICH DOES NOT CONTAIN BUILDINGS OR DRIVEWAYS SHALL BE PROTECTED BY EASEMENT OR COVENANT THEREON (Added by MPC 11/12/2009)

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.

Summary of Action: APPROVE the development plan for up to 19 residential dwelling units with a maximum of 76 bedrooms subject to 10 conditions

Date of Approval: 11/12/2009 **Date of Denial:** **Postponements:** 10/8/2009

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:

Ordinance Number:

Disposition of Case:

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: