

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 10-H-18-UR **Related File Number:**
Application Filed: 8/27/2018 **Date of Revision:**
Applicant: ECG ACQUISITIONS, LLC

PROPERTY INFORMATION

General Location: Northwest side of E Young High Pike, east side of Chapman Hwy
Other Parcel Info.:
Tax ID Number: 109 O A 007 **Jurisdiction:** City
Size of Tract: 5.32 acres
Accessibility: Access is via E. Young High Pike, a major collector street with 23' of pavement width within 35-45' of right-of-way, or Chapman Hwy., a major arterial street with 4 lanes and a center turning lane within 100' of right-ofway.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: 156 unit multi-dwelling development **Density:** 29.3 du/ac
Sector Plan: South City **Sector Plan Designation:** HDR (High Density Residential)
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located to the rear of commercial businesses on the east side of Chapman Hwy. This site and the businesses are currently zoned C-3. Other uses in the area include an AT&T facility, post office, residential uses and a park, zoned C-3, O-1 and OS-2.

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

Street: 121 E Young High Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-2 (Planned Residential) < 30 du/ac
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Rezoned from C-3 to RP-2 < 30 du/ac in August 2018 with a condition of no access to Chapman Hwy (7-A-18-RZ). The condition was recommended for removal by MPC at the Nov. 2018 meeting (11-G-18-RZ).

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the Development Plan for a multi-dwelling development with up to 156 dwelling units, subject to 12 conditions.

Staff Recomm. (Full):

1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance, including but not limited to Article 8 (Signs, billboards, and other advertising structures).
4. Installation of all sidewalks and pedestrian crosswalks as identified on the development plan. Sidewalks and crosswalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.
5. Meeting the requirements of the Knoxville Tree Protection Ordinance and all applicable requirements of the Knoxville Urban Forester.
6. Submitting a new Use on Review application if the Knoxville Area Transit Super Stop identified on the Architectural Site Plan (A-100) is proposed on the site.
7. Installation of landscaping as shown on the landscape plan within six months of the issuance of the first occupancy permit for the project.
8. Implementing the recommendations of the Young High Pike Apartments Traffic Impact Study, as prepared by CDM Smith Inc., revised on October 1, 2018 (and subsequent revisions), and as reviewed and approved by the Knoxville Department of Engineering.
9. Meeting all requirements of the Tennessee Department of Transportation and Knoxville Department of Engineering regarding the driveway connections to the adjacent roadways.
10. All free standing site and parking lot lighting must use a cut off luminaire with a cut off angle of 75 degrees or less. This does not apply to general lighting that is attached to a building.
11. Meeting the requirements of Article 5, Section 7.1 (Bicycle parking provisions), including but not limited to the location of bicycle parking. The Knoxville Department of Engineering has the authority to approve alternative locations for bicycle parking on a case-by-case basis.
12. Obtaining approval by City Council to remove the zoning condition that restricts the development from accessing Chapman Hwy.

With the conditions noted above, this request meets all criteria for a use-on-review in the RP-2 zoning district.

Comments:

This proposal is for a 156 unit apartment complex (29.3 du/ac) with three apartment buildings that are between 3 and 4 stories tall, and a leasing office/amenity building that is 1 story tall. Access is provided from E. Young High Pike, Chapman Highway, and Hedgeapple Ln. The access to Hedgeapple Ln. is an exit only and the exit onto Chapman Hwy. is right-out only. In November the development received approval from the Board of Zoning Appeals to reduce the peripheral setback from 25' to 15' along several property lines, as shown on the development plan. This will have little impact on adjacent properties since they are non-residential uses. The peripheral setback along Young High Pike was also reduced to 15', however, this only involves the 1 story leasing office building.

A future KAT Super Stop is being considered for the site near the Young High Pike access and adjacent to the driveway that connects to the Captain D's property. The design of this Super Stop is not presented in the development plan and will need to be addressed as a separate application. The issues that need to be addressed include, but are not limited to, the turn movements of large buses that come more frequently than other large vehicles (such as delivery and garbage trucks), and the

queuing of buses and their impact on other vehicles using the driveway system.

When the property was rezoned in August 2018, there was a condition that there be no access to Chapman Hwy. When the Use on Review development plan was submitted and reviewed with the applicant, staff was notified that the auto parts store that currently has access to the driveway to Chapman Hwy, also has an access easement on the existing driveway that goes to Young High Pike. This access must remain open between Young High Pike and Chapman Hwy for the auto parts store, which makes it difficult to restrict access from the apartment complex to Chapman Hwy. The developers applied for rezoning of the property again to remove the condition and in November the Planning Commission recommended the removal of the condition. City Council will consider the removal of the condition in December.

The access to Chapman Hwy requires a permit approval from TDOT since it is a state route. In reviewing the initial plans submitted for the October meeting, TDOT recommended that the exit be restricted to right-out only. Because of the limited road frontage owned by the developer, they cannot install a full restricted turn lane that would typically be required. The design of the exit will need to be reviewed and approved by both TDOT and Knoxville's Department of Engineering during permit review.

The amenities for the development include a workout facility in the leasing office building, playground on the east side of Building 4, and a sidewalk connection to Sam Duff Memorial Park provided along Hedgeapple Ln. Additional sidewalks will be installed along the Young High Pike frontage of the property and within the development. Bicycle parking has been dispersed throughout the development but the location may need to be adjusted during permitting to meet the requirements of the parking ordinance.

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

1. The proposed residential development will have minimal impact on local services since utilities are available to serve this site.
2. The proposed development is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The development should have minimal impact on adjacent roadways because of the dispersion of trips through the three proposed driveway connections.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE CITY OF KNOXVILLE ZONING ORDINANCE

1. With the recommended conditions, the proposal meets all requirements of the RP-2 zoning as well as the general criteria for approval of a use on review.
2. The proposed housing 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. 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 off collector and arterial streets.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The One Year Plan and South City Sector Plan identify this site for high density residential uses. The current zoning is RP-2 up to 30 du/ac. The proposed residential development at 29.3 du/ac complies with the One Year Plan and Sector Plan, and the current zoning of the site.
2. The South City Sector Plan (2011) recommends transforming the block around Sam Duff Memorial Park into a mixed use node, similar to a "Town Center" style of development (see Exhibit A), including residential uses.
3. The site is located within the city limits on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved as Modified

Meeting Date: 12/13/2018

Details of Action:

1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance, including but not limited to Article 8 (Signs, billboards, and other advertising structures).
4. Installation of all sidewalks and pedestrian crosswalks as identified on the development plan. Sidewalks and crosswalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.

5. Meeting the requirements of the Knoxville Tree Protection Ordinance and all applicable requirements of the Knoxville Urban Forester.
6. (MODIFIED) Submitting the Knoxville Area Transit Super Stop identified on the Architectural Site Plan (A-100) to Planning staff for review and approval.
7. Installation of landscaping as shown on the landscape plan within six months of the issuance of the first occupancy permit for the project.
8. Implementing the recommendations of the Young High Pike Apartments Traffic Impact Study, as prepared by CDM Smith Inc., revised on October 1, 2018 (and subsequent revisions), and as reviewed and approved by the Knoxville Department of Engineering.
9. Meeting all requirements of the Tennessee Department of Transportation and Knoxville Department of Engineering regarding the driveway connections to the adjacent roadways.
10. All free standing site and parking lot lighting must use a cut off luminaire with a cut off angle of 75 degrees or less. This does not apply to general lighting that is attached to a building.
11. Meeting the requirements of Article 5, Section 7.I (Bicycle parking provisions), including but not limited to the location of bicycle parking. The Knoxville Department of Engineering has the authority to approve alternative locations for bicycle parking on a case-by-case basis.
12. Obtaining approval by City Council to remove the zoning condition that restricts the development from accessing Chapman Hwy.

With the conditions noted above, this request meets all criteria for a use-on-review in the RP-2 zoning district.

Summary of Action: APPROVE the Development Plan for a multi-dwelling development with up to 156 dwelling units, subject to 12 conditions.

Date of Approval: 12/13/2018 **Date of Denial:** **Postponements:** 10/11/2018 - 11/8/2018

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

LEGISLATIVE ACTION AND DISPOSITION

<p>Legislative Body: Knoxville City Council</p> <p>Date of Legislative Action:</p> <p>Ordinance Number:</p> <p>Disposition of Case:</p> <p>If "Other":</p> <p>Amendments:</p> <p>Date of Legislative Appeal:</p>	<p>Date of Legislative Action, Second Reading:</p> <p>Other Ordinance Number References:</p> <p>Disposition of Case, Second Reading:</p> <p>If "Other":</p> <p>Amendments:</p> <p>Effective Date of Ordinance:</p>
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