

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
FAX • 215 • 2068
www.knoxmpc.org

File Number: 10-T-06-UR **Related File Number:**
Application Filed: 9/11/2006 **Date of Revision:**
Applicant: UNIVERSITY RESIDENCES, KNOXVILLE LLC
Owner:

PROPERTY INFORMATION

General Location: South side of Cherokee Trail, west side of Edington Rd.
Other Parcel Info.:
Tax ID Number: 122 7, 8, 9 & 122EA001 & 002 **Jurisdiction:** County
Size of Tract: 34.597 acres
Accessibility: Access is via Cherokee Trail, a minor collector street with an 18' pavement width within a 50' right-of-way and Edington Rd., a minor collector street with an 18' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Mining and mineral extraction operation
Surrounding Land Use:
Proposed Use: Student housing development **Density:** 7.28 du/ac
Sector Plan: South County **Sector Plan Designation:** LDR & SLPA
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This site which is located on the north side of Cherokee Trail and east of UT Hospital is in an area that has a mix of multi-family, low density residential and vacant land areas.

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

Street: 3913 Edington 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 rezoned to PR (Planned Residential) at a density of up to 7.5 du/ac by Knox County Commission on August 28, 2006.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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 252 unit apartment development with up to 840 bedrooms subject to 12 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. Revising the landscape plan to include additional landscaping within the peripheral setback along Cherokee Trail and Edington Rd., subject to approval by Planning Commission Staff.
 5. Installing all landscaping, as shown on the revised landscape plan, within 6 months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation. The proposed landscape materials shall not interfere with the required sight triangles and required sight distances at driveway and street intersections.
 6. Obtaining approval of a final plat consolidating the tax parcels into a single lot and recording that plat with the Knox County Register of Deeds.
 7. Prior to obtaining a grading permit for the site, submitting a bank stabilization plan for review and approval to the Knox County Department of Engineering and Public Works to address stabilization of the steep banks that are located outside of the proposed development area.
 8. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 9. Installation of eastbound right turn lanes on Cherokee Trail at the development entrance and at Edington Rd. as recommended in the traffic impact study. The design of the turn lanes are subject to review and approval by the Knoxville Engineering Division since Cherokee Trail is a City street.
 10. Posting a bond with the Knoxville Engineering Division for the applicant's proportionate share of the cost for the traffic signal at the intersection of Cherokee Trail and Hospital Dr. The applicant's proportionate share shall be determined by the Knoxville Engineering Division following a review of the traffic impact analysis for the development and projected costs for the signal improvement. If the traffic signal is not installed within five years of the approval date of this use-on-review application, the bond shall be released.
 11. Upon completion of the road safety audit of Cherokee Trail between Candora Rd. and Scottish Pike, the Knoxville Engineering Division will determine the road improvements that will be required for Cherokee Trail. The applicant for this project will be responsible for their proportionate share (percentage of projected trips generated on this road segment by this development and both phases of the Woodlands of Knoxville development) of the cost of the recommended road improvements. Those improvements would have to be implemented prior to the issuance of any certificate of occupancy for this development.
 12. Working with Knoxville Area Transit (KAT) on establishing a shuttle service between the proposed student housing projects and the University of Tennessee Campus.

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 252 unit apartment complex on a 34.597 acre site at a density of 7.28 du/ac. The property which is located at the southwest corner of the intersection of Cherokee Trail and Edington Rd. is the site of a mining and mineral extraction operation (soil extraction) that was approved by the Planning Commission in 2000. Access to the site will be provided from both Cherokee Trail and Edington Rd.

The Planning Commission recommended approval of a sector plan amendment (5-D-06-SP) to MDR (Medium Density Residential) and rezoning request (5-H-06-RZ) to PR (Planned Residential) at a density of up to 6.5 du/ac for this property on June 8, 2006. The Knox County Commission approved the sector plan amendment to MDR and the rezoning to PR at a density of up to 7.5 du/ac on August 28, 2006.

This 252 unit development is being designed as student housing and will be rented out by the number of bedrooms. There are a total of 840 bedrooms in this project. As a multiple dwelling development, the required parking for the project would be 378 spaces. Since the units will be rented out by the number of bedrooms, the applicant is providing a total of 743 parking spaces which is approximately 0.88 spaces per bedroom. Recreational amenities provided for the development include a clubhouse, pool and a central sidewalk system.

The applicant has submitted a traffic impact study prepared by Wilbur Smith Associates for the proposed development (see attachment). This analysis is based on trip rates for student housing instead of using apartment trip rates. The analysis uses a distribution of 90% of the trips going westbound in the am peak hour, and a 65% of the trips going westbound in the pm peak hour. Based on the analysis, eastbound right turn lanes are recommended on Cherokee Trail at the development entrance and at Edington Rd. The signalization of the intersection of Cherokee Trail and the entrance drive for the Hospital was also identified. This intersection is currently on the City of Knoxville's signal index list and is not currently funded. Staff is recommending a condition that the applicant post a bond with the Knoxville Engineering Division for the applicant's proportionate share of the cost for the traffic signal. If the traffic signal is not installed within five years of the approval date of this use-on-review application, the bond would be released.

On conducting site visits for other student housing projects in the area, Staff had observed road safety issues with the section of Cherokee Trail between Candora Rd. and Scottish Pike. Some of the problems include narrow sections of pavement with no shoulders, sharp drop-offs with no guardrails and sharp curves with limited visibility. The Knoxville Engineering Division Staff had conducted a crash history analysis of this section of the road and identified that there have been 19 crashes over the past 5 ½ years. The accident rate for this road section is 14.41 accidents per million vehicle miles. The State average for this type of road is 1.68 accidents per million vehicle miles. To address this road safety issue, Staff had recommended a condition on the previous student housing project for the area, that a road safety audit of the section of Cherokee Trail between Candora Rd. and Scottish Pike be conducted. As a follow-up to that previous condition, a road safety audit is being conducted on October 6, 2006. Upon completion of the audit, the Knoxville Engineering Division will determine the road improvements that will be required for Cherokee Trail. Staff is recommending a condition that the applicant for this project pay a proportionate share of the cost of the recommended road improvements. Those improvements would have to be implemented prior to the issuance of any certificate of occupancy for this development. The type of improvements that may be required include, but are not limited to, the addition of guardrails, removal of obstacles near the edge of the road, and cutting back the bank in a curve to improve visibility and to allow for the addition of pavement through the curve.

To help reduce the traffic impacts on the street system that will result from this development, and since the proposed parking is less than one space per bedroom, Staff is recommending a condition that the applicant work with Knoxville Area Transit (KAT) on establishing a shuttle service between the proposed student housing project and the University of Tennessee Campus.

Being the site of a mining and mineral extraction operation (soil extraction), the applicant has a number of site grading and stabilization issues to address in preparing the site for the proposed development. An engineering firm has been conducting a geotechnical analysis of the site for the applicant. Staff has recommended a condition regarding this issue.

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 traffic impact study that has been prepared for the development recommends eastbound right turn lanes at the proposed entrance and at Edington Rd., and the installation of a traffic signal at the intersection of Cherokee Trail and the entrance road to the Hospital. With these improvements and the condition on implementation of any road safety improvements on Cherokee Trail as identified from the road safety audit, the traffic impact of this development will be addressed. The establishment of a shuttle service between the proposed student housing project and the University of Tennessee Campus is also an important component in reducing traffic congestion.

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 apartments are 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 amended South County Sector Plan proposes medium density residential uses for the site. At a proposed density of 7.28 du/ac, the development complies with the Sector Plan and the current zoning of the site (PR at up to 7.5 du/ac).
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action:

Approved

MPC Meeting Date: 10/12/2006

Details of MPC 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 street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
4. Revising the landscape plan to include additional landscaping within the peripheral setback along Cherokee Trail and Edington Rd., subject to approval by Planning Commission Staff.
5. Installing all landscaping, as shown on the revised landscape plan, within 6 months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation. The proposed landscape materials shall not interfere with the required sight triangles and required sight distances at driveway and street intersections.
6. Obtaining approval of a final plat consolidating the tax parcels into a single lot and recording that plat with the Knox County Register of Deeds.
7. Prior to obtaining a grading permit for the site, submitting a bank stabilization plan for review and approval to the Knox County Department of Engineering and Public Works to address stabilization of the steep banks that are located outside of the proposed development area.
8. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
9. Installation of eastbound right turn lanes on Cherokee Trail at the development entrance and at Edington Rd. as recommended in the traffic impact study. The design of the turn lanes are subject to review and approval by the Knoxville Engineering Division since Cherokee Trail is a City street.
10. Posting a bond with the Knoxville Engineering Division for the applicant's proportionate share of the cost for the traffic signal at the intersection of Cherokee Trail and Hospital Dr. The applicant's proportionate share shall be determined by the Knoxville Engineering Division following a review of the traffic impact analysis for the development and projected costs for the signal improvement. If the traffic signal is not installed within five years of the approval date of this use-on-review application, the bond shall be released.
11. Upon completion of the road safety audit of Cherokee Trail between Candora Rd. and Scottish Pike, the Knoxville Engineering Division will determine the road improvements that will be required for Cherokee Trail. The applicant for this project will be responsible for their proportionate share (percentage of projected trips generated on this road segment by this development and both phases of the Woodlands of Knoxville development) of the cost of the recommended road improvements. Those improvements would have to be implemented prior to the issuance of any certificate of occupancy for this development.
12. Working with Knoxville Area Transit (KAT) on establishing a shuttle service between the proposed student housing projects and the University of Tennessee Campus.

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 MPC action:

APPROVE the development plan for a 252 unit apartment development with up to 840 bedrooms subject to 12 conditions

Date of MPC Approval:

10/12/2006

Date of Denial:

Postponements:

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: