

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 3-A-24-UR **Related File Number:**
Application Filed: 1/22/2024 **Date of Revision:**
Applicant: DANIEL LEVY

PROPERTY INFORMATION

General Location: South side of Roscoe Ln, east of E. Governor John Sevier Hwy
Other Parcel Info.:
Tax ID Number: 72 045 01 **Jurisdiction:** County
Size of Tract: 5 acres
Accessibility: Access is via Roscoe Lane, a local street with 24 ft of pavement within varying right-of-way width.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Multi-dwelling development **Density:** 15.6 du/ac
Sector Plan: East County **Sector Plan Designation:** MDR (Medium Density Residential) pending
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: I-40 is directly to the north, which separates this property from the residential uses on the other side. South of I-40 is a mix of undeveloped land and large lots with detached single family houses. A large warehouse facility abuts the subject property to the south.

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

Street: 0 ROSCOE LN
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RB (General Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: There is a pending sector plan amendment from LDR to MDR (2-D-24-SP).

PLAN INFORMATION (where applicable)

Current Plan Category: MDR (Medium Density Residential) pending

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 request for a multi-family development with up to 78 dwelling units, as shown on the development plan, subject to 9 conditions.

Staff Recomm. (Full):

- 1) Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
- 2) Implement the recommendations outlined in the Peaks of Knox Transportation Impact Letter prepared by AJAX Engineering (2/26/2024), as revised and approved by the Tennessee Department of Transportation (TDOT), Knox County Department of Engineering and Public Works, and Planning staff (Exhibit B).
- 3) Obtain any necessary approvals from the TDOT to clear vegetation in the E. Governor John Sevier Highway right-of-way to obtain the required sight distance in both directions at the Roscoe Lane intersection.
- 4) Install the landscaping as shown on the landscape plan (Sheet A011-A013) within six months of issuance of the first occupancy permit for the project or post a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
- 5) Install the site lighting consistent with the Site Lighting/Photometric Plan (SL-1) and consistent with the requirements of Article 4.10.10 (Outdoor lighting) of the Knox County Zoning Ordinance. All site light fixtures shall be full cutoff and installed with the light source parallel to the ground.
- 6) Meet all applicable requirements of the Knox County Department of Engineering and Public Works.
- 7) The proposed signage must meet the requirements of Article 3.90 (Signs, billboards, and other advertising structures), including but not limited to the 10 ft setback from all property lines.
- 8) Meet all applicable requirements of the Knox County Zoning Ordinance.
- 9) Obtain approval from Knox County Commission to amend the East County Sector Plan to MDR (Medium Density Residential) (2-D-24-SP).

With the conditions noted above, this request meets all requirements for approval in the RB (General Residential) zoning district, as well as the criteria for approval of a use on review.

Comments:

This proposal is for a 78-unit multi-dwelling development (apartment complex) on 5.0 acres and a density of 15.6 du/ac. The development will include three 3-story buildings and a 1-story clubhouse. The property is zoned RB (General Residential) and is designated LDR (Low Density Residential) on the East County Sector Plan. The applicant applied to amend the sector plan designation to MDR (Medium Density Residential), which was approved by the Planning Commission on February 8, 2024, and is pending consideration by the Knox County Commission on March 25, 2024 (2-D-24-SP).

Access to the site is from Roscoe Lane, a local street that runs parallel to Interstate 40. As noted in the Peaks of Knox Transportation Impact Letter (Exhibit B), the sight distance looking to the north is obscured by vegetation within the TDOT right-of-way. The applicant must obtain any required approvals from TDOT to clear this vegetation to obtain the minimum intersection sight distance. Roscoe Lane has centerline and edge striping near the Governor John Sevier Highway intersection. The applicant must extend this striping to their driveway.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)
The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

- 1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.
A. The East County Sector Plan designates this property as MDR (Medium Density Residential) pending (2-D-24-SP), which recommends densities over 12 du/ac along corridors that are served by or proposed to be served by transit and to be served by sidewalks in the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

1) This proposal includes sidewalks for internal circulation, connection to Roscoe Lane, and along Roscoe Lane to the Governor John Sevier Hwy intersection. There are no other sidewalks within the vicinity of the subject property.

2) The subject property is located approximately 0.5 miles from the Asheville Highway commercial corridor, which is within the City of Knoxville. This intersection includes a grocery store.

3) The closest KAT bus stop is approximately 2 miles away, on Asheville Highway near Chilhowee Drive. In the current version of the KAT Reimagined routes, the bus route extends further east to the Interstate 40 / Asheville Highway interchange, which is approximately 1.5 miles away.

B. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

C. General Plan -- Development Policy Section

1) Policy 7.7 recommends providing trees and minimizing impervious surfaces when developing parking lots. – Trees are provided in the parking lot terminal islands. The parking proposed is 1 space more than the minimum required.

2) Policy 8.3 recommends focusing on design quality and neighborhood compatibility in reviewing development proposals. – The 3-story structures are clad with 1-2 stories of brick at the base of the building (varying height) and 1-2 stories of board and batten fiber cement siding at the top of the building. The structures have pitched roofs with multiple gables on each elevation.

3) Policy 9.3 encourages the scale of new development to be compatible with existing neighborhoods and communities. – A Type 'B' landscape screen (Exhibit C) is proposed along the east and west lot lines.

D. East Knox County Community Plan (Exhibit D)

1) Governor John Sevier Hwy is identified as a "Development Corridor". The subject property is located on the edge of the development corridor and the "Rural Areas" (Exhibit D, Figure 25). The depth of the Development Corridor designation is not provided.

2) Implementation Summary (Exhibit D, page 57) -- Direct Development to Rural Crossroads and Development Corridors

a. Vision plans for the development corridor –see Governor John Sevier Scenic Highway Corridor Study

b. Promote safety by limiting curb cuts/entry points and requiring connectivity between properties.

E. Governor John Sevier Scenic Highway Corridor Study

1) General recommendations of providing landscape screening for parking areas visible from Governor John Sevier Hwy and locating parking behind structures. – Landscape screening is provided on the northwest property line to screen the development from Governor John Sevier Hwy, and the parking is located in the middle of the site, between the buildings.

2) This section of Governor John Sevier Hwy, from Chapman Hwy to Asheville Hwy, is designated a Scenic Parkway by TCA 54-17-203. The Scenic Parkway designation regulates advertising signs, junkyards, and trash dumps within 2,000 feet of the centerline of Governor John Sevier Hwy. Unlike the Scenic Highway designation, the Scenic Parkway designation does not regulate building height.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. The RB (General Residential) zone provides for medium population density. The principal uses range from houses to multi-dwelling structures or developments.

B. The RB zone allows consideration of densities up to 24 du/ac; however, developments over 12 du/ac must obtain Use on Review approval.

C. The RB zone only provides a maximum height for houses and duplexes, not for other uses such as apartment buildings. The height of multi-dwelling structures approved as a Use on Review shall be determined by the planning commission. The proposed 3-story structures with a height of 38 ft to the midpoint of the roof are appropriate for this location.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. Houses on large lots are located east and west of the subject property, and a large warehouse to the south.

B. A Type 'B' landscape screen is provided along the east and west property lines (Exhibit C).

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. With the inclusion of landscape screening, the apartment complex will not significantly injure the value of adjacent properties.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. Roscoe Lane is a local street that provides access to two residential properties and an entrance for employees and visitors for the business to the southeast.

B. There are no other uses between the subject property and Governor John Sevier Highway.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. Roscoe Lane runs parallel to Interstate 40, so sound could be a concern for residential uses.
B. Other than as noted above, there are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

Action: Approved with Conditions **Meeting Date:** 3/7/2024

Details of Action:

Summary of Action: Approve the request for a multi-family development with up to 78 dwelling units, as shown on the development plan, subject to 9 conditions.

Date of Approval: 3/7/2024 **Date of Denial:** **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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: