

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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File Number: 4-G-15-UR **Related File Number:**
Application Filed: 3/2/2015 **Date of Revision:**
Applicant: TDK CONSTRUCTION COMPANY, INC.

PROPERTY INFORMATION

General Location: Southeast side of W. Emory Rd., southwest of Central Avenue Pike
Other Parcel Info.:
Tax ID Number: 56 125, 057-002, 057-00301 OTHER: & 057-00302 **Jurisdiction:** County
Size of Tract: 16.828 acres
Accessibility: Access is via W Emory Road, a major arterial with 60' of pavement width within 85' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: House and vacant land
Surrounding Land Use:
Proposed Use: Multi-dwelling development **Density:** 17.1 du/ac
Sector Plan: North County **Sector Plan Designation:** MU-SD (high density residential)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This site is approximately .75 miles west of the W Emory Road/I-75 interchange, .2 miles east of the Powell Branch Library, and Beaver Creek is along the southeast property boundary. The Emory Road interchange area is developing into a regional employment center, in part because of supportive services around the Tennova North hospital and continued expansion of commercial development.

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

Street: 124 W Emory Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 19 DU/acre
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: PC (Planned Commercial)

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: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the development plan for a multi-dwelling development with up to 220 apartment units, subject to 14 conditions.

- Staff Recomm. (Full):
1. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
 2. Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).
 3. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Environment and Conservation.
 4. Meeting all applicable requirements and obtaining all required permits from the Tennessee Department of Transportation (TDOT).
 5. Implementing the site related recommendations of the Traffic Impact Study, including the deceleration taper as required by TDOT.
 6. Installing all landscaping, as shown on the landscape plan, within six months of issuance of the first occupancy permit for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation. Landscaping shall not interfere with sight visibility requirements at the driveway entrance on W Emory Road.
 7. Meeting all applicable sign regulations, subject to approval by Planning Commission Staff and the Knox County Sign Administrator.
 8. Relocate the greenway easement outside of the designated FEMA floodway and consult with the Knox County Greenway Coordinator to determine an appropriate location to allow connectivity to adjoining sites.
 9. Obtaining final plat approval for the combination of the existing four lots into one lot prior to the issuance of any building permits.
 10. Building construction within 50' from the top of the identified sinkholes (closed contour areas) 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. 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.
 11. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 12. Obtaining approval of the proposed security gates from the Knox County Fire Marshal.
 13. Obtaining the variances for the reduction in the parking stall size from the Knox County Board of Zoning Appeals, if necessary.
 14. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR (Planned Residential) zoning district and the other criteria for approval of a Use on Review

Comments: The applicant is requesting approval of a 220 unit apartment development on 16.83 acres that is zoned PR (Planned Residential) at a proposed density of 17.1 du/ac. The development is located on the southeast side of W Emory Rd., approximately 500' southwest of Central Avenue Pike.

ZONING & DENSITY

The total development site is approximately 16.83 acres, of which approximately 4 acres are within the FEMA 'floodway' for Beaver Creek, leaving 12.85 acres unconstrained. The property was rezoned by County Commission in March 2015 at the density requested of 19 du/ac, the same as recommended by Planning Commission, allowing up to 245 dwelling units based on the unconstrained acres and the

applicant is requesting 220 dwelling units (17.1 du/ac).

PROPOSED PLAN

The proposed development will have a single access driveway off of W Emory Rd. The development will include a total of eight apartment buildings with 4 three story buildings ranging from 22 to 36 dwelling units each, 4 three/four story buildings with 28 dwelling units in each, and two 2 story loft style buildings with 2 dwelling units in each above garages. The dwelling unit mix includes 80 one bedroom units, 116 two bedroom units and 24 three bedroom units. The minimum parking requirement from the Knox County Zoning Ordinance is 270 parking spaces at 1.23 spaces per dwelling unit. The proposed plan includes 375 parking spaces at 1.70 spaces per dwelling unit. There will be a total of 25 garage spaces.

The amenities for the development will include a clubhouse, pool, walking trails, playground, and dog park. A greenway easement is provided on the south side of the property along Beaver Creek. Staff is recommending the easement be relocated outside of the designated FEMA floodway.

The buildings will primarily be located on the hilltop above the Beaver Creek floodplain, which is currently open fields. The 4 three/four story buildings on the south side of the site will be built into the slope and have a finished floor elevation above the 500-year floodplain elevation. All paved areas will be outside of the 35' peripheral setback for the development.

A 75' deceleration taper along W Emory Road is provided for east bound traffic turning into the development, as required by TDOT.

A landscape plan has been submitted that includes a combination of deciduous, evergreen and ornamental trees to primarily to provide screening along W Emory Road and for the residential properties to the northeast.

An 11 square-foot development sign is proposed west of the entrance along W Emory Road and is attached to a decorative structure that is 10' wide by 7'-6" tall.

TRAFFIC IMPACT STUDY

Under the Planning Commission's Traffic Access and Impact Study Guidelines and Procedures, the proposed 220 apartment units requires a Level I Traffic Impact Study (looks at driveway access to public streets). The study assumes a 250 multi-family development (actual proposed - 220 units) and the analysis includes two traffic scenarios, one without the addition of Kroger related traffic and one including anticipated trips associated with the Kroger development. The study analyzes the development entrance and the intersection at W Emory Road and Central Avenue Pike/Heiskell Road.

The conclusion of the study is that the traffic generated from the proposed multi-family development will not have a significant impact on the study intersections. Intersection sight distance at the proposed site driveway location on W Emory Road is more than adequate for the posted speed limit. The intersection at W Emory Road and Central Avenue Pike/Heiskell Road is currently operating at an acceptable level of service (LOS) "C" during both the A.M. and P.M. peak traffic periods, and the LOS is projected to be unchanged with the trips anticipated from the multi-family development. When including the Kroger related trips, with or without trips from the multi-family development, the analysis indicates the intersection of W Emory Road and Central Avenue Pike/Heiskell Road will operate at a LOS "D" during the A.M. peak hour and LOS "E" during the P.M. peak hour.

The following is a summary of the improvements recommended in order to address the above issues and appropriately serve the traffic generated by the proposed development:

Site Related - 1) Install a STOP sign on the site entrance roadway approach to W Emory Road. 2) Maintain intersection corner sight distance at the proposed site entrance by ensuring any site landscaping or site signage is properly placed such that sight distance is not restricted.

Non-Site Related, W. Emory Road at Central Avenue Pike / Heiskell Road - 1) Consider the installation of an exclusive northbound right-turn lane to address existing and projected northbound vehicle queuing. Design of the right-turn lane should be as recommended by the proposed Kroger development traffic impact study so that site related traffic anticipated to be generated by the development of the former Powell Airport site will be adequately accommodated.

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

1. The proposed apartment development will have minimal impact on local services since utilities are available to serve this site.

2. The proposed development at a density of 17.1 du/ac, is consistent in use and density with the approved rezoning of the property and is within the limits for the amended Emory Road/I-75 Mixed Use District (NCO-4).
3. Any school age children living in this development are presently zoned to attend Powell Elementary, Powell Middle and Powell High Schools. Studies have shown that multi-dwelling developments have fewer school age children than detached residential subdivision. The estimated number of school age children for this development is 58. A detached residential subdivision with 220 lots would have approximately 109 school age children.

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

1. The proposed apartment development, with the recommended conditions, meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed development is consistent with the general standards for uses permitted on review: The proposed development 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 since this area is proposed for and developing with a mix of uses, including office, commercial, residential and public/quasi-public (church and branch library).

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The property is located within the Emory Road/I-75 Mixed Use District (NCO-4) of the North County Sector Plan and Stream Protection (SP). The PR zoning approved by the Knox County Commission in March 2015 allows consideration of a density up to 19 du/ac. The proposed apartment development at a density of 17.1 du/ac is consistent with the recommendations of the Sector Plan and the approved zoning.
2. The Knoxville-Knox County Park, Recreation and Greenways Plan recommends a greenway along Beaver Creek. The applicant is providing a greenway easement near the stream bank, however, staff is recommending the easement be relocated outside of the designated FEMA floodway and that the applicant consult with the Knox County Greenway Coordinator to determine an appropriate location.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 4/9/2015

- Details of Action:**
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Summary of Action:

APPROVE the development plan for a multi-dwelling development with up to 220 apartment units, subject to 14 conditions.

Date of Approval:

4/9/2015

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: