

# 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:** 5-D-10-UR                      **Related File Number:**  
**Application Filed:** 3/26/2010              **Date of Revision:**  
**Applicant:** LOVELL CROSSING PHASE 2

## PROPERTY INFORMATION

**General Location:** East and west side of Lovell Crossing Way, northeast side of Yarnell Rd., and west of Lovell Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 118 17 & 17.05                      **Jurisdiction:** County  
**Size of Tract:** 6 acres  
**Accessibility:** Access to the site is via Yarnell Rd., a major collector street with 20' of pavement width within 60' of right of way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Apartment Development                      **Density:** 12 du/ac  
**Sector Plan:** Northwest County              **Sector Plan Designation:** MU-SD  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with businesses, offices and a business park along Lovell Rd. frontage. The adjacent property is developed with an apartment complex, under OB/TO zoning. Further west, along Yarnell Rd. are lower density residential uses.

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

**Street:** Lovell Crossing Way  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential) / TO (Technology Overlay) & PC (Planned Commercial) / TO (Technology Overlay)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Property rezoned to PR (Planned Residential) / TO (Technology Overlay) by Knox County Commission on May 26, 2009 with the condition that the site is limited to a maximum of 72 dwelling units.

## 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 request for up 72 dwelling units as shown on the development plan subject to 8 conditions

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance
2. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County if required (County Ord. 91-1-102).
4. Installing all landscaping, as shown on the 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.
5. Construction of the sidewalks as shown on the development plan meeting American Disability Act requirements.
6. Revising the grading plan so that driveway grades are not less than 1% and that the intersection grade of Driveway A with Lovell Crossing Way is not greater than 3%.
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8. Obtaining approval of a final plat for the resubdivision of the two tax parcels which incorporates any right-of-way dedication for the realignment of Yarnell Rd. and recording that plat with the Knox County Register of Deeds.

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 72 dwelling units as the second phase to the Lovell Crossing apartment complex located off of Yarnell Rd., northwest of Lovell Rd. Phase I of the development has a total of 216 dwelling units and was approved under OB (Office, Medical & Related Services) zoning.

A Use-on-Review (6-D-09-UR) approval was granted for this development by the Planning Commission on June 11, 2009. The applicant has submitted this revised application for a redesign of the layout for the portion of the development that is located on the west side of Lovell Crossing Way.

The Planning Commission had recommend approval of the rezoning of this property to PR (Planned Residential) / TO (Technology Overlay), limited to a maximum of 72 dwelling units, on April 9, 2009. The property was rezoned to PR (Planned Residential) / TO (Technology Overlay) by Knox County Commission on May 26, 2009 with the condition that the site is limited to a maximum of 72 dwelling units.

The area of the two parcels that is a part of this application is 7.74 acres. With the proposed relocation of Yarnell Rd. through the property (a Tennessee Department of Transportation (TDOT) road project currently under construction), the actual development area for the project is approximately 6.0 acres which creates a density of 12 du/ac. The proposed units will be a part of the Lovell Crossing Apartment complex and have access to the existing amenities. The Phase II development will be split by Lovell Crossing Way, the existing driveway off of Yarnell Rd. that serves the development. There will be two buildings with a total of 48 units on the east side of Lovell Crossing Way and 24 units in one building on the west side. Each section will have a gated entrance. Sidewalks are being provided for pedestrian access between phases of the development and for access out to Yarnell Rd.

In June 2009, the applicant submitted a revised traffic impact study for the proposed development. Based on the analysis, the study showed that the existing road system and improvements being made by TDOT will operate at acceptable levels of service and therefore no traffic improvements are recommended.

While the property is located within the TO (Technology Overlay) district, residential development plans are not reviewed by the Tennessee Technology Corridor Development Authority (TTCDA).

#### 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 had been prepared for the development identifies that the road system will continue to operate at acceptable levels of service with the proposed development and therefore no traffic improvements are recommended.
3. With an estimated 17 school age children, there will be minimal impact on the public school system.

#### 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 housing 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 Northwest County Sector Plan, as amended by the TTCDA Comprehensive Development Plan, 2008 update, designates that this site is located within a Mixed Use Special District (MU-NWCO4). The proposed development is consistent with the sector plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 5/13/2010

**Details of Action:**

**Summary of Action:** APPROVE the request for up to 72 dwelling units as shown on the development plan subject to 8 conditions

**Date of Approval:** 5/13/2010 **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:**