

# 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  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 6-H-06-UR

**Related File Number:**

**Application Filed:** 5/8/2006

**Date of Revision:**

**Applicant:** STUART HENRY

**Owner:**

## PROPERTY INFORMATION

**General Location:** North side of Cherokee Trail, north end of Candora Rd.

**Other Parcel Info.:**

**Tax ID Number:** 108 8 & 6.02

**Jurisdiction:** City

**Size of Tract:** 80 acres

**Accessibility:** Access is via Cherokee Trail, a minor collector street with an 18' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence and vacant land

**Surrounding Land Use:**

**Proposed Use:** Multi-family residential

**Density:** 2.025 du/ac

**Sector Plan:** South City

**Sector Plan Designation:** LDR & SLPA

**Growth Policy Plan:** Urban Growth Area (Inside 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:** 1045 Cherokee Trl

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RP-1 (Planned Residential)

**Former Zoning:**

**Requested Zoning:**

**Previous Requests:**

**Extension of Zone:**

**History of Zoning:** Property rezoned to RP-1 (Planned Residential) at a density of up to 3 du/ac by Knoxville City Council on April 11, 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 162 unit multi-family development with up to 492 bedrooms subject to 14 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 Knoxville Zoning Ordinance.
  3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knoxville (City Ord. 0-280-90).
  4. Installing all landscaping, as shown on the landscape plan, within six months of issuance of a building permit. The proposed landscape materials shall not interfere with the required sight triangles and required sight distances at driveway and street intersections.
  5. Prior to the issuance of any building permits, establishing and certifying a minimum of 300' of sight distance at the eastern entrance looking back to the west along Cherokee Trail.
  6. Meeting all applicable requirements of the Knoxville Engineering Division for the two access drives onto Cherokee Trail.
  7. Installation of a left turn lane on Cherokee Trail at the western entrance as recommended in the traffic impact study. The design of the turn lane is subject to review and approval by the Knoxville Engineering Division.
  8. Installation of a marked crosswalk and warning signs between the Woodlands of Knoxville, Phases I and II subject to review and approval by the Knoxville Engineering Division.
  9. 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.
  10. Participation in a road safety audit of the section of Cherokee Trail between Candora Rd. and Scottish Pike prior to issuance of any building permits for this development. Participants in the road safety audit shall include the applicant's traffic and development engineers, representatives from the Knoxville Engineering Division and Traffic Section, and a representative from the Planning Commission Staff. Upon completion of the audit, the Knoxville Engineering Division shall determine the road improvements that will be the responsibility of the applicant. Those improvements shall be implemented prior to the issuance of any certificate of occupancy for the development.
  11. Meeting all other applicable requirements of the Knoxville Engineering Division.
  12. Working with Knoxville Area Transit (KAT) on establishing a shuttle service between the proposed student housing projects and the University of Tennessee Campus.
  13. Recording a final plat for the property showing the required right-of-way dedication as depicted on the development plan and consolidating the two tax parcels. The survey shall provide total acreage for the property minus that portion of Tax Parcel 008 (approximately 2.36 acres) that is located on the south side of Cherokee Trail and is a part of the Woodlands of Knoxville, Phases I (required open space).
  14. Submitting a revised sign plan for approval by Planning Commission Staff and the Knoxville Sign Inspector.

With the conditions noted, this plan meets the requirements for approval within a RP-1 (Planned Residential) district and the criteria for approval of a use on review.

Comments: The applicant is proposing to develop a 162 unit multi-family complex on approximately 80 acres at a

density of 2.025 du/ac. The property is located on the north side of Cherokee Trail at the intersection of Cherokee Trail and Candora Rd.

The Planning Commission considered a rezoning request (11-T-05-RZ) for this property and recommended approval of RP-1 (Planned Residential) zoning at a density of up to 3 du/ac on February 9, 2006. The Knoxville City Council approved the rezoning on April 11, 2006.

This 162 unit development will be rented out as student housing and will be rented out by the number of bedrooms. There are a total of 492 bedrooms in this project. The Planning Commission had approved Phase I of the Woodlands of Knoxville which is located on the south side of Cherokee Trail on September 8, 2005. That project which included 143 multi-family units with a total of 391 bedrooms is scheduled to open this fall.

As a multi-family development, the required parking for the development would be 253 spaces. Since the units will be rented out by the number of bedrooms, the applicant is providing a total of 548 parking spaces which is approximately 1.1 spaces per bedroom. The development will have two gated entrances on Cherokee Trail. The main entrance will be directly opposite the entrance for Woodlands of Knoxville, Phases I which is located on the south side of Cherokee Trail. The second entrance will be located just east of the intersection of Cherokee Trail and Candora Rd. The site will include a pool located near the main entrance. This second phase of the Woodlands of Knoxville will also have rights to utilize the clubhouse and recreational amenities located in the first phase.

The applicant has submitted a revised traffic impact analysis prepared by Wilbur Smith Associates for the proposed development (see attachment). This analysis is based on trip rates for student housing (trip rates for an existing student housing project in South Knoxville) instead of using multi-family (condominium) 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, a left turn lane was recommended from Cherokee Trail to the western site entrance for the development. 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 this project and for the first phase of the development, 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. With the increased traffic that will be generated by this development, especially in the evening hours with traffic headed to downtown Knoxville, Staff is concerned about the safety of motorists on this roadway. The Knoxville Engineering Division Staff has 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 (see attached e-mail). 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 is recommending a condition that prior to issuance of any building permits for this development, the applicant shall participate in a road safety audit of the section of Cherokee Trail between Candora Rd. and Scottish Pike. Staff has attached a brochure prepared by the U. S. Department of Transportation that describes the road safety audit process. Participants in the road safety audit would include the applicant's traffic and development engineers, representatives from the Knoxville Engineering Division and Traffic Section, and a representative from the Planning Commission Staff. Upon completion of the audit, the Knoxville Engineering Division would determine the road improvements that will be the responsibility of the applicant. Those improvements would be implemented prior to the issuance of any certificate of occupancy for the 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.

As identified in the traffic study, the eastern entrance for the development has only 210' of sight distance back to the west along Cherokee Trail. Staff is recommending a condition that prior to the issuance of any building permits, the applicant shall establish and certify a minimum of at least 300' of sight distance at that entrance. This may only require the removal of vegetation and grading of the site. If it is determined that grading of Cherokee Trail roadway is required, the applicant shall submit plans to the Knoxville Engineering Division for the necessary improvements.

To help reduce the traffic impacts on the street system that will result from this development, as with the first phase of the development, 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.

The applicant has submitted a proposed sign plan for the development that does not meet the sign standards in the Knoxville Zoning Ordinance. Staff has recommended a condition that the applicant submit revised sign plans to Planning Commission Staff and the Knoxville Sign Inspector for approval.

#### 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. As a proposed student housing development there will be minimal impact on the public school system.
3. The traffic impact study that has been prepared for the development recommends a left turn lane at the proposed entrance and the installation of a traffic signal and the intersection of Cherokee Trail and the entrance road to the Hospital. With these improvements and the condition on conducting a road safety audit on Cherokee Trail to the east, including the implementation of any identified road safety improvements, the traffic impact of this development will be addressed.

#### 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 RP-1 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 South City Sector Plan proposes low density residential uses for the site. The development as proposed complies with the Sector Plan and the current zoning of the site (RP-1 at up to 3 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:** 7/13/2006

**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 Knoxville Zoning Ordinance.
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11. Meeting all other applicable requirements of the Knoxville Engineering Division.
12. Working with Knoxville Area Transit (KAT) on establishing a shuttle service between the proposed student housing projects and the University of Tennessee Campus.
13. Recording a final plat for the property showing the required right-of-way dedication as depicted on the development plan and consolidating the two tax parcels. The survey shall provide total acreage for the property minus that portion of Tax Parcel 008 (approximately 2.36 acres) that is located on the south side of Cherokee Trail and is a part of the Woodlands of Knoxville, Phases I (required open space).
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With the conditions noted, this plan meets the requirements for approval within a RP-1 (Planned Residential) district and the criteria for approval of a use on review.

**Summary of MPC action:** APPROVE the development plan for a 162 unit multi-family development with up to 492 bedrooms subject to 14 conditions

**Date of MPC Approval:** 7/13/2006      **Date of Denial:**      **Postponements:** 6/8/2006

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

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**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:**