

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: 7-C-16-UR
Application Filed: 5/6/2016
Applicant: BALL HOMES, LLC

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: South side of Hardin valley Rd., southern end of Westcott Blvd.
Other Parcel Info.:
Tax ID Number: 104 PART OF 01708 AND 084 **Jurisdiction:** County
Size of Tract: 20.2 acres
Accessibility: Access is via Hardin Valley Rd., a minor arterial street with 4 lanes and a center median with a required 100' right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: 252 Apartment Units **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This site is located in an area along Hardin Valley Rd., that includes a mix of industrial, commercial and low to medium density residential development that has occurred under I, PC, PR, RA and A zoning.

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

Street: 10105 Hardin Valley 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: The Knox County Commission approved a sector plan amendment to medium density residential and a rezoning to PR (Planned Residential) at a density of up to 6 du/ac. on March 23, 2015 and September 28, 2015.

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 Development Plan for up to 252 apartment units, and the requested reduction of the peripheral setback from 35' to 25' 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. Connecting the apartments to sanitary sewer, as well as meeting 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 Ordinance (Ord. 91-1-102).
4. Installation of sidewalks for the apartment complex as identified on the development plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) .
5. Installing all landscaping for the apartment complex, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
6. Implementation of the intersection improvements and recommendations outlined in the Traffic Impact Study prepared by Fulghum MacIndoe & Associates, Inc. as revised on August 24, 2015. The details for the timing and costs associated with a traffic signal warrant analysis and possible traffic signal at the development entrance onto Hardin Valley Rd. shall be worked out between the applicant and the Knox County Department of Engineering and Public Works
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8. This use on review approval only modifies the previous use on review approval (7-C-15-UR) as it relates to the apartment development and does not change that approval for the approved concept plan for the 170 lot subdivision.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a Use on Review.

Comments:

The applicant is requesting approval of a revision to a previously approved use on review application for an apartment development located on the south side of Hardin Valley Road directly south of Westcott Blvd. and the Westbridge Business Park. The approved development included a 248 unit apartment complex and a detached residential subdivision with 170 lots on a 94.82 acre tract . The proposed revision includes an increase of four apartment units for a total of 252 units. The changes also include some minor changes to the driveway and parking lot layout,

A new public street which will be located approximately 800 feet east of Westcott Blvd. will serve as the single access point for the development. The subdivision will be served by public streets. A private driveway system will provide access to the apartment complex. The main entrance for the proposed apartment complex will be off of the main access street for the subdivision approximately 475 off of Hardin Valley Rd.

The apartment complex will include 9 three story buildings with 28 dwelling units in each building. The majority of the proposed parking will be located in surface parking areas with 60 spaces located within five of the buildings. An amenity area is being provided near the main entrance to the complex that includes a clubhouse and pool area. Sidewalks will be provided through the complex and will connect to the sidewalk system that serves the subdivision. There will be an emergency access driveway at the southwest corner of the complex that will connect to the main access street for the subdivision.

A Traffic Impact Study was prepared by Fulghum MacIndoe & Associates, Inc. for this development with the last revision date being August 24, 2015. The study concluded that the existing street system will continue to operate at acceptable levels of services with the proposed development. Staff has recommended a condition that the details for the timing and costs associated with a future traffic signal

warrant analysis and possible traffic signal at the development entrance onto Hardin Valley Rd. shall be worked out between the applicant and the Knox County Department of Engineering and Public Works.

The applicant has requested a reduction of the peripheral setback from 35' to 25' along all exterior boundaries of this Subdivision which can be approved by the Planning Commission.

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 low density residential development (apartments and detached residential subdivision) is compatible with the scale and intensity of recent development that has occurred in this area.
3. The traffic impact study that had been prepared for the development identifies that the street system will continue to operate at acceptable levels of services with the proposed development.
4. The applicant has laid out the development to stay off the steeper portion of the site. The concept plan had included the steeper area within common area, and with the previously approved conditions, that area will be protected from development.

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

1. With the recommended conditions, the proposed residential development is consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The 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 will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development has access to a minor arterial street.
2. The proposed residential development at a density of 4.45 du/ac, is consistent in use and density with the PR zoning of the property at a density of up to 6 du/ac.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes medium density residential (MDR) uses for this site. The proposed development at a density of 4.45 du/ac is consistent with the sector plan.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 7/14/2016

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 2. Connecting the apartments to sanitary sewer, as well as meeting 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 Ordinance (Ord. 91-1-102).
 4. Installation of sidewalks for the apartment complex as identified on the development plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) .
 5. Installing all landscaping for the apartment complex, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
 6. Implementation of the intersection improvements and recommendations outlined in the Traffic Impact Study prepared by Fulghum MacIndoe & Associates, Inc. as revised on August 24, 2015. The details for the timing and costs associated with a traffic signal warrant analysis and possible traffic signal at the development entrance onto Hardin Valley Rd. shall be worked out between the applicant and the Knox County Department of Engineering and Public Works
 7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 8. This use on review approval only modifies the previous use on review approval (7-C-15-UR) as it relates to the apartment development and does not change that approval for the approved concept plan for the 170 lot subdivision.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a Use on Review.

Summary of Action: APPROVE the Development Plan for up to 252 apartment units, and the requested reduction of the peripheral setback from 35' to 25' as shown on the development plan, subject to 8 conditions.

Date of Approval: 7/14/2016

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: