CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 7-D-22-UR Related File Number:

Application Filed: 5/31/2022 **Date of Revision:**

Applicant: DANIEL LEVY

PROPERTY INFORMATION

General Location: East side of Walker Springs Rd, southwest side of N Gallaher View Rd

Other Parcel Info.:

Tax ID Number:119 L A 00119Jurisdiction:County

Size of Tract: 18.15 acres

Accessibility: Access is via Walker Spring Road, a minor arterial street with a center turn lane and a 75-ft pavement

width within a 112-ft right-of-way; and via N. Gallaher View Road, a minor arterial street with a turn lane

and a 67-ft width within a 100-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: AgForVac

Surrounding Land Use:

Proposed Use: Multi-dwelling development Density: 23 du/ac

Sector Plan: Northwest County Sector Plan Designation: MDR & SP

Growth Policy Plan: Urban Growth Area

Neighborhood Context: The area has multiple access points to nearby Interstate 40/75 and approximately a 1/4 mile away

from the KAT "superstop" on Walbrook Drive. The parcel is adjacent to a Walmart Supercenter and Sam's Club, and it neighbors several multi-family developments. The Ten Mile Creek Greenway runs

through the subject property.

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

Street: 0 Walker Springs Rd.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) & F (Floodway)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning: The property was rezoned from CA to PR up to 23 du/ac in May 2022 (4-K-22-RZ)

PLAN INFORMATION (where applicable)

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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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the development plan for a multi-dwelling development with up to 318 dwelling units and a peripheral setback reduction to 25 ft along the Gallaher View Road frontage, subject to 7 conditions.

Staff Recomm. (Full):

- 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works and City of Knoxville Department of Engineering.
- 3) Meeting all applicable requirements of the City of Knoxville Department of Engineering.
- 4) Provide a detailed landscaping plan for review and approval by Planning staff during permitting. The landscaping shall be consistent with the proposed landscape plan on sheet L1.
- 5) Providing a concrete pad for a bus stop shelter on the Gallaher View Road and Walker Springs Road frontages in coordination and compliance with the requirements of Knoxville Area Transit.
- 6) Implementing the recommendations of The Rowan Transportation Impact Study (AJAX Engineering, 6/13/2022), as revised and approved by Planning and Knox County Engineering and Public Works staff (see Exhibit B).
- 7) Verifying during permitting that the subject lot has a minimum of 13.82 acres zoned PR (Planned Residential) up to 23 du/ac to support the requested 318 dwelling units.

Comments:

SUMMARY

This proposal is for a 318-unit apartment complex on a proposed 14.579-acre lot (see Final Plat 7-SB-22-F – Agenda item # 44). The entire parcel is 18.661 acres and was rezoned from CA (General Business) to PR (Planned Residential) up to 23 du/ac in May 2022 (4-K-22-RZ). Only 13.82 acres of the subject site is zoned PR. The remaining .76 acres of the site are zoned F (Floodway) and cannot be counted toward the acreage when calculating the maximum density allowed. The amenities for the development include shared work/meeting spaces, a pool, fitness center, pickleball court, and dog park. KAT has requested a concrete pad for a bus stop on each frontage, with the details to be worked out during permitting.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL) In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) up to 23 du/ac:

- a) The PR zone allows multi-dwelling development (apartments) as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).
- b) This PR zone district is approved for a maximum of 23 du/ac. The subject site has 13.82 acres zoned PR, which is 23 du/ac. If it is determined during permitting that the subject lot has less than 13.82 acres zoned PR, then additional PR zoned acreage must be added to the subject lot, or the number of dwelling units must be reduced to conform with the maximum density. An additional 4.082 acres zoned PR up to 23 du/ac on the southeast side of the Ten Mile Creek is available for future development. A portion of that property is zoned F (Floodway), so not all of the acreage can be used for density.
- c) The maximum height is determined by the Planning Commission for any use other than houses and duplexes. The proposed maximum height is 4-stories and 48 feet to the roof line. This does not include the parapet wall and stair/elevator towers. See the attached plan for more details.
- d) The peripheral setback applies to all lot lines except the southeast lot line adjacent to the remaining portion of the PR district. The applicant requests a 25 ft peripheral setback along the Gallaher View

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Road frontage. All other peripheral setbacks will be 35 ft. The requested 25 ft setback along Gallaher View Road is for only a small portion of a building. It will not adversely impact the sense of open space between the development and the public realm.

F (Floodway):

- a) The F zone does not allow residential uses, so this acreage cannot be used toward the allowed density for this site.
- b) Approximately .76 acres of the subject site is zoned F (Floodway).

2) GENERAL PLAN - DEVELOPMENT POLICIES

- a) Protect the natural drainage systems associated with floodways and floodplains (Policy 7.5) The development is within the 100- and 500-year FEMA floodplain, however, the property owner was previously permitted to fill a portion of the floodplain (see Exhibit A, Flood Study Map. The proposed development does not increase the area of fill.
- b) Provide trees and minimize impervious surfaces when developing parking lots (Policy 7.7) The development includes trees in the parking lot and around the foundation of the buildings.
- c) Develop land use patterns and infrastructure that encourage trip reduction (Policy 7.12) The subject property is located along a transit route and near the Walbrook "Superstop".
- d) Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) - The proposed height will not adversely impact existing neighborhoods because it is surrounded by commercial properties and 5-lane roads.

3) NORTHWEST COUNTY SECTOR PLAN

- a) The property is classified MDR (Medium Density Residential), which allows consideration of up to 24 du/ac in the County if the property is located within 1/4 mile of transit service with sidewalk connections to the transit service. The property has transit service on both road frontages and has sidewalk connections to the nearby KAT "superstop" adjacent to the Walmart property.
- b) The property is partially within the SP (Stream Protection) land use classification. The property owner developed a floor study to permit filling the site, which is already complete.
- 4) Knoxville Farragut Knox County Growth Policy Plan
- a) The property is within the Urban Growth Boundary. The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities. schools, drainage and other public facilities and services.

Date of Withdrawal:		Withdrawn prior to publication?: Action Appealed?:			
Date of Approval:	7/14/2022	Date of Denial:	Postponements:		
Summary of Action:	Approve the development plan for a multi-dwelling development with up to 318 dwelling units and a peripheral setback reduction to 25 ft along the Gallaher View Road frontage, subject to 7 conditions.				
Details of Action:					
Action:	Approved		Meeting Date:	7/14/2022	

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LEGISLATIVE ACTION AND DISPOSITION						
Legislative Body:	Knox County Chancery Court					
Date of Legislative Action:		Date of Legislative Action, Second	d Reading:			
Ordinance Number:		Other Ordinance Number Referen	ces:			
Disposition of Case:		Disposition of Case, Second Read	ling:			
If "Other":		If "Other":				
Amendments:		Amendments:				
Date of Legislative Appeal:		Effective Date of Ordinance:				

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