

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 7-G-18-UR                      **Related File Number:**  
**Application Filed:** 5/29/2018              **Date of Revision:**  
**Applicant:** CRESCENT BEND DEVELOPMENT, LLC

## PROPERTY INFORMATION

**General Location:** Southeast side of Westland Dr., east of Ebenezer Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 132 09901 & PO 09903                      **Jurisdiction:** County  
**Size of Tract:** 25.8 acres  
**Accessibility:** Access is via Ebenezer Rd., a minor arterial street with a five lane section within a 100' required right-of-way and Westland Dr. a minor arterial street with a two to four lane section within an 88' required right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence, vacant land and landscape nursery  
**Surrounding Land Use:**  
**Proposed Use:** Apartments and Future Assisted Living / Independent Living Facility              **Density:** 11.97 du/ac  
**Sector Plan:** Southwest County              **Sector Plan Designation:** MDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located along a section of Ebenezer Rd. and Westland Dr. that include a mix of residential, institutional and mixed business uses.

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

**Street:** 1040 Ebenezer 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:** Property was zoned PR (Planned Residential) in 1979.

## 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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the development plan for a multi-dwelling development with up to 249 apartment units, subject to 11 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. Implementation of the street and intersection improvements and recommendations outlined in the Traffic Impact Study prepared by Fulghum MacIndoe Associates. Inc., as last revised on August 27, 2018, and approved by the Knox County Department of Engineering and Public Works and Planning Commission staff. The design details of the improvements shall be worked out with the Knox County Department of Engineering and Public Works. The right turn lane on Ebenezer Road and the left turn lane on Westland Drive that are located at the development entrances shall be installed in compliance with the requirements of the Knox County Department of Engineering and Public Works prior to the first occupancy permit being issued for the apartments.
4. Revising the development plan to extend the sidewalk along Westland Drive east to the developments Westland Drive entrance and provide a pedestrian connection from that sidewalk to the internal sidewalks.
5. Installation of all sidewalks as identified on the revised development plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act ( ADA) and the Knox County Department of Engineering and Public Works. A bond shall be provided to the Knox County Department of Engineering and Public Works by the developer in an amount sufficient to guarantee the installation of the sidewalks.
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 entrances. When the buildings along the Westland Drive frontage are completed and the landscaping is installed, the applicant shall meet in the field with Planning Commission staff to determine if any additional landscaping will be required to help reduce the visual impact of the apartments from Westland Drive.
7. Providing documentation to Planning Commission staff for review and approval prior to issuance of any building permit that the apartment buildings comply with the height restrictions of Tennessee Code Annotated, Section 54-17-0114(Q) since the site is located within the Scenic Highway corridor.
8. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
9. Obtaining approval of the proposed security gates from the Knox County Fire Marshal.
10. Meeting all applicable requirements of the Knox County Zoning Ordinance.
11. Any development of the 5 acre site identified as future assisted living/independent living is subject to a separate use on review approval. With the development of this site, access will be required through the apartment development to allow access to both development entrances.

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 proposing to develop a 249 unit apartment complex on a 20.8 acre portion of this 25.8 acre site located near the intersection of Ebenezer Road and Westland Drive. The proposed density will be 11.97 du/ac. The remaining 5 acres is identified as a future development site for an assisted living/independent living facility. The future development site will require a separate use on review approval. Access for the proposed development will be from both Ebenezer Road and Westland Drive. The development is proposed to be gated.

The apartment complex will include 57 one bedroom units, 156 two bedroom units and 36 three bedroom units within 9 three story buildings. The buildings will meet the required 35' peripheral setback of the PR zoning district. The proposed parking for the units includes 403 spaces in surface parking areas and 46 spaces located within stand alone parking garages. The proposed amenity area includes a clubhouse, pool and volleyball courts. Sidewalks are being provided throughout the development that will also connect to the existing and extended sidewalks located along Ebenezer Road and Westland Drive.

A Traffic Impact Study prepared by Fulghum MacIndoe Associates. Inc., was submitted for review by the Knox County Department of Engineering and Public Works and Planning Commission staff. Staff is recommending that the proposed right turn lane on Ebenezer Road and left turn lane on Westland Drive at the development entrances be installed prior to the first building permit being issued for the apartments.

#### 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 11.97 du/ac, is consistent in use and density with the approved zoning of the property and is in conformance with the medium density residential designation of the sector plan.
3. With the recommended street improvements as identified in the Traffic Impact Study and the recommended conditions for approval, traffic flow in the area will continue to function at acceptable levels.

#### 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) zoning district 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 will not significantly injure the value of adjacent property since the area includes a mix of residential, commercial and institutional uses. The use will not draw additional traffic through residential areas since the development has direct access to two minor arterial streets.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan designates this property for medium density residential use. The proposed apartment development at a density of 11.97 du/ac is consistent with the Sector Plan designation.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved

**Meeting Date:** 9/13/2018

**Details of Action:**

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8. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.

9. Obtaining approval of the proposed security gates from the Knox County Fire Marshal.

10. Meeting all applicable requirements of the Knox County Zoning Ordinance.

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**Summary of Action:**

APPROVE the development plan for a multi-dwelling development with up to 249 apartment units, subject to 11 conditions.

**Date of Approval:**

9/13/2018

**Date of Denial:**

**Postponements:**

7/12/2018-8/9/2018

**Date of Withdrawal:**

Withdrawn prior to publication?:  Action Appealed?:

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

Knoxville 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:**