

# 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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Knoxville, Tennessee 37902  
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**File Number:** 9-A-04-UR                      **Related File Number:**  
**Application Filed:** 8/9/2004              **Date of Revision:**  
**Applicant:** JIM AND MORTON ROSE AND DOVETAIL DEVELOPMENT  
**Owner:**

## PROPERTY INFORMATION

**General Location:** South side of Cherokee Trail and southwest side of Candora Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 108 8.01 AND PART OF 8                      **Jurisdiction:** County  
**Size of Tract:** 17.88 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:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** 143 unit multi-family development                      **Density:** 7.998 du/ac  
**Sector Plan:** South City                      **Sector Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** This site which is located on the south 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:** PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** See comment section below

## 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 143 unit multi-family development subject to 10 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 Knox County Zoning Ordinance.
3. Revising the development plan to increase the landscaped buffer to 20' along the frontage of Cherokee Trail from the proposed entrance to the west, and identifying a 10' landscaped buffer from the entrance to the east along Cherokee Trail. A 10' landscaped buffer shall be provided along Candora Rd.
4. Providing a revised landscape plan for Staff approval that shows a detailed planting scheme for the 10' and 20' buffers required along the street frontage for Cherokee Trail and Candora Rd. The proposed landscape materials shall not interfere with the required sight triangles and required sight distances at driveway and street intersections.
5. Installing all landscaping, as shown on the revised landscape plan, within six months of issuance of a building permit, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.
6. Prior to grading plan approval, submitting a plan to the Knox County Department of Engineering and Public Works for clearing along the Cherokee Trail frontage to improve the sight distance at the intersection of Candora Rd. and Cherokee Trail.
7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
8. Meeting all applicable requirements of the Knoxville Department of Engineering for access to Cherokee Trail (City Street).
9. Working with Knoxville Area Transit (KAT) on establishing a shuttle service between the proposed student housing project and the University of Tennessee Campus.
10. Recording a final plat for the property showing the required right-of-way dedication as depicted on the development plan. The final plat shall also designate the property on the east side of Candora Rd. as required open space (due to density transfer).

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 a multi-family development on the south side of Cherokee Trail at the intersection of Cherokee Trail and Candora Rd. This property (17.88 acres) which is located within Knox County is zoned PR (Planned Residential). This site includes a 15.52 acre tract on the west side of Candora Rd. and a 2.36 acre tract on the east side of Candora Rd. With an approved density of up to 8 du/ac, a maximum of 143 dwelling units could be permitted for the entire site. The applicant is requesting approval for the maximum density and is proposing to transfer the density from the 2.36 acre tract to the larger tract. The 2.36 acre tract will remain as dedicated open space.

This 143 unit development will be rented out as student housing and will be rented out by the number of bedrooms. There will be a total of 391 bedrooms. As a multi-family development, the required parking for the development would be 215 spaces. Since the units will be rented out by the number of bedrooms, the applicant is providing one parking space per bedroom. There will be a total of 393 parking spaces. The development will have gated entrances on both Cherokee Trail and Candora Rd. The site will include a clubhouse and pool complex and three quad/ common areas through the development. Due to the clearing and extensive grading that will be required across the site, and with the proposed intensity of development (maximum units and almost double the required parking), Staff is recommending a heavily landscaped buffer along the street frontages.

The applicant has submitted a revised traffic impact analysis prepared by Wilbur Smith Associates for the proposed development (see attachment). The revised analysis is based on trip rates for student housing (trip rates for an existing student housing project in South Knoxville) instead of the previous use of multi-family (condominium) trip rates. The analysis uses a distribution of 90% of the trips going westbound in the am peak hour, and a distribution of 65% of the trips going westbound in the pm peak hour. Based on the analysis, there are no turn lanes warranted at the entrances to the development. The intersection of Cherokee Trail and Hospital Dr. currently fails but may operate at a minimum LOS C with signalization. This intersection is currently on the City of Knoxville's signal index list (#17) and is not currently funded (see attachment).

To help reduce the traffic impacts on the street system that will result from this 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.

PAST ACTIONS: The Planning Commission considered a sector plan amendment and rezoning request (7-C-04 SP & 7-F-04-RZ) for this property at the August 12, 2004 meeting. The Planning Commission recommended approval of the sector plan amendment for the parcel within the County, from Low Density Residential to Medium Density Residential. The Planning Commission also recommended approval of the County parcel for PR (Planned Residential) at a density of 1-8 du/ac. The City portion of the property was recommended for approval as RP-1 (Planned Residential) at a density of 1-3.5 du/ac. The plan amendment and rezoning request for the County parcel were approved by Knox County Commission on September 27, 2004. The City rezoning request was denied by Knoxville City Council on October 12, 2004.

#### 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. Since the majority of traffic to the site will be from the west, the traffic study that had been prepared for the development does not recommend a left turn lane at the proposed entrance.

#### 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 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. 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 propose medium density residential uses for the site. The development as proposed complies with the Sector Plan and the current zoning of the site (PR @ 1-8 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:** 9/8/2005

**Details of MPC action:**

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2. Meeting all applicable requirements of the Knox County Zoning Ordinance.
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**Summary of MPC action:** APPROVE the development plan for a 143 unit multi-family development subject to 10 conditions

**Date of MPC Approval:** 9/8/2005                      **Date of Denial:**                      **Postponements:** 9/9/2004-8/11/2005

**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:**