

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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File Number: 9-S-02-UR **Related File Number:** 9-S-02-UR-REV
Application Filed: 8/12/2002 **Date of Revision:**
Applicant: THE WILLIAMS COMPANY
Owner:

PROPERTY INFORMATION

General Location: Northwest side George Williams Rd., east and west sides of Confederate Dr.
Other Parcel Info.:
Tax ID Number: 132 42.02 **Jurisdiction:** County
Size of Tract: 20.69 acres
Accessibility: Access is via Confederate Dr., a local street with a 26' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Multi-family apartments and townhouse units **Density:** 10 du/ac
Sector Plan: Southwest County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Planned Growth Area
Neighborhood Context: Development in the area consists of detached single-family residences to the north, east and west, and both attached and detached residences to the south.

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

Street: George Williams Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) (On referral from County BZA.)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property was rezoned to PR (Planned Residential) in 1975 with no density designated by the Planning Commission or County Commission.

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.):

DENY the request for a 207 unit apartment complex at this location in the PR (Planned Residential) Zoning District because it does not comply with the Use-on-Review development standards (Article 4, Section 2 of the Knox County Zoning Ordinance)

Staff Recomm. (Full):

The key issues on which Staff's recommendation of denial is based include:

1. The proposed 10 unit per acre development is not consistent with the Southwest County Sector Plan's low density residential designation (up to 5 du/ac).
2. The multi-family development is not compatible with the established low density single-family neighborhoods that surround the property on three sides due to the intensity, scale and type of units proposed.
3. A 200% increase in traffic that would be directed through the single-family subdivision to the north.
4. The project's design has little consideration for pedestrian access throughout the development.

IMPORTANT NOTE:

(This case was sent to BZA and BZA sent back MPC. See 9-S-02-UR-REV for final MPC Recommendation.)

Comments:

The applicant is proposing a 207 unit apartment complex on this 20.69 acre parcel, at a density of 10 du/ac. The development will have access to Confederate Dr., a local street. The development is split by Confederate Dr., with 180 units located within 10 buildings on the east side and the remaining 27 units being located on the west side. The property located on the west side is split by States View Dr., with 9 townhouse units located south of States View Dr., and an 18 unit apartment building being located on the north side. A recreational amenity area which includes a clubhouse, pool and tennis court will be provided at the northeast corner of the intersection of Confederate Dr. and George Williams Rd.

The property which was rezoned to PR (Planned Residential) in 1975 did not have a density designated by the Planning Commission or County Commission. The application for the rezoning request had specified 10 du/ac. A letter (copy attached) dated August 18, 1998 from Mr. Michael W. Moyers, Knox County Senior Deputy Law Director (at the time of the letter) ,was submitted to Mr. Norman Whitaker regarding the density issue for this property. Mr. Moyers advised "that the MPC in dealing with this property should presume that a ten unit per acre density was approved by the Knox County Commission." While Staff is not contesting that a maximum zoning density of 10 du/ac applies to this property, it should be pointed out that the Planning Commission may approve or deny a development plan for a specific project based on the policies of the adopted General Plan and Sector Plans, impact on the character of the neighborhood in which the site is located and the application of other general standards for uses permitted on review (See attached copy of Section 6.50.06 of the Knox County Zoning Ordinance.).

A Traffic Impact Study was submitted for this project. The study concludes that the intersections of Confederate Dr./States View Dr. and Confederate Dr./George Williams Rd. are expected to operate at acceptable levels of service upon buildout of the proposed development. The Study shows the project's traffic distribution with 90% of the traffic to be directed north on Confederate Dr. to Kingston Pike. Of the estimated 1835 daily trips, over 1600 trips would be directed through a single-family subdivision.

The KGIS database shows three potential sinkholes on the property. If these features are determined to be sinkholes by the Tennessee Department of Environment and Conservation (TDEC), MPC Staff's practice of prohibiting any building within 50' of the hatched contour would apply. If TDEC permits the filling of any sinkholes, the applicant will be required to conduct a geotechnical study of the fill areas to

determine if the subsurface is suitable for building construction.

Due to the grade change on this site, and the proposed intensity of development, the applicant was required to provide a detailed grading plan for the development prior to review by the Planning Commission. A grading plan for the development on the east side of Confederate Dr. was not submitted with the revised plans.

A. Effect of the Proposal on the Subject Property, Surrounding Property and the Community as a Whole.

- 1) Public water and sanitary sewer utilities are available to serve the development.
- 2) Due to the potential impact to the school system that would be generated by this proposed development, a school board representative was provided a copy of the plans for review. Based on data for apartment complexes of similar size and number of bedrooms in the west Knoxville/ Knox County area (as identified in the MPC report, "Estimating Population Additions From New Residential Development"), approximately 184 school aged children could be added to the school system by this development.
- 3) As proposed, the development would not be compatible with the character of the existing neighborhood. Since the property extends approximately 1000' into an area of established low density single-family subdivisions, it would not act as a transition between higher density development to the south and the existing subdivisions. The intensity and scale of the project (11 three story apartment buildings with 18 units each) is considerably different than that of the detached single-family residences in the area. A project's compatibility with surrounding development is a requirement of both the Use-on-Review development standards and general planning principles for consideration of development in the PR District.
- 4) As identified in the applicant's traffic impact study, 90% of the estimated 1835 daily trips generated by this development (over 1600 trips), would be directed north to Kingston Pike through a single-family subdivision. While the existing streets may have the capacity to handle the additional traffic, the volume of traffic would have an adverse impact on the single-family neighborhood.
- 5) Staff has concerns with the project being separated by Confederate Dr. which functions as a collector street. With units of the project being located on the opposite side of the road from the proposed amenities, an unsafe situation will exist for residents crossing this busy street.
- 6) As designed, the apartment buildings on the east side of Confederate Dr. have an auto orientation since the buildings are surrounded on four sides by driveways and parking. Residents must walk in or cross the driveways to get to the sidewalks that are located on the perimeter of the property in order to access the recreational amenities. It is Staff's position that this design does not follow principles of good civic design and land use planning that must be considered by the Planning Commission in their review of development in the PR District.

B. Conformity of the Proposal to Criteria Established by the Knox County Zoning Ordinance.

- 1) It is Staff's position that the proposed apartment complex is not consistent with the development standards for uses permitted on review and the planning principles for development within a PR District.
- 2) There are no specific use-on-review standards in the Ordinance for the proposed apartment complex.

C. Conformity of the Proposal to Adopted Plans.

- 1) The Southwest County Sector Plan identifies this property as low density residential with a maximum density of 5 DU/AC. The only medium density residential on the north side of George Williams Rd. is for the existing multi-family development just south of the site.

MPC Action:

Denied

MPC Meeting Date: 4/10/2003

Details of MPC action:

DENY the request for a 207 unit apartment complex at this location in the PR (Planned Residential) Zoning District based on Staff's recommendation.

Staff recommended denial because the request does not comply with the Use-on-Review development standards (Article 4, Section 2 of the Knox County Zoning Ordinance)

The key issues on which the recommendation of denial is based include:

1. The proposed 10 unit per acre development is not consistent with the Southwest County Sector Plan's low density residential designation (up to 5 du/ac).
2. The multi-family development is not compatible with the established low density single-family neighborhoods that surround the property on three sides due to the intensity, scale and type of units proposed.
3. A 200% increase in traffic that would be directed through the single-family subdivision to the north.
4. The project's design has little consideration for pedestrian access throughout the development.

Summary of MPC action: DENY the request for a 207 unit apartment complex at this location in the PR zoning District because it does not comply with the Use-on-Review development standards (Article 4, Sec 2 of the Knox Co.Zoning Ord.) SEE 9-S-02-UR-REV for final MPC action 4/10

Date of MPC Approval: **Date of Denial:** 10/10/2002 **Postponements:** 9/12/2002

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: 12/18/2002

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: BZA referred to MPC

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: