

▶ **FILE #:** 10-F-09-UR **AGENDA ITEM #:** 46

POSTPONEMENT(S): 10/8/2009 **AGENDA DATE:** 11/12/2009

▶ **APPLICANT:** ORCHARD AT KNOXVILLE

OWNER(S): TODD KENNEDY CHESSER - KENNEDY COMMUNITIES  
 JOAN R. ROSE, TR.

TAX ID NUMBER: 108 006

JURISDICTION: County Commission District 9

▶ **LOCATION:** South side of Cherokee Trail, west of Edington Rd.

▶ **APPX. SIZE OF TRACT:** 6.3 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Cherokee Trail, a two lane minor collector street with a 20' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River & Goose Creek

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Student Housing

3.02 du/ac

HISTORY OF ZONING: Rezoning approved by Knox County Commission on July 27, 2009 for PR at up to 6 du/ac with conditions.

SURROUNDING LAND USE AND ZONING: North: Vacant land and student housing / RP-1 (Planned Residential)

South: Student housing and vacant land / PR (Planned Residential)

East: Student housing / PR (Planned Residential)

West: Vacant land / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This site is in an area of multi-dwelling developments occurring under RP-1 and PR zoning districts.

**STAFF RECOMMENDATION:**

▶ **APPROVE the development plan for up to 19 residential dwelling units with a maximum of 76 bedrooms subject to 9 conditions**

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. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County.
4. Submitting a revised landscape plan to Planning Commission Staff for review and approval to address proposed landscaping along the rear of the residences in the area of the retaining walls.

5. Installing all landscaping, as shown on the revised landscape plan, within six months of issuance of occupancy permits for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee installation. The proposed landscape materials shall not interfere with the required sight distances along Cherokee Trail.
6. Prior to the issuance of any building permits, establishing and certifying a minimum of 400' of sight distance in both directions along 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.
9. Recording a final plat for the property showing the required right-of-way dedication as depicted on the development plan.

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 to develop a 19 unit multi-dwelling complex on approximately 6.3 acres at a density of 3.02 du/ac. The property is located on the south side of Cherokee Trail west of the intersection of Cherokee Trail and Edington Rd. This proposed development will be rented out as student housing. This is the second phase of The Orchard at Knoxville. The first phase is located on the north side of Cherokee trail. All dwellings will be detached units with four bedrooms in each unit for a total of 76 bedrooms. The required parking for the development would be 29 spaces. As proposed, 81 parking spaces are being provided. Since the units will be rented out by the number of bedrooms, the applicant is providing an average of 1.07 parking spaces per bedroom. A swimming pool is being provided as a recreational amenity.

The Planning Commission considered a rezoning request (6-B-09-RZ) for this property and recommended approval on June 11, 2009 of PR (Planned Residential) zoning at a density of up to 4.5 du/ac with the condition that no disturbance of the site, including vegetation clearance, shall occur prior to Planning Commission approval of the site plan. The rezoning was approved by Knox County Commission on July 27, 2009 for PR at up to 6 du/ac with conditions.

A traffic impact analysis is not required for this development. The traffic signal that was installed at the intersection of Cherokee Trail and the entrance drive for the University of Tennessee Hospital has helped reduce traffic delays at that intersection. The applicant's engineer has identified that 400' of sight distance will be available at the development entrance with site grading and vegetation removal. Staff is recommending a condition that prior to the issuance of any building permits, the applicant shall establish a minimum sight distance of at least 400' in both directions along Cherokee Trail at the development entrance.

To reduce the impact on the steep slopes located on over half of the site, the applicant has located the proposed development closer to Cherokee Trail and is utilizing retaining walls behind the dwellings to reduce the amount of grading. To increase sight visibility along Cherokee Trail for traffic on and accessing the road, there will be landscaping limitations between the development and Cherokee Trail.

#### **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. The recent installation of a traffic signal at the intersection of Cherokee Trail and the entrance road to the Hospital should reduce the impact of this proposed development.

#### **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 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 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 since the development is located on a collector street. 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 County Sector Plan proposes medium density residential uses for the site and slope protection. The development as proposed complies with the Sector Plan and the current zoning of the site (PR at up to 6 du/ac).
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

#### ESTIMATED TRAFFIC IMPACT 214 (average daily vehicle trips)

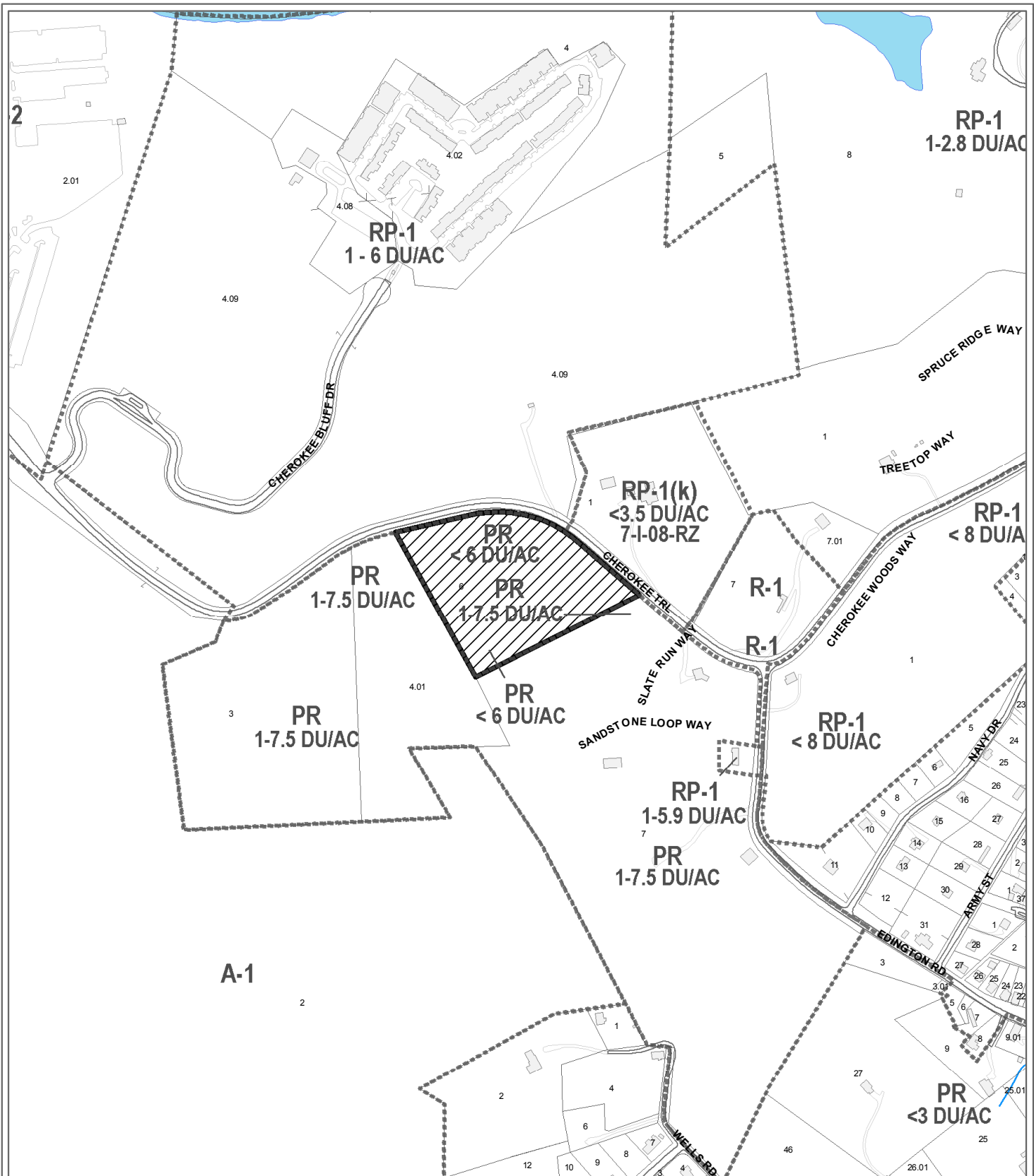
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

#### ESTIMATED STUDENT YIELD: 0 (public and private school children, ages 5-18 years)

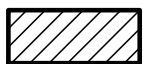
Schools affected by this proposal: , , and .

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**10-F-09-UR  
USE ON REVIEW**

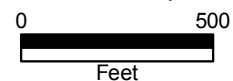


Student Housing in PR (Planned Residential)

Petitioner: Orchard at Knoxville

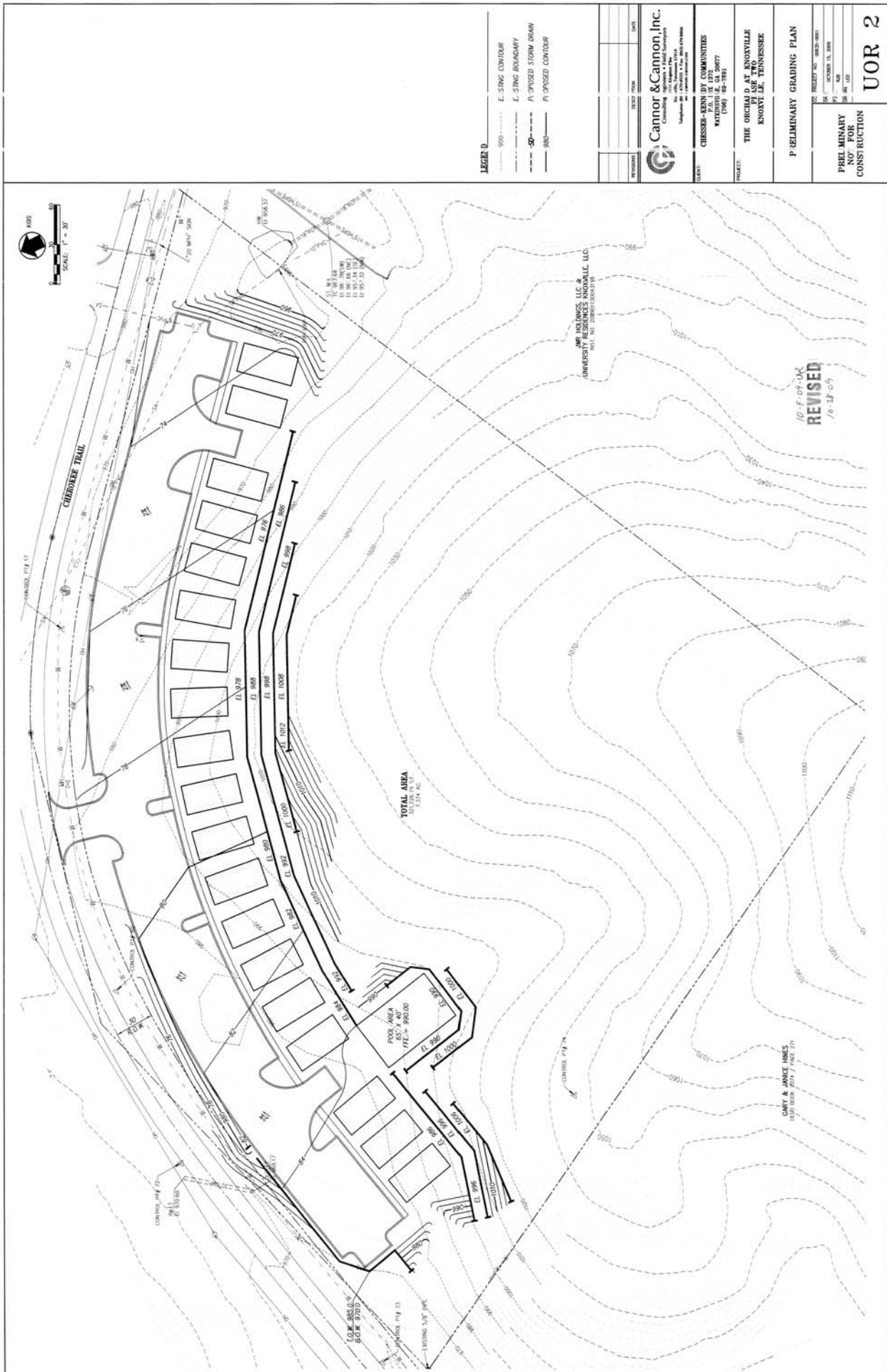
Map No: 108

Jurisdiction: County



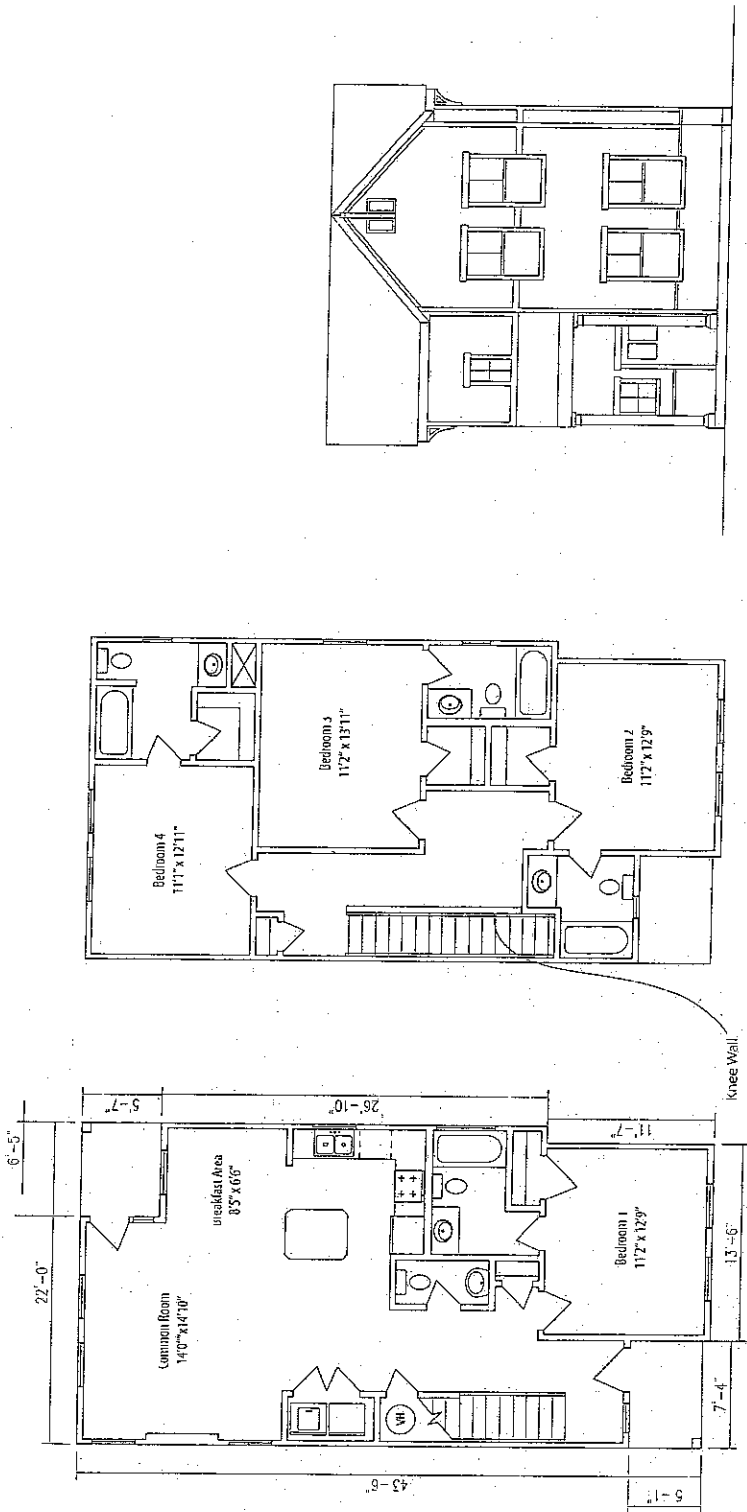
Original Print Date: 9/22/2009  
 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902







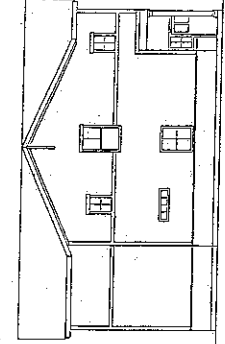
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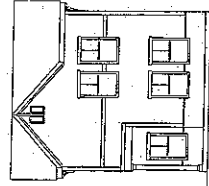
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Upper Floor Scale 1/8" = 1'

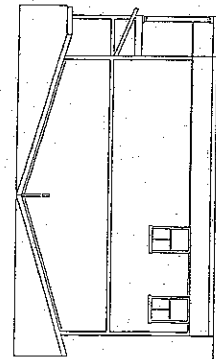
Ground Floor Scale 1/8" = 1'



Right Side Elevation Scale 1/16" = 1'



Back Elevation Scale 1/16" = 1'

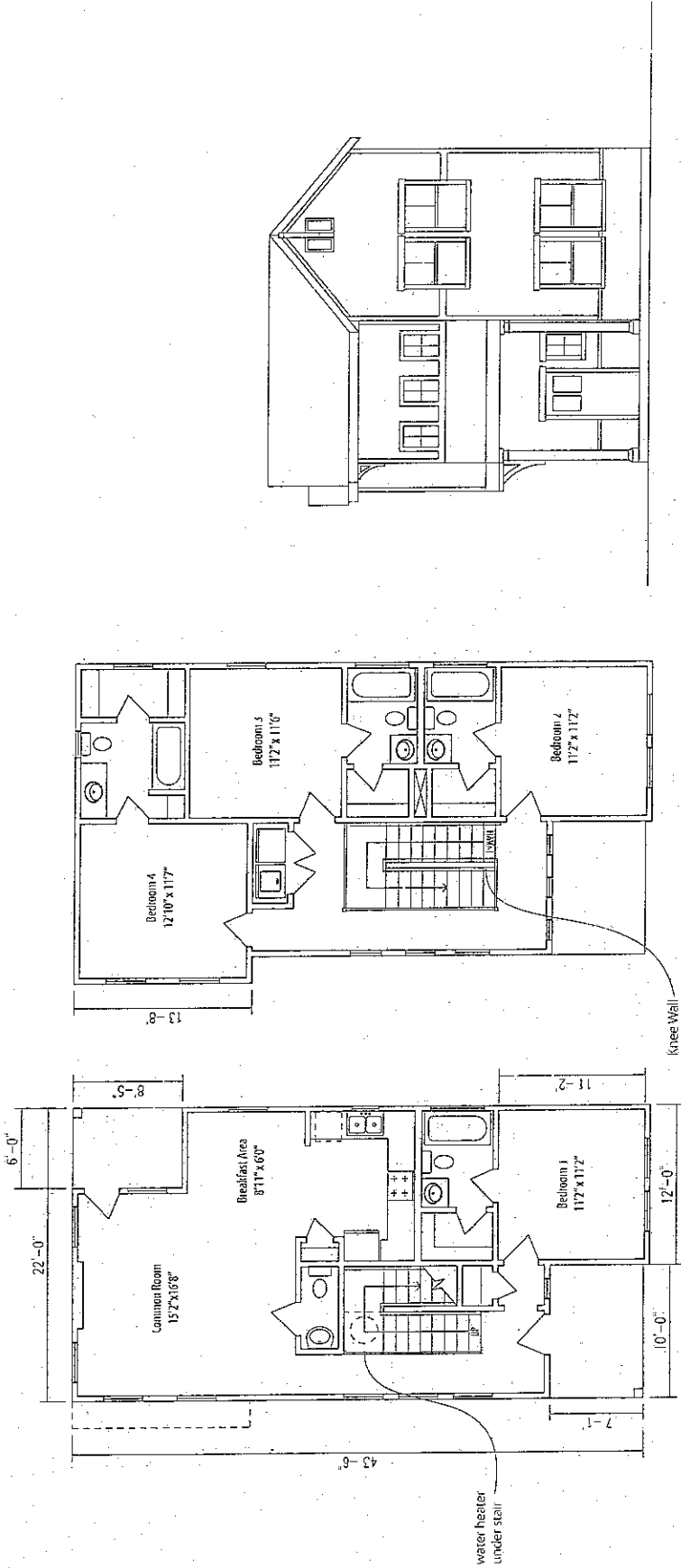


Left Side Elevation Scale 1/16" = 1'

Orchard Plan Two: 1818 sf



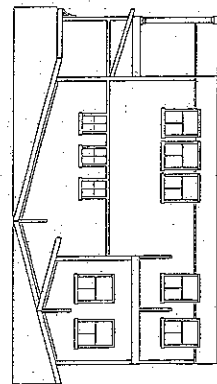
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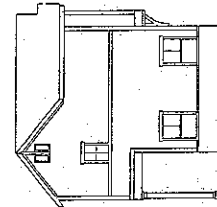
Ground Floor Scale 1/8" = 1'

Upper Floor Scale 1/8" = 1'

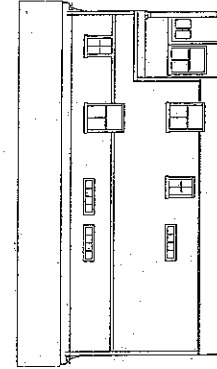
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Left Side Elevation Scale 1/16" = 1'



Back Elevation Scale 1/16" = 1'



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