

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION **USE ON REVIEW REPORT**

► FILE #: 5-D-10-UR AGENDA ITEM #

> AGENDA DATE: 5/13/2010

► APPLICANT: **LOVELL CROSSING PHASE 2**

OWNER(S): **RONALD A. WATKINS**

TAX ID NUMBER: 118 17 & 17.05

JURISDICTION: County Commission District 6

► LOCATION: East and west side of Lovell Crossing Way, northeast side of Yarnell

Rd., and west of Lovell Rd

► APPX. SIZE OF TRACT: 6 acres

SECTOR PLAN: Northwest County **GROWTH POLICY PLAN:** Planned Growth Area

ACCESSIBILITY: Access to the site is via Yarnell Rd., a major collector street with 20' of

pavement width within 60' of right of way.

UTILITIES: Water Source: West Knox Utility District

> Sewer Source: West Knox Utility District

WATERSHED: Hickory Creek & Beaver Creek

PR (Planned Residential) / TO (Technology Overlay) & PC (Planned ZONING:

Commercial) / TO (Technology Overlay)

EXISTING LAND USE: Vacant land

► PROPOSED USE: **Apartment Development**

12 du/ac

Property rezoned to PR (Planned Residential) / TO (Technology Overlay) HISTORY OF ZONING:

by Knox County Commission on May 26, 2009 with the condition that the

site is limited to a maximum of 72 dwelling units.

SURROUNDING LAND

Apartments / OB (Office, Medical & Related Services) / North: **USE AND ZONING:**

(Technology Overlay)

South: Residence and vacant land / BP (Business and Technology Park)

and PC (Planned Commercial) with TO (Technology Overlay)

Mixed businesses / PC (Planned Commercial) / TO (Technology East:

Overlay)

Residences / BP (Business and Technology Park) and PR West:

(Planned Residential) / TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: This area is developed with businesses, offices and a business park along

Lovell Rd. frontage. The adjacent property is developed with an apartment complex, under OB/TO zoning. Further west, along Yarnell Rd. are lower

density residential uses.

STAFF RECOMMENDATION:

APPROVE the request for up 72 dwelling units as shown on the development plan subject to 8 conditions

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- 1. Meeting all applicable requirements of the Knox County Zoning Ordinance
- 2. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
- 3. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County if required (County Ord. 91-1-102).
- 4. Installing all landscaping, as shown on the landscape plan, within 6 months of the issuance of occupancy permits for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee such installation. The proposed landscape materials shall not interfere with the required sight triangles and required sight distances at driveway and street intersections.
- 5. Construction of the sidewalks as shown on the development plan meeting American Disability Act requirements.
- 6. Revising the grading plan so that driveway grades are not less than 1% and that the intersection grade of Driveway A with Lovell Crossing Way is not greater than 3%.
- 7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 8. Obtaining approval of a final plat for the resubdivision of the two tax parcels which incorporates any right-of-way dedication for the realignment of Yarnell Rd. and recording that plat with the Knox County Register of Deeds.

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 72 dwelling units as the second phase to the Lovell Crossing apartment complex located off of Yarnell Rd., northwest of Lovell Rd. Phase I of the development has a total of 216 dwelling units and was approved under OB (Office, Medical & Related Services) zoning.

A Use-on-Review (6-D-09-UR) approval was granted for this development by the Planning Commission on June 11, 2009. The applicant has submitted this revised application for a redesign of the layout for the portion of the development that is located on the west side of Lovell Crossing Way.

The Planning Commission had recommend approval of the rezoning of this property to PR (Planned Residential) / TO (Technology Overlay), limited to a maximum of 72 dwelling units, on April 9, 2009. The property was rezoned to PR (Planned Residential) / TO (Technology Overlay) by Knox County Commission on May 26, 2009 with the condition that the site is limited to a maximum of 72 dwelling units.

The area of the two parcels that is a part of this application is 7.74 acres. With the proposed relocation of Yarnell Rd. through the property (a Tennessee Department of Transportation (TDOT) road project currently under construction), the actual development area for the project is approximately 6.0 acres which creates a density of 12 du/ac. The proposed units will be a part of the Lovell Crossing Apartment complex and have access to the existing amenities. The Phase II development will be split by Lovell Crossing Way, the existing driveway off of Yarnell Rd. that serves the development. There will be two buildings with a total of 48 units on the east side of Lovell Crossing Way and 24 units in one building on the west side. Each section will have a gated entrance. Sidewalks are being provided for pedestrian access between phases of the development and for access out to Yarnell Rd.

In June 2009, the applicant submitted a revised traffic impact study for the proposed development. Based on the analysis, the study showed that the existing road system and improvements being made by TDOT will operate at acceptable levels of service and therefore no traffic improvements are recommended.

While the property is located within the TO (Technology Overlay) district, residential development plans are not reviewed by the Tennessee Technology Corridor Development Authority (TTCDA).

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. The traffic impact study that had been prepared for the development identifies that the road system will continue to operate at acceptable levels of service with the proposed development and therefore no traffic improvements are recommended.
- 3. With an estimated 17 school age children, there will be minimal impact on the public school system.

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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 housing 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 and unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

- 1. The Northwest County Sector Plan, as amended by the TTCDA Comprehensive Development Plan, 2008 update, designates that this site is located within a Mixed Use Special District (MU-NWCO4). The proposed development is consistent with the sector plan.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT 710 (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: 17 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Hardin Valley Academy.

- 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 homeschooled, 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.

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