

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

FILE #: 12-A-11-UR				4	AGENDA ITEM #	# 37	
					1	AGENDA DATE:	<b>12/8/201</b> 1
►	APPLICANT:	THE E	NCLAVE PH	ASE 2			
	OWNER(S):	Burr, Ll	LC				
	TAX ID NUMBER:	103 M	A 007				
	JURISDICTION:	County	Commission	District 6			
۲	LOCATION:	Northe	ast side of C	Greenland Way, s	south of	Hardin Valley F	۲d.
۲	APPX. SIZE OF TRACT:	7.3 acres					
	SECTOR PLAN:	Northwest County					
	GROWTH POLICY PLAN:	Planned Growth Area					
	ACCESSIBILITY:	Access is via Greenland Way, a private, local street with 36' of pavement width within 40' of right-of-way. Greenland Way connects to Hardin Valley Rd., a major arterial street with 4 lanes and center median within 110' of right-of-way.					
	UTILITIES:	Water Source: West Knox Utility District					
		Sewer	Source: W	est Knox Utility D	District		
	WATERSHED:	Conner	Creek				
►	ZONING:	OB (Office, Medical, and Related Services) / TO (Technology Overlay)					
۲	EXISTING LAND USE:	Vacant land					
۲	PROPOSED USE:	Apartments					
		13.15 c	lu/ac				
	HISTORY OF ZONING:	Property rezoned to OB (Office, Medical, and Related Services) / TO (Technology Overlay) by Knox County Commission on October 24, 2011.					
	SURROUNDING LAND USE AND ZONING:	North:	Vacant com (Technolog	nmercial lots/ PC y Overlay)	(Planned	d Commercial) / <sup>-</sup>	ТО
		South:	Apartments (Technolog	s / OB (Office, Me y Overlay)	edical, ar	d Related Servic	ces) / TO
		East:	Vacant land	d / A (Agricultural)	) / TO (T	echnology Overla	ay)
		West:	-	d offices / PC (Pla BP (Business an		,	· •·
	NEIGHBORHOOD CONTEXT:			ng this parcel have cial and office use		artially develope	d with

#### **STAFF RECOMMENDATION:**

- APPROVE the development plan for up to 96 residential units for the second phase of an apartment complex subject to the following 8 conditions:
  - 1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCDA) for the proposed development.
  - 2. Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the

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Knox County Health Department.

3. Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).

4. Installing all landscaping, as shown on the landscape plan, within six months of issuance of occupancy permits for the project, or posting a bond with the Knox County Department of Engineering and Public Works, to guarantee such installation.

5. The proposed new gate location is subject to final design approval by the Knox County Fire Marshal and the Knox County Department of Engineering and Public Works

Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
Prior to obtaining any occupancy permits for the fourth building in this second phase of the development, recording a final plat that combines Lots 7 and 8 and a portion of the Joint Permanent Easement (JPE) (Greenland Way) of The Village at Hardin Valley subdivision into a single lot that brings the overall density to less than 12 du/ac.

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

With the conditions noted above, this request meets all requirements of the OB/TO zoning districts, as well as other criteria for approval of a use on review.

#### COMMENTS:

The applicant is requesting approval of a 96 unit apartment development that will be the second phase of The Enclave apartments. The development will access Greenland Way, a private local street which connects to Hardin Valley Rd. The first phase of the apartment development, with 140 units, was approved as a permitted use under the OB zoning at a density of 11.89 du/ac. The OB zoning district allows multi-dwelling developments at less than 12 du/ac as a permitted use. Developments of 12 du/ac or more require use on review approval.

The applicant has already received approvals to build three buildings with a total of 72 units on this site at a density of 9.86 du/ac. To add the proposed fourth building with 24 units, increases the density to 13.15 du/ac which requires the use on review approval. The Northwest County Sector Plan identifies this site for medium density residential (MDR), mixed uses (which includes MDR) and commercial uses. Medium density residential has a density range of 5 du/ac to less than 12 du/ac. While the zoning ordinance allows consideration of densities of 12 du/ac and above, the Sector Plan does not support that density. Staff is recommending approval of the fourth building with the condition that occupancy permits not be issued for the building until a final plat is approved and recorded that combines Lots 7 and 8 and a portion of the Joint Permanent Easement (JPE) (Greenland Way) of The Village at Hardin Valley subdivision into a single lot. This resubdivision would bring the density for the entire development down to a density of approximately 11.86 du/ac. The applicant has not combined the property due to financing issues.

The traffic impact study that was prepared in 2006 was re-evaluated with the proposed change in use. It has been determined that no additional street improvements are required.

The site is located within the TO (Technology Overlay) zoning district and is subject to review and approval by the Tennessee Technology Corridor Development Authority (TTCDA). The TTCDA will consider this request on December 5, 2011.

# 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 all utilities are available to serve this site.

2. The proposed development is an extension of the existing apartments located to the south and is compatible with surrounding land uses.

3. Any school age children living in this development will be zoned to Hardin Valley Elementary School, Karns Middle School and Hardin Valley Academy.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the recommended conditions, the proposed apartment development is consistent with all relevant requirements of the OB zoning, as well as other criteria for approval of a use on review.

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2. The 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 in is harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development has access to a major arterial.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes medium density residential (MDR), mixed uses (which includes MDR) and commercial uses for this site. The proposed development will be in conformity with the plan when the parcels, including the JPE, are combined as a single lot.

2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

#### ESTIMATED TRAFFIC IMPACT 920 (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: 22 (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.

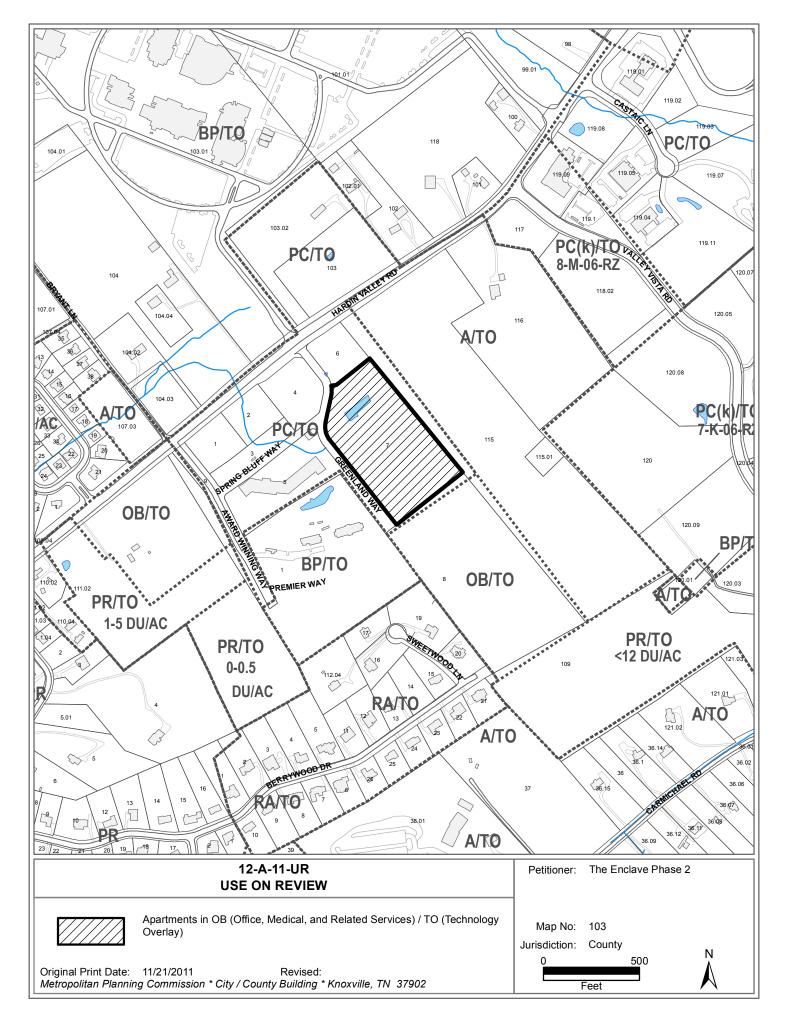
• Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

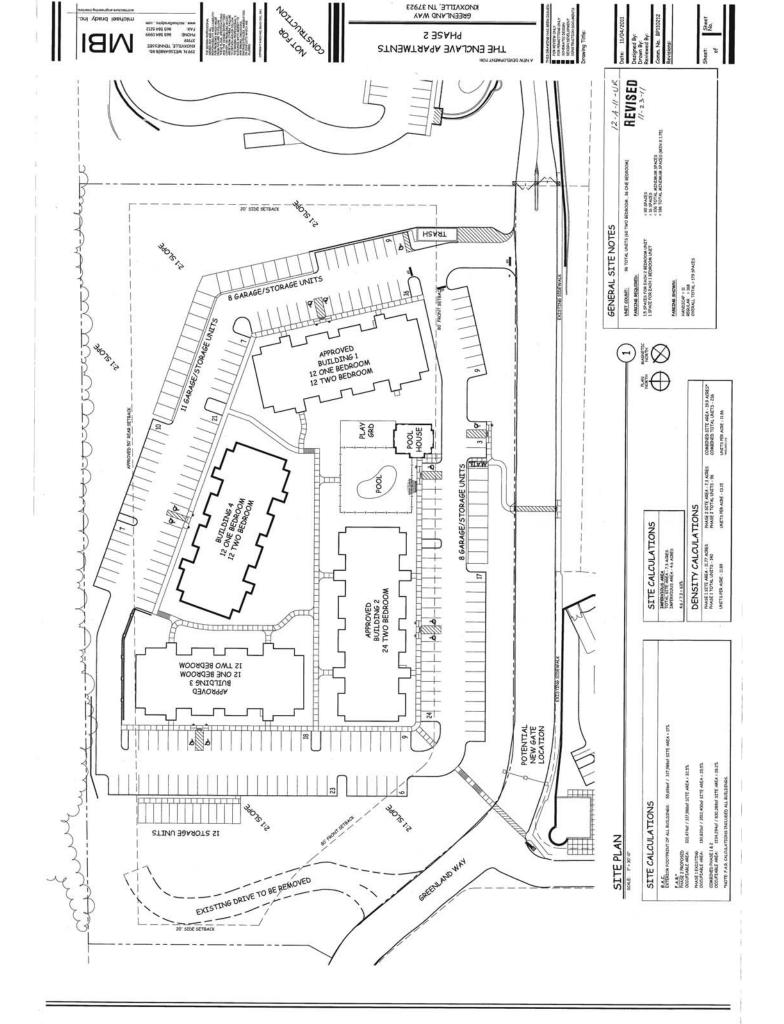
• School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

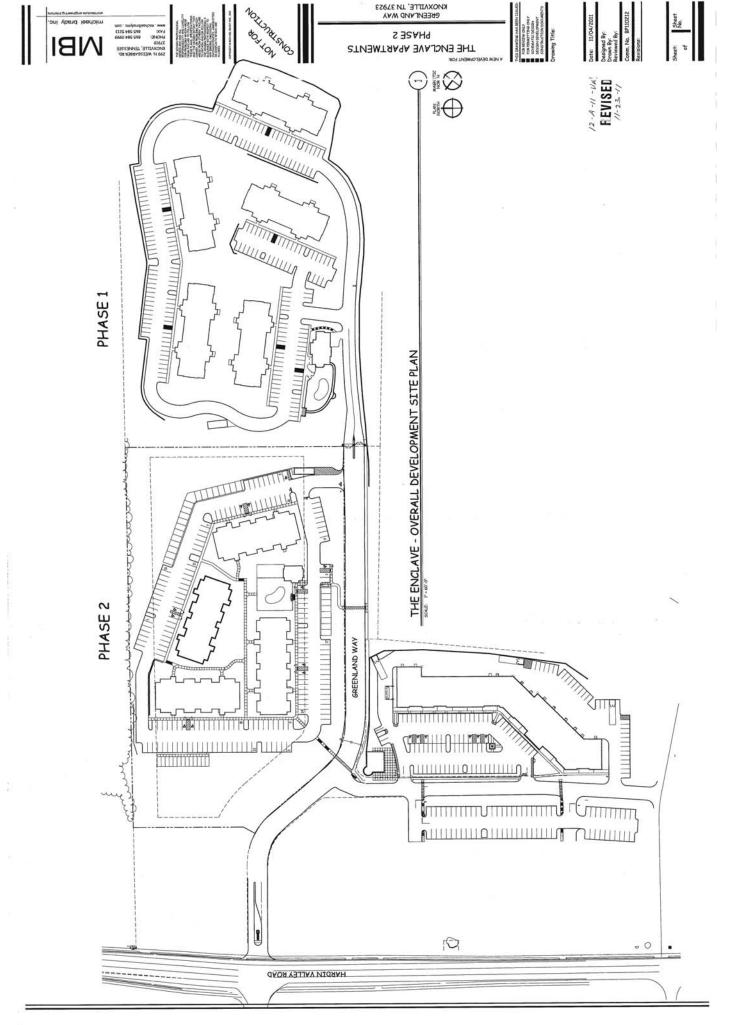
MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.

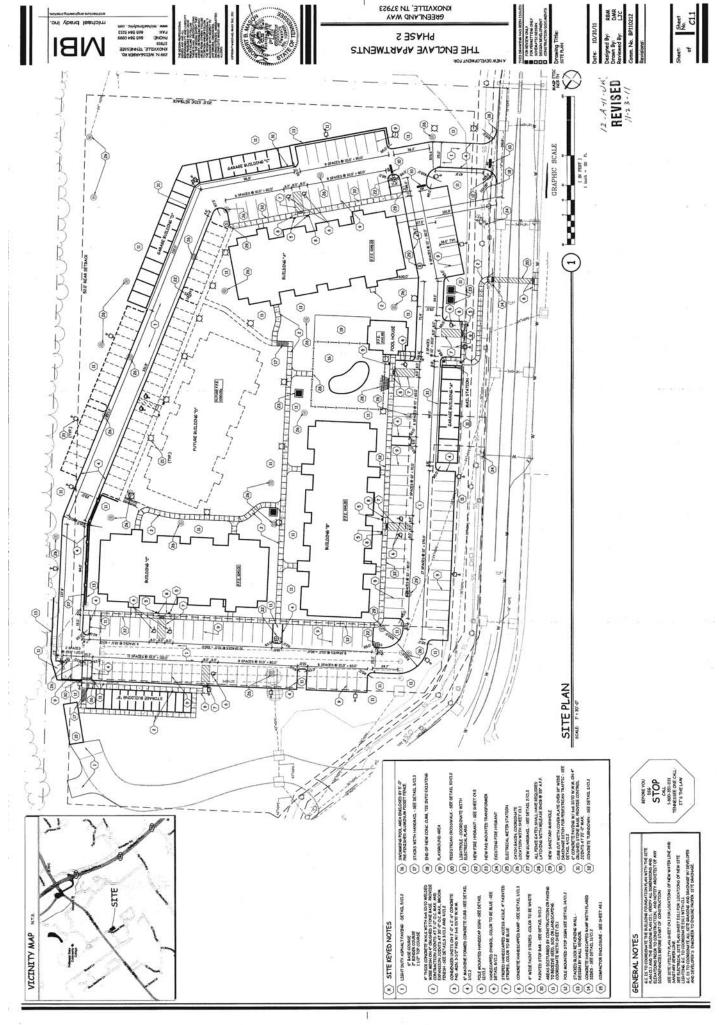
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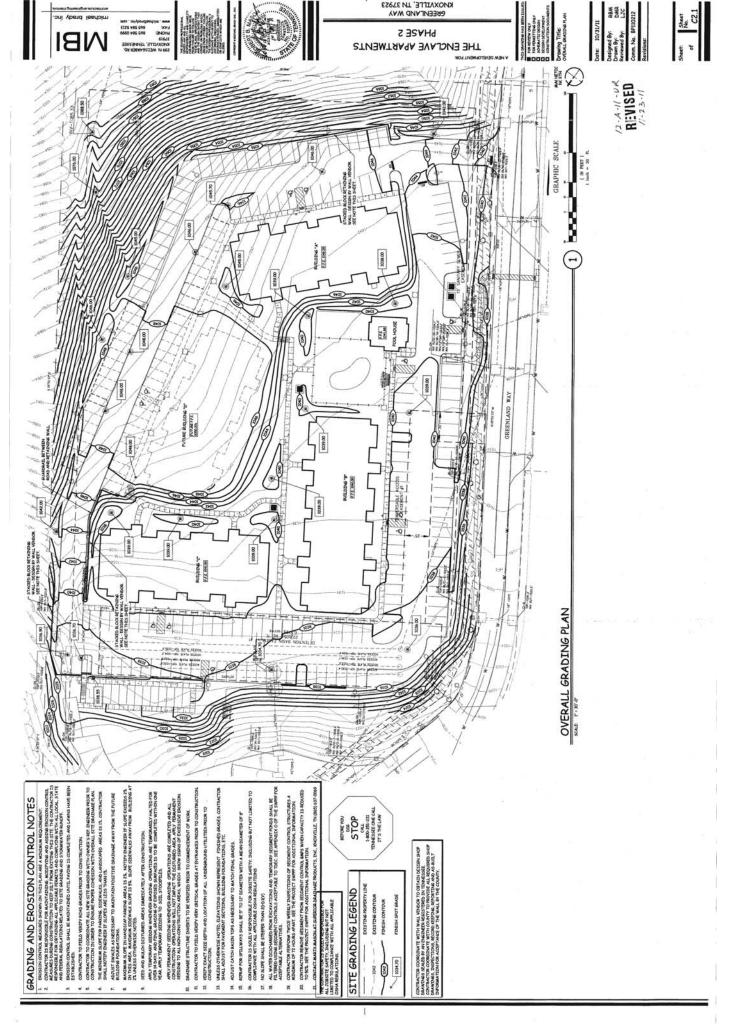
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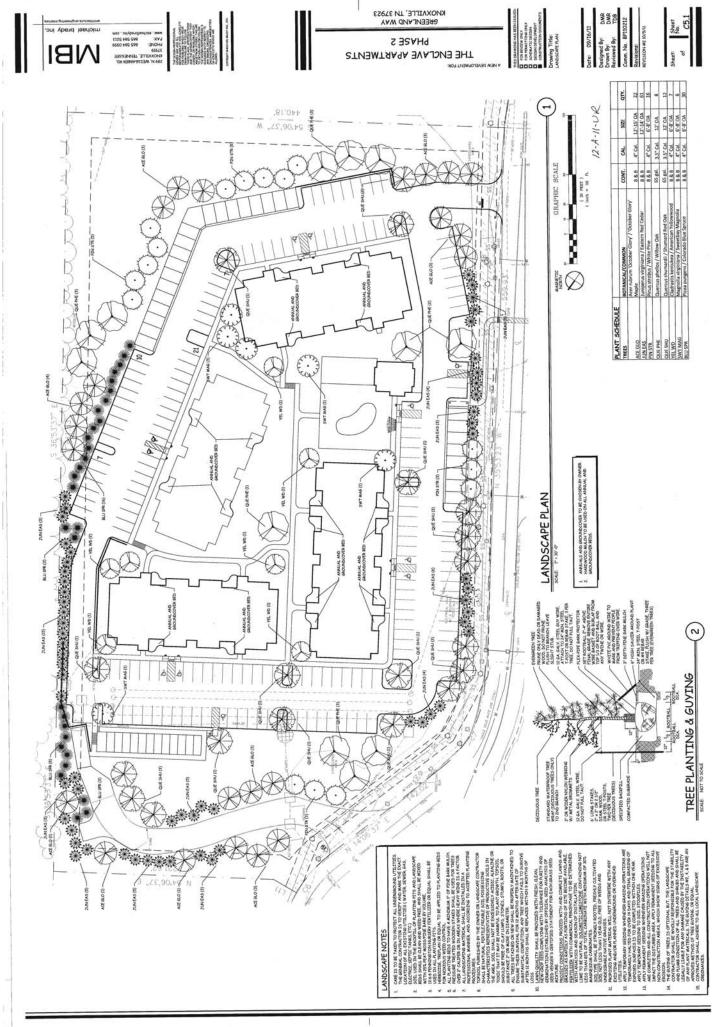












MPC December 8, 2011

