



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

▶ **FILE #:** 11-A-17-UR

**AGENDA ITEM #:** 40

**AGENDA DATE:** 11/9/2017

▶ **APPLICANT:** CLEAR WATER PARTNERS LLC

OWNER(S): Clear Water Partners

TAX ID NUMBER: 117 03613 & 118-00104

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 Carmichael Rd

▶ **LOCATION:** Southeast side of Carmichael Rd., southern end of Valley Vista Rd.

▶ **APPX. SIZE OF TRACT:** 24.976 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Carmichael Rd., a minor collector street with a 21' pavement width within a 50' right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek and Hickory Creek

▶ **ZONING:** OB (Office, Medical, and Related Services) / TO (Technology Overlay) pending

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Apartments

11.93 du/ac

HISTORY OF ZONING: The Planning Commission recommended approval of the request to rezone the property to OB (Office, Medical, and Related Services) / TO (Technology Overlay) on September 14, 2017. The Knox County Commission postponed review to November 20, 2017.

SURROUNDING LAND USE AND ZONING: North: Business, residence and vacant land - BP (Business and Technology) / TO (Technology Overlay) & PR (Planned Residential) / TO (Technology Overlay)

South: Vacant land and offices - BP (Business and Technology) / TO (Technology Overlay)

East: Pellissippi Parkway - BP (Business and Technology) / TO (Technology Overlay)

West: Vacant land - OB (Office, Medical, and Related Services) / TO (Technology Overlay) & BP (Business and Technology) / TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: This site is located along the west side of Pellissippi Pkwy., south of Vista Dei Monte business park, under various zones, and north of the Centerpoint condominium development, zoned OB/TO and BP/TO.

**STAFF RECOMMENDATION:**

► **APPROVE the development plan for an apartment complex with up to 298 residential units subject to the following 12 conditions:**

1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCDA) for the proposed development (11-A-17-TOB).
2. Connecting the development to sanitary sewer, as well as meeting 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 Ordinance (Ord. 91-1-102).
4. As required by the Knox County Department of Engineering and Public Works, completing the recommended street improvements as identified in the Transportation Impact Study for Hardin Valley Pointe (prepared by Ajax Engineering, with a revised date of November 5, 2017), for the intersection of Valley Vista Road and Carmichael Road at the Hardin Valley Pointe driveway entrance. The specific recommendations are identified as item #2 on pages 61 and 62 of the revised study.
5. Knox County will provide the final surface and striping for any improvements to the intersection of Valley Vista Rd. and Carmichael Rd. Currently a mini roundabout is proposed.
6. The details for the proposed mini roundabout will be addressed during the design plan stage of review by the Knox County Department of Engineering and Public Works. Sight distance and capacity for the proposed mini roundabout must be determined before the final mini roundabout design can be approved. Plans for the proposed apartment complex will not be approved until the design of the intersection has been finalized and approved.
7. Site clearing and grading shall not occur prior to final approval by the Knox County Department of Engineering and Public Works. Prior to any site clearing and grading, identify the limits of grading disturbance in the field in order to protect those few areas on the site that are to remain undisturbed.
8. Working with the Knox County Department of Engineering and Public Works and Planning Commission staff during the design plan stage of the review to determine if a second entrance on the east side of the development can be added to allow a connection to a frontage road along Pellissippi Parkway that is being considered by the Tennessee Department of Transportation.
9. 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.
10. Installing all sidewalks as identified on the development plan in compliance with the requirements of the Knox County Department of Engineering and Public Works and the requirements of the Americans with Disabilities Act (ADA).
11. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
12. 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 298 unit apartment development on a 24.976 acre site at a density of 11.93 du/ac. The site is located on the southeast side of Carmichael Rd., the southwest side of Pellissippi Parkway and at the southern end of Valley Vista Rd. which provides access north to Hardin Valley Rd.

The Planning Commission recommended approval of the request to rezone the property to OB (Office, Medical, and Related Services) / TO (Technology Overlay) on September 14, 2017. The recommendation of approval included the following two conditions: 1. Use on review approval of a development plan will be required by MPC prior to any disturbance of the site, including clearing and grading. 2. The maximum residential density of 12 dwelling units per acre is the permitted density by right in the OB zone and no higher density shall be permitted by way of a use on review application or otherwise. The Knox County Commission postponed review of the request to their November 20, 2017 meeting.

The proposed entrance for the apartment complex will be off of Carmichael Rd., directly across from Valley Vista Rd. The apartment complex will include 69 one bedroom units, 173 two bedroom units and 56 three bedroom units within 12 buildings. The building mix includes 1 two/three story building, 1 three story building and 10 three/four story buildings. The buildings will meet the required setbacks of both the OB zoning district and the TTCDA setback standards. The proposed parking for the units includes 566 spaces in surface parking areas and 48 spaces located within stand alone parking garages. An additional 28 spaces are being provided for the office/clubhouse and mail kiosk for a total of 642 spaces. Amenity areas are being provided throughout the complex including a clubhouse, pool, playground, picnic areas, gazebos, benches and a sidewalk network.

The sidewalk system will also connect to the existing sidewalks that are located along Valley Vista Rd. which provides access to Hardin Valley Rd.

The Tennessee Department of Transportation (TDOT) in evaluating the traffic impact study that was prepared for this development had stated that it is their full intent to move forward with the removal of the median cuts and eventually at grade intersections along this stretch of Pellissippi Parkway. TDOT's intent is to make Pellissippi Parkway an access controlled roadway by sole use of the interchanges and a frontage road system on either side. The traffic impact study is being revised to reflect that proposed change to the existing road system. A mini roundabout is being evaluated for the intersection of Carmichael Rd., Valley Vista Rd. and the proposed apartment complex entrance. Staff is also working with the applicant to evaluate a second entrance for the complex that could possibly tie into the frontage road along Pellissippi Parkway that is being considered by TDOT.

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 application (11-A-17-TOB) will be considered by the TTCDA Board on November 6, 2017.

#### EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.
2. The traffic impact study that has been prepared for the development identifies the street improvement that will be necessary for this intersection to continue to operate at acceptable levels of services with the proposed development.
3. The proposed development is compatible with other development that has occurred in this area under the BP, OB and PC zoning.

#### 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.
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 is in 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 minor 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 Northwest County Sector Plan identifies this site within a mixed use special district (NW-CO-4). This specific area south of Carmichael Rd. is addressed in the plan with the recommendation that the northern portion of the site adjacent to Carmichael Road should be limited to office uses with a recommendation for all new development to go through a use on review process. The rezoning recommendation of OB zoning, with the condition that use on review approval is required is in keeping with the Sector Plan. The OB zoning allows multi-dwelling developments by right. The proposed development at a density of 11.93 du/ac is consistent with the sector plan and proposed zoning designation.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**ESTIMATED TRAFFIC IMPACT:** A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

**ESTIMATED STUDENT YIELD:** 5 (public 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.
- 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.

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.