

▶ **FILE #:** 9-K-17-UR **AGENDA ITEM #:** 54
 POSTPONEMENT(S): 9/14/2017 **AGENDA DATE:** 10/12/2017
 ▶ **APPLICANT:** C. HUNTER NELSON
 OWNER(S): ECG Martin Mill LP

TAX ID NUMBER: 109 A K 002.02 [View map on KGIS](#)
 JURISDICTION: City Council District 1
 STREET ADDRESS: 2712 E Martin Mill Pike
 ▶ **LOCATION:** NE side E. Martin Mill Pike, north side Lippencott St.
 ▶ **APPX. SIZE OF TRACT:** 5.9 acres
 SECTOR PLAN: South City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via E. Martin Mill Pike, a minor collector street with 22' of pavement width within 35-50' of right-of-way, or Lippencott St., a minor collector street with 20' of pavement width within 60' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Tennessee River

▶ **ZONING:** RP-2 (Planned Residential)
 ▶ **EXISTING LAND USE:** Vacant land
 ▶ **PROPOSED USE:** Multi family residential development
 29.2 du/ac
 HISTORY OF ZONING: Property rezoned from C-4 to RP-2 <30 du/ac in July 2017 (4-D-17-RZ).
 SURROUNDING LAND USE AND ZONING: North: Businesses, houses, vacant land / C-4 (Highway & Arterial Commercial), R-2 (General Residential)
 South: Lippencott St., apartments / R-2 (General Residential)
 East: Vacant land / R-2 (General Residential)
 West: E. Martin Mile Pike, restaurants / C-4 (Highway & Arterial Commercial)
 NEIGHBORHOOD CONTEXT: This property is located between commercial business to the west along Chapman Hwy., zoned C-4, and multi-family residential development to the south and east, zoned R-2.

STAFF RECOMMENDATION:

- ▶ **APPROVE the Development Plan for a multi-dwelling development with up to 172 dwelling units, subject to 7 conditions.**
1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
 2. Installation of all sidewalks and pedestrian crossings identified on the approved development plan shall be in compliance with the requirements of the Knoxville Department of Engineering and meeting all applicable

- requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.
3. Meeting the requirements of the Knoxville Tree Protection Ordinance and all applicable requirements of the Knoxville Urban Forester.
 4. Meeting all applicable requirements of the Knoxville Department of Engineering.
 5. Installation of landscaping as shown on the landscape plan within six months of the issuance of the first occupancy permit for the project.
 6. Installation of a concrete pad for a bus stop shelter in coordination and compliance with the requirements of Knoxville Area Transit.
 7. Meeting all applicable requirements of the Knoxville Zoning Ordinance, including but not limited to Article 8 (Signs, billboards, and other advertising structures).

With the conditions noted above, this request meets all criteria for a use-on-review in the RP-2 zoning district.

COMMENTS:

This proposal is for a 172 unit apartment complex (29.1 du/ac) that includes three buildings, two of which are along the E. Martin Mill Pike and Lippencott Street frontages, and one towards the rear of the property. There is one vehicular access provided on Lippencott St. and the parking lot is located between the two street fronting buildings (Buildings 1 & 2) and the rear building (Building 3). There are 30 covered bicycle parking spaces located at the mail building, east of building 3, which includes 20 vertical (hanging) spaces within the building and 10 horizontal spaces on the covered patio (see Sheet A-13).

The development received approvals by the Board of Zoning Appeals (August 17, 2017) to reduce the peripheral setback along the two street frontages from 29' to 15', and the minimum required parking spaces from 236 to 186. The peripheral setback for the side and rear lot lines will remain 27' and the developer is proposing up to 21 on-street parking spaces on E. Martin Mill Pike, which will be in addition to the required 186 on-site parking spaces. The on-street parking spaces will be reviewed and approved in a separate process by the City of Knoxville Engineering department and is not part of this development plan approval.

When the subject property was rezoned from C-4 to RP-2 (up to 30 du/ac) in June 2017, one of the concerns MPC staff had was how much of the steep, vegetated slopes will be disturbed because the rear of the property is within the Hillside Protection area. To address this concern the applicant submitted a conceptual site plan (Exhibit A) and staff proposed a non-disturbance area based on this plan (Exhibit B). Staff recommended a condition that prohibits disturbance within the area shown as non-disturbance on this map, which both MPC and City Council approved without concern from the applicant.

The UOR development plan proposes to grade a small area of the non-disturbance area that was shown on the previous plan. The issue that has arisen is the conceptual site plan used to create the non-disturbance area (Exhibit B) was not to scale and the dimensions written on the plan to delineate the length along the property line does not match the drawn non-disturbance area. Because of the discrepancy between the drawn and dimensioned non-disturbance area, it is not practical to use either to determine the actual limit of grading and disturbance. The applicant provided documentation that the proposed development will disturb approximately 8,000 square feet less land area than the larger of the two possible non-disturbance areas (Exhibit C). The area shown in blue is grading within the non-disturbance area and the area shown in green is area that could be disturbed but is not. Disturbance of the Hillside Protection area is essentially the same between that allowed by the zoning condition and the proposed plan (approx. 1.5 acres). In staff's opinion, the proposed development plan meets the intent of the zoning condition by grading no more of the Hillside Protection area than what is allowed by the condition.

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

1. The proposed residential development will have minimal impact on local services since utilities are available to serve this site.
2. The proposed development is compatible with surrounding development and should have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE CITY OF KNOXVILLE ZONING ORDINANCE

1. With the recommended conditions, the proposal meets all requirements of the RP-2 zoning as well as the general criteria for approval of a use on review.
2. The proposed development disturbs approximately the same amount of the Hillside Protection area as that allowed by the condition of zoning adopted by City Council.

3. The proposed housing development with the recommended conditions 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 off minor collector streets. 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 One Year Plan and South City Sector Plan identify this site for high density residential uses (greater than 24 du/ac). The proposed residential development at 29.1 du/ac complies with the One Year Plan and Sector Plan, and the current zoning of the site.
2. The site is located within the city limits on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 1554 (average daily vehicle trips)

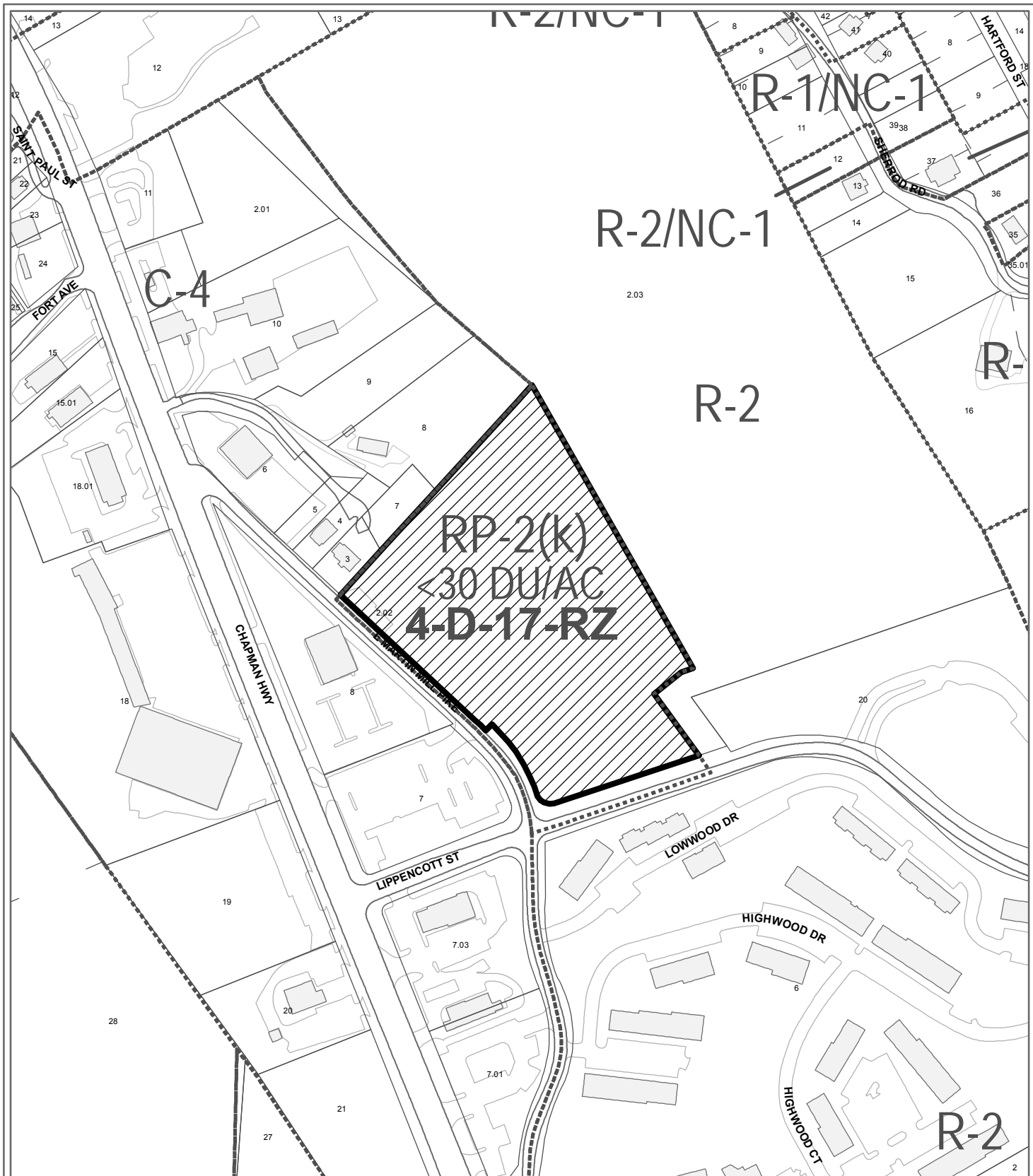
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 3 (public school children, ages 5-18 years)

Schools affected by this proposal: South Knoxville Elementary, South Doyle Middle, and South Doyle High.

- 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 Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**9-K-17-UR
USE ON REVIEW**



Multi family residential development in RP-2 (Planned Residential)

Original Print Date: 8/16/2017
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

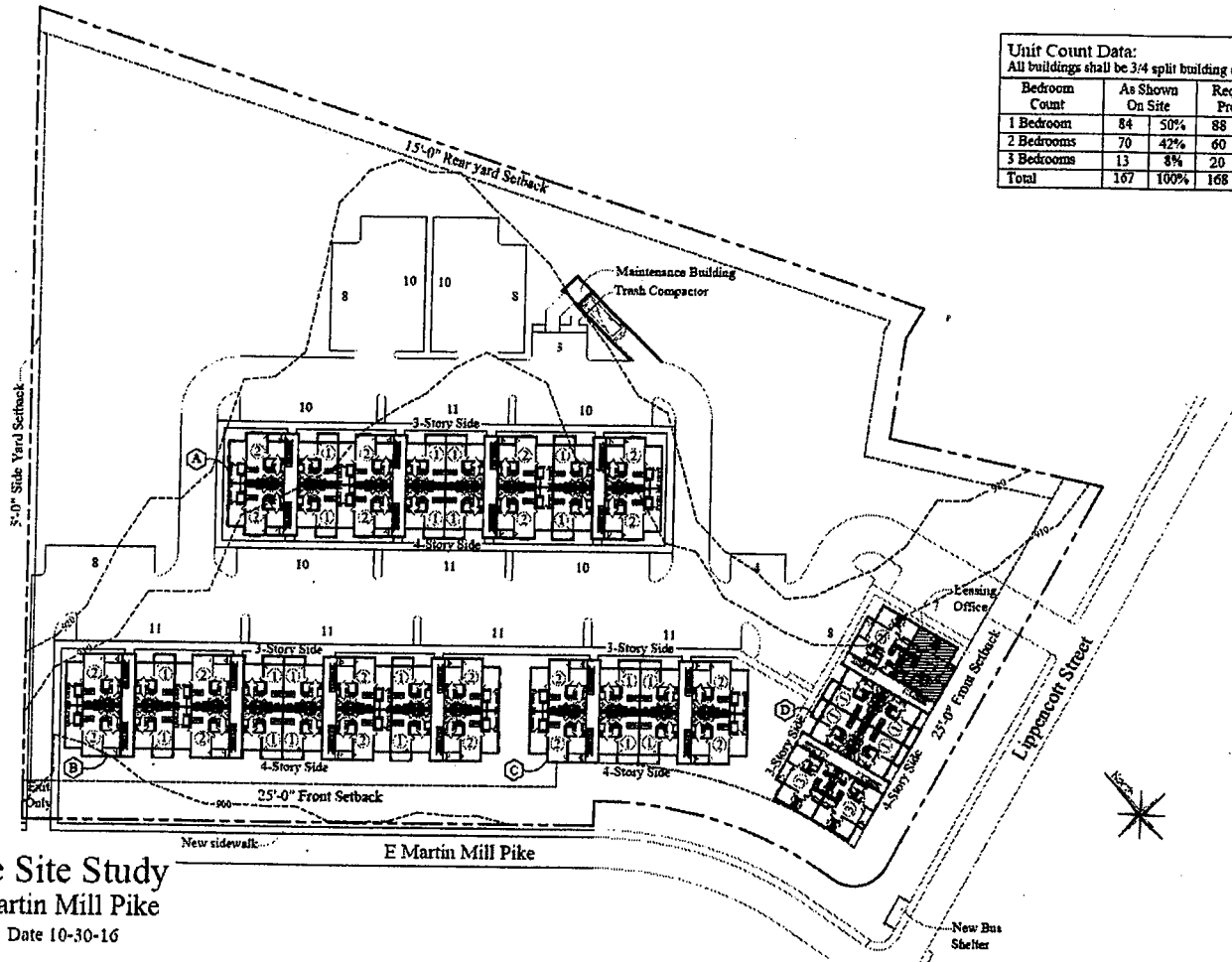
Petitioner: C. Hunter Nelson

Map No: 109

Jurisdiction: City



EXHIBIT A



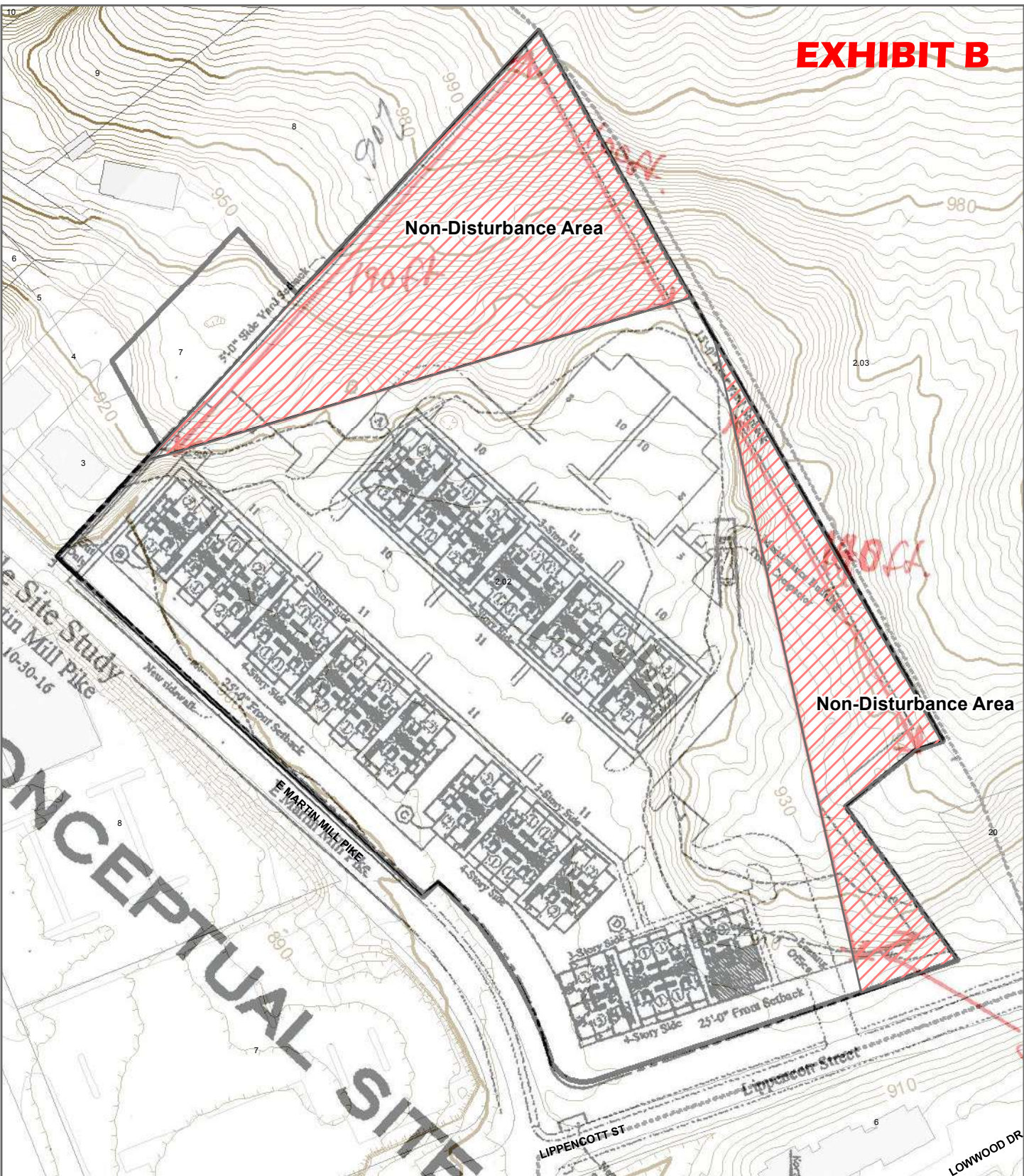
Unit Count Data:
All buildings shall be 3/4 split building concept

Bedroom Count	As Shown On Site	Requested Program
1 Bedroom	84 50%	88 52%
2 Bedrooms	70 42%	60 36%
3 Bedrooms	13 8%	20 12%
Total	167 100%	168 100%

Knoxville Site Study
2717 East Martin Mill Pike
Scale: 1" = 60'-0" Date 10-30-16

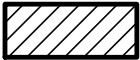
CONCEPTUAL SITE PLAN

EXHIBIT B



4-D-17-RZ REZONING - TOPOGRAPHY

From: C-4 (Highway and Arterial Commercial)
To: RP-2 (Planned Residential)



Petitioner: ECG Martin Mill LP

Map No: 109
Jurisdiction: City



Original Print Date: 3/29/2017
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

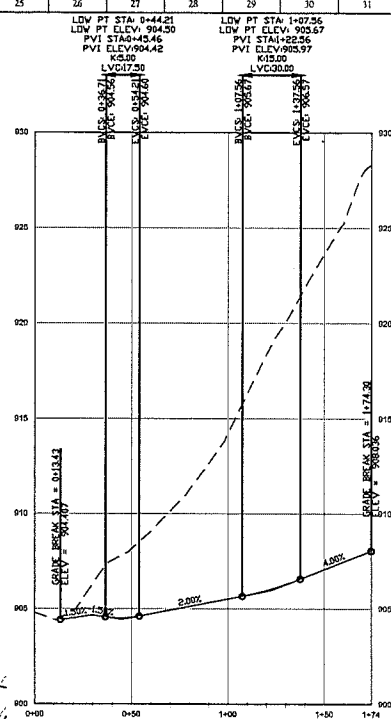
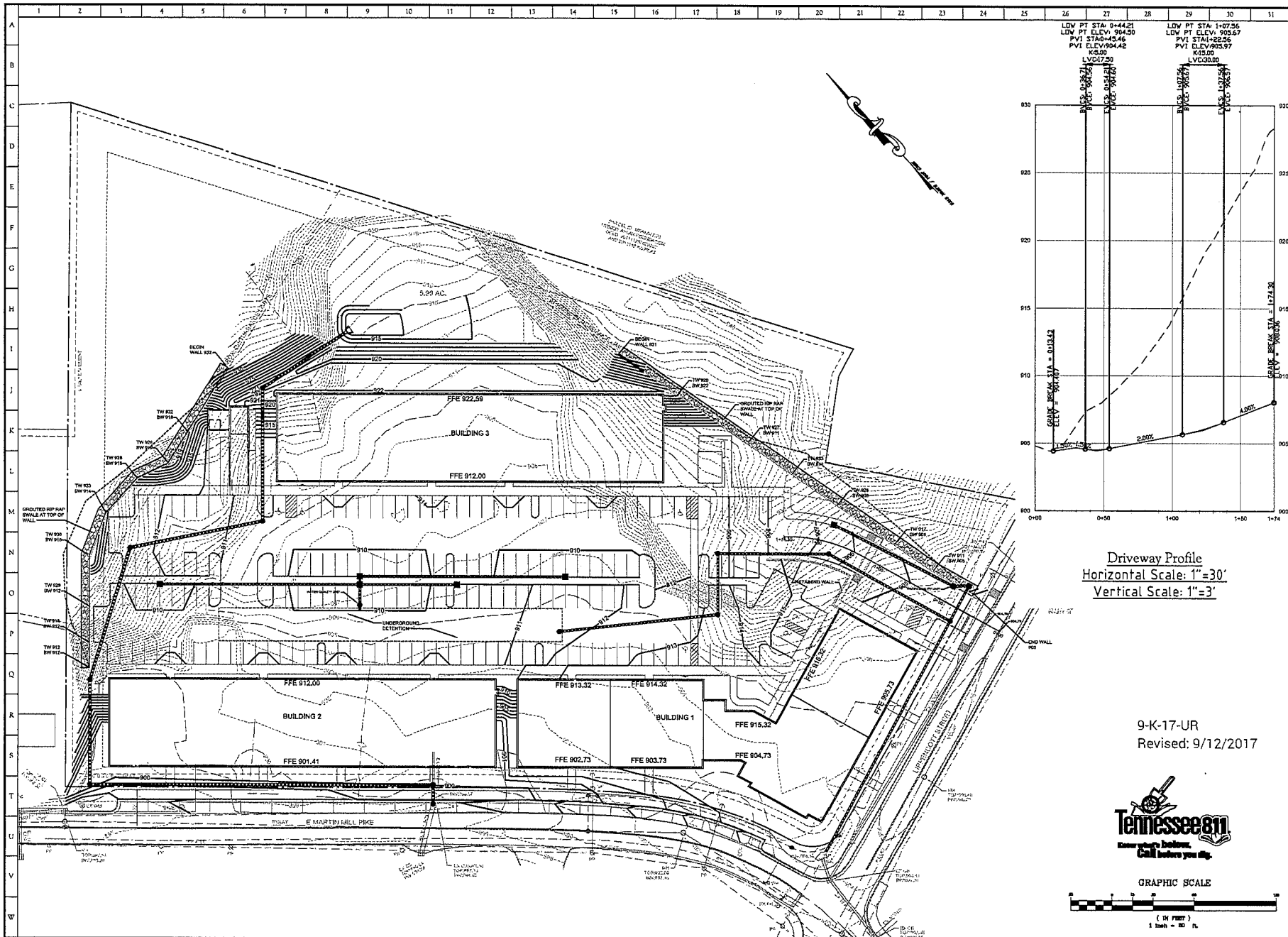


Non-Disturbance Area Exhibit
Southside Flats
 2712 E Martin Mill Pike
 Knoxville, Tennessee 37920
 Parcel ID: 109AK00202, City Block: 25220

NO.	DATE	BY	REVISIONS
1	08/22/17	ASH	ISSUE FOR PERMIT
2			
3			
4			
5			
6			
7			
8			
9			
10			

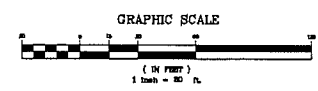
EX1

EXHIBIT C



Driveway Profile
 Horizontal Scale: 1"=30'
 Vertical Scale: 1"=3'

9-K-17-UR
 Revised: 9/12/2017

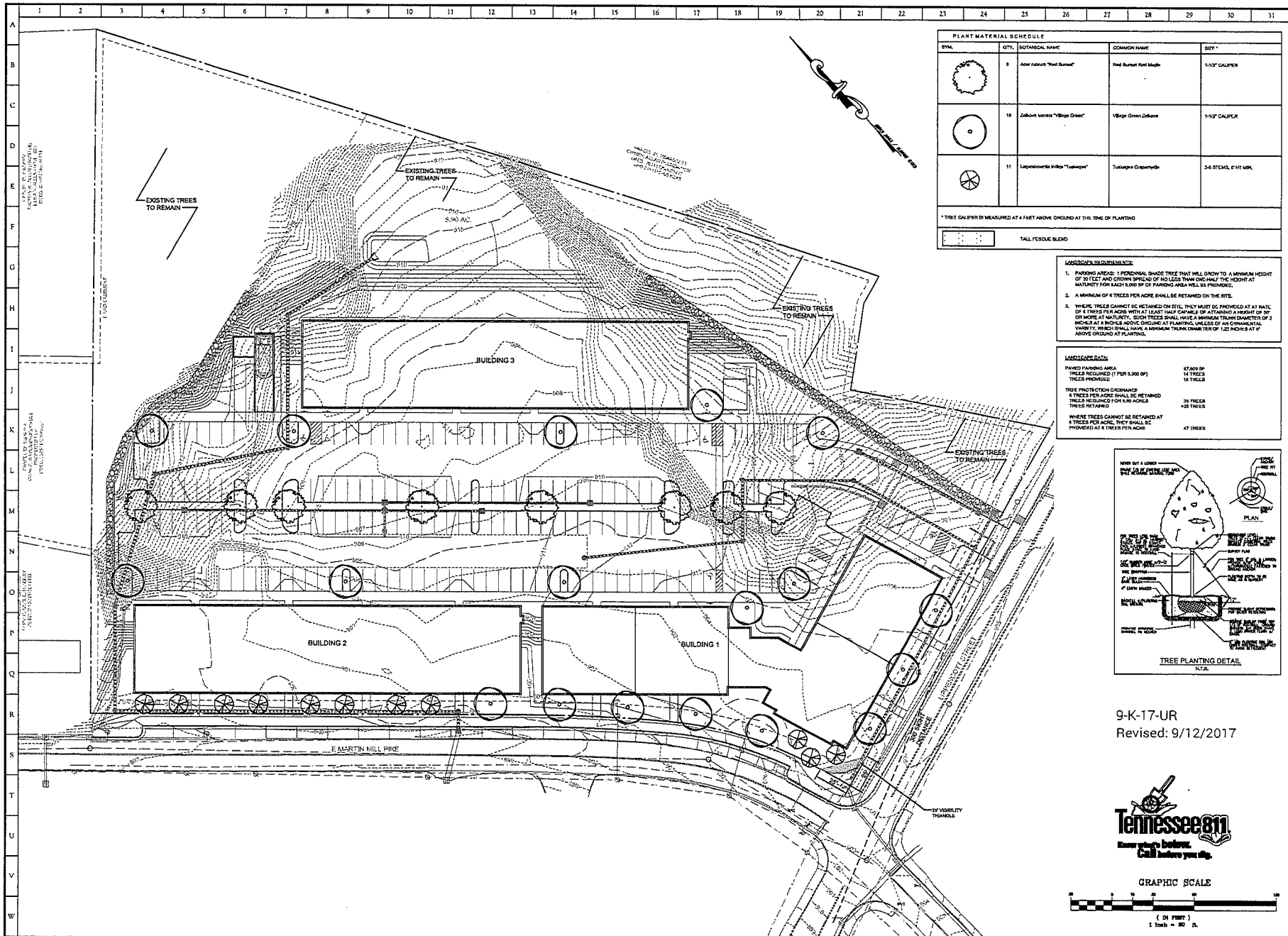


Use on Review Development Plan - Grading and Drainage Plan

Southside Flats
 2712 E Martin Mill Pike
 Knoxville, Tennessee 37920
 Parcel ID: 109AK00202 City Block: 25220

NO.	DATE	COMMENTS
1	08/20/17	Final for RDC Comment
2	09/12/17	Revised for RDC Comment

C3.0

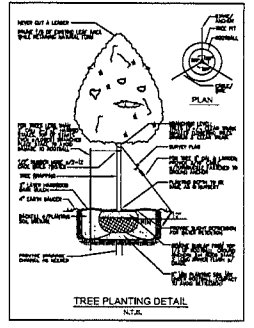


PLANT MATERIAL SCHEDULE				
SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE*
	8	Acer rubrum "Red Burned"	Red Burned Red Maple	1-1 1/2" CALIPER
	18	Quercus sp. "Village Green"	Village Green Oak	1-1 1/2" CALIPER
	11	Liriodendron tulipifera "Tulip Poplar"	Tulip Poplar	3-4" DBH, 6' FT. MIN.

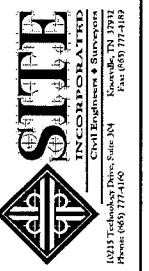
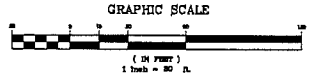
*TREE CALIPER IS MEASURED AT 4 FEET ABOVE GROUND AT THE TIME OF PLANTING

□ TALL PESTICIDE BLEND

- LANDSCAPE REQUIREMENTS:**
- PARKING AREAS: 1. SPECIFICALLY SHADE TREE THAT WILL GROW TO A MINIMUM HEIGHT OF 20 FEET AND CROWN SPREAD OF NO LESS THAN ONE-HALF THE HEIGHT AT MATURITY FOR EACH SIDE OF PARKING AREA WELL IN ADVANCE.
 - A MINIMUM OF 4 TREES PER ACRE SHALL BE RETAINED ON THE SITE.
 - WHERE TREES CANNOT BE RETAINED ON SITE, THEY MUST BE PROVIDED AT A RATE OF 8 TREES PER ACRE WITH AT LEAST HALF CAPABLE OF ATTAINING A HEIGHT OF 20 FEET OR MORE AT MATURITY. EACH TREE SHALL HAVE A MINIMUM TRUNK DIAMETER OF 2 INCHES AT 4 INCHES ABOVE GROUND AT PLANTING, UNLESS OF AN ORNAMENTAL VARIETY, WHICH SHALL HAVE A MINIMUM TRUNK DIAMETER OF 1.25 INCHES AT 4" ABOVE GROUND AT PLANTING.
- LANDSCAPE DATA:**
- | | |
|--|-----------|
| PAVED PARKING AREA | 17,809 SF |
| TREES REQUIRED (1 PER 5,000 SF) | 36 TREES |
| TREES PROVIDED | 18 TREES |
| TREE PROTECTION DISTANCE | 18 TREES |
| 4 TREES PER ACRE SHALL BE RETAINED | 47 TREES |
| TREES REQUIRED FOR 5.00 ACRES | 20 TREES |
| WHERE TREES CANNOT BE RETAINED AT 4 TREES PER ACRE, THEY SHALL BE PROVIDED AT 8 TREES PER ACRE | 47 TREES |



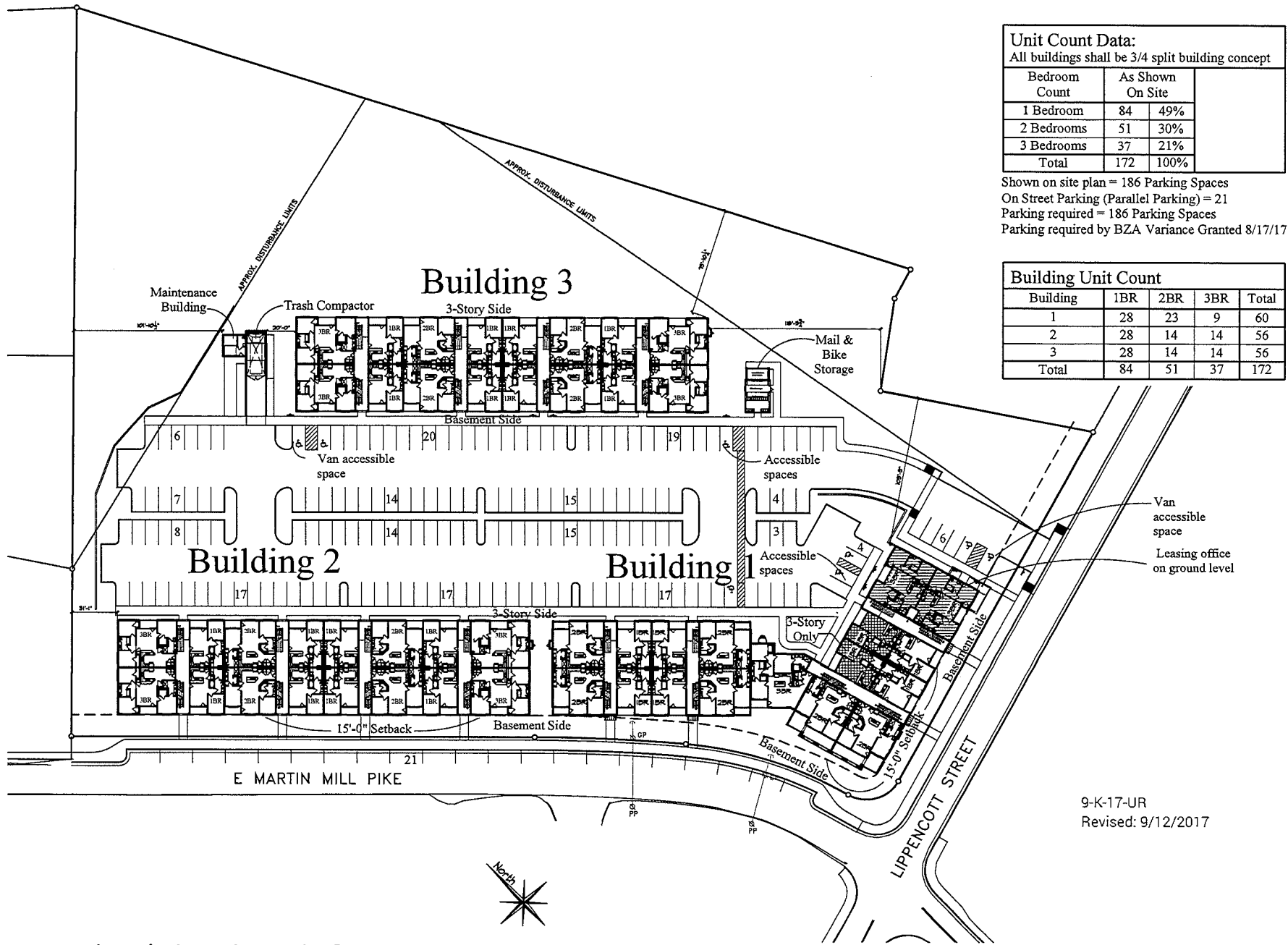
9-K-17-UR
Revised: 9/12/2017



Use on Review Development Plan - Landscape Plan
Southside Flats
2712 E Martin Mill Pike
Knoxville, Tennessee 37920
Parcel ID: 109AK00202 City Block: 25220

NO.	DATE	COMMENTS
1	08/20/17	Final for 811 Clearance
2	09/12/17	Final for 811 Clearance

C6.0



Unit Count Data:
All buildings shall be 3/4 split building concept

Bedroom Count	As Shown On Site	
1 Bedroom	84	49%
2 Bedrooms	51	30%
3 Bedrooms	37	21%
Total	172	100%

Shown on site plan = 186 Parking Spaces
 On Street Parking (Parallel Parking) = 21
 Parking required = 186 Parking Spaces
 Parking required by BZA Variance Granted 8/17/17

Building Unit Count

Building	1BR	2BR	3BR	Total
1	28	23	9	60
2	28	14	14	56
3	28	14	14	56
Total	84	51	37	172

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 Knoxville, Tennessee

ECC Martin Mill, LP
 118 16th Avenue South
 Nashville, TN 37203

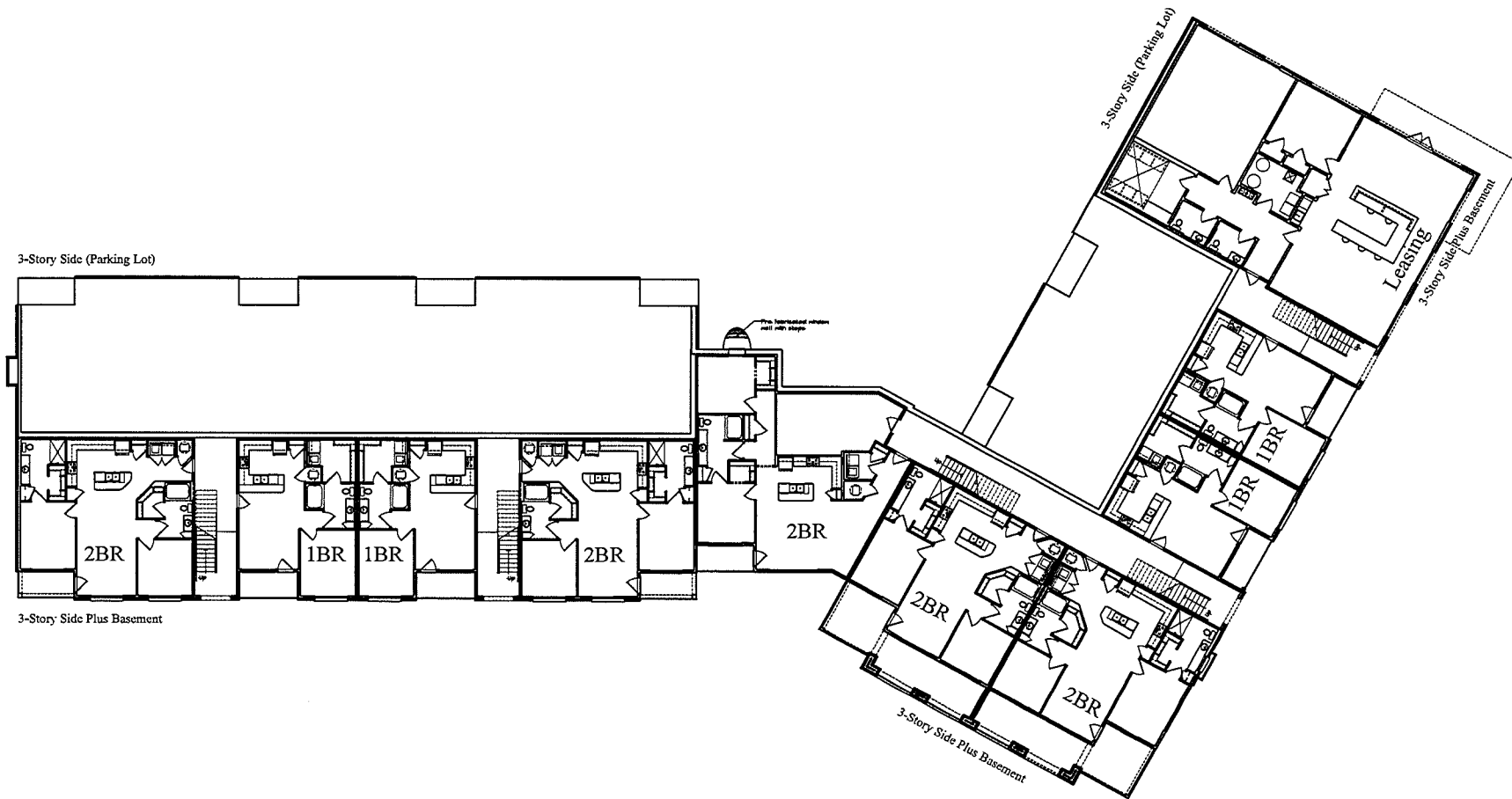
Revision 1 - 08.01.17

9-K-17-UR
 Revised: 9/12/2017

Project Number: 16048
 Description: Use on Review Submittal
 Date: 08.04.17

Sheet Number:
A-1

1 Architectural Site Plan
 Scale: 1" = 30'-0"



9-K-17-UR
 Revised: 9/12/2017



Basement Floor Plan (Building 1)

Scale: 1/8" = 1'-0"

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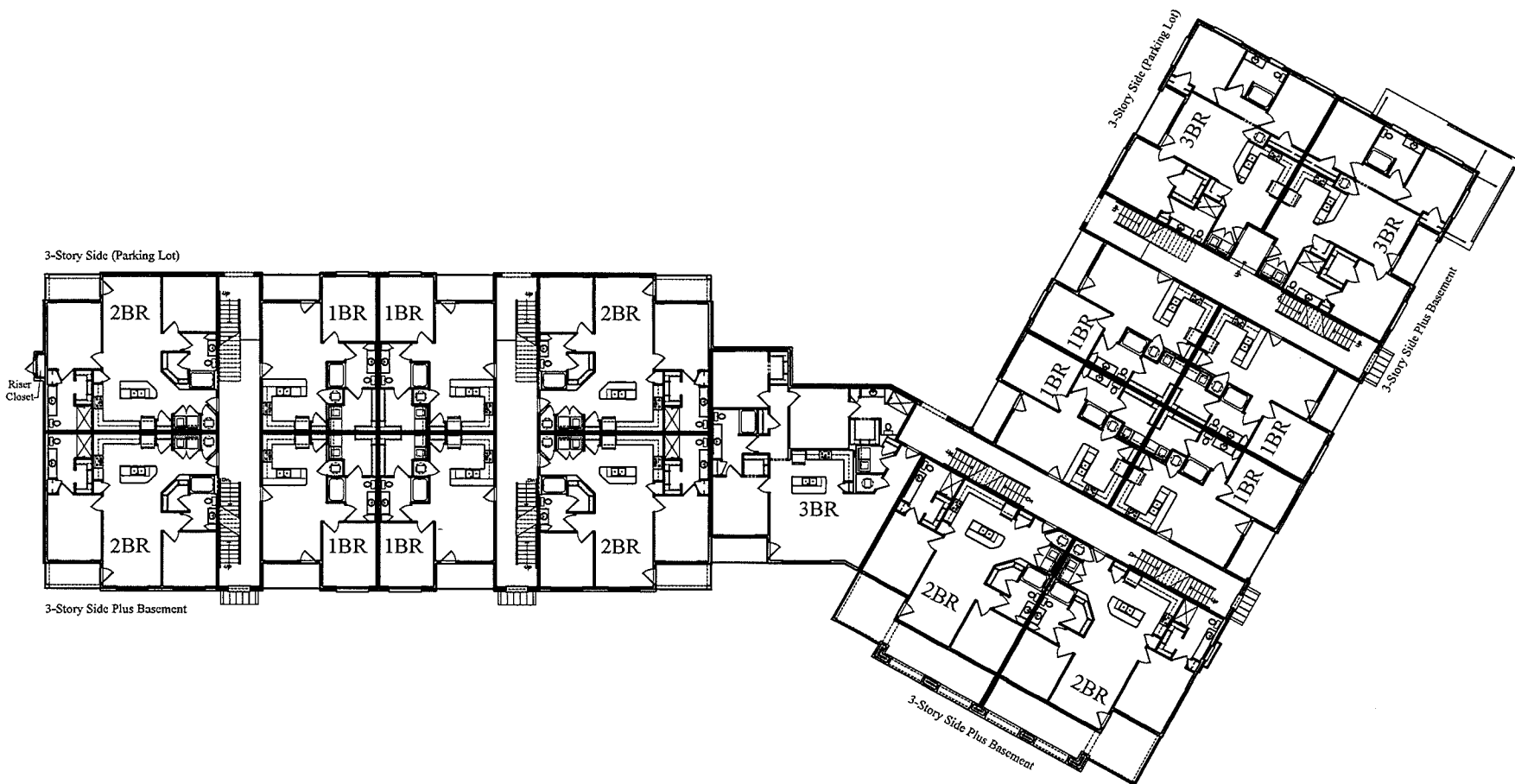
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Revision 1 - 03/07

Project Number: 16048	Description: Use on Review Submittal
Date: 08.04.17	
Sheet Number:	A-4



First Floor Plan (Building 1)

Scale: $\frac{1}{8}'' = 1'-0''$

9-K-17-UR
Revised: 9/12/2017

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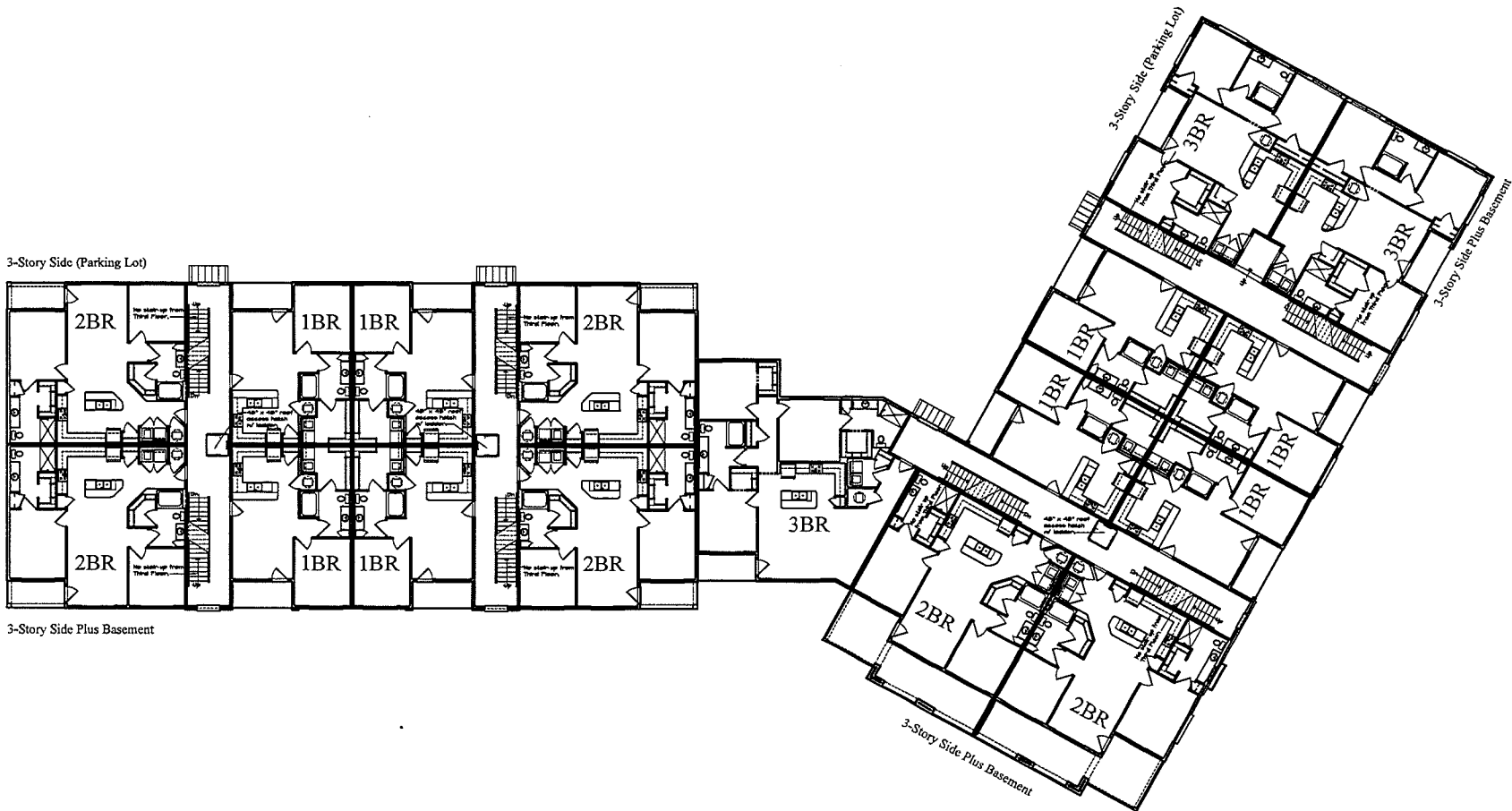
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Revision 1 - 8.30.17

Project Number: 16048 Description: Use on Review
Date: 08.04.17 Submittal

Sheet Number:

A-5



3-Story Side (Parking Lot)

3-Story Side Plus Basement

3-Story Side (Parking Lot)

3-Story Side Plus Basement

3-Story Side Plus Basement

9-K-17-UR
Revised: 9/12/2017



Second & Third Floor Plan (Building 1)

Scale: 1/8" = 1'-0"

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Revision 1 - 03/01/17

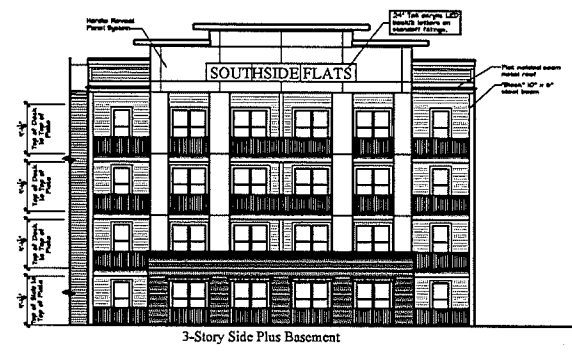
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Description: Use on Review Submittal
Date: 08.04.17

Sheet Number:

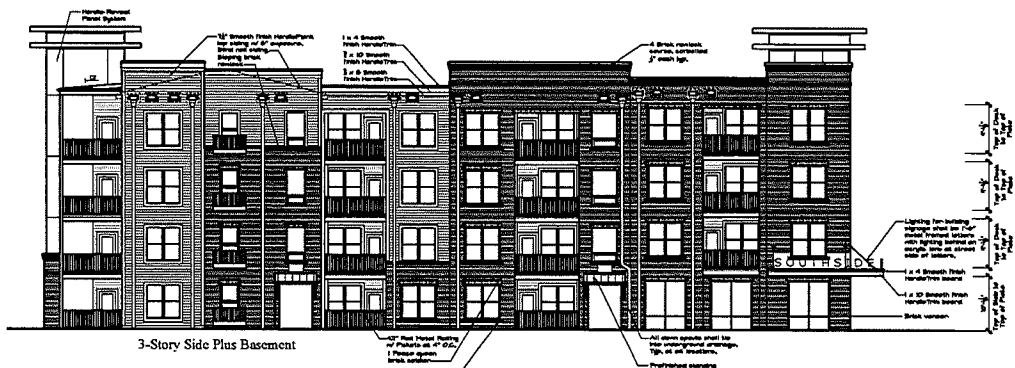
A-6



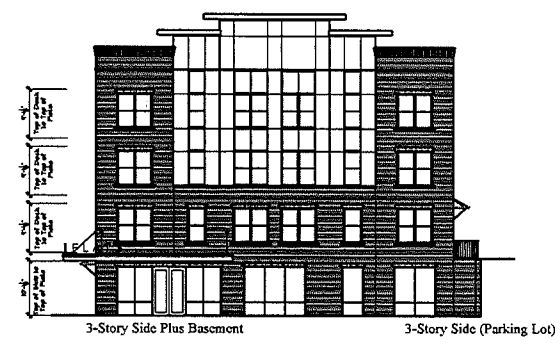
1 South Elevation (Building 1)
Scale: 3/8" = 1'-0"



2 Corner of E. Martin Mill Pike & Lippencott Partial Elevation (Building 1)
Scale: 3/8" = 1'-0"



3 East Elevation (Building 1)
Scale: 3/8" = 1'-0"



4 West Elevation (Building 1)
Scale: 3/8" = 1'-0"

9-K-17-UR
Revised: 9/12/2017

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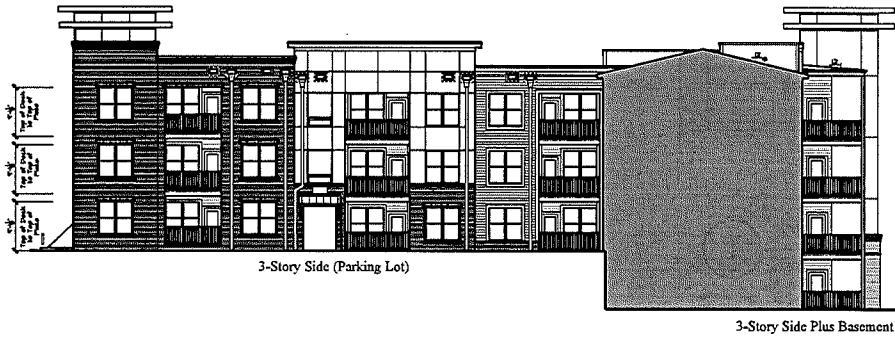
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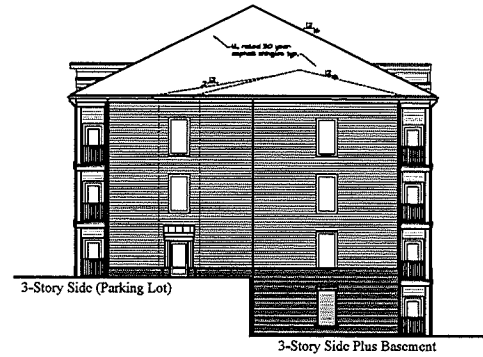
Revision 1 - 8/30/17
Revision 2 - 4/6/17

Project Number: 16048
Date: 08.04.17
Development: Use on Review
Submission

Sheet Number: A-7



1 North East Elevation (Building 1)
Scale: 1/8" = 1'-0"



2 West Elevation (Building 1)
Scale: 1/8" = 1'-0"



1 North West Elevation (Building 1)
Scale: 1/8" = 1'-0"

9-K-17-UR
Revised: 9/12/2017

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Knoxville, Tennessee

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Nashville, TN 37203

Revision 1 - 8/30/17

Project Number: 16048
Description: Use on Review Submittal
Date: 08.04.17

Sheet Number:
A-8

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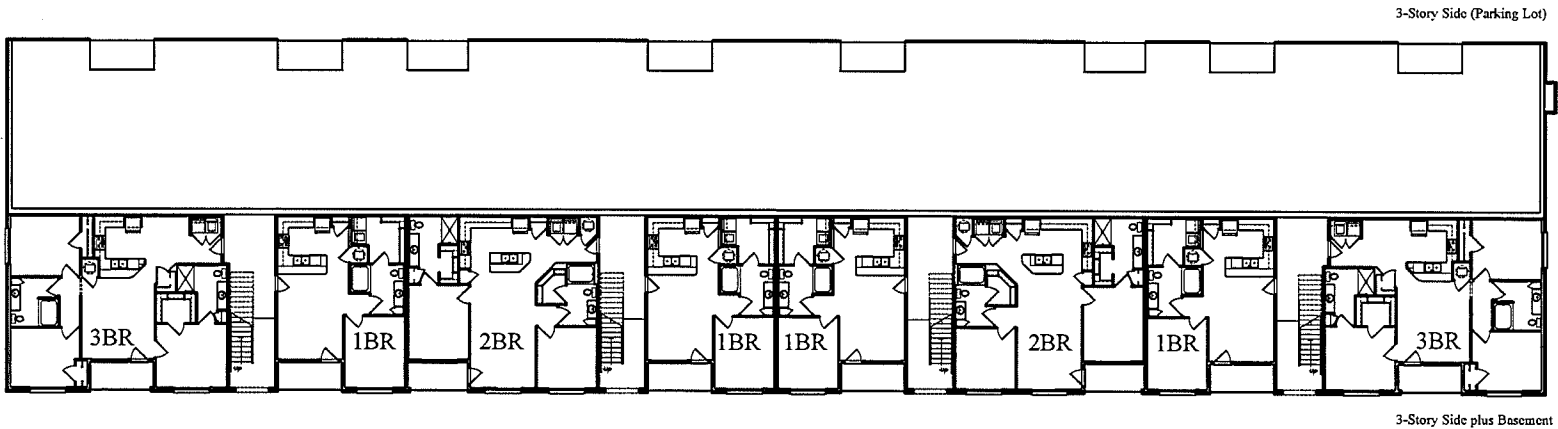
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Review: Submittal

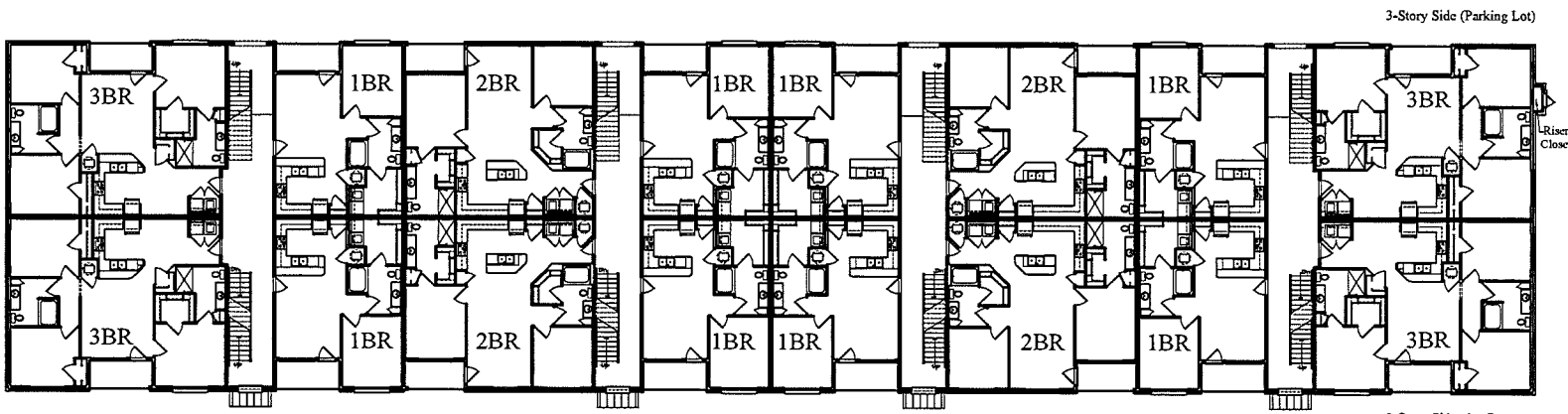
Sheet Number:

A-9



3-Story Side plus Basement

1 Basement Floor Plan (Building 2 & 3)
Scale: 1/8" = 1'-0"



3-Story Side plus Basement

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Revised: 9/12/2017

2 First Floor Plan (Building 2 & 3)
Scale: 1/8" = 1'-0"

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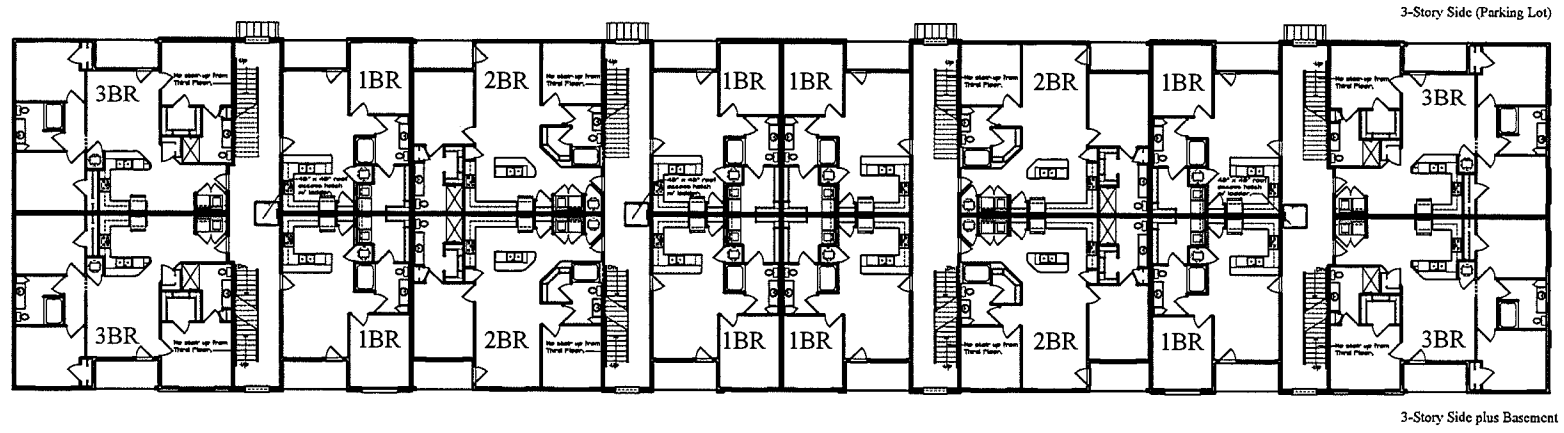
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 2717 East Martin Mill Pike
 Knoxville, Tennessee

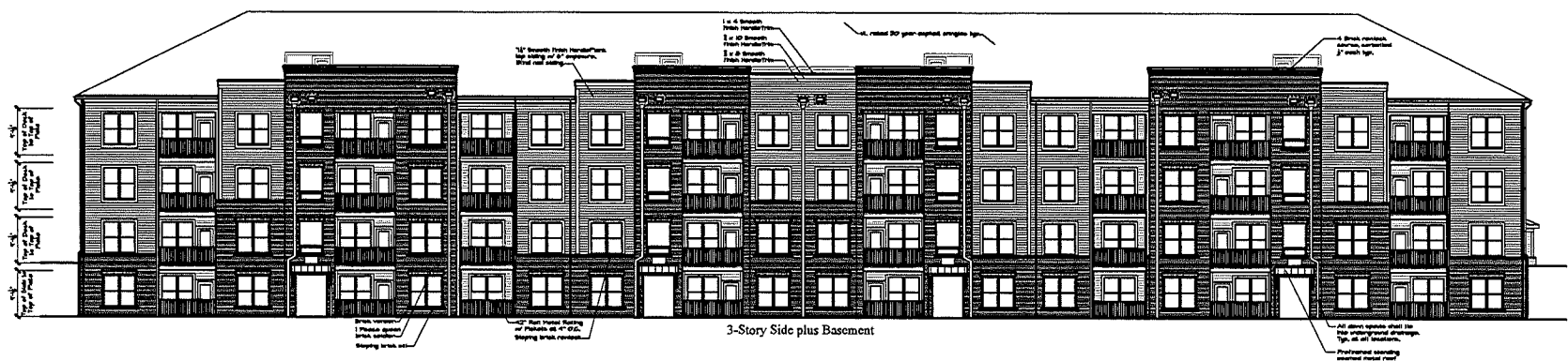
ECC Martin Mill, LP
 118 16th Avenue South
 Nashville, TN 37203

Project Number: 16048
 Development: Use on Review
 Date: 08.04.17
 Sheet Number:

A-10



1 Second & Third Floor Plan (Building 2 & 3)
 Scale: 1/8" = 1'-0"



2 South Elevation (Building 2 & 3)
 Scale: 1/8" = 1'-0"

9-K-17-UR
 Revised: 9/12/2017

Shapiro & Company
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 www.shapiroandco.com

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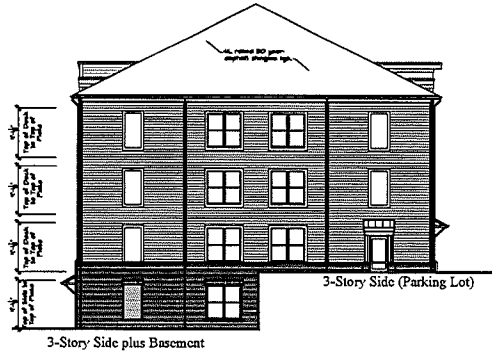
Southside Flats
 2717 East Martin Mill Pike
 Knoxville, Tennessee

ECC Martin Mill, LP
 118 16th Avenue South
 Nashville, TN 37203

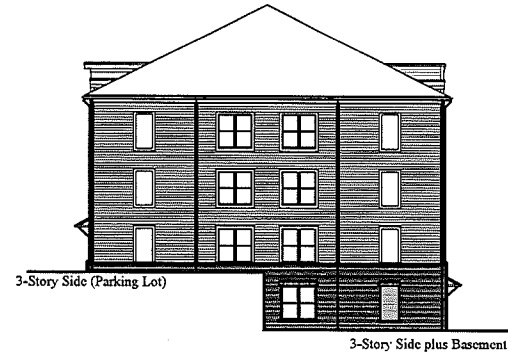
Revision 3 - 08.04.17

Project Number: 16048
 Designation: Use on Review Submittal
 Date: 08.04.17

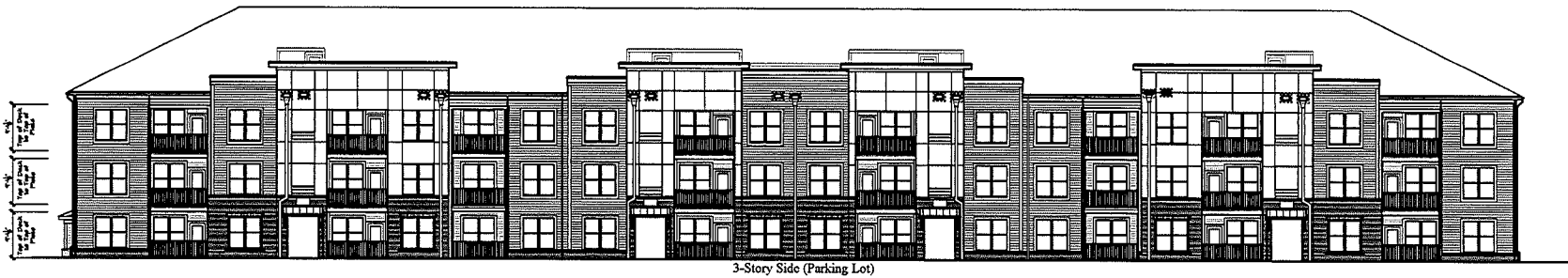
Sheet Number
A-11



1 East Elevation (Building 2 & 3)
 Scale: 1/8" = 1'-0"

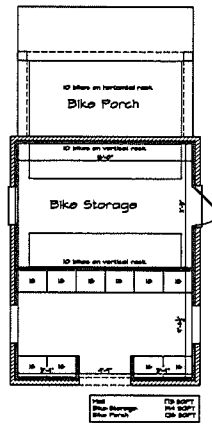


2 West Elevation (Building 2 & 3)
 Scale: 1/8" = 1'-0"

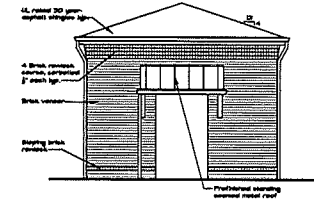


3 North Elevation (Building 2 & 3)
 Scale: 1/8" = 1'-0"

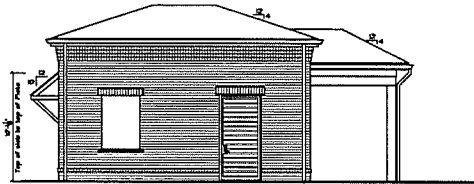
9-K-17-UR
 Revised: 9/12/2017



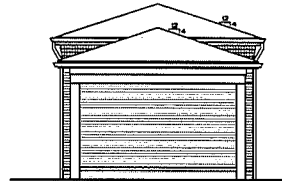
1 Mail Building Floor Plan
Scale: $\frac{3}{8}" = 1'-0"$



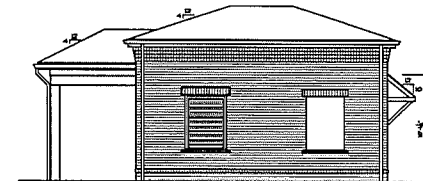
2 Mail Building South Elevation
Scale: $\frac{3}{8}" = 1'-0"$



3 Mail Building East Elevation
Scale: $\frac{3}{8}" = 1'-0"$



4 Mail Building North Elevation
Scale: $\frac{3}{8}" = 1'-0"$



5 Mail Building West Elevation
Scale: $\frac{1}{4}" = 1'-0"$

9-K-17-UR
Revised: 9/12/2017

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Southside Flats
2717 East Martin Mill Pike
Knoxville, Tennessee

ECC Martin Mill, LP
118 16th Avenue South
Nashville, TN 37203

Revision 1 - 08.04.17

Project Number: 16048
Development: Use on Review
Date: 08.04.17
Sheet Number:

Revision 1 - 08.04.17

A-13

Double Fee

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
Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

Use on Review Development Plan

Name of Applicant: C. Hunter Nelson

Date Filed: 8/7/2017

Meeting Date: 9/14/2017

Application Accepted by: Mike Reynolds

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: 2400.⁰⁰ File Number: Use on Review 9-K-17-OR



PROPERTY INFORMATION

Address: 2712 E Martin Mill Pike

General Location: NE quadrant of E Martin Mill Pk and Lippencott St

Tract Size: 5.90 AC No. of Units: 172

Zoning District: RP-2

Existing Land Use: Vacant Land

Planning Sector: South City

Sector Plan Proposed Land Use Classification: HDR

Growth Policy Plan Designation: Urban Growth Area

Census Tract: 8

Traffic Zone: 29

Parcel ID Number(s): 109AK00202

Jurisdiction: City Council 1 District
 County Commission _____ District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT
Name: C. HUNTER NELSON

Company: ECG MARTIN MILL LP

Address: 11816th AVE S. SUITE 200

City: NASHVILLE State: TN Zip: 37203

Telephone: (615) 490-6711

Fax: (615) 490-6701

E-mail: HUNTER@FLMINGTONCAPITAL.COM

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: C. HUNTER NELSON

Company: ECG MARTIN MILL LP

Address: 11816th AVE S. SUITE 200

City: NASHVILLE State: TN Zip: 37203

Telephone: (615) 490-6711

Fax: (615) 490-6701

E-mail: HUNTER@FLMINGTONCAPITAL.COM

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)
Multi-family residential development

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT
Name: SAME AS ABOVE

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____