

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

► FILE #: 10-I-18-UR AGENDA ITEM #: 59

AGENDA DATE: 10/11/2018

► APPLICANT: ECG ACQUISITIONS, LLC

OWNER(S): ECG Acquisitions, LLC

TAX ID NUMBER: 107 F G 041.01, 041.03 View map on KGIS

JURISDICTION: City Council District 2
STREET ADDRESS: 817 Hollywood Rd

► LOCATION: West side of Hollywood Rd, south of I-40/I-75

► APPX. SIZE OF TRACT: 5.11 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Hollywood Dr., a major collector street with 25'-28' of

pavement width within 75-85' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► ZONING: RP-1 (Planned Residential)

EXISTING LAND USE: Vacant land

PROPOSED USE: 102 unit multi-dwelling development

20 du/ac

HISTORY OF ZONING: Property was rezoned from C-4 to RP-1(k) < 24 du/ac

SURROUNDING LAND North: I-40 right-of-way / R-1 (Low Density Residential)
USE AND ZONING:

South: Residential subdivision / R-1 (Low Density Residential)

East: Hollywood Dr., residences and vacant land / R-2 (General

Residential)

West: Residential subdivision / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed immediately surrounded with detached residential

uses under R-1 and R-2 zoning, and multi-dwelling developments under the R-2 and R-3 zones. Pond Gap Elementary School is located 500'-600' away on the opposite side of the interstate and Sutherland Avenue is

approximately 1,000 feet away.

#### STAFF RECOMMENDATION:

- ► APPROVE the Development Plan for a multi-dwelling development with up to 102 dwelling units and a 15' peripheral setback along the east (Hollywood Road) lot line, subject to 11 conditions.
  - 1. Connection to sanitary sewer and meeting any other relevant requirement of the Knox County Health Department.
  - 2. Meeting all applicable requirements of the Knoxville Department of Engineering.
  - 3. Meeting the condition of zoning that states, "The rear, westernmost portion of the site must remain

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undisturbed, consistent with the hatched area depicted on the attached map labeled 'No Disturbance Area'. This boundary is defined by the 980' elevation on the topography map." See Exhibit A for the referenced 'No Disturbance Area'.

- 4. Installation of all sidewalks and pedestrian crosswalks as identified on the development plan. Sidewalks and crosswalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knoxville Department of Engineering.
- 5. Installation of the mid-block pedestrian crosswalk as proposed, or as otherwise approved by the Knoxville Department of Engineering, to provide an accessible pedestrian route to the KAT transit route along Sutherland Avenue in order to qualify to the requested 20% parking reduction since the development is within one-fourth (.25) a mile of a transit route. If the Knoxville Department of Engineering determines that the mid-block pedestrian crossing is not feasible at this location, the applicant may submit an alternative means of providing access to the transit route either by motorized transportation or an alternative accessible pedestrian route, to be reviewed and approved by staff of the Planning Commission and the Knoxville Department of Engineering and Department of Plans Review and Inspections.
- 6. Meeting the requirements of the Knoxville Tree Protection Ordinance and all applicable requirements of the Knoxville Urban Forester.
- 7. Installation of landscaping as shown on the landscape plan, including all other applicable landscaping required by the Knoxville Zoning Ordinance or Code of Ordinances, within six months of the issuance of the first occupancy permit for the project.
- 8. Access to the existing billboard on the north end of the site shall meet all applicable requirements of the Knoxville Department of Engineering.
- 9. Implementing the required recommendations of the Hollywood Apartment Traffic Impact Study, as prepared by CDM Smith Inc., revised on September 26, 2018, and as approved by the Knoxville Department of Engineering.
- 10. All free standing site and parking lot lighting must use a cut off luminaire with a cut off angle of 75 degrees or less, located a minimum of 15' from any residential district lot line, and have a maximum total height of 20'.
- 11. 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-1 zoning district.

#### **COMMENTS:**

This proposal is for a 102 unit apartment complex (20 du/ac) that includes two buildings, one along the Hollywood Road frontage and one towards the rear of the property. There is one vehicular access provided from Hollywood Road at the crest of the hill on the north side of the development. The parking lot is located between the two structures, with the exception of seven parking spaces to the north of Building 1 that are near the leasing office. There are 26 covered bicycle parking spaces located north of Building 2, and next to the proposed playground. On-street parking, as a traffic calming measure and as supplemental parking to the development, was considered in reviewing this project. Staff recommended against it because of safety concerns related to the traffic volume and available sight distance along Hollywood Road.

The development plan proposes a 15' peripheral setback along the Hollywood Road frontage, reduced from 29'. The peripheral setback for the side and rear lot lines will remain 29' as otherwise required. The RP-1 zone allows the Planning Commission to consider a reduced peripheral setback if a property is within the Hillside Protection Area (HPA). Staff is recommending approval of the 15' peripheral setback along the east (Hollywood Road) lot line because the rear of the property is within the HPA and by moving the buildings closer to Hollywood Road, there will be less impact on the steep slopes to the rear of the property. While the buildings will have a smaller than the houses to the south on the same side of the street, the actual setback of the building will be further from the edge of the road because the development will be dedicating right-of-way. The building closest to the road will be approximately 47' from the edge of the road and the houses to the south are approximately 35'-40' from the edge of the road.

When the subject property was rezoned from C-4 to RP-1 (up to 24 du/ac) in August 2018, one of the concerns MPC staff and the community had was how much of the steep, vegetated slopes within the HPA to the rear of the property could be disturbed. To address this concern staff recommended a non-disturbance area as a zoning condition that starts at the 980' elevation (see Exhibit A), and this was approved as a condition of zoning by City Council. The development plan has retaining walls that go up to the non-disturbance area on the south side of Building 2, and the north side of Building 2 and the driveway that comes up to the main parking lot from Hollywood Road.

The public improvements to be constructed as part of this development include a sidewalk and curbing along

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the Hollywood Road frontage and a mid-block crosswalk near the vehicular entrance to the development. The Traffic Impact Study (TIS) that was submitted concluded that turn lanes on Hollywood Road are not warranted and that the required sight distance at the proposed access can be achieved with grading of the site and clearing of vegetation on the site adjacent to Hollywood Road. Regarding the turn lanes, the TIS took into consideration a speed study conducted by City Engineering that documented the average speed on Hollywood Road was 39 mph which is higher than the posted 30 mph. The traffic engineers used the 40 mph speed in the TIS and concluded that even with this higher speed, turn lanes were not warranted.

## 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-1 zoning as well as the general criteria for approval of a use on review.
- 2. The proposed development meets the non-disturbance condition of zoning adopted by City Council, according to the submitted preliminary grading plan.
- 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 a major collector street.

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

- 1. The One Year Plan and West City Sector Plan identify this site for medium density residential uses (up to 24 du/ac). The proposed residential development at 20 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: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

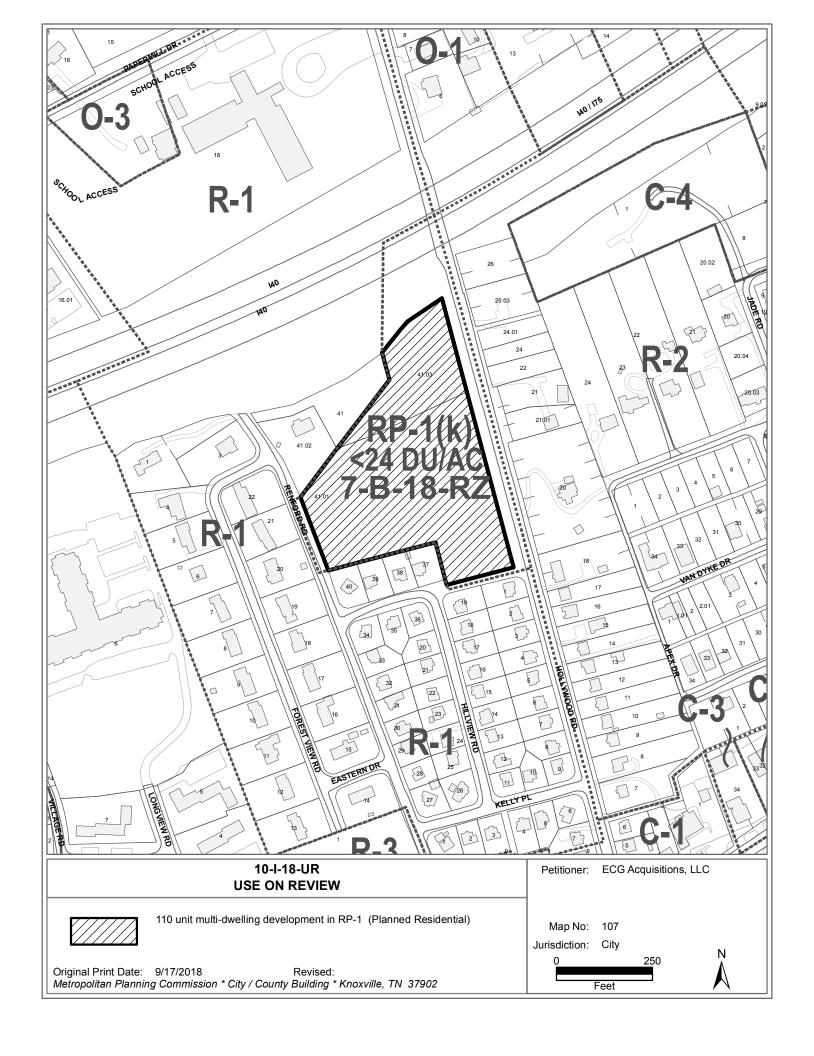
#### ESTIMATED STUDENT YIELD: 2 (public school children, ages 5-18 years)

Schools affected by this proposal: Pond Gap Elementary, Bearden Middle, and West 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.

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25.03 HILLVIEW RD 7-B-18-RZ Petitioner: Elmington CG, LLC **Rezoning - Topography** From: C-4 (Highway and Arterial Commercial) Map No: 107 To: RP-2 (Planned Residential) Jurisdiction: City 100 Original Print Date: 6/20/2018 Revised: 6/21/2018

Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902 Feet

### concerns regarding Pond Gap

Rondo Johnson <rondosmusic@gmail.com>

Sep 28, 2018 5:24 PM

Posted in group: Commission

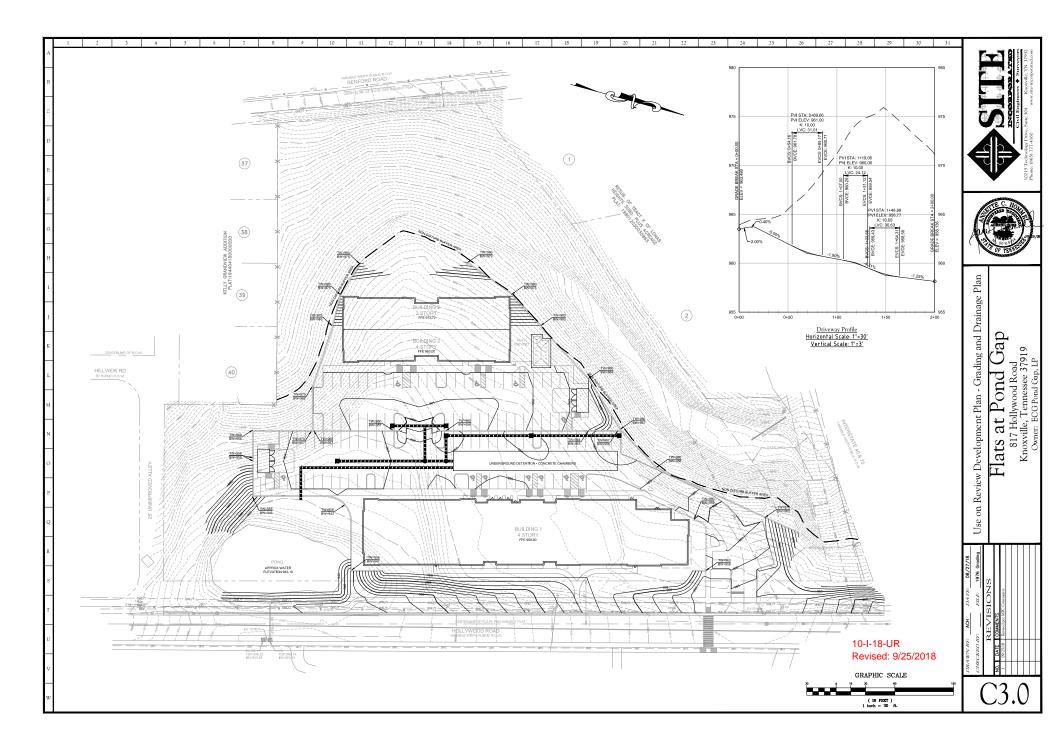
Hello,

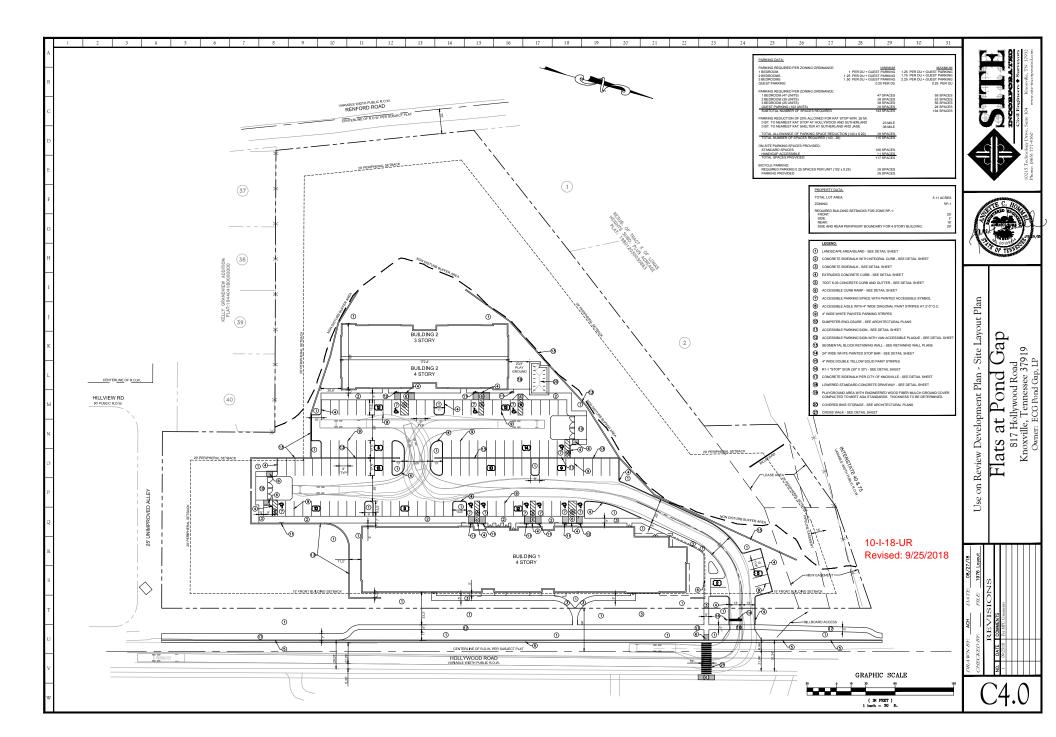
My name is Rondo Johnson. I am a resident of the Pond Gap community. I am writing to express my concerns on what I have been told is agenda number 10 i18 UR, and to express opposition to the potential rezoning allowing new apartment units to be built here.

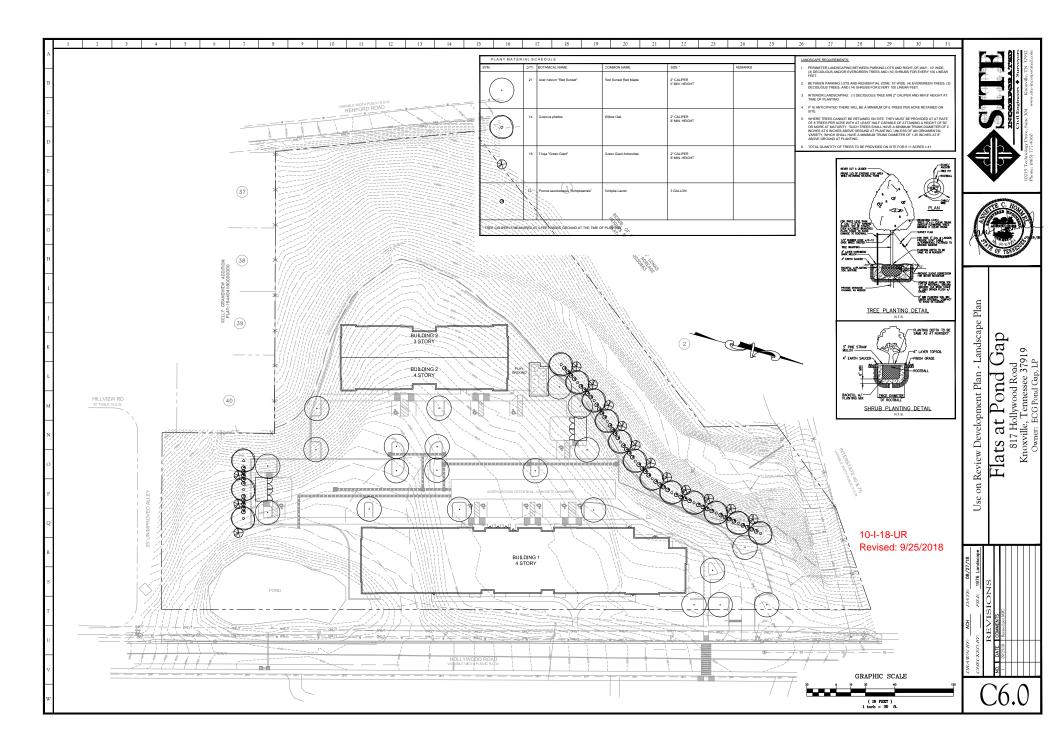
Traffic in this area is already hugely congested and there are already several large complexes nearby. During the hours of 2:00-4:00 PM during school days, I have extreme difficulty just returning to my place of residence. As a self-employed contractor with varying daily hours, the inability to just return home presents quite a large hurdle to my ability to provide necessary income.

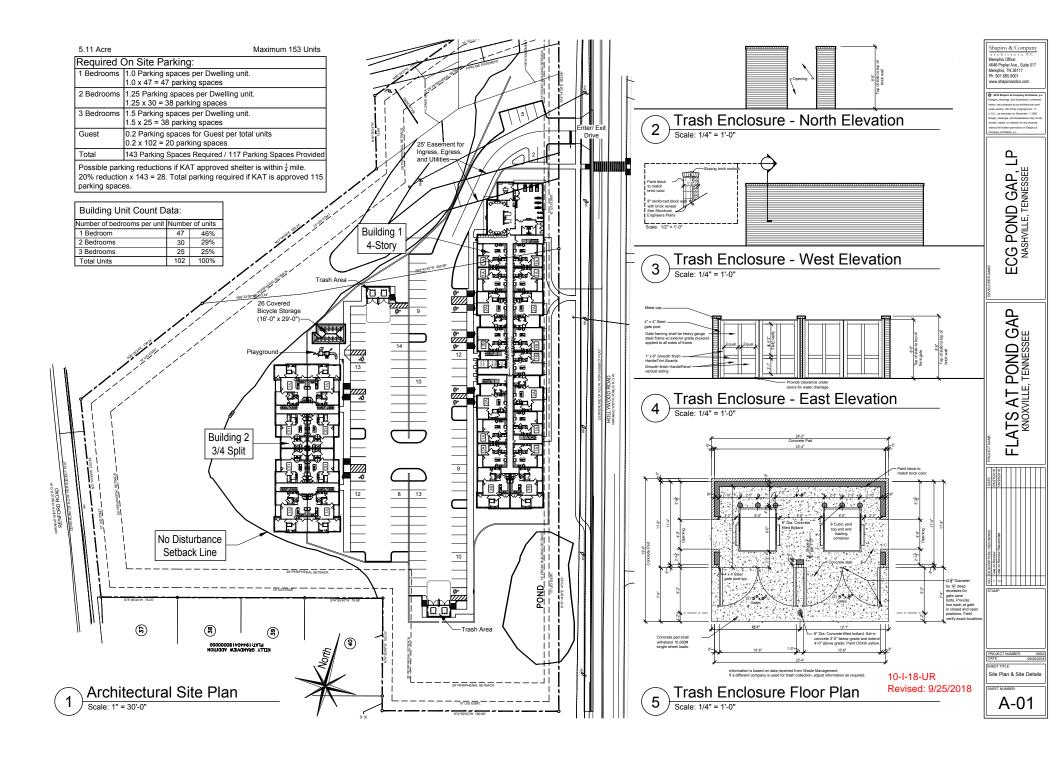
I do not oppose affordable housing nor anyone's ability to construct on their own private property. It is possible that there are other factors in this decision that I may not be aware of, but to the best of my knowledge and common sense, the added traffic to this area would definitely exacerbate an already-existing problem. I am open to any reasonable explanations you may have in favor of rezoning. Thank you.

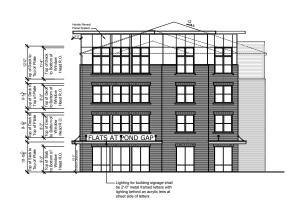
Best, Rondo Johnson











North Elevation - Building 1 Scale: 3/32" = 1'-0"



East Elevation - Building 1 (Hollywood Rd.)

Scale: 3/32" = 1'-0"

Shapiro & Company architects, P.C. Memphis Office: 4646 Poplar Ave., Suite 517 Memphis, TN 38117 Ph: 901.685.9001

ECG POND GAP, LP NASHVILLE, TENNESSEE

FLATS AT POND GAP KNOXVILLE, TENNESSEE

1 Use o 2 Use o 2 Use o 2

- Bldg. 1

10-I-18-UR

Revised: 9/25/2018

A-04



South Elevation - Building 1

Scale: 3/32" = 1'-0"



West Elevation - Building 1

Scale: 3/32" = 1'-0"

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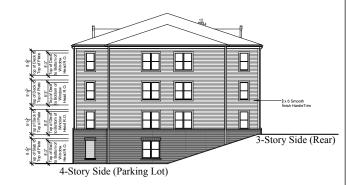
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Exterior Elevations - Bldg. 1

10-I-18-UR

Revised: 9/25/2018

A-05



West Elevation - Building 2

East Elevation - Building 2
Scale: 3/32" = 1'-0"

Scale: 3/32" = 1'-0"

North Elevation - Building 2

Scale: 3/32" = 1'-0"

−7½° Smooth finish HardiePlank Iap siding w/ 6° exposure. Blind nail siding.  $oxed{\mathbb{H}}$ H Н H 4-Story Side (Parking Lot)

 $\mathbb{H}$ 3-Story Side (Rear) H 4-Story Side (Parking Lot)

> 10-I-18-UR Revised: 9/25/2018

South Elevation - Building 2 Scale: 3/32" = 1'-0"

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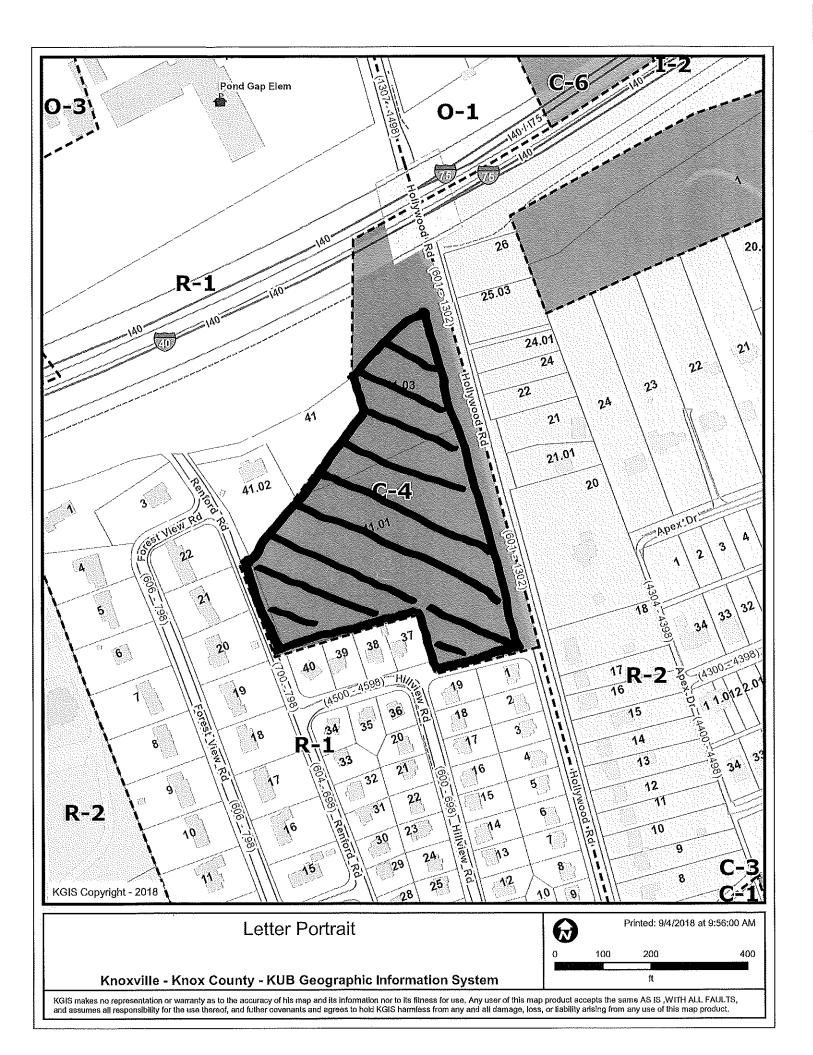
Exterior Elevations - Bldg. 2

A-08

KNOX COUNTY Name of Applicant: ECG Acquisitions, LLC METROPOLITAN PLANNING Date Filed: 8/ \_\_\_\_ Meetina Date: \_ COMMISSION Application Accepted by: Wike Regue lds TERM SSEE Suite 403 • City County Building 400 Unin Street Knoxville, Tennessee 37902 Fee Amount: File Number: Development Plan 865 4 1 1 5 4 2 5 0 0 F A N + 2 1 5 + 2 0 6 8 W W W + < 1 0 x m p c + o r g Fee Amount: \$1,200 File Number: Use on Review PROPERTY IMPORMATION PROPERTY OWNER/OPTION HOLDER PLEASE PRINT Name: F( ACABUTHONS ) Address: Hollywood Road 37919 Germal Location: SW Canadrant of Hollywood Company: Address: 118 16th Ave South Sale 200 Road and I-40/75 City: Norby State: TN The J720J Tract Size: 5.11 Ac \_\_ No. of Units: \_\_\_\_\_11()\_\_ Telephone: (45-960-671) Zoning District: RBQ P-1 -> Subject to flow entern Existing Land Use: Vacant Land tay City Council Fax: E-mail: \_\_hunter Clonic tro Capital. (1000) Planning Sector: West City APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: Sector Plan Proposed Land Use Classification:

HDR // S deplet to fine out on by Chy Chy Change out on by Chy Change out on the change of the PLEASE PRINT Name: \_\_\_ Growth Policy Plan Designation: Urban Growth Area Company: Elite Alberthoos 126 Address: 118 112 Ave South, Sittle 200 37 Census Tract: \_\_\_\_ 111 City: Manual State: TA Zin: 37200 Traffic Zone: \_\_\_\_ Parcel ID Number(s): 107F G04101 & 107FG4103 Telephone: \_\_\_\_\_\_\_ 68-460-6711 Jurisdiction: **EX** City Council ... District Fax: E-mail: hader Delmoton control- lown ☐ County Commission \_\_\_\_\_ District APPROVAL PROUESTED IX Development Plan: XResidential Non-Residential I hereby certify that farm the authorized applicand rapresenting ALL property owners involved in this request or hubbers of option on same, whose signatures are included on the black of this form. ☐ Home Occupation (Specify Occupation) Signature: PLEASE PRINT Name: Company: Jaka ② Other (Be Specific) 110 unit muth dwelling development State: 1N 21m: 37201 Telephone: 6711 budic a) elmination configi e com

SIGNATURES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LESTED BELOW:			
Please Sign in Black ink:	(If more space is required attach add ticr al sheet.)		
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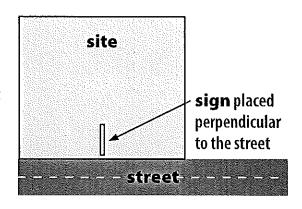
### REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

#### **LOCATION AND VISIBILITY**

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



#### **TIMING**

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property

consistent with the above guidelines and between the dates of:

9/26/18

and 10/12/18

(15 days before the MPC meeting)

Signature: Molecular House Ho