



# USE ON REVIEW REPORT

▶ **FILE #:** 6-D-22-UR

**AGENDA ITEM #:** 33

**AGENDA DATE:** 6/9/2022

▶ **APPLICANT:** **ICON APARTMENT HOMES AT LOVELL RD.**

**OWNER(S):** Ruth Thompson Ellis

**TAX ID NUMBER:** 118 049

[View map on KGIS](#)

**JURISDICTION:** County Commission District 6

**STREET ADDRESS:** 1033 Lovell Rd.

▶ **LOCATION:** **Northwest side of Lovell Rd. & north of Terrapin Station**

▶ **APPX. SIZE OF TRACT:** **32.67 acres**

**SECTOR PLAN:** Northwest County

**GROWTH POLICY PLAN:** Planned Growth Area

**ACCESSIBILITY:** Access is via Lovell Road, a minor arterial with a pavement width of 82-ft within a 100-ft wide right-of-way.

**UTILITIES:** Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

**WATERSHED:** Turkey Creek

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

▶ **EXISTING LAND USE:** **Single family residences**

▶ **PROPOSED USE:** **Multifamily development**

**DENSITY PROPOSED:** 14.8 du/ac

**HISTORY OF ZONING:** Rezoned from A (Agricultural) to OB (Office, Medical, and Related Services) retaining the TO (Technology Overlay) at the front of the property in 2021 (Case #s 7-G-21-RZ and 7-A-21-TOR)

**SURROUNDING LAND USE AND ZONING:** North: Small office building and single family residences -A (Agricultural), PR (Planned Residential up to 4 du/ac), & TO (Technology Overlay)

South: Single family residence, small office buildings, and a mobile home park -A (Agricultural), CA (General Business), T (Transition), & TO (Technology Overlay)

East: Single family residences -A (Agricultural), RA (Low Density Residential), CB (Business and Manufacturing), and TO (Technology Overlay)

West: Single family residences -PR (Planned Residential with up to 3 du/ac) / TO (Technology Overlay)

**NEIGHBORHOOD CONTEXT:**

## STAFF RECOMMENDATION:

▶ **Approve the development plan for a multifamily development with up to 315 dwelling units, subject to ten conditions.**

- 1) Obtaining use on review approval from the Planning Commission for the proposed development; this request is on the June 9, 2000 Planning Commission agenda.
- 2) Implementation of the street and intersection improvements and recommendations outlined in the Traffic Impact Study prepared by Ajax Engineering and approved by the Knox County Department of Engineering and Public Works and Planning Commission staff. The design details and timing of the installation of the improvements shall be worked out with the Knox County Department of Engineering and Public Works during the design plan stage for the subdivision.
- 3) Installation of all sidewalks as identified on the concept plan. Sidewalks shall meet all applicable requirements of the Americans with Disabilities Act (ADA) and the Knox County Department of Engineering and Public Works. A bond shall be provided to the Knox County Department of Engineering and Public Works by the developer in an amount sufficient to guarantee the installation of the sidewalks.
- 4) Provision of a second access point for the multifamily development, the design of which could be determined during the permitting review process. One option could be to provide a boulevard entrance to the site.
- 5) Provision of street names which are consistent with the Uniform Street Naming and Addressing system Ordinance (Ord. 91-1-102).
- 6) Installation of 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.
- 7) Planting of trees meeting the County's Type A Landscape Screen requirements in all areas of the site adjacent to single family homes where the existing vegetation will not remain to create a buffer zone for adjacent single family residences.
- 8) Connecting the development to sanitary sewer, as well as meeting other applicable requirements of the Knox County Health Department.
- 9) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 10) Meeting all applicable requirements of the Knox County Zoning Ordinance.

#### **COMMENTS:**

The applicant is requesting approval of a multifamily development on part of a 32.6-acre lot. A portion of the front part of the property will be subdivided off of the main parcel so that this development will occupy 21.41 acres. Of the 21.41 acres, only the front 2.29 acres is in the TO zone subject to the TTCDA Design Guidelines. The TTCDA approved the site plans on June 6, 2022 (Case # 6-B-22-TOB). The majority of the development is not within the purview of the TTCDA. However, the designs reflect a desire to meet the intent of the Guidelines, as most aspects of the site meet TTCDA requirements.

The site is somewhat constrained with a stream running through the property and a small amount of property in the Hillside and Ridgetop Protection (HP) area. The stream is mostly located on the portion of the site being divided off, as is the majority of land in the HP area. The plan proposes to channel the stream through culverts beneath the driveway so as not to interrupt the flow. Other measures to mitigate the impact of stormwater on the stream have been discussed with the Knox County Department of Engineering and will be further defined during the permitting review process.

The back section of the property containing the apartment complex it is mostly flat. The property contains a negligible amount of land in the HP area, and site plans do not propose to build within that area.

The property was rezoned from A (Agricultural) to OB (Office, Medical, and Related Services), retaining the TO (Technology Overlay) at the front of the property in 2021 (Case #s 7-G-21-RZ and 7-A-21-TOR). The OB zoning district allows the multi-dwelling development with a density of up to 12 du/ac as a permitted use, and with a density from 12 to 24 du/ac as a use on review. The proposed 315 dwellings on 21.41 acres yields a density of 14.8 du/ac.

The development will consist of 11 apartment buildings and 5 carriage-style buildings that house a total of 315 units. Dwelling units consist of 85 1-bedroom units, 179 2-bedroom units, and 51 3-bedroom units.

Access to the site is via a driveway off of Lovell Road. There is a good degree of separation between the clubhouse/amenity area and the apartment buildings. The driveway extends from Lovell Road back into the site where the apartment buildings are located, which is approximately 600 feet from the clubhouse.

This development is proposed to be a gated community with the gates located at the end of the driveway near the apartment buildings. The amenity area is not within the gated section of the site. A pair of stub outs on the south side of the driveway near Lovell Road have been proposed to provide connectivity between this

development and the property to be subdivided off.

Ajax Engineering prepared a Traffic Impact Study (TIS) for Icon Apartment Homes at Lovell Road, the last revision of which was on May 18, 2022. The study recommended the improvements listed below. Many of these are internal to the site and would be reviewed during the permitting review process.

1. Installation of a stop sign and a 24-in white stop bar at the proposed entrance approach at Lovell Road.
2. Location of the entry into the site at a point where the intersection sight distance would be 565 feet looking in each direction.
3. Construction of an exclusive eastbound exiting left-turn lane at the proposed entrance approach with a minimum storage length of 50 feet.
4. Transition of the eastbound exiting lane from the apartment buildings over to Lovell Road directly into a right-turn lane at Lovell Road.
5. Construction of a southbound exclusive right-turn lane on Lovell Road in anticipation of future expansion. Due to the constraints of the available property frontage on Lovell Road, the right-turn lane should have a taper of 15:1 (12-foot lane = 180 feet), and the remaining available frontage should be constructed with a full lane storage length of 95 feet, resulting in an overall length of 275 feet.
6. Posting of a 15-mph Speed Limit Sign (R2-1) near the beginning of the development entrance driveway off Lovell Road.
7. Installation of Stop Signs (R1-1) and 24-in white stop bars on the new internal aiseways and locations as shown in the report.
8. Consideration of speed humps or tables to reduce internal traffic speeds in the development. Alternatively, parking lot islands could be extended toward the aiseways. Extending the parking lot islands a few feet would narrow the aiseway widths and reduce the available driving surface. A narrower aiseway design would reduce driver comfort and internal vehicle speeds.
9. Connection of the internal sidewalk system to the existing external sidewalk system on the west side of Lovell Road. White crosswalks should be marked on the road pavement internally where pedestrians are expected to cross.
10. Provision of bike lanes and sidewalks on the west side of Lovell Road at the proposed entrance.
11. Landscaping, signage, parking, and other such impediments are to be located so as not to impede sight distance at the entrance into the site or at internal intersections.

Another requirement for a second access point through the property to be subdivided off of the subject parent tract was requested by Planning. For developments with the number of dwellings proposed, the standard is typically 2 means of entry into the site to provide multiple means of ingress or egress in times of an emergency. At such time as the subdivided property is developed, it will be required to have access off of Lovell Road and to connect to one or both of the stub-outs on the south side of the driveway leading to the portion of the site to be subdivided off. This is to provide an additional means of exit for the apartment complex as an additional level of safety.

The proposed parking for the development falls within the minimum and maximum number of spaces allowed by the Design Guidelines and those required by Knox County. The parking includes 625 parking spaces including 35 garage spaces.

An amenity area, which includes a pool, is located at the front of the property behind the clubhouse/leasing office. Due to the distance between the amenity area and the apartment buildings, some residents may choose to drive to the pool instead of walk. Waste management is on the northern side of the site. Four parking spaces are devoted to this area (not included in the overall parking number) and the dumpster is enclosed in a stone veneer wall that meets TTCDA Guidelines. A separate maintenance building is centrally located in the site.

Sidewalks are provided throughout the site and connect with those on Lovell Road. The Civil sheets show the pedestrian connectivity from parking to buildings and amenities. Other internal sidewalks are shown on the landscaping and photometric plans. All sidewalks shown in all plans will be built.

Ground Area Coverage (GAC), Impervious Area Ratio (IAR), and Floor Area Ratio (FAR) statistics were calculated for the portion of the property within the TO zone and all measures comply with the Design Guidelines.

The proposed landscape plan is in compliance with the TTCDA Design Guidelines.

The proposed lighting fixtures are likewise in compliance with the Guidelines. The TTCDA approved one waiver to increase the lighting levels along sidewalks from 0.5 fc to 1.8 fc. Staff supported approval of the waiver to increase safety for pedestrians walking from the clubhouse or amenity area to the apartment

buildings due to the separation between dwelling units and the amenity area and the length of the driveway leading into the site.

Knox County Codes Administration and Enforcement had requested for lighting to comply with the TTCDA Guidelines if possible. If the entire project were in the TO zone, the following waivers would be required from the TTCDA for the lighting levels in the site:

1. Increase the lighting levels in parking areas from 2.5 fc to 5.6 fc.
2. Increase the lighting level along sidewalks from 1.0 fc to 10.7 fc along the internal pond. Other sidewalks occur within parking areas and were evaluated under the parking area requirement.
3. Increase the lighting levels within 20 feet of a residential zone on the southeastern property line from 0.2 fc to 0.3 fc. This occurs at the edge of Building 9 in a pinch point. This portion of the site is adjacent to commercial/office buildings and is not expected to cause any adverse impacts for residential properties.

#### DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

#### 1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.

- A. The property is designated O (Office) on the Northwest County Sector Plan. The O land use has the following description: “This land use primarily includes business and professional offices and office parks.”
- B. For this Use on Review application to be approved in the O land use classification, the Planning Commission must find that the proposed use is “consistent with, and not in conflict with” the sector plan.
- C. The sector plan designates properties to the south as commercial and office land uses. Multifamily can be considered a transition between the more intense commercial zoning to the south and the single family residential uses to the north.
- D. The proposed use is consistent with the Northwest County Sector Plan.

#### 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

- A. The Knox County Zoning Ordinance describes the OB (Office, Medical and Related Services) zone as, “intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas.”
- B. The proposed development plans meet the aforementioned description of the OB zone.
- C. The OB zone allows the same uses as the RB (General Residential) zone, which allows multifamily development with a density of up to 12 du/ac as a permitted use by right, and with a density of up to 24 du/ac as a use on review. The development plans propose a density of 14.8 du/ac, so the plans require approval by the Planning Commission through the use on review process.

#### 3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

- A. The proposed multifamily development is compatible with the surrounding area. This part of Lovell Road has been transitioning away from the large-lot single family properties towards commercial uses. The transitional nature of multifamily development provides a buffer for the single family homes from the commercial development.
- B. Existing vegetation and additional plantings around the perimeter of the property will provide a buffer for single family homes from the multifamily development.
- C. The buildings are designed in a similar aesthetic, with similar materials, as a single family home, though they are of a larger scale. However, the apartment complex is set far back on the property away from Lovell Road.

#### 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

- A. The proposed multifamily development is not expected to significantly injure the value of adjacent property. Existing vegetation along some of the perimeter is to remain in place and will provide a buffer for adjacent residential uses. Staff recommends for any areas of the site adjacent to single family homes to have a buffer zone meeting the County’s Type A Landscape Screen requirements where the existing vegetation will not remain in order to provide a buffer for adjacent single family residences.

#### 5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

- A. The subject property is in an area of Lovell Road that is easily accessed from a number of classified roadways. Lovell Road is a minor arterial that provides direct access to I-40. Dutchtown Road/Murdock Drive, a minor arterial, is nearby to the south and provides direct access to Pellissippi Parkway. And Snyder Road, a

minor collector, is nearby to the north. Therefore, additional traffic through residential areas is not required to gain access to access this property.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed development.

ESTIMATED TRAFFIC IMPACT: 2677 (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: 27 (public school children, grades K-12)

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the . The date of the hearing will depend on when the appeal application is filed. Appellants have to appeal a Planning Commission decision in the County.