

DEVELOPMENT PLAN REPORT

FILE #: 11-C-22-DP AGENDA ITEM #: 29 AGENDA DATE: 11/10/2022 APPLICANT: **TAYLOR D. FORRESTER** OWNER(S): JDTKNOX, LLC TAX ID NUMBER: 137 164.01.164.02.164.03 View map on KGIS JURISDICTION: County Commission District 9 STREET ADDRESS: 270 W GOVERNOR JOHN SEVIER HWY (320, 382 W GOVERNOR JOHN SEVIER HWY) LOCATION: South side of W Governor John Sevier Hwy, west of Mountain Grove Drive APPX. SIZE OF TRACT: 16.11 acres SECTOR PLAN: South County GROWTH POLICY PLAN: Planned Growth Area ACCESSIBILITY: Access is via W Governor John Sevier Highway, a major arterial with a pavement width of 45-ft within a right-of-way width of 112-ft. Knox-Chapman Utility District UTILITIES: Water Source: Sewer Source: **Knox-Chapman Utility District** Stock Creek WATERSHED: ZONING: PR(k) (Planned Residential) EXISTING LAND USE: Agriculture/Forestry/Vacant Land PROPOSED USE: **Multi-dwelling development** HISTORY OF ZONING: 3-I-80-RZ: A to RA, 8-D-91-RZ: A to CA (Denied), 8-H-95-RZ: A to CA Agriculture/forestry/vacant - MDR (Medium Density Residential - RB SURROUNDING LAND North: USE AND ZONING: (General Residential) South: Agriculture/forestry/vacant, rural residential, single family residential, commercial - GC (General Commercial), LDR (Low Density Residential) - CA (General Business), A (Agricultural), RA (Low Density Residential) Agriculture/forestry/vacant, commercial - GC (General East: Commercial) - CA (General Business) Agriculture/forestry/vacant - GC (General Commercial) - CA West: (General Business) NEIGHBORHOOD CONTEXT: This is a forested area along W Governor John Sevier Highway adjacent to a large commercial node at the interseciton with Chapman Highway. Single family residential homes on large lots with agricultural and low density residential zoning abut the property to the south.

STAFF RECOMMENDATION:

AGENDA ITEM #: 29 FILE #: 11-C-22-DP 11/3/2022 11:38 AM JESSIE HILLMAN PAGE #: 29						
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Approve the development plan for 253 multifamily apartments, subject to the following 5 conditions.

1) Meeting all zoning conditions as described in case 4-L-22-RZ (see comment 1B)

2) Providing a tree survey for review by Planning staff before clearing and grading activities begin within the 50ft tree buffer along Governor John Sevier Highway

3) Submitting Phase 2 development plans for review by Planning staff to ensure compliance with the overall plans as shown presently

4) Meeting all applicable requirements of the Knox County Zoning Ordinance

5) Meeting all requirements of the Knox County Engineering and Public Works during permit review

COMMENTS:

This proposal is to create a total of 287 multifamily apartments on an approximately 20-acre site that straddles the City and the County. The development will be built in two phases with 225 units being built in phase one and 62 units in phase two. This development review focuses on the 253 units that will be built in the PR (Planned Residential) zoned property in the County, but also considers the pedestrian connection to the commercial node and transit in the City.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL) In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

A. The 16.11-acre portion of the property that is in the County is zoned PR with a permitted density of up to 18 dwelling units per acre (du/ac). With both phases of construction, a total of 253 units are proposed in the County, which is under the 18 du/ac maximum.

B. The following conditions were placed on the property at the time of its rezoning to PR:

i) Maintain a tree buffer with 50-ft of depth along the Governor John Sevier Highway frontage, except for allowing approved access to Governor John Sevier Highway, as recommended by the Governor John Sevier Scenic Highway Corridor Study. High visibility tree protection fencing shall be installed before clearing and grading activities begin and maintained until site and building construction are complete.

The landscaping plan and berm profiles reflect compliance with the intent of this condition, even though the existing berm will be partially graded to accommodate apartment buildings. High visibility protection fencing will be installed prior to construction to protect as much existing vegetation as possible. Any trees that are lost due to grading will be replaced within the 50-ft buffer at a 1:1 ratio, as verified by a tree survey.

ii) No clearing or grading of the site shall be permitted until a Concept Plan or Use on Review development plan is approved by the Planning Commission.

No clearing or grading of the site has occurred presently.

iii) Provide a vegetated buffer consisting of a Class B landscape screen of 20-ft in depth adjacent to the RA and A zoned parcels on the south side of the property.

The landscaping plan shows a 20-ft Class B vegetative buffer along the rear of the property where it abuts RA (Low Density Residential) and A (Agricultural) zoned parcels.

iv) Provide a pedestrian connection to the large adjacent commercial node to the east that is served by transit. The sidewalk extension plan shows a pedestrian connection to the bus stop in the commercial node to the east. The pathway of the sidewalk was developed by the applicant after discussion with City and Planning staff about the safest possible route.

C. Approximately 4 acres of the subject property are in the City boundary and are zoned C-H-2 (Highway Commercial). The proposed multifamily development is permitted by right in the C-H-2 zoning district. Therefore, it is not subject to Planning Commission review except for consideration of the PR zoning condition regarding pedestrian connectivity to the commercial node that is served by transit.

2) GENERAL PLAN - DEVELOPMENT POLICIES

A. The proposed development ensures pedestrian needs are being met by providing an extensive sidewalk to the adjacent commercial node and bus stop (Policy 2.13).

B. The development plan adheres to strengthened Scenic Highways Program regulations and enforcement (Policy 6.11).

3) SOUTH COUNTY SECTOR PLAN

A. The property is classified as MDR (Medium Density Residential), which allows consideration of residential densities greater than 12 du/ac if the property is located within 1/4 mile of transit service with a sidewalk connection. The subject property's close proximity to a bus stop and the applicant's plan for sidewalk development permit the current PR density of up to 18 du/ac.

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4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The proposed development is compatible with its location within the Planned Growth boundary. The purpose of the Planned Growth boundary is to encourage a reasonably compact pattern of development, promote expansion of Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to provision of adequate roads, utilities, schools, drainage and other public facilities and services.

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: 25 (public school children, grades K-12)

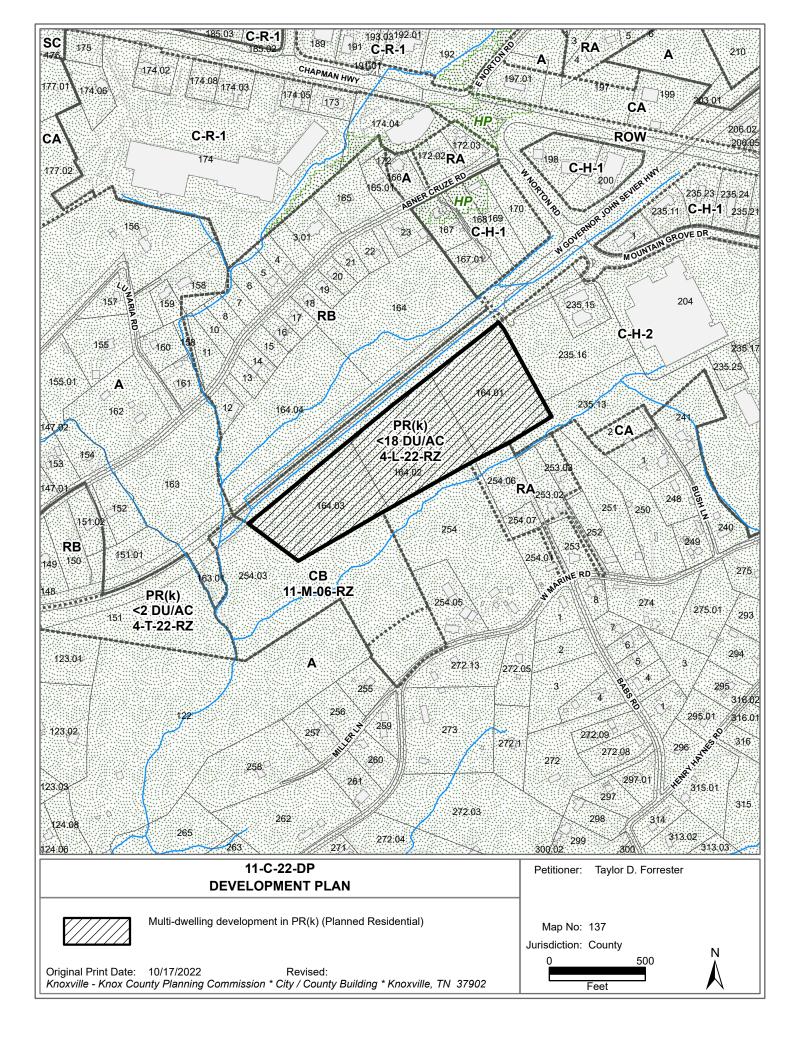
Schools affected by this proposal: New Hopewell Elementary, South Doyle Middle, and South Doyle High.

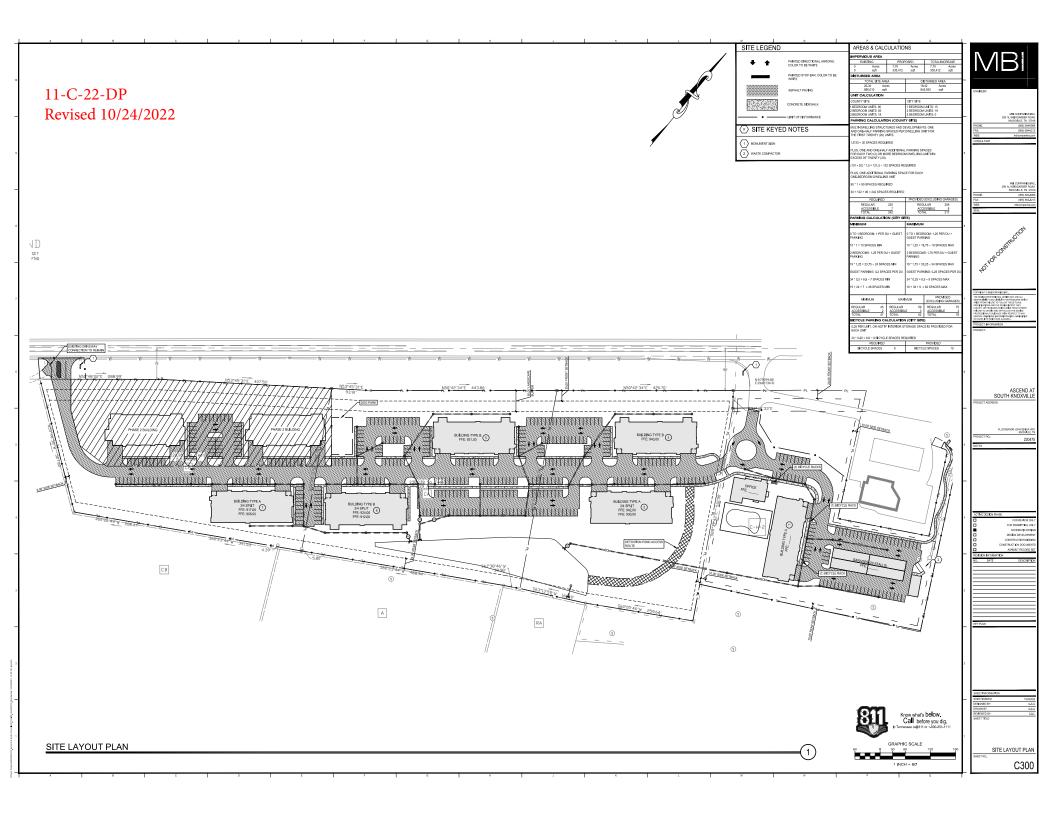
• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

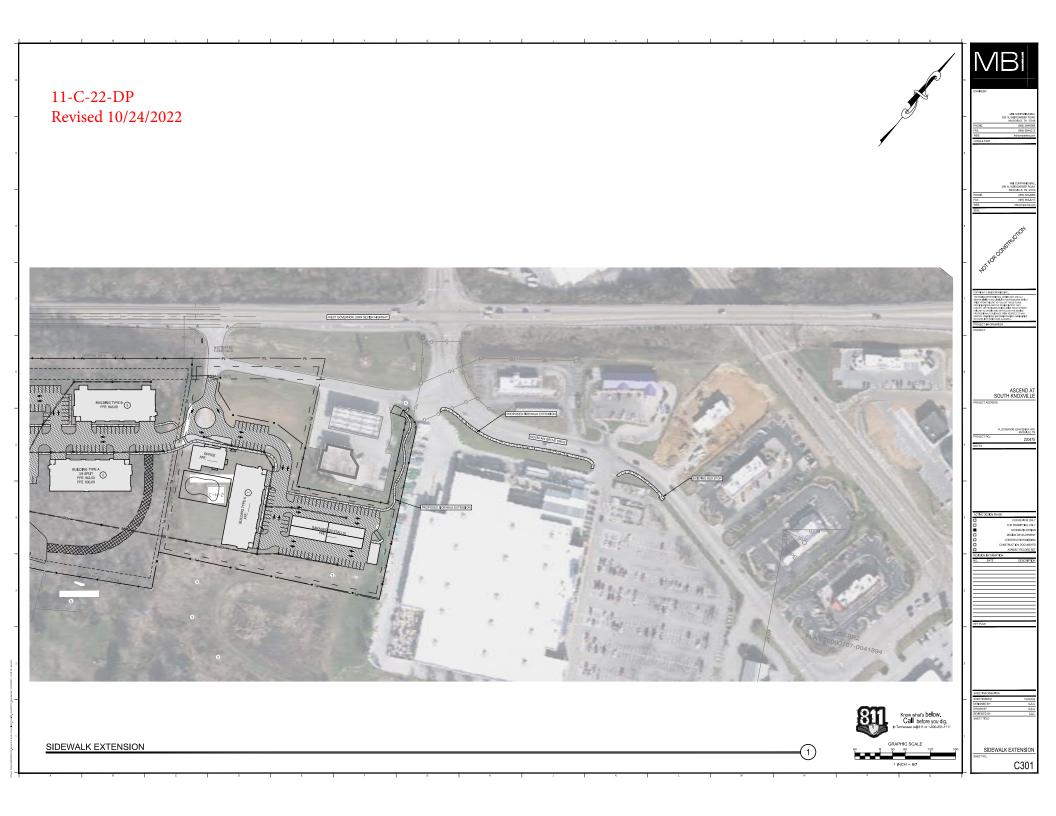
Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

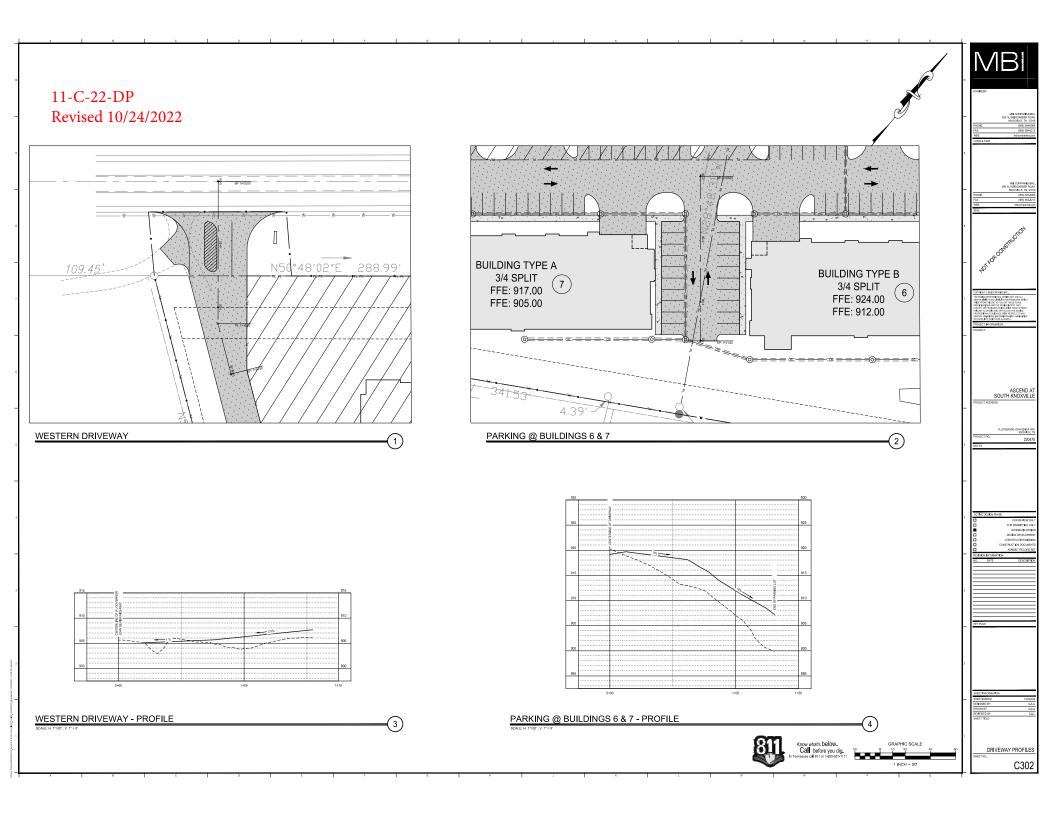
• Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

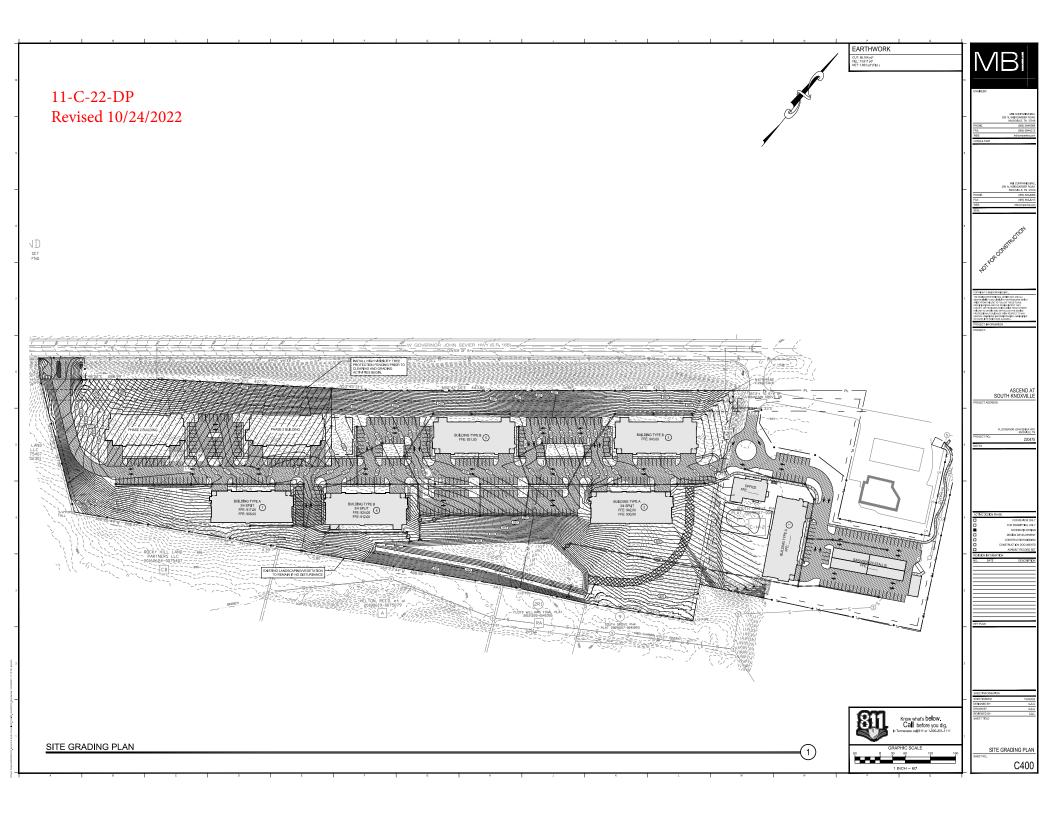
The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Court of Competent Jurisdiction. The date of the Court of Competent Jurisdiction hearing will depend on when the appeal application is filed.

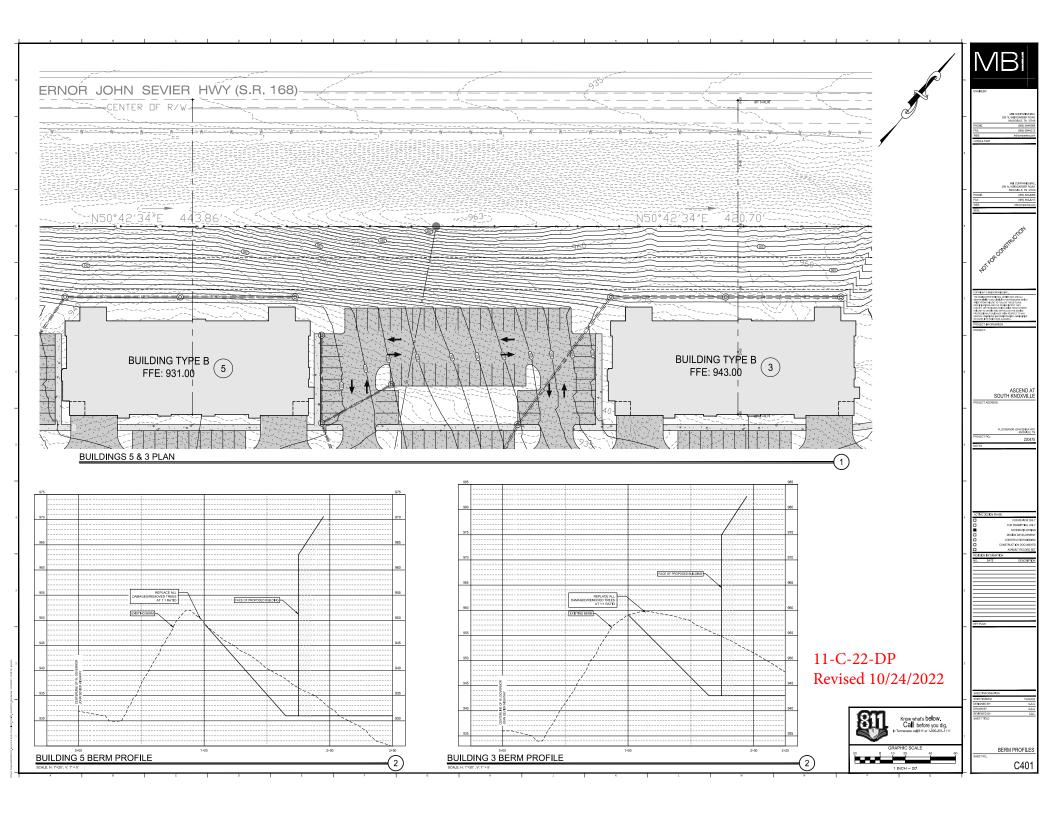


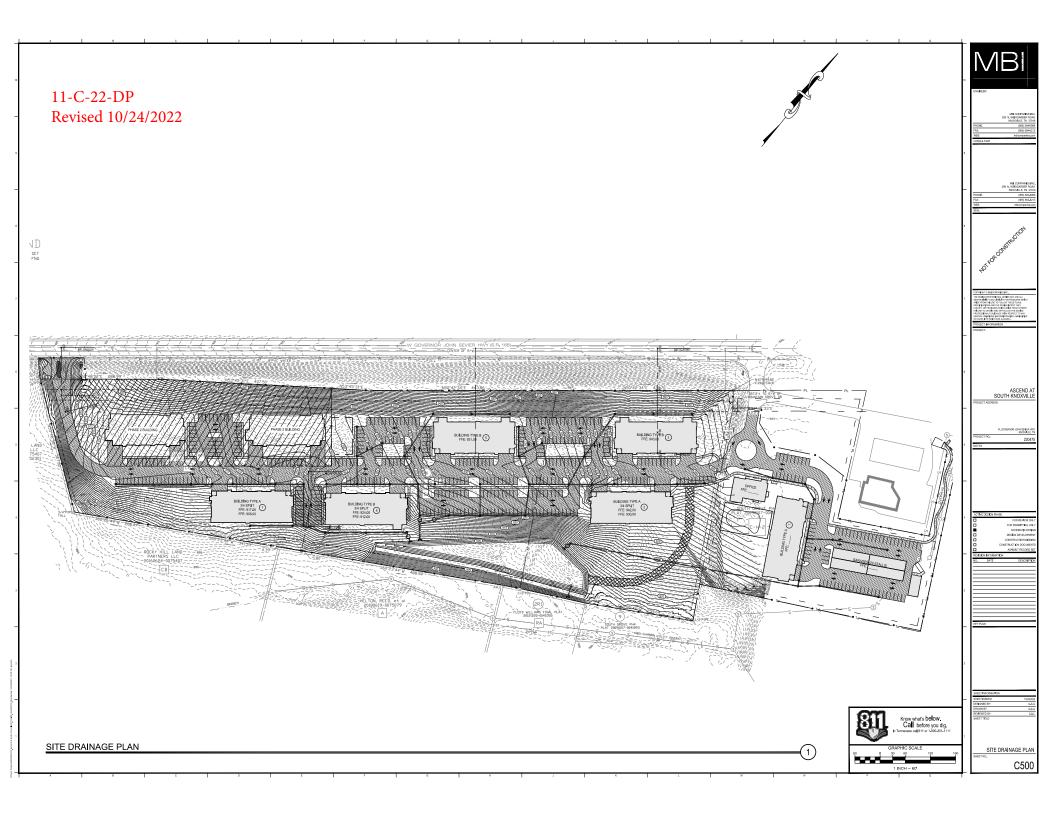












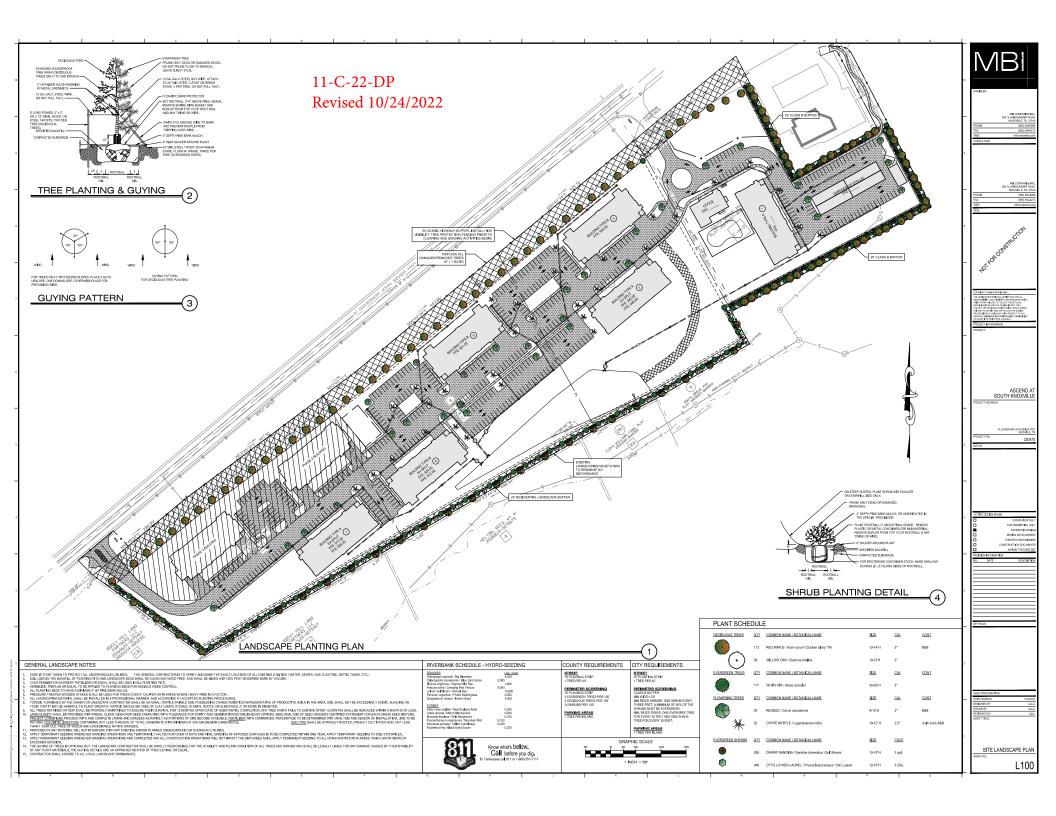
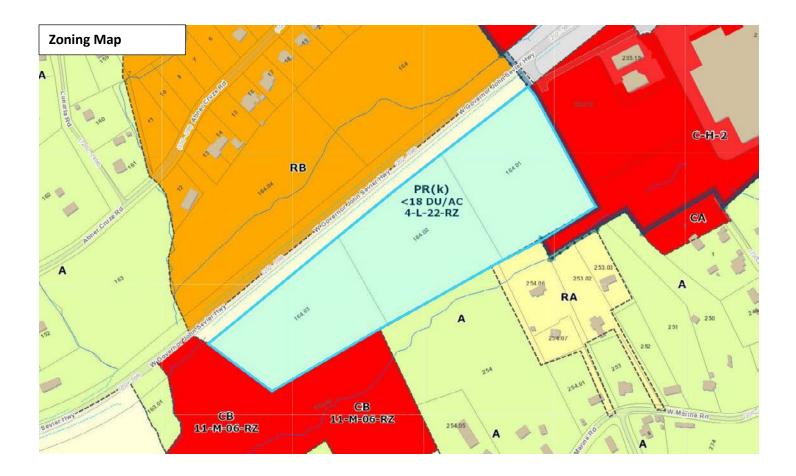


Exhibit A. 11-C-22-DP Context Images



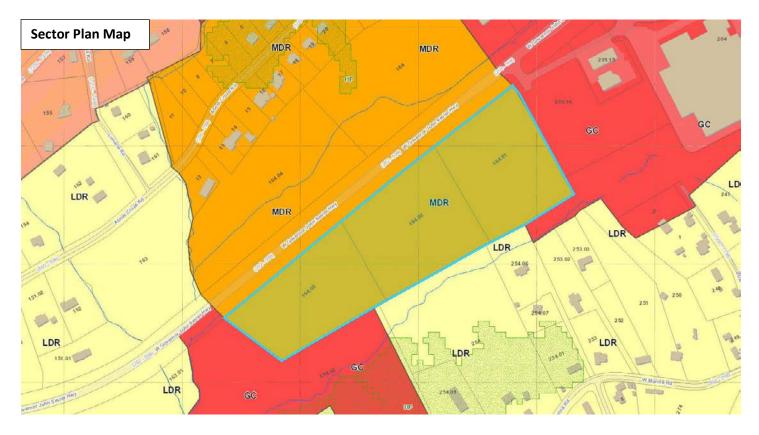


Exhibit A. 11-C-22-DP Context Images





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Development Request

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DEVE	LOPIN	

✓ Development Plan

Planned Development

□ Hillside Protection COA

Use on Review / Special Use

SUBDIVISION

Concept PlanFinal Plat

Plan AmendmentSector PlanOne Year Plan

🗌 Rezoning

ZONING

Taylor D. Forrester		
Applicant Name		Affiliation
9/23/2022	11/10/2022 11-	С-22-DP
Date Filed	Meeting Date (if applicable) File	Number(s)
CORRESPONDENCE	All correspondence related to this application should be di	rected to the approved contact listed below.
Taylor D. Forrester Long, Ra	agsdale and Waters, PC	
Name / Company		
1111 N. Northshore Dr. Dr.	Suite S-700 Knoxville TN 37919	
Address		
865-584-4040 / tforrester@	Dirwlaw.com	
Phone / Email		
CURRENT PROPERTY	INFO	
JDTKNOX, LLC	1200 Lipscomb Dr. Dr. Brentwood TN 370	24 865-693-0711
Owner Name (if different)	Owner Address	Owner Phone / Email
270, 320 & 382 W GOVERN	OR JOHN SEVIER HWY	
Property Address		
137 164.01,164.02,164.03		16.11 acres
Parcel ID	Part of Parcel (Y/N	N)? Tract Size
Knox-Chapman Utility Distr	ict Knox-Chapman Utility Distri	ct
Sewer Provider	Water Provider	Septic (Y/N)
STAFF USE ONLY		
	aka Casilar Illum unat of Mountain Casua Drive	
General Location	ohn Sevier Hwy, west of Mountain Grove Drive	
City County District		Agriculture/Forestry/Vacant Land
✔County District	Zoning District	Existing Land Use
South County	MDR (Medium Density Residential)	Planned Growth Area
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST					
✓ Development Plan☐ Plant☐ Hillside Protection COA	ned Development	☐ Use on Review✓ Residential	/ Special Use	Related City F	Permit Number(s)
Home Occupation (specify)					
Other (specify) Multi-dwelling c	levelopment				
SUBDIVSION REQUEST					
				Related Rezo	ning File Number
Proposed Subdivision Name				-	
Unit / Phase Number		Total	Number of Lots Created		
Additional Information					
Attachments / Additional Requ	uirements				
ZONING REQUEST					
Zoning Change				Pending Pl	at File Number
Proposed Zo	ning				
🗌 Plan					
Amendment Proposed P	Plan Designation(s)				
Proposed Density (units/acre) Additional Information	Previous Zoning Re	equests			
STAFF USE ONLY					
PLAT TYPE	- Commission		Fee 1		Total
	ng Commission		\$1,600.00)	
ATTACHMENTS Property Owners / Option Hol	iders 🗌 Variar	nce Request	Fee 2		
ADDITIONAL REQUIREMEN		ice nequest			
COA Checklist (Hillside Protect					
Design Plan Certification (Fina			Fee 3		
 Site Plan (Development Reque Traffic Impact Study 	est)				
Use on Review / Special Use (Concept Plan)				
AUTHORIZATION					
	Taylor D				0/22/2022
Applicant Signature	Taylor D. I Please Prir				9/23/2022 Date
Phone / Email					
	JDTKNOX,	LLC			9/23/2022
Property Owner Signature	Please Prir	nt			Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.

	D	evel	opmer	nt Re	aue	st	
	סרי	VELOPMENT	- pe.	SUBDIV		ZONING	
		Development	Plan	□ Conc	ept Plan	🗆 Plan An	nendment
Plannir		Planned Deve		🗆 Final	Plat	S	
KNOXVILLE KNOX COUN	гү 🥣 🗆 Ч	Jse on Reviev Hillside Prote	w / Special Use ction COA			🗆 Rezonir	Ig
Taylor D. Forrester					Attor	ney	
Applicant Name					Affiliat	ion	
September 22, 2022	2	November	⁻ 10, 2022			Fi	le Number(s)
Date Filed		Meeting Dat	e (if applicable)		11-C-2	22-DP	
CORRESPONDENCE	All corres	pondence relate	ed to this application	should be dire	ected to the ap	oproved contact	listed below.
🔳 Applicant 🗌 Prope	erty Owner 🗌	Option Holder	Project Survey	or 🗌 Engine	eer 🗌 Arch	itect/Landscape	Architect
Taylor D. Forrester			Long	, Ragsdale 8	& Waters, P	С	
Name			Comp	any			
1111 N. Northshore	Drive, Suite S-	700	Kno>	wille	TN	379	919
Address			City		State	ZIP	
865-584-4040		TForrester	@lrwlaw.com				
Phone		Email					
CURRENT PROPERT	Y INFO						
JDTKNOX, LLC		12	00 Lipscomb Dr,	Brentwood,	, TN 37024	865-693-0	711
Property Owner Name (i	f different)	Pro	perty Owner Addres	S		Property Owr	ner Phone
270 & 320 & 382 W	. Governor Joh	n Sevier High	iway	1371640	1; 1371640	2; 13716403	
Property Address				Parcel ID			
Knox Chapman Utilit	y District		Knox Chapm	an Utility D	istrict		Ν
Sewer Provider			Water Provider				Septic (Y/N
STAFF USE ONLY							
South side of W Gov	vernor John Se	vier Hwy, we	st of Mountain G	irove Drive	15.5	acres	
General Location					Tract S	ize	
9tł	ı	PR(k) (Plar	ned Residential)	Ag For	Vacant		
City 🔳 County — Dist	rict	Zoning Distric	ct	Existing	Land Use		
South County		GC			Planr	ned Growth	
Planning Sector		Sector Plan L	and Use Classificatio	n	Growt	h Policy Plan De	signation

DEVELOPMENT REQUEST					
 Development Plan Use on Review / Special Use Hillside Protection COA Residential Non-Residential Home Occupation (specify) 					ty Permit Number(s)
				-	
Multi-family developmen Other (specify)	t				
SUBDIVISION REQUEST					
				Related Re	ezoning File Number
Proposed Subdivision Name				_	
Unit / Phase Number	Divide Parcel Tota	al Number of Lots	Created		
Other (specify)					
Attachments / Additional Requirements					
ZONING REQUEST					
Zoning Change				Pending	g Plat File Number
Proposed Zoning					
Plan Amendment Change Proposed Plan D	Designation(s)				
Proposed Density (units/acre)	Previous Rezoning Reques	ts			
Other (specify)					
STAFF USE ONLY					
PLAT TYPE		Fee 1			Total
□ Staff Review □ Planning Commission		0404	Dev. Plan		
	na na Danwart	Fee 2			\$1,600
Property Owners / Option Holders Vari ADDITIONAL REQUIREMENTS	ance Request		1		T - 7 - T -
Design Plan Certification (<i>Final Plat</i>)					
Use on Review / Special Use (Concept Plan)		Fee 3			
Traffic Impact Study			1		
COA Checklist (Hillside Protection)					
AUTHORIZATION					
Taylor D. Forrester	Taylor D. Forre	ster			
Applicant Signature	Please Print			Date	
865-584-4040	TForrester@lrv	vlaw.com			
Phone Number	Email				
See attached					
				_	

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

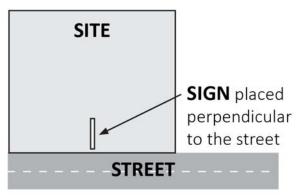
Development Plan Use on Review / Spe Residential Non-Residential Home Occupation (specify)	Related C	ity Permit Number(ı		
Multi-family developmen Other (specify)	t			
SUBDIVISION REQUEST				
	The second second		Related R	ezoning File Numbe
Proposed Subdivision Name				
Unit / Phase Number	Divide Parcel Total	Number of Lots	Created	
Other (specify)				
Attachments / Additional Requirements				
ZONING REQUEST				
			Pendin	g Plat File Number
Zoning Change Proposed Zoning				
Plan Amendment Change	-			and sender
Proposed Plan E	pesignation(s)			
Proposed Density (units/acre) I	Previous Rezoning Requests			
Proposed Density (units/acre) I Other (specify)				
Proposed Density (units/acre) I Other (specify) STAFF USE ONLY				
Proposed Density (units/acre) I Other (specify) STAFF USE ONLY PLAT TYPE Staff Review IPlanning Commission		Fee 1	\$1,600.00	Total
Proposed Density (units/acre) I Other (specify) STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS	Previous Rezoning Requests		\$1,600.00	Total
Proposed Density (units/acre) Content (specify) STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Var ADDITIONAL REQUIREMENTS		Fee 1	\$1,600.00	Total
Proposed Density (units/acre) Conter (specify) STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Var ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat)	Previous Rezoning Requests	Fee 1	\$1,600.00	Total
Proposed Density (units/acre) Content (specify) STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Var ADDITIONAL REQUIREMENTS	Previous Rezoning Requests	Fee 1 Fee 2	\$1,600.00	Total
Proposed Density (units/acre) Conter (specify) STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Van ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat) Use on Review / Special Use (Concept Plan) Traffic Impact Study	Previous Rezoning Requests	Fee 1 Fee 2	\$1,600.00	Total
Proposed Density (units/acre) Conter (specify) STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Var ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat) Design Plan Certification (Final Plat) Design Plan Certification (Final Plat) Traffic Impact Study COA Checklist (Hillside Protection)	Previous Rezoning Requests iance Request <i>M. Jones</i>	Fee 1 Fee 2 Fee 3 9/23/22	\$1,600.00	Total
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Proposed Density (units/acre)	Previous Rezoning Requests iance Request <i>M. Jones</i> Taylor D. Forrest Please Print TForrester@irwi	Fee 1 Fee 2 Fee 3 9/23/22		



Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

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

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

10/28/2022	and	11/11/2022
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name:		
Date: 9/23/22		X Sign posted by Staff
File Number: 11-C-22-DP		Sign posted by Applicant