

Executive Director Report

Amy Brooks, AICP, Interim Executive Director

Presentation

New Communication Tools – Ally Ketron, Communications and Outreach Coordinator

Review of Agenda Items

Rezoning & Plan Amendments

#9 – **11-M-20-RZ_11-E-20-SP** – Patricia Nelson (staff: Liz Albertson)

#10 – **12-A-20-RZ** – Taylor Forrester O/B/O The Offices at St. Andrews, LLC (staff: Liz Albertson)

#8 – **11-J-20-RZ** – Acre Kingston Pike T5 LLC (staff: Michelle Portier)

#11/#24 – **12-B-20-RZ and 12-C-20-SU** – Taylor Forrester O/B/O Northshore Market Investor, LLC (staff: Michelle Portier)

Concepts, Development Plans, Special Uses & Use on Reviews

#15 – **12-SA-20-C_12-A-20-UR** – Woodbury Crossing (staff: Mike Reynolds)

#17 – **12-SC-20-C_12-E-20-UR** – Miller Farm Subdivision (staff: Mike Reynolds)

#18 – **12-SD-20-C_12-F-20-UR** – Emory Green Subdivision (FKA Hatmaker Subdivision) (staff: Mike Reynolds)

#21 – **12-B-20-UR** – Huber Properties, LLC – Clear Water Partners, LLC (staff: Mike Reynolds)

#20 – **11-F-20-UR** – Seth Schweitzer (staff: Liz Albertson)

Other Business

#26 – **11-B-20-OB** – Knoxville-Knox County Planning (staff: Amy Brooks)

Other Items

Future virtual meetings

Automatic Requests for Postponements

Automatic Postponements are provided for in Article XII, Section 1.B of Knoxville- Knox County Planning Commission’s Administrative Rules and Procedures, which allows for one automatic postponement when the request is received by 3:30 p.m. on the Friday prior to the Thursday Knoxville-Knox County Planning Commission meeting.

AUTOMATIC POSTPONEMENTS

*until the January 14, 2021 Planning Commission meeting (Indicated with **AP**)*

16. **AP** HATMAKER LN. SUBDIVISION
(30 days)

A. CONCEPT SUBDIVISION PLAN

0 Everett Road, 0 Pine Creek Road and 0 Hatmaker Lane
/ Parcel ID 141 082, 08203 and 129 16413, Commission
District 6.

12-SB-20-C

B. USE ON REVIEW

Proposed use: Detached residential subdivision in PR
(Planned Residential) District.

12-C-20-UR

22. **AP** INGLES MARKETS, INC.

(30 days) 7220 Norris Freeway / Parcel ID 38 08902 (part of) & 08901
(part of). Proposed use: Expansion of Ingles grocery store
and addition of fuel center in SC (Shopping Center) District.
Commission District 7.

12-D-20-UR

REZONING REPORT

▶ **FILE #:** 11-J-20-RZ (REVISED) **AGENDA ITEM #:** 8

POSTPONEMENT(S): 11/12/2020 **AGENDA DATE:** 12/10/2020

▶ **APPLICANT:** ACRE KINGSTON PIKE T5 LLC

OWNER(S): Wheeler E F Jr. & William D. McSpadden

TAX ID NUMBER: 120 J A 008 [View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 8002 Kingston Pk.

▶ **LOCATION:** South side of Kingston Pike, west side of Winston Road

▶ **APPX. SIZE OF TRACT:**

SECTOR PLAN: West City

GROWTH POLICY PLAN: Within City Limits

ACCESSIBILITY: Kingston Pike is a major arterial with a pavement width of 56 ft inside a 92-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** C-G-3 (General Commercial)

▶ **ZONING REQUESTED:** C-G-1 (General Commercial)

▶ **EXISTING LAND USE:** Kar Kare Muffler Shop Center

▶ **DENSITY PROPOSED:** N/A

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Commercial - C-H-2 (Highway Commercial) District

South: Office - C-G-3 (General Commercial) District

East: Commercial - C-G-3 (General Commercial) District

West: Commercial - C-G-3 (General Commercial) District

NEIGHBORHOOD CONTEXT: This is a major commercial corridor with retail, business, financial institutions, and professional services uses along the street. The shopping center containing Barnes and Noble and the former Toys-R-Us is across the street.

STAFF RECOMMENDATION:

▶ **Postpone this item for 30 days to be heard at the January 14, 2021 Planning Commission meeting.**

Planning staff received an email requesting a 30-day postponement on December 7, 2020.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 1/12/2021 and 1/26/2021. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.

REZONING REPORT

▶ **FILE #:** 12-A-20-RZ

AGENDA ITEM #: 10

AGENDA DATE: 12/10/2020

▶ **APPLICANT:** TAYLOR FORRESTER OBO THE OFFICES AT ST. ANDREWS, LLC

OWNER(S): The Offices at Saint Andrews, LLC

TAX ID NUMBER: 120 H C 061

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 8300 E. Walker Springs Ln.

▶ **LOCATION:** East side of E. Walker Springs Ln., north of I-40 / I-75

▶ **APPX. SIZE OF TRACT:** 14.78 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via East Walker Springs Lane, a local street with a pavement width of 27.6 feet of pavement within a right-of-way width of 52.6 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** OP (Office Park)

▶ **ZONING REQUESTED:** RN-6 (Multi-Family Residential Neighborhood)

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant

▶

EXTENSION OF ZONE: No

HISTORY OF ZONING: 8-Q-81-RZ: R-1 to RP-1 (@ 4.1 du/ac); 6-G-83-RZ: RP-1 (@4.1 du/ac) to RP-1 (6 to 10 du/ac)

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-1 (Single-Family Residential Neighborhood Zoning District)

South: Right of Way - ROW (Right of Way)

East: Public/quasi-public - RN-2 (Single-Family Residential Neighborhood Zoning District)

West: Public/quasi-public - RN-1 (Single-Family Residential Neighborhood Zoning District)

NEIGHBORHOOD CONTEXT: The area is within 0.3 miles of the commercial/office node at the Gallaher View Road interchange with I-40/75, adjacent to the interstate and part of the West Hills neighborhood.

STAFF RECOMMENDATION:

▶ **Approve RN-5 (General Residential Neighborhood District) zoning because it is consistent with the Northwest City Sector Plan designation and the building height limitation of the zone district is 35 feet which is compatible with the adjacent single family residential neighborhood (Applicant requested RN-6 Multifamily Residential Neighborhood District).**

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY:

1. There have been no recent, significant changes in this area that would prompt a rezoning. However, the staff recommendation to the RN-5 zone district is compatible with the adjacent single family residential neighborhood and allows for multi-family development. This site is located along a greenway, in an area with sidewalks, bike lanes and a connection to transit on Gallaher View Road.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The RN-5 (General Residential Neighborhood) District is intended to accommodate medium density residential neighborhoods comprising a heterogeneous mix of single-family, two-family, townhouse, and multi-family dwellings. The RN-5 District may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas. Limited nonresidential uses that are compatible with the character of the district may also be permitted.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.
3. In the RN-5 District, building height is limited to 35 feet which is more compatible with the adjacent single family residential neighborhood. RN-6 permits building heights of 65 feet and would be out of character with the adjacent neighborhood.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. RN-5 zoning should not cause any adverse effects for surrounding properties.
2. The location is well serviced by a variety of transportation options, including bus transit, sidewalks, greenways and interstate access. It is also within 0.3 miles of an interstate commercial node. A greenway runs through the property and connects to the West Hills and Bynon Park which lies within 500 feet of the site (See Exhibit A).
3. (REVISED: 12/7/2020) A Transportation Impact Study dated November 17, 2020 by Addie Kirkham with Fulghum MacIndoe & Associates evaluates the impact of a residential development consisting of 216 apartment units at this location. A recommendation for a new traffic signal at the existing intersection of N Gallaher View Road at E Walker Springs / Sam's Club Driveway is noted on page 3 of the study, and a northbound right turn lane and a southbound left turn lane were also studied at the intersection of N Gallaher View Road and E Walker Springs Rd., but all options will have to be evaluated further by the City of Knoxville Traffic Office. The study also describes in detail the proximity of the site to the transit network, as well as the pedestrian and bicycle network (See Exhibit B).
4. The maximum density based on minimum lot area alone for multi-family on this 14.78 acre parcel in RN-5 is 437 units, while the maximum density for the applicant requested RN-6 based on the same is 672 units.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest City Sector Plan's current MDR/O (Medium Density Residential/Office) designation notes that this designation should be located near community activity centers, including uses, such as parks and commercial/office nodes, that are served by transit and sidewalks.
2. RN-5 is consistent with all other adopted plans.

ESTIMATED TRAFFIC IMPACT: 5290 (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: 61 (public school children, grades K-12)

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

If approved, this item will be forwarded to Knoxville City Council for action on 1/12/2021 and 1/28/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



USE ON REVIEW REPORT

▶ **FILE #:** 11-F-20-UR **AGENDA ITEM #:** 37
POSTPONEMENT(S): 11/12/2020 **AGENDA DATE:** 12/10/2020
▶ **APPLICANT:** SETH SCHWEITZER
OWNER(S): Mihal Apreotesi

TAX ID NUMBER: 91 042 [View map on KGIS](#)
JURISDICTION: County Commission District 6
STREET ADDRESS: 3430 Zion Ln.
▶ **LOCATION:** Northwest sector off Ball Road
▶ **APPX. SIZE OF TRACT:** 4.27 acres
SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Zion Lane is a local street with a pavement width of 16.2 feet within a right-of-way width of 50 feet.
UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board
WATERSHED: Grassy Creek

▶ **ZONING:** PR (Planned Residential) / Pending - A (Agricultural)
▶ **EXISTING LAND USE:** MF (Multi-family Residential)
▶ **PROPOSED USE:** Boarding home for 12 residents and 2 staff

HISTORY OF ZONING: 5-C-12-RZ: A to PR up to 4 du/ac; 2-A-17-RZ: PR to OB (Withdrawn)
SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agriculture)
South: Single family residential - A (Agriculture)
East: Rural residential - A (Agriculture)
West: Agriculture/forestry/vacant, Multifamily - A (Agriculture), RB (General Residential)

NEIGHBORHOOD CONTEXT: This area is largely single family residential, including a mix of agricultural/forestry/vacant land and rural residential lots. However, some multifamily is nearby in the RB zoned parcel that comprises the Lakeview Mobile Home Park.

STAFF RECOMMENDATION:

▶ **DENY** the request for a boarding home up to 12 residents with 2 staff because the use is incompatible with surrounding land uses and insufficient infrastructure exists to support the use.

COMMENTS:

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

1. Section 2.20 of the Knox County Zoning Ordinance notes that a boarding house is a dwelling or part thereof in which lodging is and meals from a common kitchen are provided by the owner or operator for not more than twelve (12) persons.
2. The revised site plan submitted by the applicant demonstrates 12-13 bedrooms, 2 apartments without kitchens and 1 apartment with a kitchenette and a separate entrance. The proposed maximum capacity demonstrated in this plan exceeds the 12 person limit for a boarding house.
3. Boarding houses are permitted in the CA and CB zone districts of Knox County, which are generally located in areas with sufficient infrastructure to support more intensive land uses than those permitted in Low Density Residential (LDR) areas.
4. The surrounding area consists primarily of low density residential uses, larger lot rural residential uses, and agricultural/forestry/vacant land.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. This proposal does not meet the criteria for a "boarding house" as defined in section 2.20 because the potential maximum capacity of persons exceeds 12 persons..
2. There are at least two (2) additional "apartments" above the capacity of 12 "bedrooms" also without kitchens demonstrated in the plan. A shared common kitchen is noted on the plan however, as well as a kitchenette for one of the apartments.
3. The type of use proposed may require residents to be reliant on program supplied vans for transportation to and from the site, and likely food and laundry deliveries which are more commercial in character.
4. **(Revised 12/8/2020) The recent rezoning case 9-A-20-RZ Knox County Commission will be voting on this rezoning request to A (Agricultural), which permits boarding houses as a use on review at their December 21, 2020 meeting.** The Agricultural zone district is described as being a zone which provides for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan designates LDR (Low Density Residential) for this and the surrounding area, which is described as being primarily residential in character with densities of less than 5 dwelling units per acre. This type of boarding house is more commercial in character, and would rely on deliveries and daily group transportation to and from the site.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Commission. The date of the Knox County Commission hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



USE ON REVIEW REPORT

▶ **FILE #:** 12-B-20-UR

AGENDA ITEM #: 21

AGENDA DATE: 12/10/2020

▶ **APPLICANT:** HUBER PROPERTIES, LLC - CLEAR WATER PARTNERS, LLC

OWNER(S): John Huber

TAX ID NUMBER: 144 02016 & 02009

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 0 Emory Church Rd.

▶ **LOCATION:** Southwest of Emory Church Rd., East side of I-140, North of Westland Dr.

▶ **APPX. SIZE OF TRACT:** 24.29 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

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

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

▶ **ZONING:** PR (Planned Residential) (k) / F (Floodway)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Multi-dwelling development

4.68 du/ac

HISTORY OF ZONING: The property was rezoned from A to PR < 5 du/ac with 3 conditions.

SURROUNDING LAND USE AND ZONING: North: Fort Loudoun Lake, residences / F (Floodway) & A (Agricultural)

South: Assisted living facility / RN-6 (Multi-Family Residential Neighborhood)

East: Apartments, rural residential / PR (Planned Residential) & A (Agricultural)

West: Pellissippi Pkwy, vacant land, residences / PR (Planned Residential) & A (Agricultural)

NEIGHBORHOOD CONTEXT: This area has developed with a mix of low and rural density residential uses under the PR & A zones, and an assisted living facility and church in the RN-6 and RN-1 zones.

STAFF RECOMMENDATION:

▶ **APPROVE** the development plan for a multi-dwelling development with up to 96 apartment units and a reduction of the peripheral setback from 35 feet to 20 feet along the southwestern boundary and 30 feet along the southern boundary, as shown, subject to 11 conditions.

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.

2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
3. Meeting all applicable requirements of the Scenic Highway System Act under Tennessee Code Annotated (TCA), Section 54-17-115(a). See Exhibit A.
4. Certifying that the required sight distance is available at the access to Emory Church Road and providing the documentation to Knox County Engineering and Public Works for review and approval during permitting.
5. Installation of the landscaping shown on the development plan within 6 months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Dept. of Engineering and Public Works to guarantee its installation.
6. The sign for the development at the entrance shall meet the standards of the zoning ordinance.
7. Meeting all applicable requirements of the Knox County Fire Marshal's Office.
8. No other residential units are to be located on the subject site, including parcel 144-02016, until a Use on Review development plan is approved for such use. The referenced parcel is part of a plat recorded in 2016 (Lot 6 on the Final Plat for Melgaard Property) and is referenced as a buildable lot. This lot is zoned PR and has not been approved for a residential structure.
9. (REVISION 12/7/2020) Providing a sidewalk on the eastern side of Emory Church Road from the entrance of the existing Westland Cove apartment complex to the southern property line of the subject lot, which aligns approximately with the southern lot line of parcel 144-02111.
10. Meeting all applicable requirements of Knox County Engineering and Public Works.
11. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR District and the other criteria for approval of a use on review.

COMMENTS:

REVISION 12/7/2020 -- Condition #9 was added to the staff report at the request of Knox County Engineering and Public Works. This property is located within the Parental Responsibility Zone of A.L. Lotts Elementary school and is required to install a sidewalk along its road frontage according to the Knox County "sidewalk ordinance" (Chapter 54, Article IV. Section 54-81). The condition is to install the sidewalk on the east side of the road because there is already a section of sidewalk on Emory Church Road near the Wesland Drive intersection. The sidewalk will extend from the driveway access of the existing Westland Cove apartment complex to align with the southern boundary of the subject property, which aligns approximately with the southern lot line of parcel 144-02111.

The total number of conditions did not change because #9 was accidentally skipped in the original staff report.

This proposal is for a 96-unit apartment complex on the west side of Emory Church Road on a site with 18.455 acres above the 820 contour, which is the elevation of the TVA flowage easement for the Fort Loudoun Lake reservoir. The subject site has a total of 22.941 acres, including the area below the 820 contour, most of which is below the summer pool level for the lake. There are four 3-story buildings proposed in the southwest corner of this property, on top of the hillside that is adjacent to Pellissippi Parkway. The parkway is designated a scenic highway by the State Scenic Highway System Act of 1971, which limits the heights of buildings to 35 feet within 1000 feet of the scenic highway. The proposed buildings have a low profile shed roof and are less than 35 feet tall. The access to the site is from Emory Church Road and the required sight distance will need to be certified during permitting.

Background

The subject site is part of a larger 101+ acre area that was zoned PR < 5 du/ac in 2013 (9-A-13-RZ). A Use on Review (UOR) development plan for the PR zoned property was approved in 2013 for 312 apartment units and 3 detached residential lots (9-B-13-UR). There was also a marina proposed that was ultimately denied during the appeal process. The 3 residential lots have been platted and 240 apartment units have been constructed on the east side of Emory Church Road. The 2013 UOR approval had 72 apartment units in four 2-story buildings on the subject lot in the same general location as the current proposal. The main differences between the 2013 development plan for this site and the current proposal are each of the four buildings will be 3-stories tall instead of 2-stories, and the current plan has two buildings near the western (Pellissippi Pkwy) boundary line and the previous plan had the buildings further to the east on the site and parking lot near the western boundary.

Density

The PR (Planned Residential) zoning for this site allows up to 5 dwelling units per acre (du/ac). The proposed apartment complex will have a density of 5.2 du/ac on the subject site that has 18.455 buildable acres above the 820 contour, which is greater than the maximum of 5 du/ac permitted by the sector plan and the PR zoning. However, the density for the entire area zoned PR is 4.68 du/ac so the proposed development is still in compliance with the zoning and sector plan.

NOTE: There are some discrepancies with the land area between the 2013 rezoning and use on review applications and subsequent surveys of these properties, which the acreage and density calculations in this report are based upon. These discrepancies are still under review and could impact the staff recommendation if it is determined that the requested density is not available. At this time, it appears that the necessary density is available.

Traffic Impact Study

The Westland Cove Traffic Impact Study (Ajax Engineering, September 2013) was prepared to address the impact of the proposed development on Emory Church Road. This study assumed the site would be developed with 356 apartment units and a 75 berth marina. The TIS specifically states that "it should be noted that the results ... for the apartments are shown with additional units as currently planned. This would allow for an additional apartment 28-unit building being planned and developed without having to update this report." The total number of dwelling units existing (243) and proposed (96) is 339 units, which is less than the 356 units in the TIS, excluding the assumed traffic for the marina that was not developed. Since the total number of requested units (339) will remain less than the total in the 2013 study (356), a new TIS was not required. The road improvements that were required as part of the 2013 UOR approval have already been completed, including improvements to the Emory Church Road and Westland Drive intersection which involved the acquisition of right-of-way and the installation of turn lanes and a traffic signal.

Open Space

The proposed apartment complex will have an amenity area that includes a clubhouse and outdoor space. The existing apartment complex on the east side of Emory Church Road has its own amenity area. There are 5.403 acres of platted conservation area on the subject site and 14.846 acres of platted conservation area on the east side of Emory Church Road. These conservation areas were part of the consideration to allow up to 5 dwelling units per acre since it is within the Hillside Protection area on the sector plan. These conservation areas were platted in 2016.

Peripheral Setback

The applicant is requesting a peripheral setback reduction from 35' to 20' along the southwestern boundary, which is along the Pellissippi Parkway frontage of the lot. This reduction is to allow the small structure for the dumpster to be located as proposed. The peripheral setback adjacent to the apartment buildings will remain 35' setback along this frontage. The request for a 30' peripheral setback is along a lot line that is shared with an assisted living facility. The proposed grading on the subject site will not extend to the edge of the property line, which is the highest point on the property, and will allow for some mature vegetation to remain between the two properties.

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

- 1) Utilities are available to service the site.
- 2) While by appearance an apartment complex is high density, the clustering of the residential development on the site allows for the protection of the steeper portions of the site. The overall density for the entire development falls within low density category.
- 3) The clustering of the residential density on the site allows for the preservation of approximately 5.403-acres on the subject site and approximately 16.6-acres total for the development above the 820 contour that accounts for 23% of the total buildable area.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

- 1) With the stated conditions, the proposal meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.

2) The proposed subdivision is consistent with the general standards for uses permitted on review: The proposed development 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 additional traffic through residential areas because it is located on a minor collector street.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1) The Southwest County Sector Plan designates this property for low density residential uses with a maximum density of 5 du/ac. At a density of 4.68 du/ac for the overall development, the proposed development is consistent with the Sector Plan.
- 2) The property is located in the Hillside Protection area on the sector plan. With the proposed conservation areas and other undisturbed areas, the development in conformance with the general recommendations of the Hillside and Ridgetop Protection Plan.
- 3) The 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: 9 (public school children, grades K-12)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Bearden 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 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 a Planning Commission decision in the County.