



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 6-I-08-RZ **AGENDA ITEM #:** 57  
 6-E-08-SP **AGENDA DATE:** 8/14/2008

POSTPONEMENT(S): 6/12/2008,7/10/2008

▶ **APPLICANT:** HARDIN VALLEY TWO, LLC  
 OWNER(S): HARDIN VALLEY TWO LLC

TAX ID NUMBER: 104 017.01 PORTION ZONED PR

JURISDICTION: Commission District 6

▶ **LOCATION:** South side Hardin Valley Rd., west of Westcott Blvd.

▶ **TRACT INFORMATION:** 16.34 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hardin Valley Rd. a four lane, median divided minor arterial street.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & SLPA (Slope Protection Area) / PR (Planned Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** C (Commercial) & SLPA (Slope Protection Area) / PC (Planned Commercial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Commercial development

EXTENSION OF PLAN DESIGNATION/ZONING: Yes

HISTORY OF ZONING REQUESTS: Parcel was rezoned form A to PC and PR in 2007. (6-H-07-RZ)

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Hardin Valley Road right-of-way/ LI/STPA / PC Commercial

South: Vacant land / LDR / A Agricultural

East: Vacant land / LDR / A Agricultural

West: Residences / Commercial, Office and LDR /CA and RA Residential

NEIGHBORHOOD CONTEXT: This vacant site is located in a mixed use area of office, business and residential uses that have occurred under A, RA, PR, LI and PC zones. The sector plan proposes commercial, low density residential and slope protection for the site.

**STAFF RECOMMENDATION:**

▶ **WITHDRAW at the request of the applicant**

Extending the Commercial land use designation and PC zoning to include the present PR zoned portion of the site would extend non-residential uses too far into the designated LDR area and could have a detrimental impact on the established and proposed character of the area.

► **WITHDRAW at the request of the applicant**

Portions of the site have steep slopes associated with it. The current PC and PR zones require any development of this site to have MPC site plan approval prior to any land disturbance to ensure that the environmental concerns of this property are adequately addressed.

**COMMENTS:**

**NEED AND JUSTIFICATION FOR THE PROPOSAL**

1. The present Commercial and LDR land use designation and PC and PR zoning are the appropriate designations for this site given its environmental constraint of steep slopes. (See slope analysis map and table.) The potential adverse impact commercial development over this entire site could have on the established and future residential development of adjoining property in the manner proposed by the adopted plan also does not support this request.
2. Allowing Commercial designation and PC zoning over the entire site will bring pressure to propose similar land uses for the adjacent property now proposed for low density residential use.
3. PC zoning already exist on the appropriate portion of the site adjacent to Hardin Valley Rd., and across Hardin Valley Dr. from established PC, LI and I zones to the north.

**THE EFFECTS OF THE PROPOSAL**

1. Public water and sewer utilities are available to serve the site.
2. The proposed PC zoning would allow retail or office development of an additional 9.6 acre portion of the site in a manner incompatible with the site's constraints and the adjacent established and proposed development pattern.

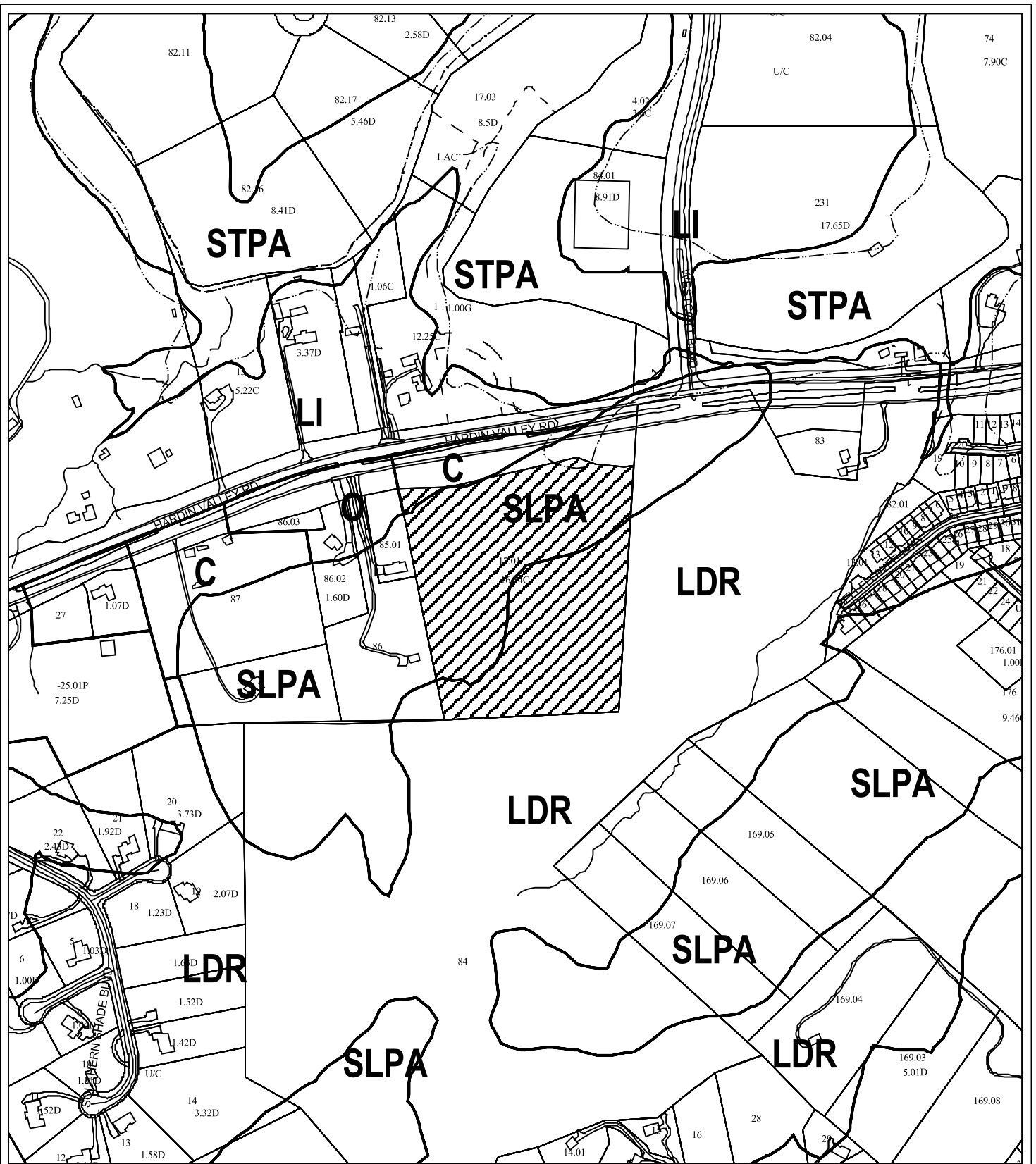
**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. Approval of the sector plan amendment for Commercial designation is required to approve PC zoning on the entire site.
2. The site is located within the Planned Growth Area of the Knoxville Knox County-Farragut Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/22/2008. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.




**6-E-08-SP/6-I-08-RZ  
SECTOR PLAN AMENDMENT  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Hardin Valley Two, LLC

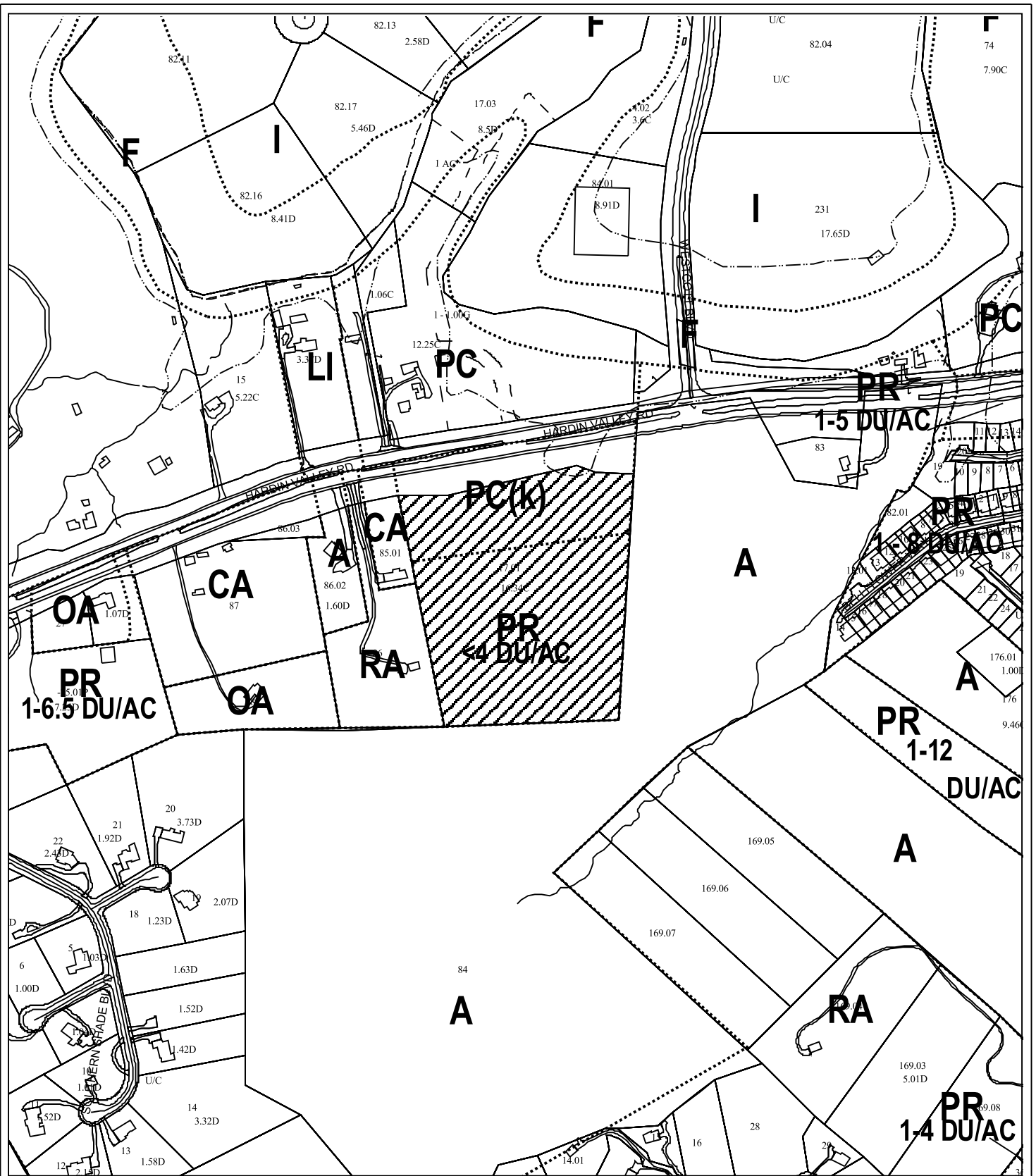
Map No: 104

Jurisdiction: County

 From: LDR (Low Density Residential) & SLPA (Slope Protection Area)  
To: C (Commercial) & SLPA (Slope Protection Area)

Original Print Date: 05/22/08 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





**6-I-08-RZ  
REZONING**

Petitioner: Hardin Valley Two, LLC

Map No: 104

Jurisdiction: County



From: PR (Planned Residential)

To: PC (Planned Commercial)

Original Print Date: 05/22/08

Revised:

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



**From:** Sarah Powell  
**To:** Betty Jo Mahan  
**Date:** 7/15/2008 11:21:38 AM  
**Subject:** Fwd: 6-I-08-RZ and 6-E-08-SP

>>> Charles Feigerle <[feigerle@ion.chem.utk.edu](mailto:feigerle@ion.chem.utk.edu)> 7/15/2008 11:05:12 AM >>>  
Members of the Knoxville MPC,

We are writing to express our opposition to items 6-I-08-RZ and 6-E-08-SP, on the agenda for the July 2008 MPC Meeting.

We are very concerned that increasing the commercial development in Hardin Valley will make the traffic situation worse. Already, there is significant congestion at certain times of the day making it challenging to get around. And road noise is ever present. Increasing commercial development will only snarl things up further.

Low density residential + slope protection seem the best long-term alternative. Indeed, this area is a reasonably desirable place to live and is currently not in a commercial zone. Based upon the initial zoning request for this parcel, the owners seem to think so too.

The Staff recommendation on this proposal points out the need for balance between residential and commercial interests, stating that the proposed rezoning and sector plan amendment would be out of character for the area. We agree and urge the MPC to deny both requests.

Best Wishes,

Chuck and Minki Feigerle  
2451 Bryant Lane

**From:** Sarah Powell  
**To:** Betty Jo Mahan  
**Date:** 6/9/2008 1:06:38 PM  
**Subject:** Fwd: MPC agenda item 53: 6-I-08-RZ and 6-E-08-SP

>>> "David Bernholdt" <[david.bernholdt@gmail.com](mailto:david.bernholdt@gmail.com)> 6/9/2008 10:10:37 AM >>>  
Members of the MPC:

I am writing on behalf of myself, as a resident of the Hardin Valley Farms subdivision, and the other homeowners of the Hardin Valley area to express our opposition to items 6-I-08-RZ and 6-E-08-SP, #53 on the agenda for the 12 June 2008 MPC meeting.

The Staff Recommendation on this proposal characterizes the situation well: a change to Commercial (C) and Planned Commercial (PC) zoning would be a poor choice for the land contours of the property, and would be out of character with the surrounding properties.

This portion of Hardin Valley has seen significant growth in commercial development in recent years. There is already ample land nearby zoned for commercial purposes in various stages of development, and with most of it still unused. (The new industrial park across Hardin Valley Road has no buildings as yet, strip malls on Hardin Valley near Pellissippi and near Lovell road, as well as another on Schaeffer Road have stood mostly vacant since construction was completed on them a year or more ago, and there is much more development underway on both sides of Pellissippi.) It is hard to believe that there is such a demand for commercial property that we need more in this area. It seems more likely that we would end up with more vacant commercial space, or worse, a partially completed construction or a site whose natural contours have been destroyed by site preparation, sitting unfinished for a long time. None of these results would be good for the residents or property owners of this area.

Additionally, changing this from residential to commercial would have a significant impact on the balance of development in the area. There have been for some time tensions between commercial and residential uses in this area. The Sector Plans and previous discussions with the MPC and the County Commission have indicated a desire to maintain a reasonable balance. However recent development has tilted the area heavily towards commercial uses. This is one of the few remaining parcels zoned residential. Because of the surrounding uses, this should be reasonable and even desirable as residential property. Changing it to commercial zoning would eliminate any sense of balance, and as the Staff Recommendation says, increase the pressure for even

more commercial development in this area.

I am currently on travel, and will not be able to attend the 12 June MPC meeting to speak on this issue. I request that this letter be distributed to the Commissioners and entered into the record of discussion on this issue.

Please feel free to contact me if you have any questions.  
David Bernholdt, 385-8886

**From:** Sarah Powell  
**To:** Betty Jo Mahan  
**Date:** 6/9/2008 7:00:51 AM  
**Subject:** Fwd: 6-E-08-SP and 6-I-08-RZ

>>> <[musfeldt@ion.chem.utk.edu](mailto:musfeldt@ion.chem.utk.edu)> 6/8/2008 8:40:02 PM >>>  
Members of the MPC,

I am writing to register my opposition to both 6-E-08-SP and 6-I-08-RZ, a sector plan amendment to change LDR + SLPA to C + SLPA and a rezoning request to change PR to PC, respectively.

The aforementioned proposals are contrary to the needs of Hardin Valley residents and contrary to the recommendation of MPC staff.

I urge the MPC to follow the staff recommendation and deny both proposals. I also hereby request that this letter be placed in the agenda packet for committee members.

Consider: we already have Hardin Station, Hardin Plaza, and Hardin Village so close at hand as well as the large development directly to the west of Pellesippi Parkway. These strip malls are far from fully leased. (Further, the oh-so-important Hardin Business Park has yet to score a tenant.) Considering the glut of commercial and office space, it's not obvious why the Hardin Valley 2 LLC would want to undertake an additional development.

Yet that is indeed the request before the committee. And it follows on a rezoning request not one year ago on the same piece of land. One wonders what is going on.

How can additional commercial space benefit either the LLC or the local community? It seems to me that such a proposal will only encourage the sad land management practices already running rampant in this area.

My husband and I were attracted to Hardin Valley because of (i) its proximity to both Oak Ridge National Laboratory and the University of Tennessee and (ii) the fact that it was still relatively green.

Indeed, the property in question (6-E-08-SP and 6-I-08-RZ ) is on a designated "scenic drive".

If we consider the situation carefully, I am willing to bet that none of us consider the Food City, the new gas station, or the proposed development that the sector plan and rezoning request would enable to be "scenic".



I therefore urge the MPC to follow the staff recommendation and deny both proposals.

Best Wishes,

Jan Musfeldt  
2434 Hardin Farms Lane  
Knoxville, TN 37932  
865 539-9206