



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

▶ **FILE #:** 3-G-08-RZ
3-B-08-SP

AGENDA ITEM #: 53.5
AGENDA DATE: 3/13/2008

▶ **APPLICANT:** TODD HOWARTH
OWNER(S): HOWARTH TODD J

TAX ID NUMBER: 133 G F 015-018
JURISDICTION: Commission District 4

▶ **LOCATION:** Southeast side Westland Dr., southwest of Vista Oaks Ln.

▶ **TRACT INFORMATION:** 2.4 acres.

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Westland Dr., a minor arterial street with 24-30' of pavement width within 50' of right of way.

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

WATERSHED: Ten Mile Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / PR (Planned Residential) @ 1-4 du/ac

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / PR (Planned Residential) @ up to 6.7 du/ac

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Attached residential development

DENSITY PROPOSED: 6.7 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of PR from the east

HISTORY OF ZONING REQUESTS: This property was rezoned to PR at 1-4 du/ac in 2006 (9-A-06-RZ). Staff and MPC had recommended up to 5 du/ac, but County Commission reduced the density to 4 du/ac.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Westland Dr. and railroad right of way, residences / R-1 (Low Density Residential)

ZONING South: Residences / RA (Low Density Residential)

East: Residences / PR (Planned Residential) @ 1-4 du/ac

West: Residences / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: These lots are within an area of residential development that has occurred under RA and PR zones.

STAFF RECOMMENDATION:

▶ **DENY MDR (Medium Density Residential) sector plan designation.**

The current LDR designation allows consideration of up to 5 du/ac for this site, giving the applicant reasonable use of the property. There has been no change in area conditions since the 2007 update of the West City Sector Plan to warrant the requested plan amendment. The current low density residential designation for this site should be maintained.

► **APPROVE an increased PR density of up to 5 du/ac. (Applicant requested 6.7 du/ac.)**

PR zoning at up to 5 du/ac is consistent with other residential zoning and densities found in the area and is consistent with the sector plan proposal for the property.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The recommended zoning density is consistent with the current sector plan designation for the site and with the Planned Growth designation on the Growth Policy Plan. The West City Sector Plan was just updated in 2007, and proposes maintaining low density residential density at this location. Recognizing that equal and higher densities exist on similar sites in the area (PR zoning at 6-8 du/ac about a quarter mile east), staff is recommending a density increase of up to 5 du/ac, which is the upper density limit under the current LDR designation. Staff maintains its recommendation for up to 5 du/ac that was made in 2006 and approved by MPC, but was reduced to 4 du/ac by the County Commission.
2. The requested density of 6.7 du/ac is not compatible with surrounding development. The site is located adjacent to a residential subdivision that is zoned for up to 4 du/ac and developed at a lesser density of about 3 du/ac. Other adjacent development in the immediate area has been developed at less than 5 du/ac.
3. The applicant has submitted the attached site plan and building elevations in support of the feasibility of this rezoning. The staff's recommended density would permit up to 12 units to be proposed for the property, which is only 4 units less than the 16 units shown on this plan. If each four dwelling unit structure shown were reduced to three units, the development could be considered under the recommended density.
4. PR zoning will require MPC use on review approval of site plans prior to any development of the property. During this review, potential issues such as traffic, drainage, access, topography, lot layout and other development concerns can be addressed.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.
2. At the staff's recommended density, up to 12 dwelling units could be proposed on the subject property. The development of attached multi dwelling units would add approximately 142 vehicle trips per day to the street system and about 1 child under the age of 18 to the school system. At the applicant's requested density, up to 16 dwelling units could be proposed on the subject property. The development of attached multi dwelling units would add approximately 184 vehicle trips per day to the street system and about 1 child under the age of 18 to the school system.
3. The recommendation is compatible with the surrounding zoning, and the impact on adjacent properties will be minimized during the use on review/concept plan process.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan, which was just updated in 2007, proposes low density residential uses for the site, consistent with staff's recommended density.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may generate similar requests for PR zoning in this area in the future on properties which are designated for low density residential use by the sector plan and are located in the Planned Growth Area on the Growth Policy Plan.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT 184 (average daily vehicle trips)

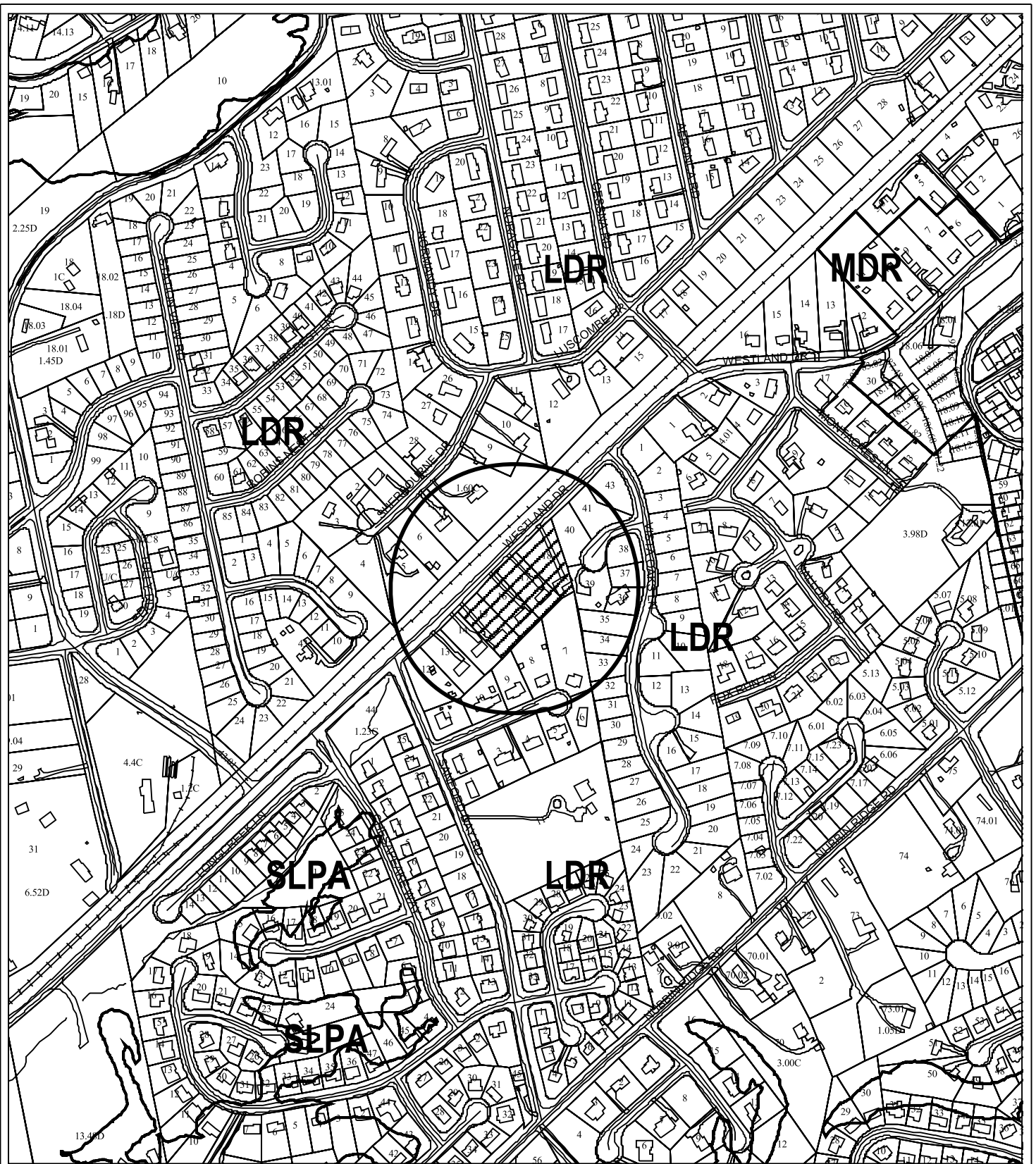
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 1 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Rocky Hill Elementary, Bearden Middle, and West High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- 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.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knox County Commission for action on 4/28/2008. 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.



**3-B-08-SP/3-G-08-RZ
SECTOR PLAN AMENDMENT
WEST CITY SECTOR PLAN AMENDMENT**

Petitioner: Todd Howarth

Map No: 133

Jurisdiction: County

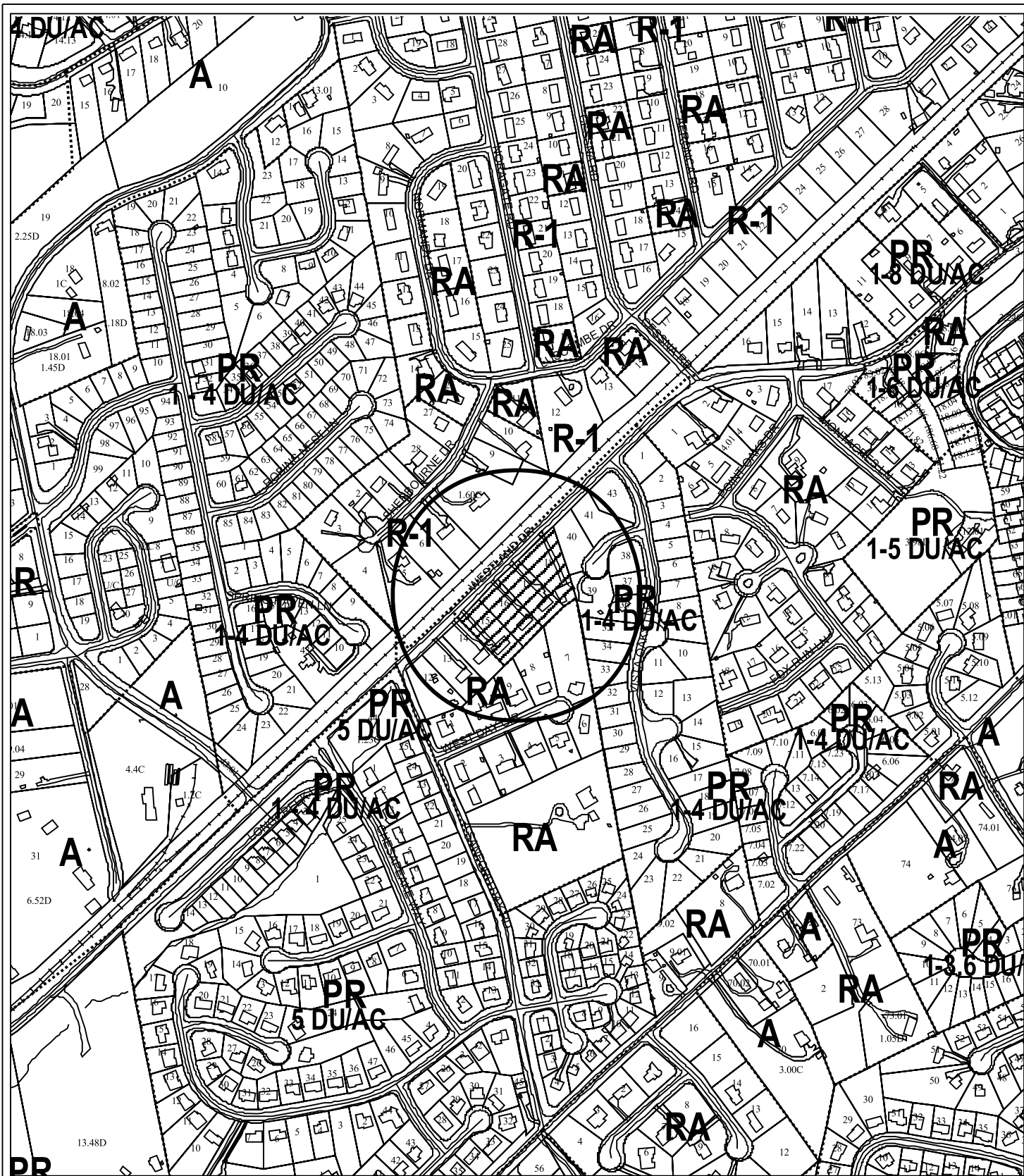


From: LDR (Low Density Residential)

To: MDR (Medium Density Residential)

Original Print Date: 02/26/08 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**3-G-08-RZ
REZONING**

Petitioner: Todd Howarth

Map No: 133

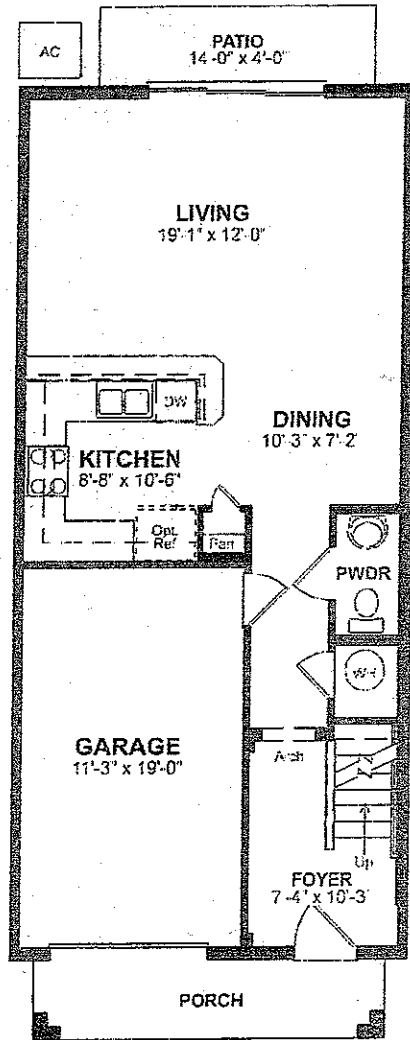
Jurisdiction: County



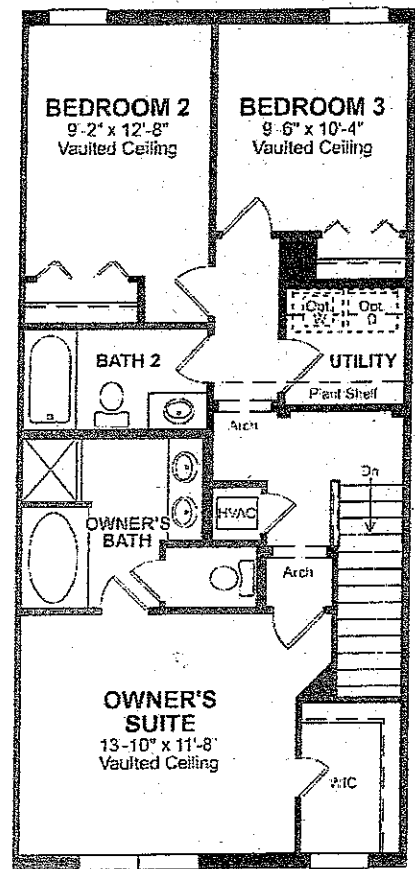
From: PR (Planned Residential) @ 1-4 du/ac
To: PR (Planned Residential) @ up to 6.7 du/ac

Original Print Date: 02/26/08 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

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FIRST FLOOR



SECOND FLOOR

Danny R. Kirby
1436 Wineberry Rd.
Powell, TN 37849

February 4, 2008

MPC/Knox County Commission
City County Building, Suite 603
Knoxville, TN 37902

Dear Staff and Commissioners:

I am writing on behalf of my client, Mr. Todd Howarth, who owns four tracts totaling 2.4 acres on the south side of Westland Drive, just east of Sanford Day Road.

In September of 2006, Mr. Howarth attempted to rezone his land to Planned Residential with a density of 5 units per acre for townhomes in the price range of \$220,000-\$240,000. Although MPC unanimously recommended approval of the request, County Commission, at Commissioner Mike Hammond's request, approved the rezoning at a reduced density of only 4 units per acre. Since that time, I'm sure you are aware, the housing market has suffered its worst downturn in decades.

While recently reviewing the market for potential development of Mr. Howarth's land, we discovered some interesting numbers that have affected the way in which we feel this property could and should be developed. The most staggering numbers we found showed that the Bluegrass sub-area, as defined by the local Realtor's Association, currently has only 32 single-family homes and only 20 townhomes/condos on the market for under \$200,000, compared with roughly 200 single-family homes and about 50 townhomes/condos on the market for more than \$200,000.

While credit and financial problems have certainly contributed to the housing woes in Knoxville, another major contributor is the lack of affordable housing for first-time buyers near the areas experiencing major job growth (i.e., West Knoxville). We feel that if a slightly higher density were allowed on Mr. Howarth's property (6.7 units/acre, 16 units), it would allow us to construct a much-needed product of townhomes under \$200,000, to meet at least a small portion of the job market housing demand in that area.

In addition, while reviewing the recently updated West City Sector Plan, we found several "General Plan Development Policies" that we feel support the development of this property at a slightly higher density to help meet the needs "of the ever changing character of the housing market" (10.8). Those policies specify that development should be encouraged where "excess utility capacity exists"(5.2) and where there are "the fewest environmental constraints"(6.3). The policies also specify that infill housing should be encouraged on "redevelopment parcels"(8.1), to protect residential areas "from encroaching commercial development"(8.4). In addition, the polices suggest using the

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general standard of density as “6-12 units per acre in Urban Growth Areas...along collector or arterial roads”(11.2). Finally, the policies suggest creating “zoning transition patterns by placing medium intensity zones and uses such as offices and condominiums...between single-family areas and higher intensity uses” (11.4), to “discourage environmental nuisances in the vicinity of residential development, including...noxious industrial uses and railroad tracks“(i.e., propane company, railroad tracks).

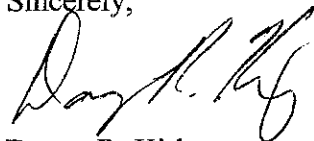
We feel that all of the afore-mentioned development policies support the rezoning of Mr. Howarth’s property to a density of 6.7 units per acre or 16 total units, which is merely 6 units higher than the current zoning would allow. We also feel that implementing these policies for Mr. Howarth’s property can help to satisfy, to some degree, the most important Development Policy of increasing “the competitive position of Knoxville for the retention and attraction of business activities”(1.1) and to “ensure that Knoxville and Knox County continue to offer the land, roads, utilities, work force, and business climate needed to support economic growth”(1.2).

I have enclosed a copy of the West City Sector Plan “General Plan Development Policies”, a rough conceptual site plan that shows our proposed development layout, as well as the floor plans and renderings of units similar to what we are proposing to build. I have also included a zoning map of the general area that shows higher density zoning exists within 2,500 feet of Mr. Howarth’s property, in both the east and west directions

We are aware that this property is within the 4th Commission District, which is currently un-represented at this time. However, we feel that the 5th District Commissioners can fairly represent all parties involved, as Sanford Day Road, just to the west, is the boundary between the 4th and 5th districts. Therefore, we would be willing to meet with MPC Staff and any County Commissioners to discuss our rezoning proposal. We would be happy to involve any neighboring property owners in the discussion, as I’m sure we can provide them the same reasonable justification for our proposal as we have presented here.

Please contact me if you have any questions regarding this request. I can be reached at (865)206-4622. Thank you for your time and attention to this matter.

Sincerely,



Danny R. Kirby

Cc: Commissioners Hammond and Leuthold, 5th District