



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

FILE #: 12-B-08-RZ **AGENDA ITEM #:** 37
POSTPONEMENT(S): 12/11/08 **AGENDA DATE:** 1/8/2009

APPLICANT: TIM WALLER - WALLER CONSTRUCTION
OWNER(S): WALLER FRONIA L
WALLER KENNETH B

TAX ID NUMBER: 48 045 & 046
JURISDICTION: County Commission District 7
LOCATION: North and south sides Mynatt Rd., west of Bowling Ln.
APPX. SIZE OF TRACT: 67 acres
SECTOR PLAN: North County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via Mynatt Rd., a major collector street with 20' of pavement width within 50' of right of way.
UTILITIES: Water Source: Hallsdale-Powell Utility District
Sewer Source: Hallsdale-Powell Utility District
WATERSHED: Beaver Creek

PRESENT ZONING: A (Agricultural)
ZONING REQUESTED: PR (Planned Residential)
EXISTING LAND USE: Vacant land
PROPOSED USE: Manufactured houses and condominiums
DENSITY PROPOSED: 5 du/ac
EXTENSION OF ZONE: No
HISTORY OF ZONING: None noted
SURROUNDING LAND USE AND ZONING: North: Ridge, vacant land / A (Agricultural)
South: Residences / PR (Planned Residential), A (Agricultural), and RB (General Residential)
East: Mobile home park / RB (General Residential)
West: Residences / A (Agricultural) and RB (General Residential)
NEIGHBORHOOD CONTEXT: This area is developed with residential uses under A, RA, RB and PR zoning.

STAFF RECOMMENDATION:

RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac. (Applicant requested 5 du/ac).

PR zoning is the most appropriate zoning for development of this property, which has slope constraints. The reduced density is recommended because development will be very limited on about 31% of the site, which has slopes of 25% or greater. The PR zone will allow flexibility in regard to lot sizes, as well as the type of units that can be proposed.

COMMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting. The PR zone is the most appropriate zone for any type of large scale residential development in the County.
2. The site has some slope constraints that may limit development. As shown on the attached slope analysis, about 31% of the site has slopes of 25% or greater, mainly on the northern portion of the site, which is part of a ridgeline. In discussion with the applicant and as shown on the attached plan, the developer does not intend to develop on the ridgeline. PR zoning will allow development to be clustered on the less constrained portions of the site, but this may lead to the appearance of a density greater than 3 du/ac. Staff will expect that the development plan submitted will keep development off of the severe slopes. There will also be an expectation that no land disturbance or removal of vegetation will occur until after the approval of a development plan by MPC.
3. The surrounding area is developed with residential uses of various densities and zones. This proposal, at the requested or the recommended density, is compatible with the scale and intensity of surrounding development and zoning pattern.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that, if development is clustered in areas away from severe slopes, that PR is the most appropriate zone for this proposed development.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. At the applicant's proposed density of 5 du/ac, up to 335 dwelling units could be proposed for the site. If developed with residential units, this would add approximately 2,829 trips to the street system and about 156 children to the school system. At the staff's recommended density of 3 du/ac, up to 201 dwelling units could be proposed, adding 1,787 trips and 94 school aged children. Since either development density has the potential to generate more than 750 trips, at least a Level I and possibly a Level II traffic study will be required to be submitted and reviewed along with the development plan.
3. PR zoning at up to 3 du/ac will allow consideration of more flexible development alternatives with an overall density that respects the slope constraints of the site, but allows a reasonable number of dwelling units to be clustered on the less constrained portions of the site. The recommendation gives the applicant the opportunity to submit a plan for up to 201 dwelling units, which could be clustered in any portion of the site. A rezoning application for greater density would be required for consideration of more dwelling units in the future.
4. The entire site, on both sides of Mynatt Rd., is considered as one district for the purpose of density calculations. So, the entire acreage on both sides is used to determine the number of units that may be proposed on a development plan. Based on the 67 acres reported and using the staff recommended density of 3 du/ac, the total number of units allowed will be 201. This is the aggregate total relating to both sides of Mynatt Rd. If 201 units are developed on the north side of Mynatt Rd., then the south side could not be proposed for any additional units without some change in zoning density.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan proposed low density residential uses and slope protection for the site, consistent with the requested zoning and density. The recommended lesser density accounts for the slope protection recommended for the site.
2. The site is located within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future rezoning requests for low density residential development in the immediate area, especially on A zoned properties. These potential requests would consistent with the sector plan, which proposes low to medium density residential uses in most of the surrounding area.

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 2829 (average daily vehicle trips)

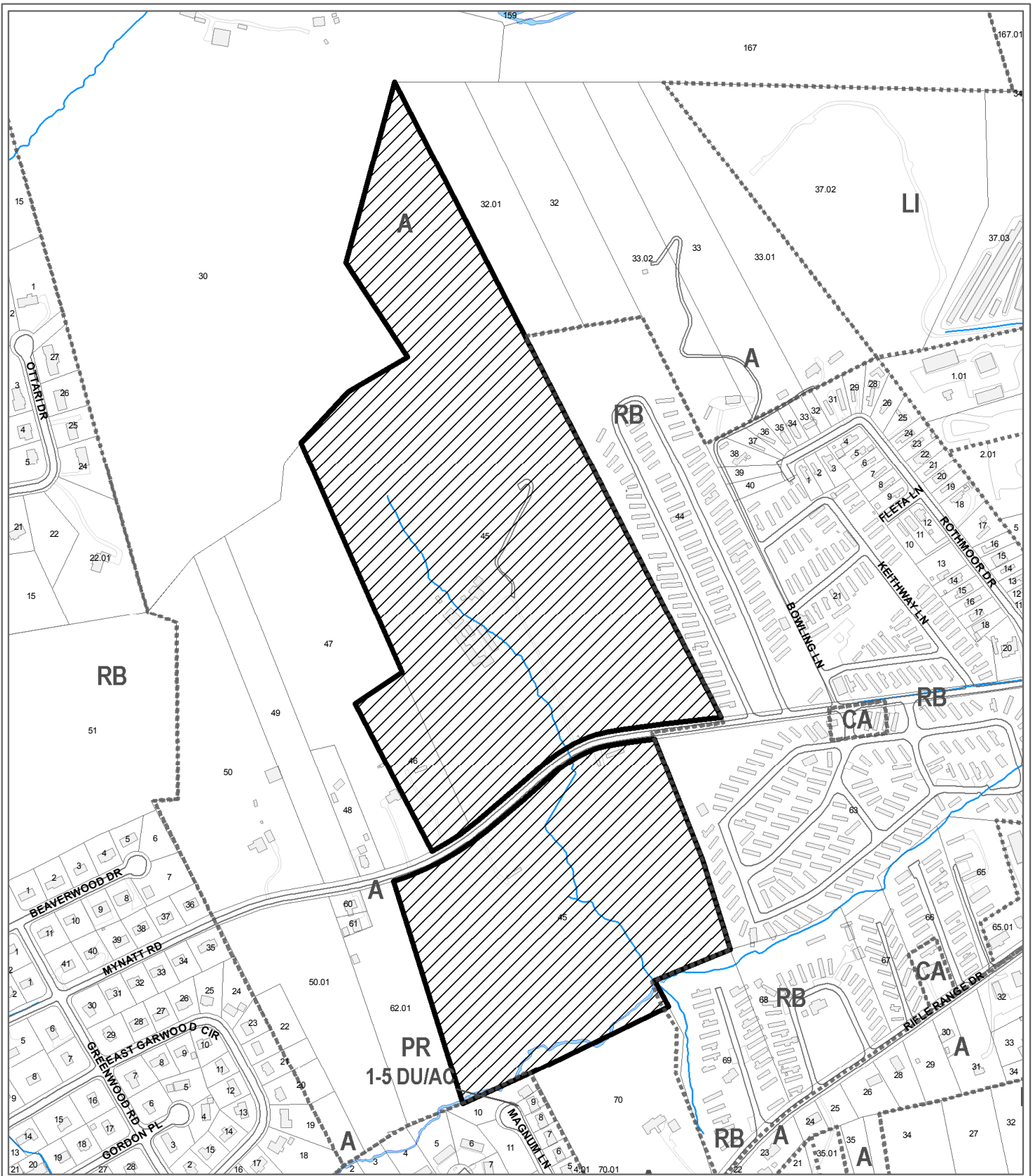
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 156 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Adrian Burnett Elementary, Halls Middle, and Halls High.

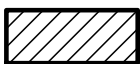
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students 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 2/23/2009. 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.



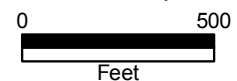
**12-B-08-RZ
REZONING**

From: A (Agricultural)
To: PR (Planned Residential)

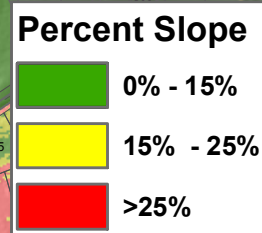
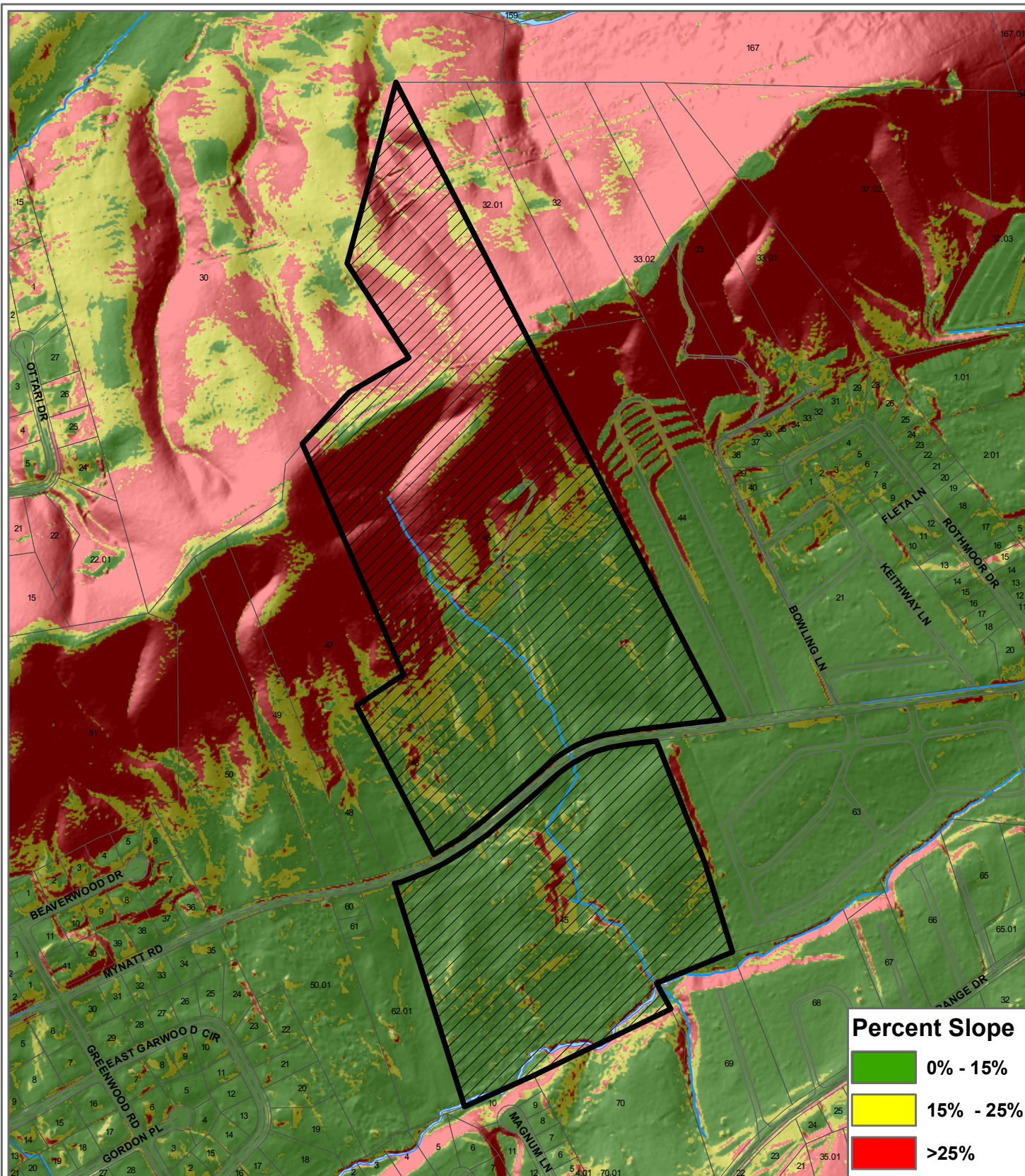


Petitioner: Waller, Tim, - Waller Construction

Map No: 48
Jurisdiction: County



Original Print Date: 11/24/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**12-B-08-RZ
REZONING - SLOPE ANALYSIS**

From: A (Agricultural)
To: PR (Planned Residential)



Original Print Date: 11/24/2008 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Waller, Tim, - Waller Construction

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12-B-08-RZ Slope Analysis

Slope	Gridcode	Cells	Sum_Acres	Percentage
0%-15%	1	62225	35.7122	53.10%
15%-25%	2	18750	10.7610	16.00%
> 25%	3	36200	20.7759	30.89%
Total Acres			67.2492	100.00%

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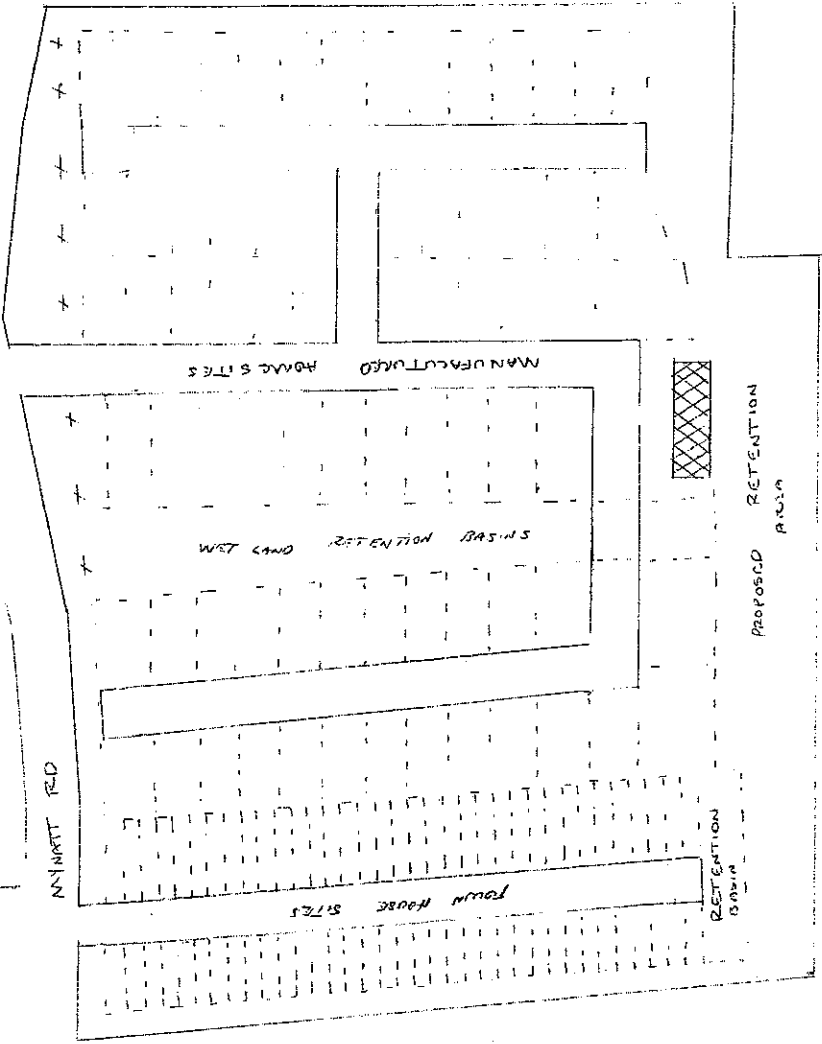
Waller Construction proposes to develop approximately 67 acres into a planned unit site community with a lodge, convenience centers, common areas, maintenance program, sidewalks, walking trails and nature areas.

Donate land needed to straighten Mynatt Road

Donate land in floodway along creek and land at steep ridge areas to Knox Co., Legacy Parks, etc.

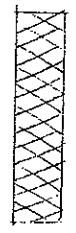
1A

12-B-08-RZ
11/4/08



Planned Unit
 Manufactured Home Sites
 # 1 thru 74
 50' x 135' Approx

Planned Unit
 Attached Dwelling
 20' x 60' Approx
 # 1 thru # 60



PROPOSED CONVENIENCE CENTER

SECTION A

MINNATI RD		SCALE:	APPROVED BY:
		DATE:	11/4/08
PROPOSED DEVELOPMENT			
CONCEPT ONLY			DRAWING NUMBER: 1A

~~December 2, 2008~~

**Knox County Planning Commission
Ref. # 12-B-08-RZ**

DEC 3 2008

We the neighbors in the subdivisions on Mynatt Road would like to give reasons why we do not want more mobile home parks in this area.

- **There is already at least six mobile home parks in the Mynatt Road and Rifle Range area which include Rifle Range Estates, Northridge Estate, Oak Park Community as well as others.**
- **These are not maintained. They are rundown and neglected and a fire hazard. Some of these are not fit to live in. We don't know who is responsible for maintaining these but they are not doing their job.**
- **These trailers are located just as you come into Halls and are an eyesore to the Halls Community.**
- **They also decrease the value of properties even more in near by areas where property owners take good care of their property.**
- **The crime is high in these mobile home parks with the sheriffs department called out numerous times each week.**
- **Mynatt Road doesn't have a sidewalk. There are pedestrians, including children, walking at all hours and as drivers we have to be very careful not to hit them. This is a very dangerous situation.**

We are homeowners in this area who have lived here for many years. We love this area and keep our property maintained. We were very happy to see nearby subdivisions such as Sterchi Village and the condo's as well as a newer subdivision on Rifle Range come to this area. This was a big improvement to this area.

If your plans were for a new single home subdivision we would welcome this to our area. However, we feel any type of mobile home park including a double wide park would eventually add to the problems we already have.