



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

▶ **FILE #:** 9-D-09-RZ  
9-B-09-SP

**AGENDA ITEM #:** 33  
**AGENDA DATE:** 9/10/2009

▶ **APPLICANT:** ROCKY HILL LAND PARTNERS, LLC  
**OWNER(S):** ROCKY HILL LAND PARTNERS LLC

**TAX ID NUMBER:** 133 E C 007 PORTION ZONED OB  
**JURISDICTION:** Commission District 4

▶ **LOCATION:** Southeast side S. Northshore Dr. , southwest of Whitower Dr.

▶ **TRACT INFORMATION:** 8.65 acres.

**SECTOR PLAN:** Southwest County

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

**ACCESSIBILITY:** Access is via S. Northshore Dr., a major arterial street with 21' of pavement width within 50' of right of way.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Fourth Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** AG/RR (Agricultural/Rural Residential), O (Office) and SLPA (Slope Protection Area) / OB (Office, Medical, and Related Services)

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

▶ **EXISTING LAND USE:** Attached residential development

▶ **PROPOSED USE:** Attached residential subdivision on individual lots

**DENSITY PROPOSED:** 4 du/ac

**EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, extension of LDR from the northeast.

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION,** North: S. Northshore Dr. - Shopping Center and church / SC-1 (Neighborhood Shopping Center) and A-1 (General Agricultural)

**ZONING** South: House and vacant land / A (Agricultural) and PR (Planned Residential)

East: Residential subdivision / RB (General Residential)

West: Houses, office, business and vacant land / RB (General Residential), A (Agricultural), OA (Office Park) and C-3 (General Commercial)

**NEIGHBORHOOD CONTEXT:** This site is located near the business area of Rocky Hill. The property to the north and west of the site is primarily developed with commercial uses. To the south and east are residential areas.

**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION # 9-B-09-SP, amending the Southwest County Sector Plan to LDR (Low Density Residential) and SLPA for this site and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The requested sector plan amendment is an extension of the established LDR designation from the northeast, where a low density residential subdivision is located. The property has already been approved for up to 32 residential units under the current OB zoning, which is a density of about 3.7 du/ac, consistent with the LDR plan designation.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 4 du/ac.**

The recommended PR zoning and density recommendation is compatible with surrounding development and zoning, is consistent with the LDR designation, and would allow the 32 approved units on site to be placed on individual lots.

**COMMENTS:**

This property's development has already begun. The property has been cleared and graded, with streets and utilities installed. About 4 units have been constructed. Approval for the current development was acquired under the current OB zoning, which also allows RB uses. In that zone, attached multidwelling development at less than 12 du/ac is a permitted use, requiring no MPC review. A plan was approved for the 32 units, not on individual lots. The applicant is seeking this rezoning in order to be able to place each unit on an individual lot. This type of zero lot line attached development can only be considered under the requested PR zoning. A concept plan and use on review application has been submitted for 32 units on individual lots for MPC's consideration in October (10-SA-09-C/10-D-09-UR).

**SECTOR PLAN REQUIREMENTS:**

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:**

**NEW ROAD OR UTILITY IMPROVEMENTS:**

No road improvements have been made recently in the area. Water and sewer utilities are available in the area.

**ERROR OR OMISSION IN CURRENT PLAN:**

The current sector plan calls for office, agricultural/rural residential, and slope protection for this site. However, it is zoned OB, and has been approved for low density residential development, which the plan does not currently recognize. The amendment to LDR for this site will recognize the actual use of the site.

**CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:**

The current use had been previously approved under the current OB zoning, so the site development has already occurred at this site. Only a few units have been built so far.

**REZONING REQUIREMENTS:**

**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.
2. The surrounding area is developed with low density residential and commercial uses. PR zoning, at the recommended density, is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. PR zoning at the recommended density, based on the reported acreage, will accommodate up to 34 units, while allowing the opportunity to place each unit on an individual lot, subject to concept plan/use on review approval by MPC. The applicant has made application for MPC consideration of a concept plan/use on review on October 8, 2009. The plan shows 32 units, which is a density of 3.7 du/ac. As part of this review, the applicant will be expected to provide a detailed landscaping plan, which includes any existing landscaping and any proposed new landscaping. The applicant will be expected to install as many large canopy/evergreen trees as possible in the sloped, common areas of the site to replace some of the hillside trees that were removed during the clearing and grading of the site. The site was once a heavily wooded sloped site, which has now been completely stripped of all trees. Significant reforestation of the slopes will be expected. These stipulations are recommended based on the fact that the majority of the site is proposed for slope protection on the sector plan, as well as the proposed policies of the joint City/County Task Force on Ridge, Slope and

Hillside Development and Protection. A slope map, slope analysis and aerial photo are attached to demonstrate current, as well as previous conditions. The sector plan proposal for slope protection can be seen on the agenda map for 9-B-09-SP.

4. Staff has also attached some slope images that show a comparison of the site between 2003 (before grading) and 2007 (post grading). The slope map and analysis that is included reflects the topographic conditions prior to the clearing and grading of the site, so is not really applicable currently. Had this site been in its previous natural state at the time of this request, based on the attached slope analysis, staff would have recommended a density somewhere in the vicinity of 2.5 du/ac.

#### 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 PR is the most appropriate zone for this development.

#### THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.

2. At the recommended density of up to 4 du/ac on the 8.65 acres reported, up to 34 dwelling units could be proposed for the site. Developed with attached residential units, this would add approximately 362 trips to the street system and about 4 children to the school system.

3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

4. The approval of these requests will allow the applicant to submit plan for MPC's consideration to place each unit on an individual lot.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended amendment to LDR, the PR zoning at the recommended density is consistent with the Southwest County Sector Plan.

2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT 362 (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: 4 (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 10/26/2009. 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.

**KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE SOUTHWEST COUNTY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Southwest County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within sector plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Rocky Hill Land Partners, LLC, has submitted an application to amend the Sector Plan from Agricultural and Rural Residential, Office, and Slope Protection to Low Density Residential and Slope Protection for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of an amendment to the Southwest County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on September 10, 2009, after consideration of the staff recommendation and testimony from those persons in support and opposed to the sector plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

**NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:**

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the Southwest County Sector Plan, with its accompanying staff report and map, file #9-B-09-SP.*

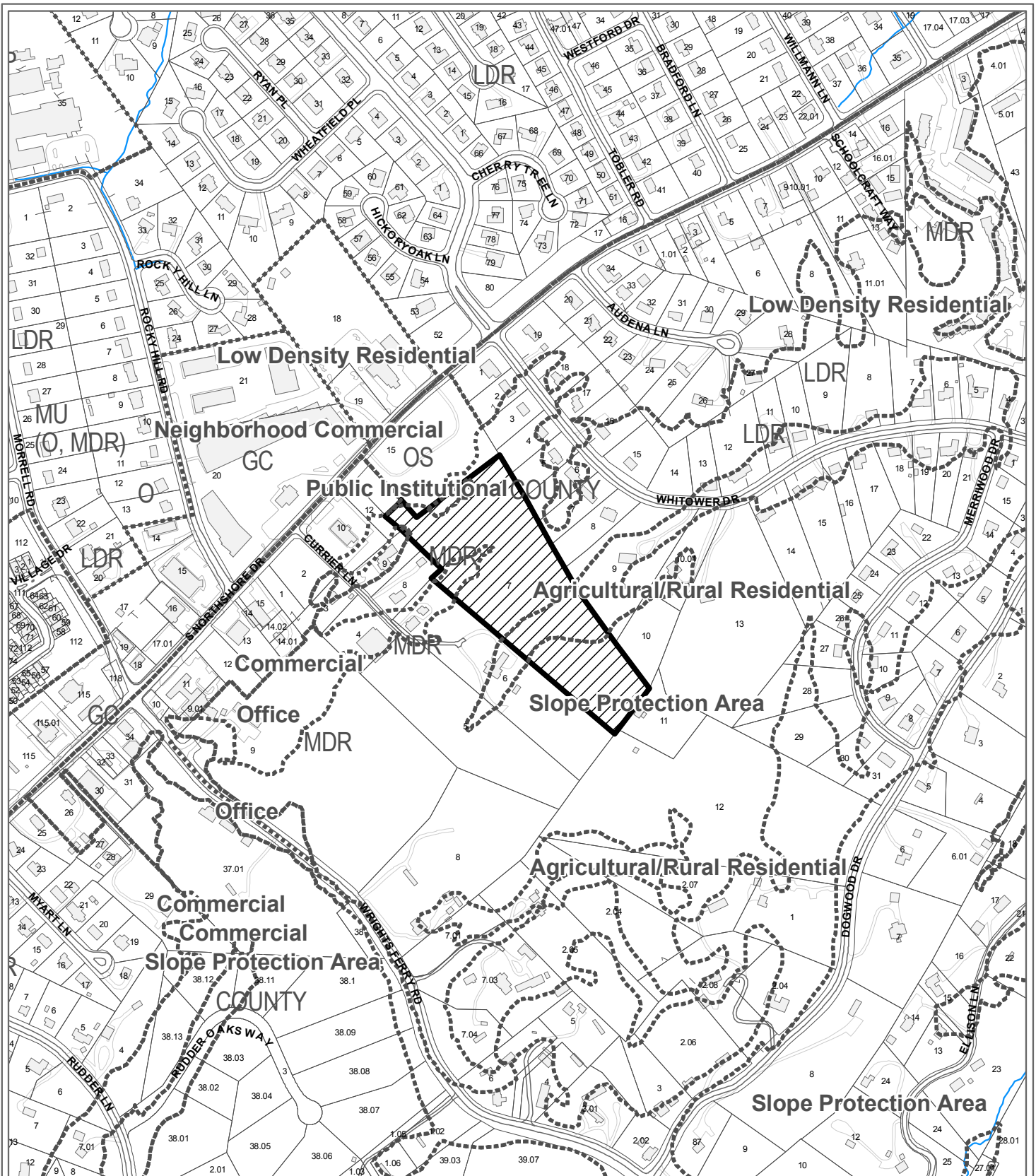
*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that the Commission of Knox County likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

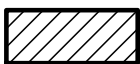
\_\_\_\_\_  
Chairman

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Secretary



**9-B-09-SP / 9-D-09-RZ  
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

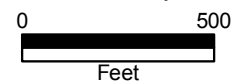
Petitioner: Rocky Hill Land Partners, LLC

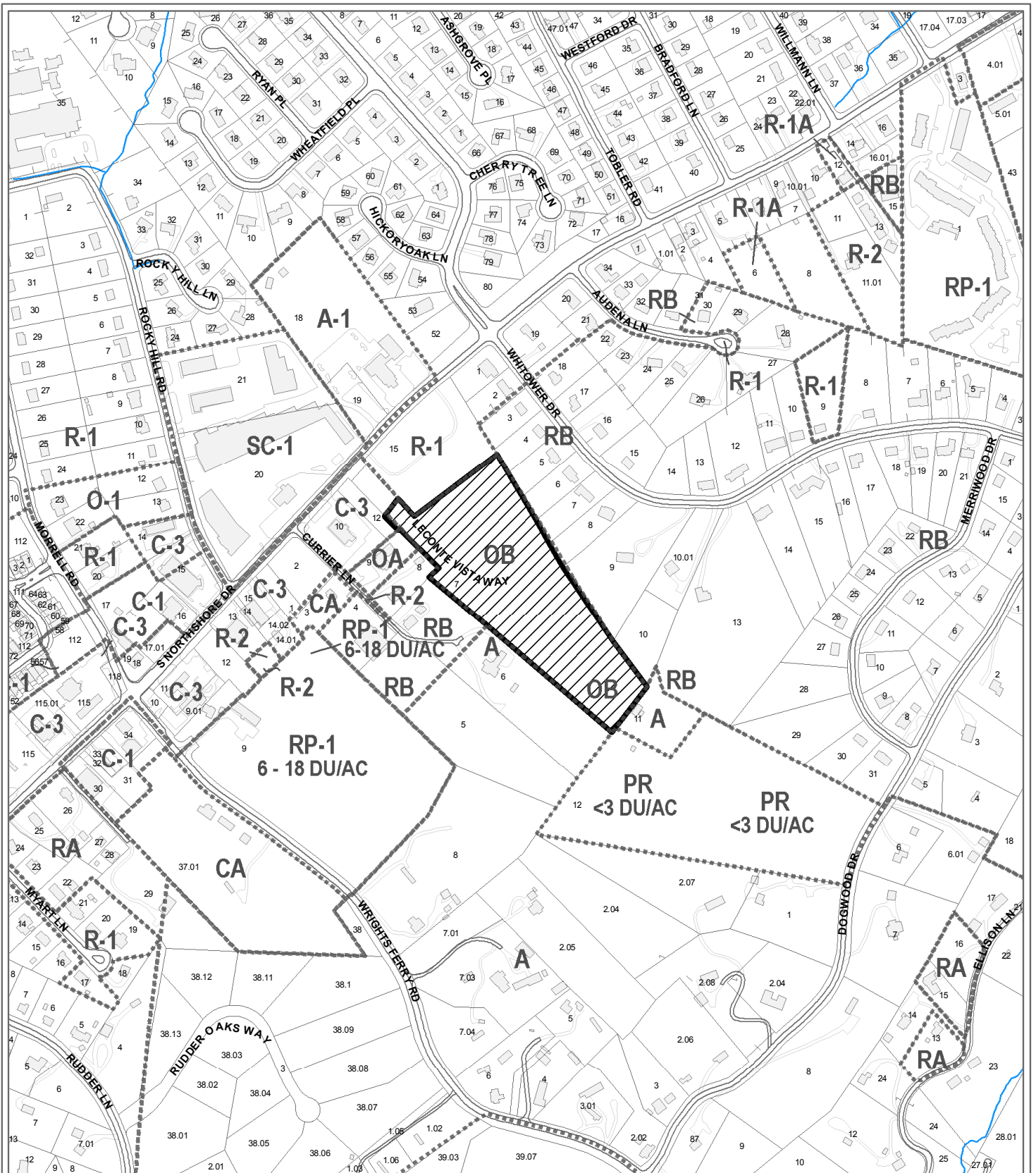


From: AG/RR (Agricultural/Rural Residential), O (Office) and SLPA (Slope Protection Area)  
To: LDR (Low Density Residential) & SLPA (Slope Protection Area)

Map No: 133  
Jurisdiction: County

Original Print Date: 8/24/2009  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





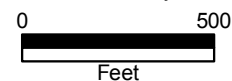
**9-D-09-RZ  
REZONING**

From: OB (Office, Medical, and Related Services)  
To: PR (Planned Residential)



Petitioner: Rocky Hill Land Partners, LLC

Map No: 133  
Jurisdiction: County



Original Print Date: 8/24/2009 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



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**Knoxville - Knox County - KUB Geographic Information System**



Printed: August 31, 2009

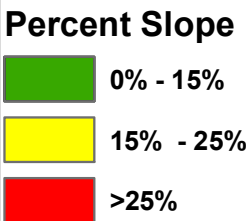
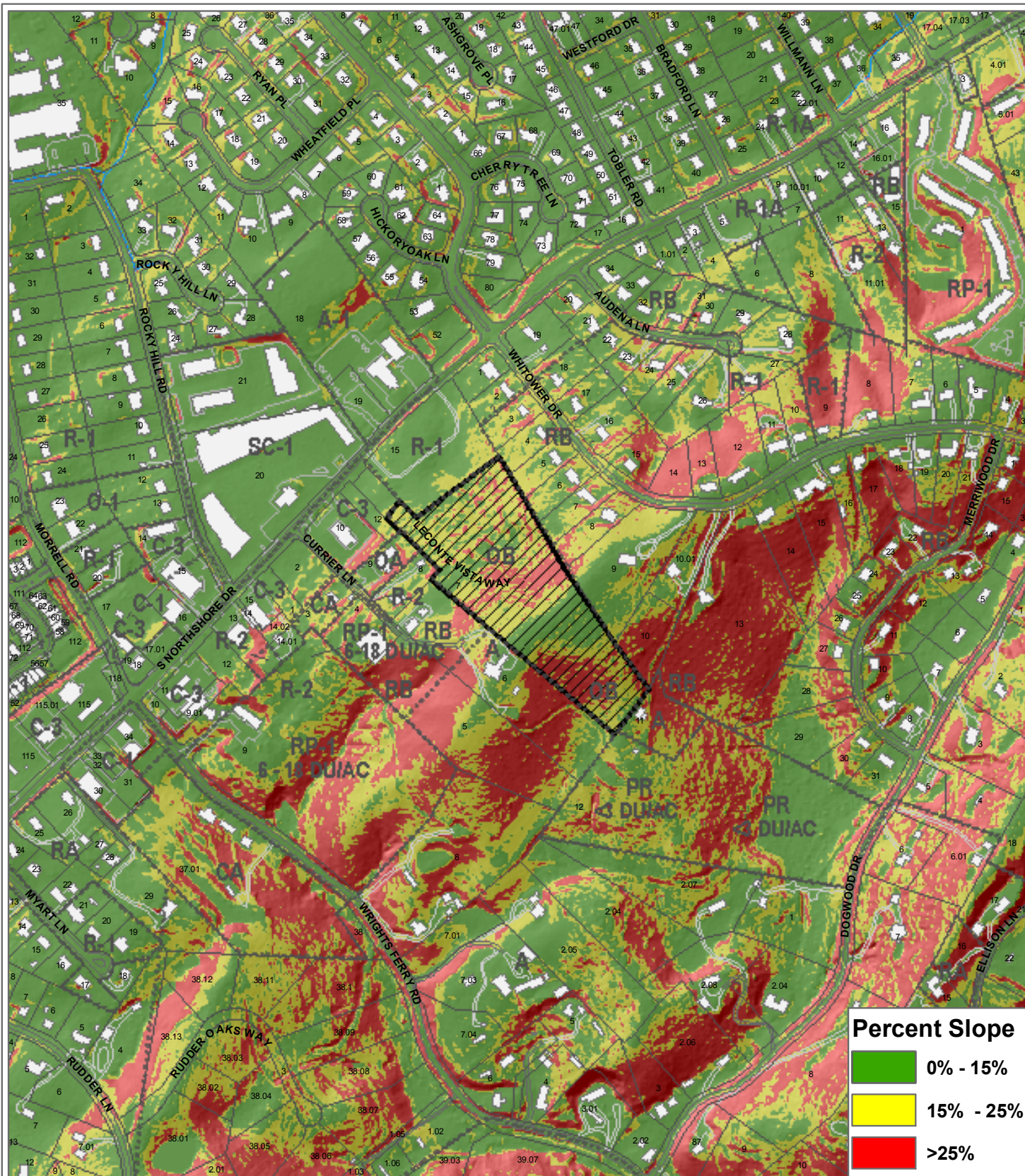
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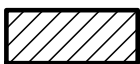
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**9-D-09-RZ  
REZONING - SLOPE ANALYSIS**

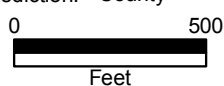
From: OB (Office, Medical, and Related Services)  
To: PR (Planned Residential)



Original Print Date: 8/25/2009      Revised:  
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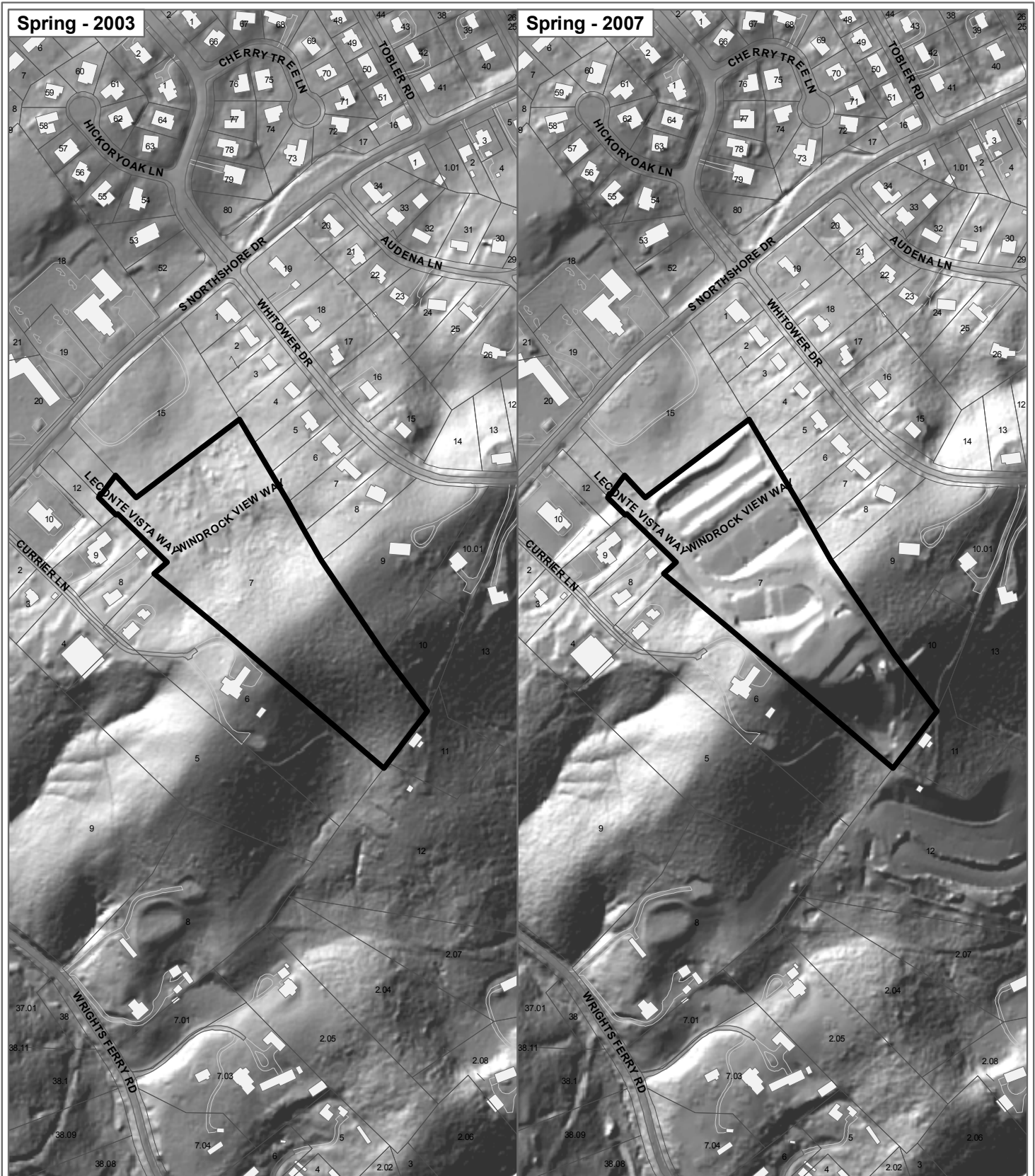
Petitioner: Rocky Hill Land Partners, LLC

Map No: 133  
Jurisdiction: County



9-D-09-RZ Slope Analysis

Slope	GridCode	COUNT	Sum_Acres	Percentage
0-15%	1	3864	2.2176	26.63%
15-25%	2	6971	4.0008	48.05%
>25%	3	3673	2.1080	25.32%
Total Acres			8.3264	100.00%



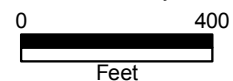
**9-D-09-RZ  
REZONING - SLOPE ANALYSIS COMPARISON**

From: OB (Office, Medical, and Related Services)  
To: PR (Planned Residential)



Petitioner: Rocky Hill Land Partners, LLC

Map No: 133  
Jurisdiction: County



Original Print Date: 8/25/2009      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**MPC September 10, 2009**



**Agenda Item # 33**