

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

▶ **FILE #:** 4-C-11-RZ
 4-B-11-SP

AGENDA ITEM #: 32
AGENDA DATE: 4/14/2011

▶ **APPLICANT:** MARSHA SNEED / TEDDY L. DEATON
 OWNER(S): Marsha Sneed / Teddy L. Deaton

TAX ID NUMBER: 129 062
 JURISDICTION: Commission District 6

▶ **LOCATION:** Southeast side Hickory Creek Rd., southwest of Graybeal Rd.

▶ **TRACT INFORMATION:** 11.955 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hickory Creek Rd., a minor arterial street with 19' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area) / A (Agricultural)

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

▶ **EXISTING LAND USE:** Two houses and an outbuilding

▶ **PROPOSED USE:** Residential development

DENSITY PROPOSED: 3 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Hickory Creek Rd. - Residences / Ag-RR / A (Agricultural)

South: Vacant land / Slope Protection Area / A (Agricultural)

East: Residence / Ag-RR and Slope Protection Area / A (Agricultural)

West: Residence / Ag-RR and Slope Protection Area / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural and rural residential uses, under A zoning. The southern portion of this site is undeveloped hillside and is designated as such on the sector plan.

STAFF RECOMMENDATION:

▶ **DENY LDR (Low Density Residential) sector plan designation.**

Over 40% of the site has slopes of 25% or greater and is proposed for slope protection on the sector plan. The site is located in the Rural Area of the Growth Policy Plan and surrounded by agricultural and rural residential uses. Approval of LDR for this site would allow development that is incompatible with the surrounding uses.

► **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 1 du/ac, subject to 1 condition. (Applicant requested 3 du/ac.)**

1. No clearing or grading of the site prior to use on review plan approval by MPC.

COMMENTS:

SECTOR PLAN REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

NEW ROAD OR UTILITY IMPROVEMENTS:

No road or utility improvements have been made recently in the area.

ERROR OR OMISSION IN CURRENT PLAN:

The plan appropriately calls for agricultural and rural residential development and slope protection for this site. The site has steep topography on over 40% of its area and is surrounded by agricultural and rural residential uses and zoning.

CHANGES IN GOVERNMENT POLICY:

No changes have occurred that warrant this sector plan change.

CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:

No changes have occurred that warrant the sector plan change for this site.

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, slope protection, 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 agricultural and rural residential uses. PR zoning, at the recommended density, is more compatible with the scale and intensity of the surrounding residential development and zoning pattern than the requested density of 3 du/ac. Restricting the density to no more than 1 du/ac also keeps the zoning consistent with the current sector plan proposal.
3. Based on the attached slope analysis for the site, over 40% of the site has slopes of greater than 25%, which should be protected, mostly in the southern portion of the site. Using the slope analysis, staff applied development policy 7.6 of the Knoxville-Knox County General Plan 2032, which addresses housing densities on sloped areas. If the recommended density is approved, staff would expect that the 12 proposed units would be proposed within the northern portion of the site, which is less topographically constrained. The recommended condition is included to further protect the steeper areas of the site from disturbance prior to a development plan review.
4. PR zoning is the most appropriate zone for development of this property as it allows reasonable use of the site and allows the development to be clustered on the more suitable portions of the site. Under the current A zoning, 12 lots could be proposed, but a minimum lot size of 1 acre would be required, so the steep portions of the site would likely be disturbed to provide infrastructure and sufficient building footprints for residential lots.

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 is available to serve the site. Sanitary sewer would have to be extended to serve the site.
2. At the recommended density of up to 1 du/ac on the approximately 12 acres reported, up to 12 dwelling

units could be proposed for the site. Developed with detached residential units, this would add approximately 147 trips to the street system and about 6 children to the school system. At the requested density of up to 3 du/ac, up to 36 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 405 trips to the street system and about 19 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 a development plan for MPC's consideration.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. Staff recommends maintaining the Northwest County Sector Plan proposal for agricultural and rural residential uses, as well as slope protection, for this property, consistent with the recommended PR zoning at up to 1 du/ac. The sector plan would have to be amended to low density residential in order to approve a density of greater than 1 du/ac.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. Within the Rural Area, if the site is not contiguous with the Planned or Urban Growth areas, as is the case here, the Plan restricts residential density to no more than 2 du/ac, based on the site's environmental characteristics and Health Department determination of septic system capability. Staff maintains that this site's environmental characteristics are not appropriate to allow a density of 2 du/ac. The closest Planned Growth Area is about a half-mile to the south along Buttermilk Rd. All properties on Hickory Creek Rd. are in the Rural Area. The Planned Growth Area to the east is about 3.5 miles east down Hickory Creek Rd. and Hardin Valley Rd., almost to Steele Rd.
3. Approval of these requests could lead to future requests for low density residential plan designations and PR zoning anywhere along Hickory Creek Rd., which would not be consistent with the sector plan or Growth Plan proposals for this area.

Upon final approval of the rezoning, the developer will be required to submit for MPC's consideration of a concept plan/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 405 (average daily vehicle trips)

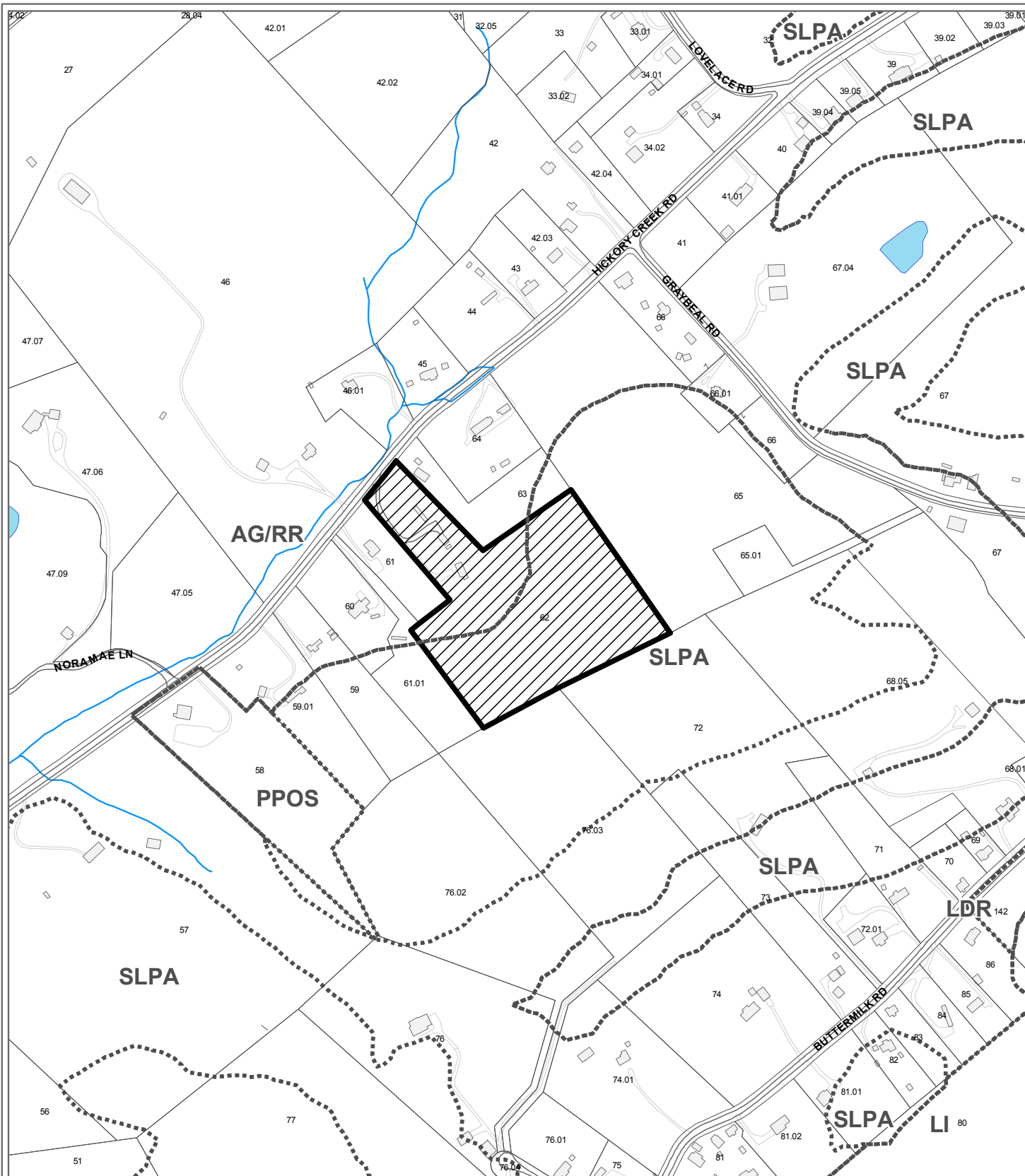
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 19 (public and private school children, ages 5-18 years)

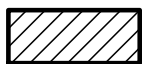
Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Hardin Valley Academy.

- 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 5/23/2011. 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.



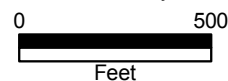
**4-B-11-SP / 4-C-11-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**



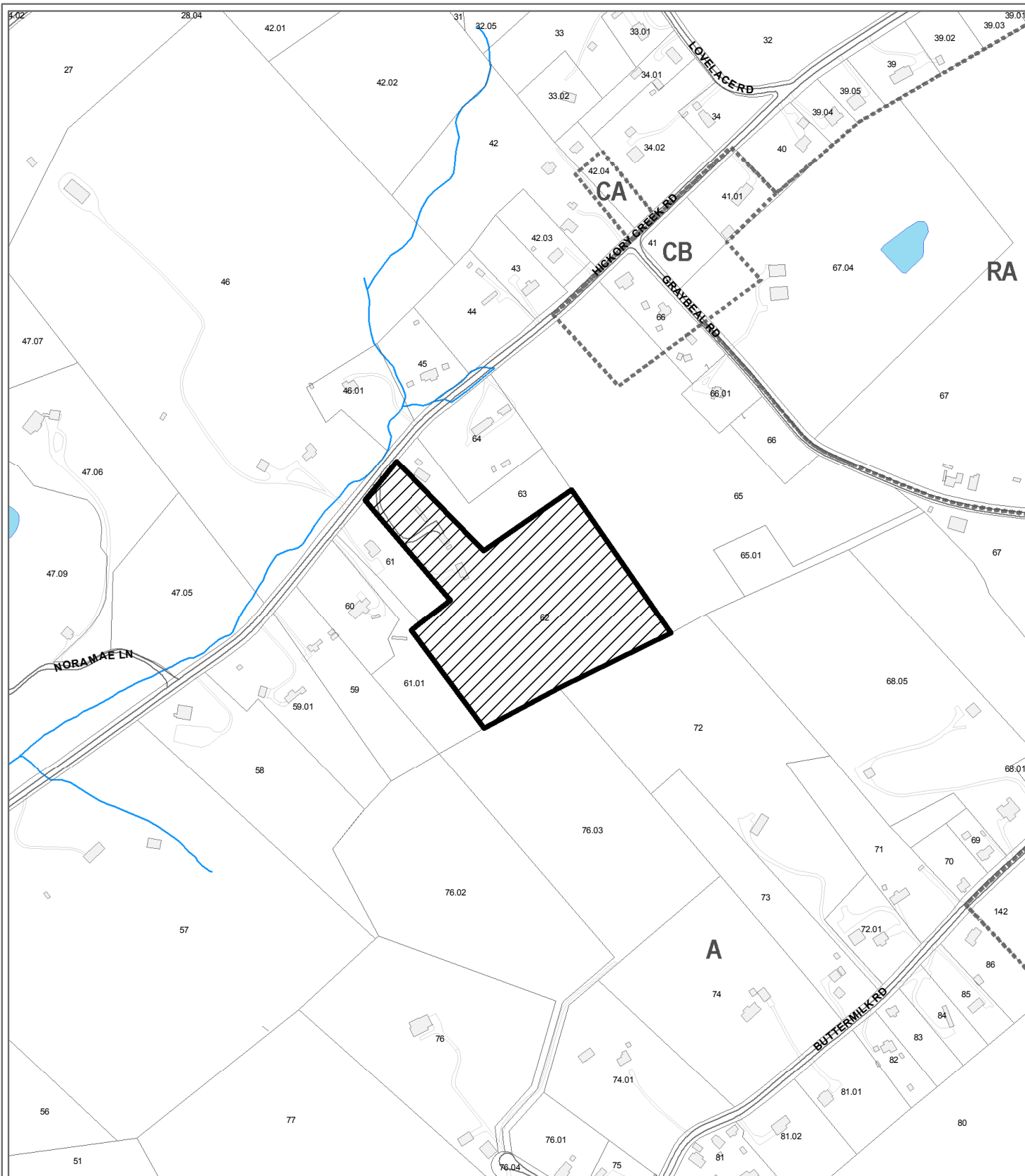
From: AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area)
To: LDR (Low Density Residential) & SLPA (Slope Protection Area)

Petitioner: Marsha Sneed / Teddy L. Deaton

Map No: 129
Jurisdiction: County



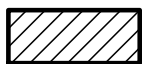
Original Print Date: 3/24/2011 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**4-C-11-RZ
REZONING**

From: A (Agricultural)

To: PR (Planned Residential)



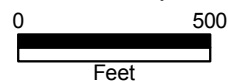
Petitioner: Marsha Sneed / Teddy L. Deaton

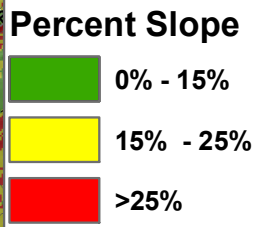
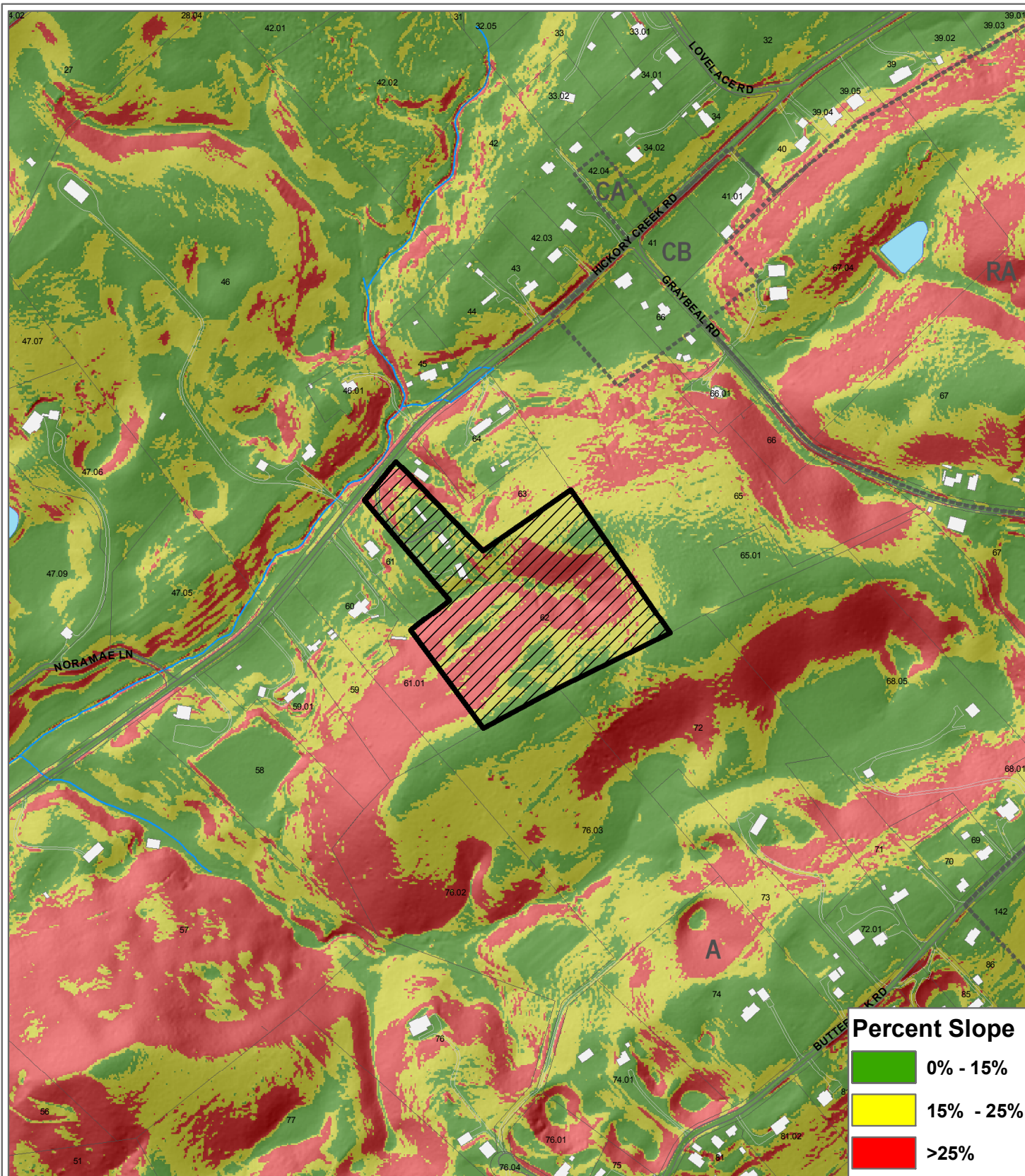
Map No: 129

Jurisdiction: County

Original Print Date: 3/24/2011
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

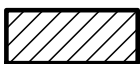
Revised:





**4-C-11-RZ
REZONING - SLOPE ANALYSIS**

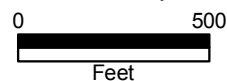
From: A (Agricultural)
To: PR (Planned Residential)



Original Print Date: 3/17/2011 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Marsha Sneed / Teddy L. Deaton

Map No: 129
Jurisdiction: County



4-C-11-RZ Slope Analysis

Slope	GridCode	COUNT	Sum_Acres	Percentage
0-15%	1	5148	2.9545	24.59%
15-25%	2	7345	4.2154	35.09%
>25%	3	8440	4.8439	40.32%
Total Acres			12.0139	100.00%