

► **FILE #:** 5-A-11-RZ

AGENDA ITEM # 27

AGENDA DATE: 5/12/2011

► **APPLICANT:** BRYAN E. TESTERMAN

OWNER(S): Bryan E. Testerman

TAX ID NUMBER: 133 F B 016

JURISDICTION: County Commission District 4

► **LOCATION:** Southeast side Nubbin Ridge Rd., southwest of Tranquilla Dr.

► **APPX. SIZE OF TRACT:** 26.67 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Nubbin Ridge Rd., a major collector street with 17' of pavement width within 65' of right-of-way. Access can also be obtained from two local stub-out streets in adjacent subdivisions. Queensbury Dr. has 25' of pavement width within 50' of right-of-way and Galewood Rd. has 26' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

► **PRESENT ZONING:** RA (Low Density Residential)

► **ZONING REQUESTED:** PR (Planned Residential)

► **EXISTING LAND USE:** Vacant land

► **PROPOSED USE:** Residential development

DENSITY PROPOSED: 5 du/ac

EXTENSION OF ZONE: Yes, extension of PR zoning and density from the west

HISTORY OF ZONING: None noted for this site. Property to west was rezoned PR in 2005 (8-E-05-RZ) and a plan was approved by MPC in January (1-SB-11-C).

SURROUNDING LAND USE AND ZONING: North: Nubbin Ridge Rd. - Residences / RA (Low Density Residential)

South: Residences / RA (Low Density Residential)

East: Residences / RA (Low Density Residential)

West: Residences / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed with low density residential uses under A, RA and PR zoning.

STAFF RECOMMENDATION:

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

The proposed PR zoning and density is compatible with surrounding development and zoning, is consistent with the LDR plan designation, and will allow up to 133 dwelling units to be proposed for the site. The site is not constrained by steep slopes, or other environmental factors, and is located along a major collector street, so it is an appropriate location for the requested density. The PR zoning will require development plan approval by MPC prior to construction.

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.
2. The surrounding area is developed with low density residential uses, under mainly RA and PR zoning. PR zoning, at the proposed density of 5 du/ac, is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The site is appropriate to be developed under PR zoning. The site does not have significant slope or other environmental constraints. The site is not designated for slope protection by the sector plan and has very little area of 15-25% or greater than 25% slopes. The vast majority of the site has slopes of less than 15%.

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 in the area, but may need to be extended to serve this site.
2. At the requested density of up to 5 du/ac on the 26.67 acres reported, up to 133 dwelling units could be proposed for the site. Developed with the proposed detached residential units, this would add approximately 1348 trips to the street system and about 55 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. Upon site visit, staff had concerns about sight distance from the development access point to Nubbin Ridge Rd., as the street turns to the south, just west of the site, limiting visibility. Upon staff's request, the engineer provided the attached written response to address the sight distance concern. Final development plans will need to include any improvements to improve the situation and must certify that the required sight distance is available from the proposed subdivision access drive along Nubbin Ridge Rd.
5. During development plan review, staff is likely to recommend that the development provide street connections to one or both of the adjacent stub streets, Queensbury Dr., and Galewood Rd., in addition to Nubbin Ridge Rd. The site is located within one mile of Rocky Hill Elementary School, in the Parental Responsibility Zone, where sidewalks will be required within the development.
6. The approval of this zoning request will allow the applicant to submit a development plan with up to 133 dwelling units for MPC's consideration. The applicant has submitted plans for consideration at the June 9, 2011 meeting (6-SA-11-C/6-B-11-UR). These plans propose 98 dwelling units (3.67 du/ac), with no sidewalks and sole access to Nubbin Ridge Rd.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan proposes low density residential uses for this property, consistent with PR zoning at up to 5 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request could lead to future requests for PR zoning, consistent with the sector plan's low density residential proposal for the 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 1348 (average daily vehicle trips)

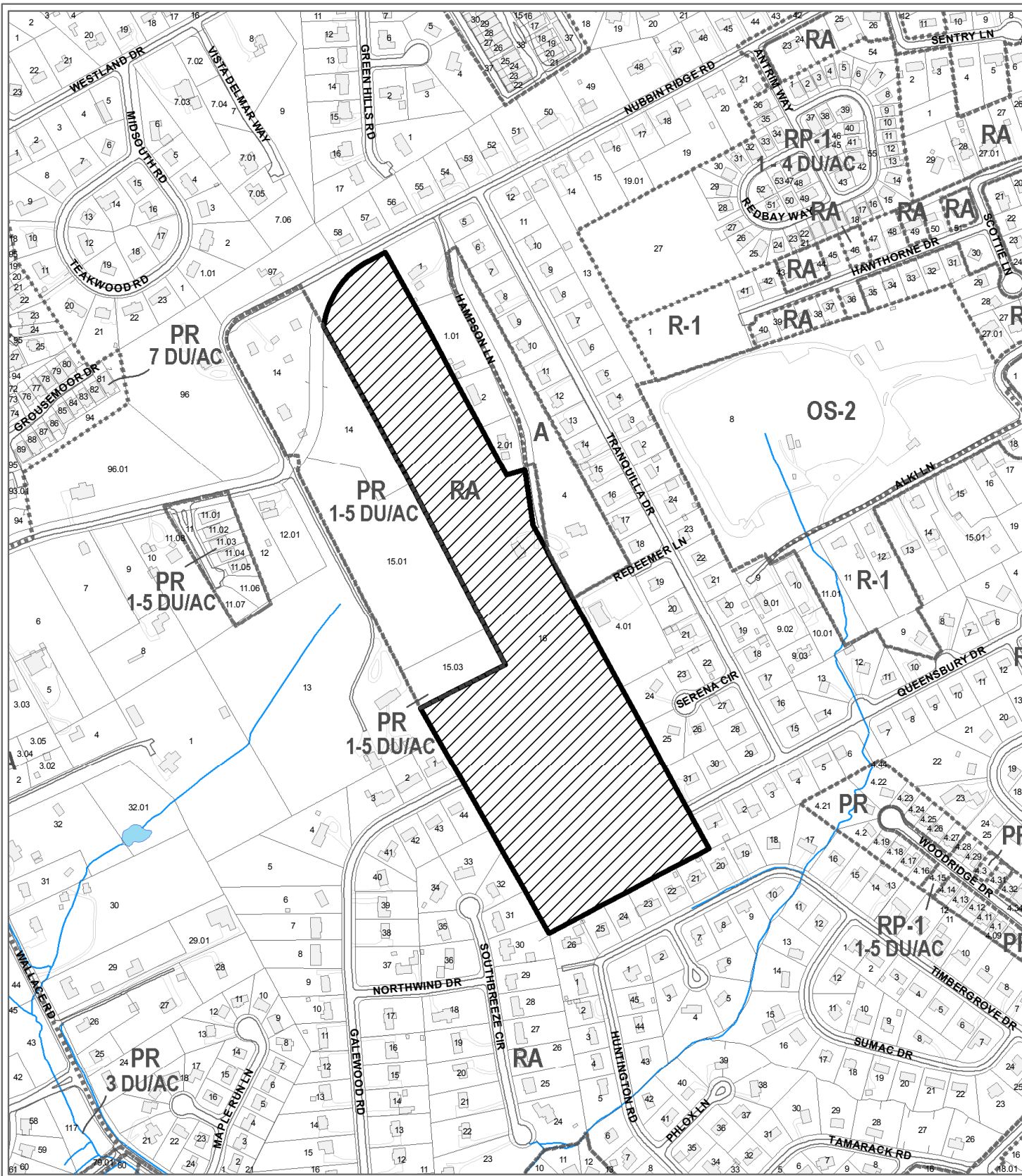
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 55 (public and private school children, ages 5-18 years)

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

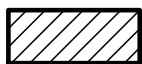
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students 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 6/27/2011. 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.



**5-A-11-RZ
REZONING**

From: RA (Low Density Residential)
To: PR (Planned Residential)



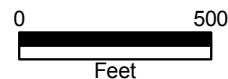
Original Print Date: 4/25/2011
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Testerman, Bryan E.

Map No: 133

Jurisdiction: County



From: "David B. Harbin" <harbin@bhn-p.com>
To: "Mike Brusseau" <mike.brusseau@knoxmpc.org>
Date: 5/2/2011 12:00:24 PM
Subject: Nubbin Ridge Road

Mr. Brusseau:

Bryan Testerman has requested a rezoning on a parcel of land on Nubbin Ridge Road (MPC File No. 5-A-11-RZ). At your request, I have examined the sight distance at the intersection of the proposed subdivision road and Nubbin Ridge Road.

The posted speed limit on Nubbin Ridge Road is 30 mph. According to the Knoxville/Knox County Minimum Subdivision Regulations, the required sight distance is 300 feet. At the intersection looking east, the available sight distance exceeds 400 feet. At the intersection looking west the current sight distance is about 200 feet. However, the limiting factor in this direction is vegetation on property that will be owned by the developer. During the construction process, this vegetation will be removed and if necessary, grading work will be performed in order to achieve the required sight distance. My firm will be on site to direct these operations and certify that the sight distance is adequate.

Please call if you have any further questions.

David Harbin, PE, RLS
Batson, Himes, Norvell & Poe
4334 Papermill Drive
Knoxville, TN 37909

865-588-6472