

▶ **FILE #:** 8-G-13-RZ

**AGENDA ITEM #:** 43

**AGENDA DATE:** 8/8/2013

▶ **APPLICANT:** HARLEY E. BITTLE

OWNER(S): Harley E. Bittle

TAX ID NUMBER: 116 I A 009

JURISDICTION: County Commission District 6

▶ **LOCATION:** North side W. Gallaher Ferry Rd., north of Hickory Creek Rd.

▶ **APPX. SIZE OF TRACT:** 7.01 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via West Gallaher Ferry Rd., a local street with 19-20' of pavement width within 40-55' of right-of-way.

UTILITIES: Water Source: West Knox Utility District  
 Sewer Source: N/A

WATERSHED: Clinch River

▶ **PRESENT ZONING:** A (Agricultural)

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

▶ **EXISTING LAND USE:** One residence and vacant land

▶ **PROPOSED USE:** Residential development

**DENSITY PROPOSED:** 1 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Clinch River / A (Agricultural)

South: West Gallaher Ferry Rd. - Vacant land / A (Agricultural)

East: House and vacant land / A (Agricultural)

West: Houses and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural and rural residential uses under A zoning.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 0.6 du/ac, subject to one condition. (Applicant requested 1 du/ac.)**

1. No clearing or grading of the site shall be permitted until a development plan is approved by MPC as a use on review.

PR zoning at the recommended lower density takes into account that over 69% of the site has slopes of greater than 15% (see attached slope map and analysis). The majority of the less steep portion is in within the access strip to the property. There is one existing dwelling located on flattest portion of the site outside of the access strip. The recommended density would allow up to 3 additional dwelling units on the site for a total of 4 which, if detached units, is all that realistically can be accommodated within the less steep portions of the site. If developed with attached units, more units could possibly be accommodated, but that would not be

compatible with surrounding development and may not be supported by staff. With the recommended condition, a development plan would have to be reviewed and approved by MPC as a use on review prior to any site disturbance.

**COMMENTS:**

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. At the recommended density, the development would be consistent with the slope protection policies of the Hillside and Ridgeway Protection Plan (HRPP), as well as be compatible with the scale and intensity of the surrounding development and zoning pattern. See the attached slope analysis with calculations that were used to determine the recommended density based on the policies of the Hillside and Ridgeway Protection Plan.
2. The property is located in the Rural Area on the Growth Policy Plan and is proposed for agricultural/rural residential uses and slope protection on the sector plan, consistent with the recommended density.
3. Limiting the density to 0.6 du/ac, as recommended, meets the slope protection policies of the HRPP. This will allow reasonable development of the property with up to 4 dwelling units. The dwelling units need to be clustered on the less slope constrained portions of the site. Other than the access strip leading back to the site, which is not wide enough for placement of structures, the majority of the site is very steep. There is a 12C foot drop in elevation from the flatter portion at the top, where an existing house is located, down to the northern property boundary at the river's edge. At the time of plan review, staff would expect that this steep area be undisturbed.
4. It should be noted that the eight properties to the south and west of this site appear to be developed at a density lower than what is being recommended for this 7-acre tract.
5. 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 PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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 PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. At the recommended density of up to 0.6 du/ac on the 7.01 acres reported, up to 4 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 54 trips to the street system and about 2 children to the school system. At the requested density of up to 1 du/ac, up to 7 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 90 trips to the street system and about 4 children to the school system.
2. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. Public water is available to serve the site. Sanitary sewer is not available. It would have to be extended, if needed, to serve the development.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan proposes agricultural/rural residential uses and slope protection for this property, which allows consideration of a density of up to 1 du/ac, which is what the applicant is requesting. However, because of the slope constraints on the property, staff is recommending limiting the density to 0.6 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, PR zoning density is limited to a maximum density 1 du/ac.
3. Approval of this request could lead to future requests for PR zoning in this area.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's

proposed development, landscaping 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 90 (average daily vehicle trips)

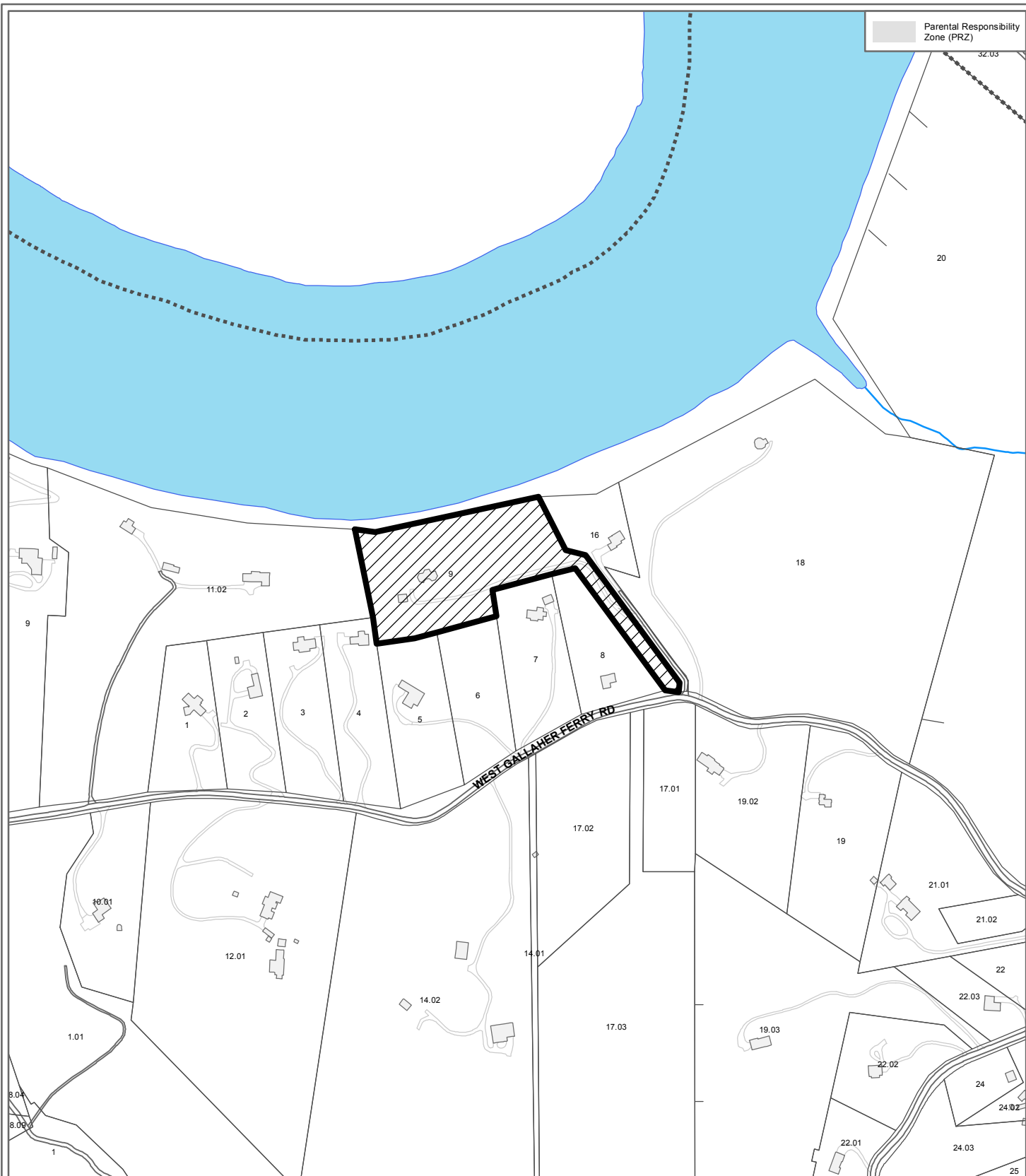
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 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.

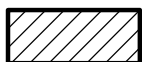
If approved, this item will be forwarded to Knox County Commission for action on 9/23/2013. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**8-G-13-RZ  
REZONING**

From: A (Agricultural)

To: PR (Planned Residential)



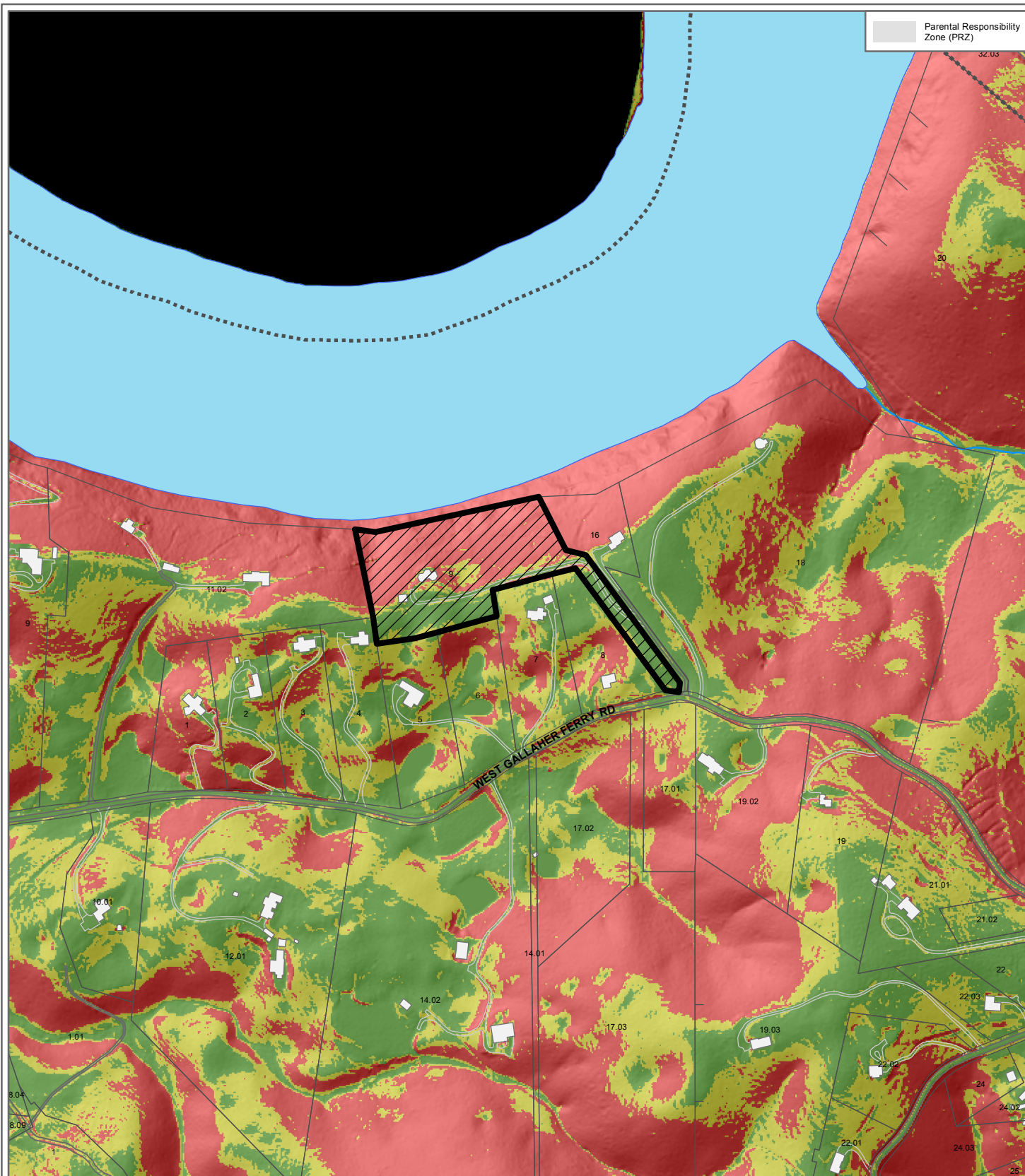
Petitioner: Bittle, Harley E.

Map No: 116

Jurisdiction: County



Original Print Date: 7/19/2013      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**8-G-13-RZ  
REZONING**

From: A (Agricultural)

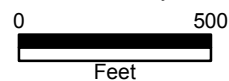
To: PR (Planned Residential)



Petitioner: Bittle, Harley E.

Map No: 116

Jurisdiction: County



Original Print Date: 7/24/2013

Revised:

Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

8-G-13-RZ Slope Analysis

			Acreage
Non-Hillside Portions			0
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	3599	2.07
2	15%-25%	1427	0.82
3	25%-40%	2651	1.52
4	>40%	4416	2.53
			<b>6.94</b>
Ridgetop Area			0
Site Total			6.94

$0-15\% - 1 \text{ du/ac} \times 2.07 \text{ ac} = 2.07 \text{ units}$   
 $15-25\% - 1 \text{ du/ac} \times 0.82 \text{ ac} = 0.82 \text{ units}$   
 $25-40\% - 0.5 \text{ du/ac} \times 1.52 \text{ ac} = 0.76 \text{ units}$   
 $> 40\% - 0.2 \text{ du/ac} \times 2.53 \text{ ac} = 0.51 \text{ units}$

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4.16 units

$$\frac{4.16 \text{ units}}{6.94 \text{ ac}} = 0.6 \text{ du/ac}$$



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## Fwd: 8-G-13-RZ

1 message

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**Mark Donaldson** <mark.donaldson@knoxmpc.org>

Mon, Jul 29, 2013 at 8:23 AM

To: Buz Johnson <Buz.Johnson@knoxmpc.org>, Michael Brusseau <Mike.Brusseau@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>, Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

----- Forwarded message -----

From: **Michael Howell** <mshowell321@att.net>

Date: Thu, Jul 25, 2013 at 7:54 PM

Subject: RE: 8-G-13-RZ

To: [mark.donaldson@knoxmpc.org](mailto:mark.donaldson@knoxmpc.org)

**Regarding August 8, 2013 meeting, specifically:**

**43. HARLEY E. BITTLE**

North side W. Gallaher Ferry Rd., north of Hickory Creek Rd., Commission District 6. Rezoning from A (Agricultural) to PR (Planned Residential).

My wife and I live in front of this property. I would like to know the proposed use of this property.

Unfortunately I'm out of county during this meeting. If building building single residence OK.

If not, I recommend delay of approval. If other, would I need legal representation in order to delay?

Mike Howell

2756 West Gallaher Ferry Road

Knoxville, TN 37932

693-9374