



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

▶ **FILE #:** 12-E-13-RZ
12-A-13-SP

AGENDA ITEM #: 28
AGENDA DATE: 12/12/2013

▶ **APPLICANT:** MARK A. BIALIK, PE
OWNER(S): Matt Varney

TAX ID NUMBER: 141 050
JURISDICTION: Commission District 6
STREET ADDRESS: 1102 Everett Rd

▶ **LOCATION:** North and south sides Everett Rd., northwest and southeast sides Yarnell Rd.

▶ **TRACT INFORMATION:** 94.19 acres.

SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Everett Rd., a major collector street with 19' of pavement width within 40' of right-of-way, or Yarnell Rd., a major collector street with 21' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

WATERSHED: Hickory Creek

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

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

▶ **EXISTING LAND USE:** Vacant land and residence

▶ **PROPOSED USE:** Residential development

DENSITY PROPOSED: 5 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Vacant land / Ag-RR / A (Agricultural)
South: I-40 right-of-way / Farragut
East: Houses and vacant land / Ag-RR / A (Agricultural)
West: Mulch business, house and vacant land / Ag-RR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area, which is located about a mile west of Watt Rd., is primarily composed of houses and vacant land, zoned A (Agricultural). There is a mulch business to the west, along I-40 and a quarry to the north, both also zoned A.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #12-B-13-SP, amending the Northwest County Sector Plan to LDR (Low Density Residential), SLPA and STPA and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

The subject property is relatively flat, is in the Planned Growth Area on the Growth Policy Plan and is within about a mile from the Watt Rd./I-40 interchange.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) and F (Floodway) zoning at a density of up to 5 du/ac.**

PR is an appropriate zone for residential development of this site and is consistent with the sector plan recommendation for the property, which is within the Planned Growth Area on Growth Policy Plan. The recommended density of 5 du/ac is the upper limit under the low density residential designation, which is appropriate considering its location and relatively flat terrain.

COMMENTS:

The subject property is about 94 acres in size and is split into three tracts by Yarnell and Everett Roads. Hickory Creek traverses through the property. The area within the floodway may not be counted toward PR density. Staff estimates that about 7 acres of the site is within the F-zoned floodway for Hickory Creek, leaving about 87 acres that may be counted toward density. If maximizing the recommended density of 5 du/ac, this would allow for a total of 435 dwelling units to be proposed for development, subject to approval of a use on review development plan by MPC. The area surrounding Hickory Creek has been designated as a proposed future greenway corridor on the Knox County Parks and Greenways Plan. The developer will be expected to preserve a sufficient corridor along the entire length of the creek through the property to accommodate a future greenway. Also, easements should be established along Yarnell and Everett Roads to provide access to the established Farragut Greenway just south of I-40 along Everett Rd.

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made recently to Everett or Yarnell Rds. Both streets are classified as major collectors and have at least 19' of pavement width. The site is located about one mile east of the Watt Rd./I-40 interchange via Everett Rd. and Watt Rd., making the site a suitable location for low density residential development, rather than the current proposal for agricultural and rural residential uses. West Knox Utility District has sanitary sewer utilities available in the area, but they may have to be extended to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan proposes agricultural and rural residential uses for the site, consistent with the current Agricultural zoning. There are no errors or omissions in the plan, but the recommended LDR designation is appropriate because of the property's location at the intersection of two major collector streets within about a mile from an I-40 interchange.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

Although the surrounding area is all zoned Agricultural, there are commercial uses within a mile to the west, zoned CB, as well as a large mulch sales facility adjacent to the site to the west, zoned Agricultural. Also, the site is located along the north side of I-40 with residential development on the opposite side of I-40, in the Town of Farragut along Everett Rd.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The property's location near residential development in Farragut and its proximity to an interstate interchange at an intersection of two major collector streets make it suitable for low density residential uses.

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. PR is the most appropriate residential zone that can be considered for this site, because of its flexibility in lot sizes, and the ability to cluster development in the more suitable areas of the site.
2. With the recommended sector plan amendment to LDR, PR zoning at the recommended density is consistent with the sector plan proposal for the site.
3. 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 proposed development of this site.

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. PR zoning at the recommended density will allow the property to be developed, but will require use on review development plan approval by MPC prior to construction.
2. Using the 87 acres that may be counted toward density, the proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 435 dwelling units to be proposed for the site. That number of detached units would add approximately 4009 vehicle trips per day to the street system and would add approximately 231 children under the age of 18 to the school system.
3. If the proposed development generates more than 750 trips per day, which is likely, then a traffic impact study will be required to be submitted and reviewed along with the development plan. Any recommended road improvements, resulting from the review of the development and traffic study will need to be addressed prior to the issuance of any occupancy permits for the project.
4. PR zoning at the recommended density is compatible with surrounding development to the south in Farragut.
5. Public water and sanitary sewer utilities are available in the area, but may need to be extended to serve the site.

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 designates this site for low density residential uses with some slope protection in the southern portion and stream protection along Hickory Creek, consistent with PR zoning at up to 5 du/ac. It is expected that the developer would limit the grading within the slope protected area and preserve an acceptable, undisturbed buffer area around the creek.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future requests for PR zoning in the future on other A-zoned properties in 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.

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. The law now 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: 4009 (average daily vehicle trips)

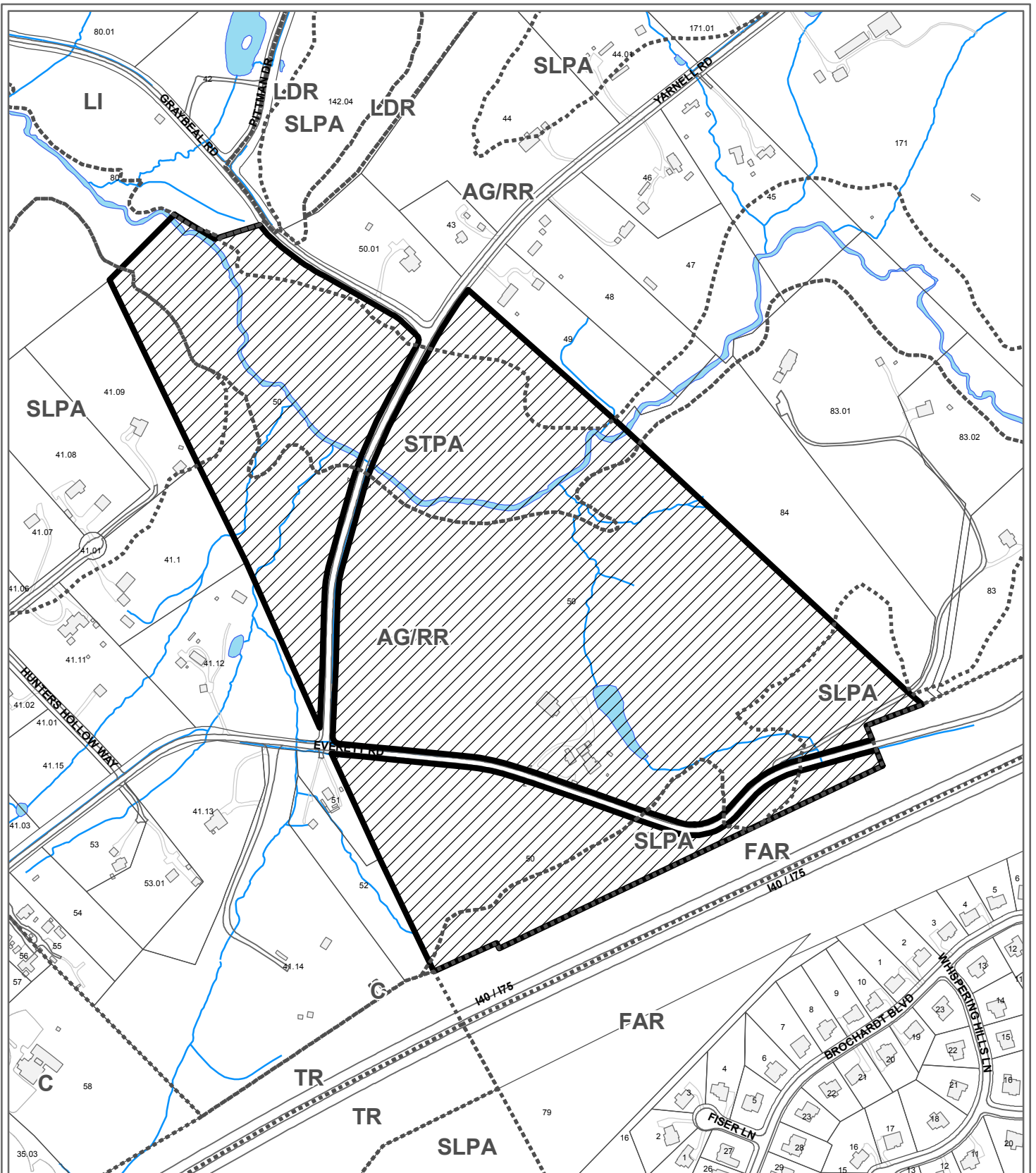
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 231 (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 1/27/2014. 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-A-13-SP / 12-E-13-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Mark A. Bialik, PE

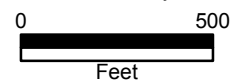


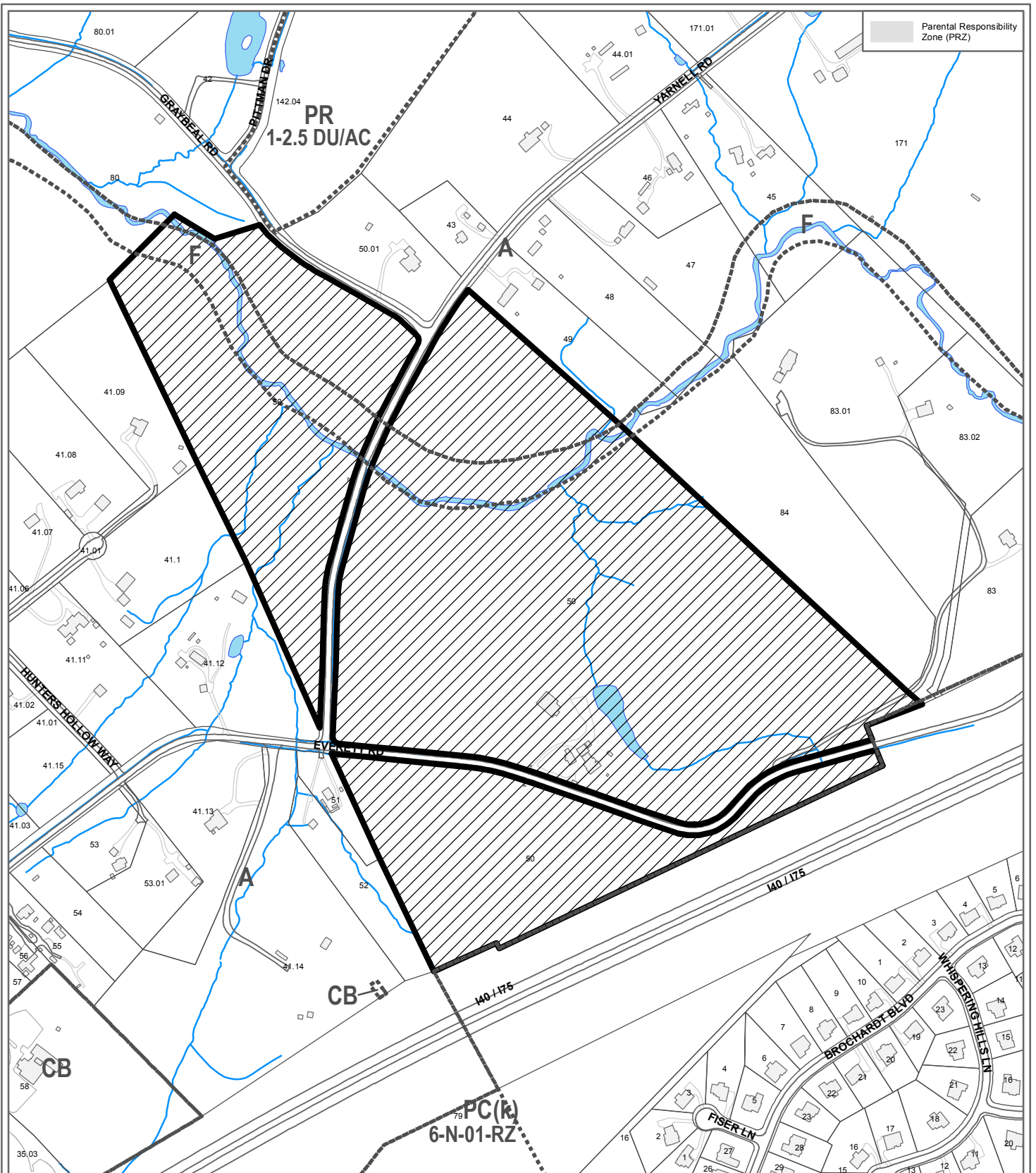
From: AG/RR (Agricultural/Rural Residential), STPA (Stream Protection Area) & SLPA (Slope Protection Area)
 To: LDR (Low Density Residential), STPA (Stream Protection Area) & SLPA (Slope Protection Area)

Map No: 141

Jurisdiction: County

Original Print Date: 11/22/2013 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





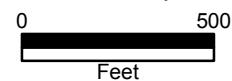
**12-E-13-RZ
REZONING**

From: A (Agricultural) & F (Floodway)
To: PR (Planned Residential) & F (Floodway)



Petitioner: Mark A. Bialik, PE

Map No: 141
Jurisdiction: County



Original Print Date: 11/22/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST 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 Northwest 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, Mark A. Bialik, PE has submitted an application to amend the Sector Plan from Agricultural and Rural Residential and Slope/Stream Protection to Low Density Residential and Slope/Stream Protection for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest 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 December 12, 2013, 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 Northwest County Sector Plan, with its accompanying, staff report and map, file #12-A-13-SP.

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

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

Date

Chairman

Secretary