



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

FILE #: 12-H-13-RZ
12-C-13-SP

AGENDA ITEM #: 31
AGENDA DATE: 12/12/2013

APPLICANT: MESANA INVESTMENTS, LLC
OWNER(S): Mesana Investments, LLC

TAX ID NUMBER: 103 093
JURISDICTION: Commission District 6
STREET ADDRESS: 10528 Coward Mill Rd

LOCATION: South side Coward Mill Rd., northeast of Pellissippi Pkwy.

TRACT INFORMATION: 8.69 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Coward Mill Rd., a minor collector street with 15' 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: TP (Technology Park) / BP (Business and Technology) / TO (Technology Overlay)

PROPOSED PLAN DESIGNATION/ZONING: LDR (Low Density Residential) / PR (Planned Residential) / TO (Technology Overlay)

EXISTING LAND USE: House and vacant land

PROPOSED USE: Detached residential

DENSITY PROPOSED: 5 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of LDR from the east

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Coward Mill Rd. - House and vacant land / TP / BP (Business & Technology Park) / TO (Technology Overlay)

South: Vacant land in Pellissippi Corporate Center / TP / BP (Business & Technology Park) / TO

East: House and vacant land / TP, LDR / RAE (Exclusive Residential)

West: Vacant land / TP / BP (Business & Technology Park) / TO

NEIGHBORHOOD CONTEXT: This area is developed with business and technology park uses under BP/TO zoning and some rural to low density residential uses under A, RAE, PR and RA zoning. Existing residential development is concentrated to the east, further from Pellissippi Parkway.

STAFF RECOMMENDATION:

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

In keeping with the intent and mission of the Technology Corridor, the areas designated for technology park and related uses should be maintained.

▶ **DENY PR (Planned Residential) zoning.**

PR zoning at this location would compromise the potential for future business and technology park uses on this and surrounding BP-zoned sites, especially once access to the area is improved with a parallel access road to Pellissippi Parkway. If approved, future residential property owners may oppose appropriate business and technology park uses on the abutting BP/TO zoned properties. The required use on review for development in the BP zone would require approval by MPC at a public hearing.

COMMENTS:

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 road improvements have been made recently to Coward Mill Rd. The Tennessee Technology Corridor Development Authority (TTCDA) Comprehensive Development Plan proposes a north-south access road parallel to Pellissippi Parkway that could open up isolated BP-zoned properties for development and create value for property owners and investors. This access road would make BP-zoned properties in this area more attractive for technology park development.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan appropriately calls for technology park (TP) development at this location. This should be maintained as it has since the 1980's establishment of the Technology Corridor, especially considering the site's proximity and exposure to the parkway.

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

There have not been significant changes that have taken place to justify amendment of the sector plan. Staff maintains that business and technology park uses should be maintained in this area. Approval of these requests could lead to additional requests for residential uses in the future on other surrounding properties.

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

There are no apparent trends that warrant an amendment to the sector plan. The residential uses in the area are concentrated to the east, outside of the Technology Corridor.

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. No significant changes have occurred in the area that warrant the requested change in zoning. This site has been zoned BP/TO since the 1980's as part of the Technology Corridor.
2. The property is located in close proximity to Pellissippi Parkway within the Technology Corridor and is surrounded on three sides by BP/TO zoning. Establishment of PR zoning at this location would compromise the potential for future business and technology park uses on this and other surrounding properties, that are appropriately designated for business and technology park uses.
3. Staff recognizes the existence of residential zoning and development to the east, but those areas are further away from Pellissippi Parkway, outside of the Technology Corridor.

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 not compatible with surrounding land uses and zoning.

3. Future development will be subject to review and approval of a site plan by the TTCDA, since it is located within the TO overlay. MPC would also review a development plan as a use on review within either the current BP/TO or the proposed PR/TO zoning.

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. Establishment of PR zoning at this location could compromise the potential for future business and technology park uses on this and surrounding BP-zoned sites.

2. PR zoning is not consistent with the surrounding zoning and development pattern within the Technology Overlay.

3. The requested density of 5 du/ac would allow for a maximum of 43 dwelling units to be proposed for the site. That number of detached units, would add approximately 477 vehicle trips per day to the street system and would add approximately 23 children under the age of 18 to the school system.

4. Sight distance along Coward Mill Rd. is questionable. If PR zoning is approved, the applicant will need to certify that adequate sight distance is available on Coward Mill Rd. from the proposed development entrance. The required sight distance will be 300 feet, based on the posted speed limit of 30 mph on Coward Mill Rd. Also, Coward Mill Rd. is very narrow at about 15 feet of pavement width. Improvements, including widening of the only access road, may also be required at the time of development plan review.

5. There is an individual parcel (103-09302) that is surrounded by the subject parcel, which would make residential development more difficult. The development site would be more appropriate if that parcel was also included in the rezoning.

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. With the requested plan amendment to the low density residential land use classification, PR zoning at up to 5 du/ac would be consistent with the Northwest County Sector Plan. However, staff is recommending that the current sector plan designation and zoning be maintained.

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 may lead to future rezoning and plan amendment requests for residential development on other properties within the proposed Technology Corridor, that surrounds the site.

4. Because of the property's location within the TO (Technology Overlay), the TTCDA will need to approve a Certificate of Appropriateness for this rezoning. This request is scheduled to be considered by TTCDA on Mon., December 9, 2013 (12-A-13-TOR).

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: 477 (average daily vehicle trips)

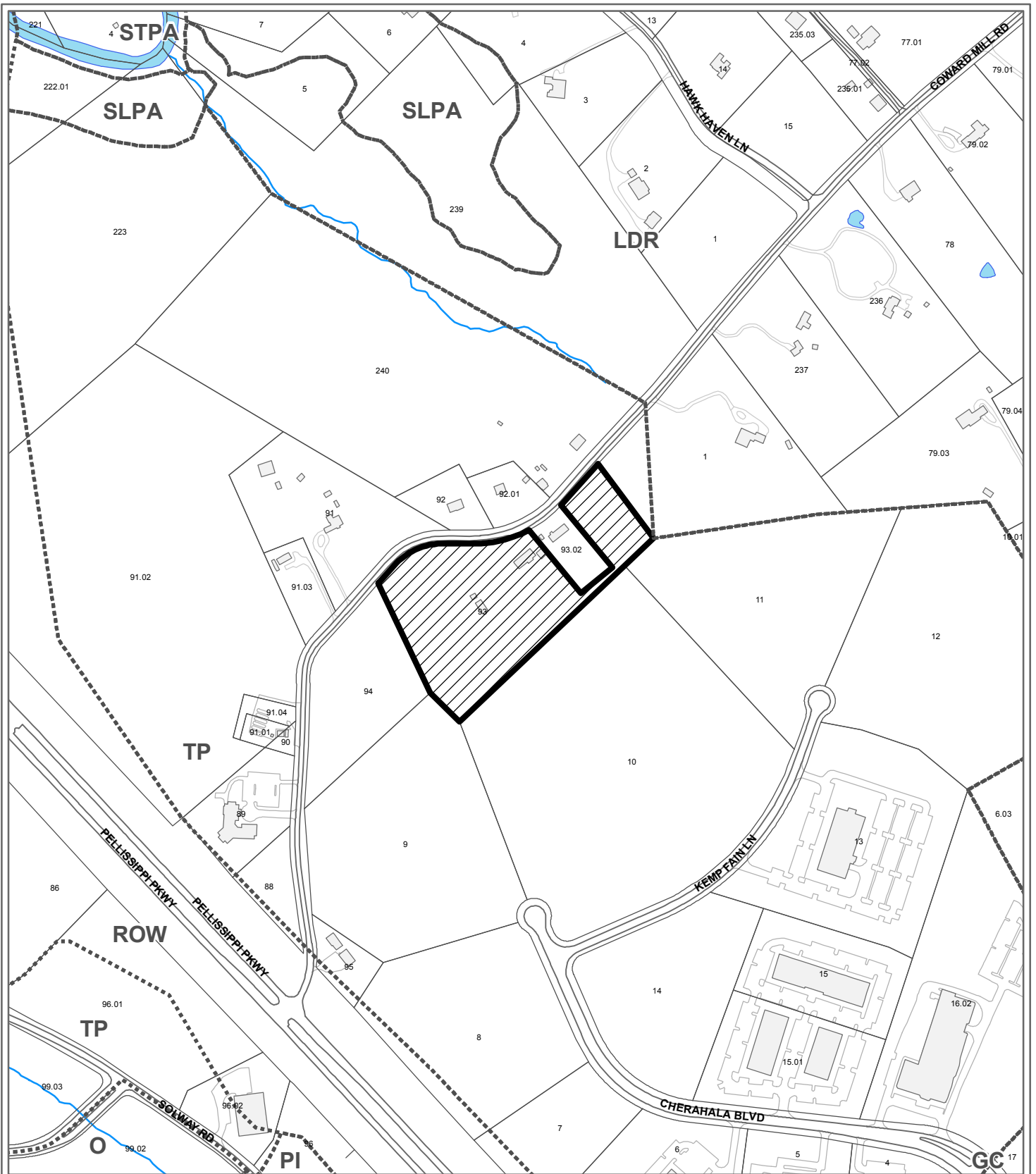
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 23 (public and private school children, ages 5-18 years)

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



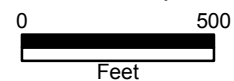
**12-C-13-SP / 12-H-13-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: TP (Technology Park)
To: LDR (Low Density Residential)

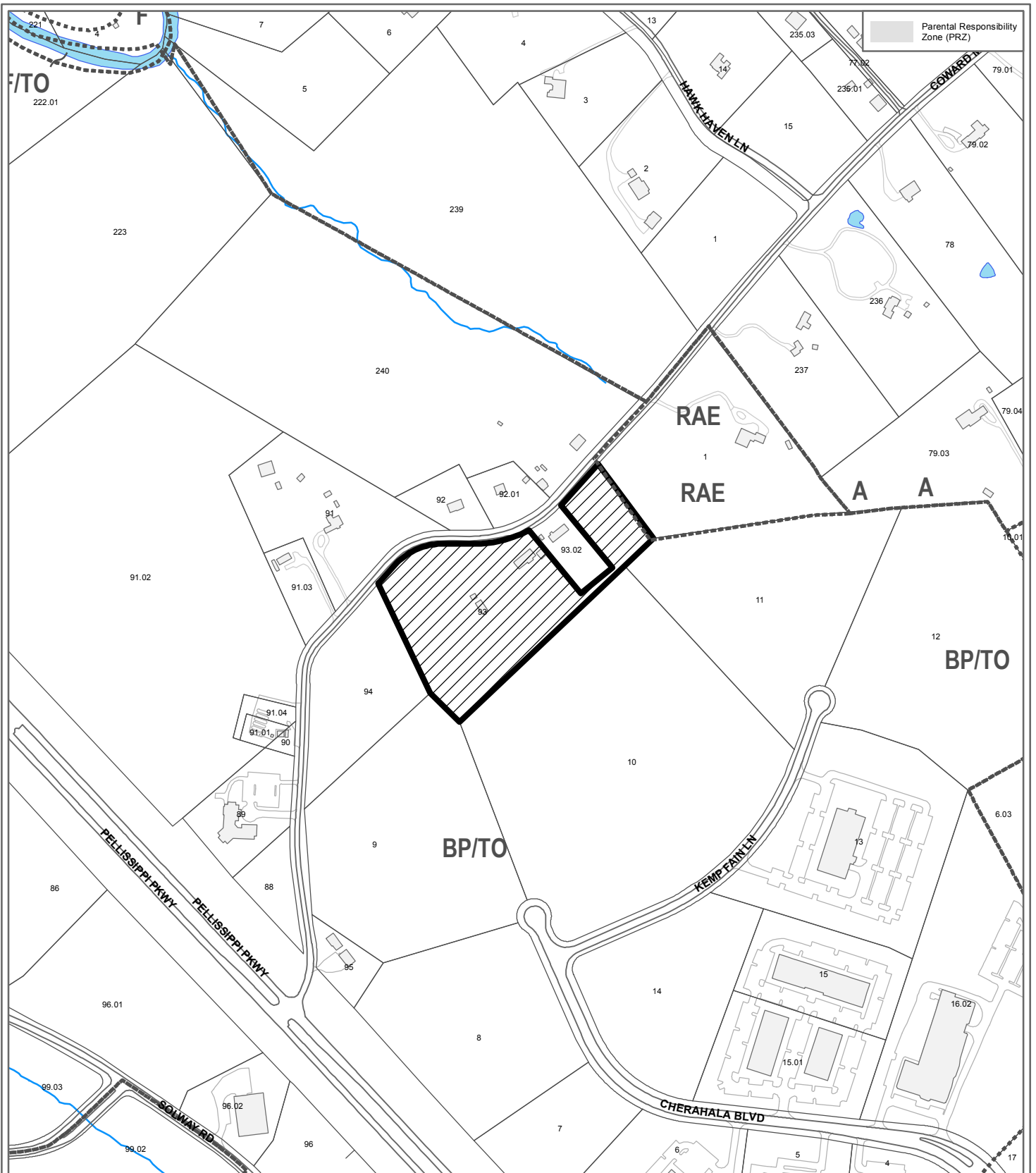


Petitioner: Mesana Investments, LLC

Map No: 103
Jurisdiction: County



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



**12-H-13-RZ
REZONING**

From: BP (Business and Technology) / TO (Technology Overlay)

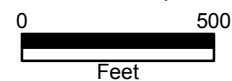
To: PR (Planned Residential) / TO (Technology Overlay)



Petitioner: Mesana Investments, LLC

Map No: 103

Jurisdiction: County



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



Fwd: 12/12/13 MPC - Item #31 Objection

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org> Thu, Dec 5, 2013 at 2:58 PM
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Mark Donaldson <mark.donaldson@knoxmpc.org>, Buz Johnson <buz.johnson@knoxmpc.org>, Dan Kelly <dan.kelly@knoxmpc.org>

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

From: **Roach, John** <JRoach@scrippsnetworks.com>
Date: Thu, Dec 5, 2013 at 2:23 PM
Subject: 12/12/13 MPC - Item #31 Objection
To: "michael.brusseau@knoxmpc.org" <michael.brusseau@knoxmpc.org>
Cc: "knoxmphoa@gmail.com" <knoxmphoa@gmail.com>

Michael,

I would like to voice my opposition to item #31 on the MPC schedule for Thursday December 12 at 1:30pm. I would attend the meeting in person if possible but my schedule will not allow. The 8 acres for sale on Coward Mill Road that is up for rezoning should not be passed for light industrial or low density housing. This road and area is very narrow and dangerously curvy for its existing traffic. There has already been numerous traffic accidents along this road and it is already unable to support traffic that these rezoning proposals would create. Major reconstruction of the entire roadway would be needed to make this rezoning a viable option and the homeowners and communities around this land would prefer to remain in a safe rural setting.

Thank you for your consideration,

John

John A Roach | Producer | Scripps Productions

9721 Sherrill Blvd, Knoxville TN 37932
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John.Roach@scrippsnetworks.com

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Fwd: Agenda Item #31

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org> Fri, Dec 6, 2013 at 8:21 AM
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Dan Kelly <dan.kelly@knoxmpc.org>, Buz Johnson <buz.johnson@knoxmpc.org>, Mark Donaldson <mark.donaldson@knoxmpc.org>

Re: Item 31

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

From: **Tyler Guzzardo** <tylerguzzardo@gmail.com>
Date: Thu, Dec 5, 2013 at 9:28 PM
Subject: Agenda Item #31
To: "michael.brusseau@knoxmpc.org" <michael.brusseau@knoxmpc.org>

Dear Michael,

I live in the Magnolia Point subdivision on Coward Mill road and would like to express some concern regarding agenda item #31 for the upcoming meeting. I do not agree with the rezoning of this property because it would likely cause a dangerous amount of traffic on a winding section of Coward Mill. Numerous accidents have occurred on this road and I believe an increase in traffic would lead to more accidents. Please keep this in mind when discussing item #31.

Thank you,
Tyler Guzzardo

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