

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

▶ **FILE #:** 5-D-13-RZ
 5-A-13-SP

AGENDA ITEM #: 30
AGENDA DATE: 5/9/2013

▶ **APPLICANT:** RUFUS H. SMITH JR. & COMPANY
 OWNER(S): Rufus H. Smith Jr. and Company

TAX ID NUMBER: 91 12301
 JURISDICTION: Commission District 6

▶ **LOCATION:** Southeast side Ball Camp Pike, southwest side Andes Rd.

▶ **TRACT INFORMATION:** 1.74 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Andes Rd., a major collector street with 21' of pavement width within 65' of right-of-way, or Ball Camp Pike, a major collector street with 20' 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:** LDR (Low Density Residential) / CA (General Business) & PR (Planned Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Attached residential development

DENSITY PROPOSED: 12 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Not an extension of MDR, but the attached residential development to the south and west is zoned and developed at medium densities. It is an extension of PR zoning from the south and west.

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Ball Camp Pike - House / LDR / RA (Low Density Residential)
 South: Attached residential / LDR / PR (Planned Residential) at 1-8 du/ac
 East: Andes Rd. - Vacant parcel and railroad / LDR / I (Industrial)
 West: Attached residential / LDR / PR (Planned Residential) at 1-8 du/ac

NEIGHBORHOOD CONTEXT: This area is developed primarily with low to medium density residential development under PR, RA and A zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #5-A-13-SP, amending the Northwest County Sector Plan to MDR (Medium**

Density Residential) and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)

Medium density residential uses will be compatible with the scale and intensity of surrounding development and zoning. The site is fronts on two collector streets and is adjacent to existing medium density residential development.

► **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 8 du/ac. (Applicant requested 12 du/ac.)**

PR is an appropriate zone for residential development of this site. It is a less intense and more appropriate zone than the current CA zoning on most of the site. This is a poor location for the existing CA zoning, which is not consistent with the sector plan proposal for the site. Staff recommends the reduced density of up to 8 du/ac, rather than the requested 12 du/ac for better compatibility with surrounding development.

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 known improvements have been made to any of the roads surrounding this site. Public water and sewer utilities are available to serve the site. The future Schaad Rd. extension, when built, will be just south of this site, crossing Andes Rd.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

Adjacent property to the south and west is zoned for and developed with medium density residential uses. However, these developments are not recognized by the sector plan proposal for the area. Future updates of the Northwest County Sector Plan should study this area for a possible proposed land use change to MDR.

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

Attached residential development to the south and west is zoned PR at up to 8 du/ac. These properties were rezoned prior to the requirement for sector plan amendments accompanying rezoning requests that are not consistent with the sector plan proposal. With the Knox County Commission's approval of the PR zoning and density, the decision was made to concentrate medium density development in the vicinity of this site.

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

The existing development to the south and west could be considered the start of a trend toward medium density residential development in this area. When the Schaad Rd. extension to the south is complete, the access to the site will be improved further.

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.

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. The recommended density

is compatible with the surrounding development and zoning pattern.

2. The site has frontage on two collector streets, making it more appropriate for increased residential density than if it were located along a local, neighborhood street.
3. Limiting the density to 8 du/ac is recommended for better compatibility with surrounding land uses and zoning, which includes attached residential development to the south and west, zoned PR at a density of 1-8 du/ac.

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 reasonable use of the property for residential development, while maintaining compatibility with surrounding development and zoning. The requested 12 du/ac is considerably more intense than the prevailing densities in the area.
2. The recommended PR zoning at a density of up to 8 du/ac would allow for a maximum of 13 dwelling units to be proposed for the site. That number of attached units, as proposed, would add approximately 152 vehicle trips per day to the street system and would add approximately 7 children under the age of 18 to the school system. The requested density of 12 du/ac would allow for a maximum of 20 dwelling units to be proposed for the site. That number of attached units, would add approximately 225 vehicle trips per day to the street system and would add approximately 11 children under the age of 18 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. Public water and sanitary sewer utilities are available 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. With the recommended plan amendment to MDR, a PR zoning density of up to 12 du/ac may be considered. The current sector plan does not recognize the medium density residential development to the south and west of the site. The recommended sector plan change is a spot amendment, but it is consistent with the adjacent zoning and development pattern.
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 MDR plan designations and PR zoning in the future other 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:

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amendment is operative.

ESTIMATED TRAFFIC IMPACT 225 (average daily vehicle trips)

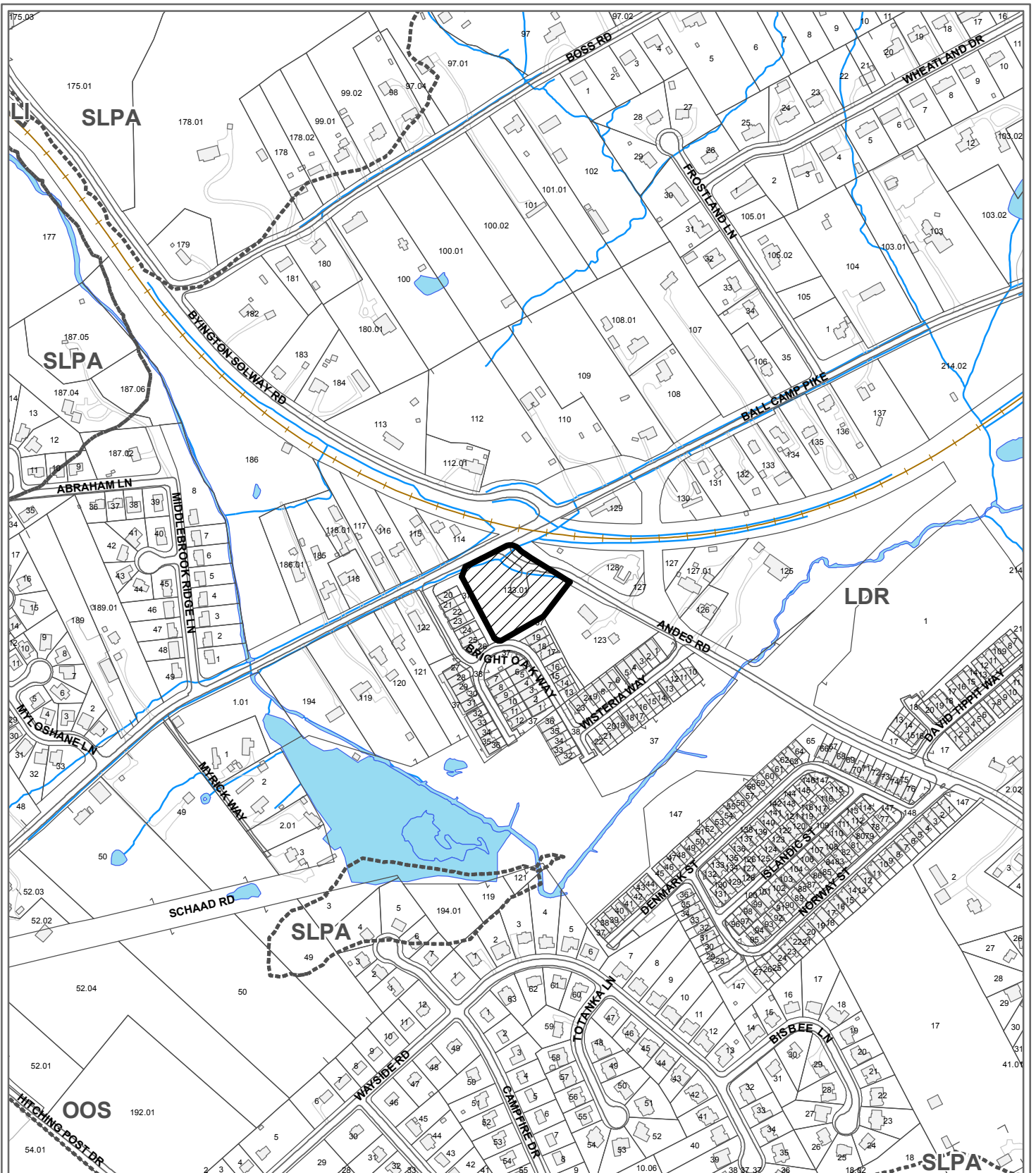
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 11 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Ball Camp 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 6/24/2013. 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.



**5-A-13-SP / 5-D-13-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

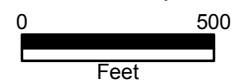
From: LDR (Low Density Residential)
To: MDR (Medium Density Residential)



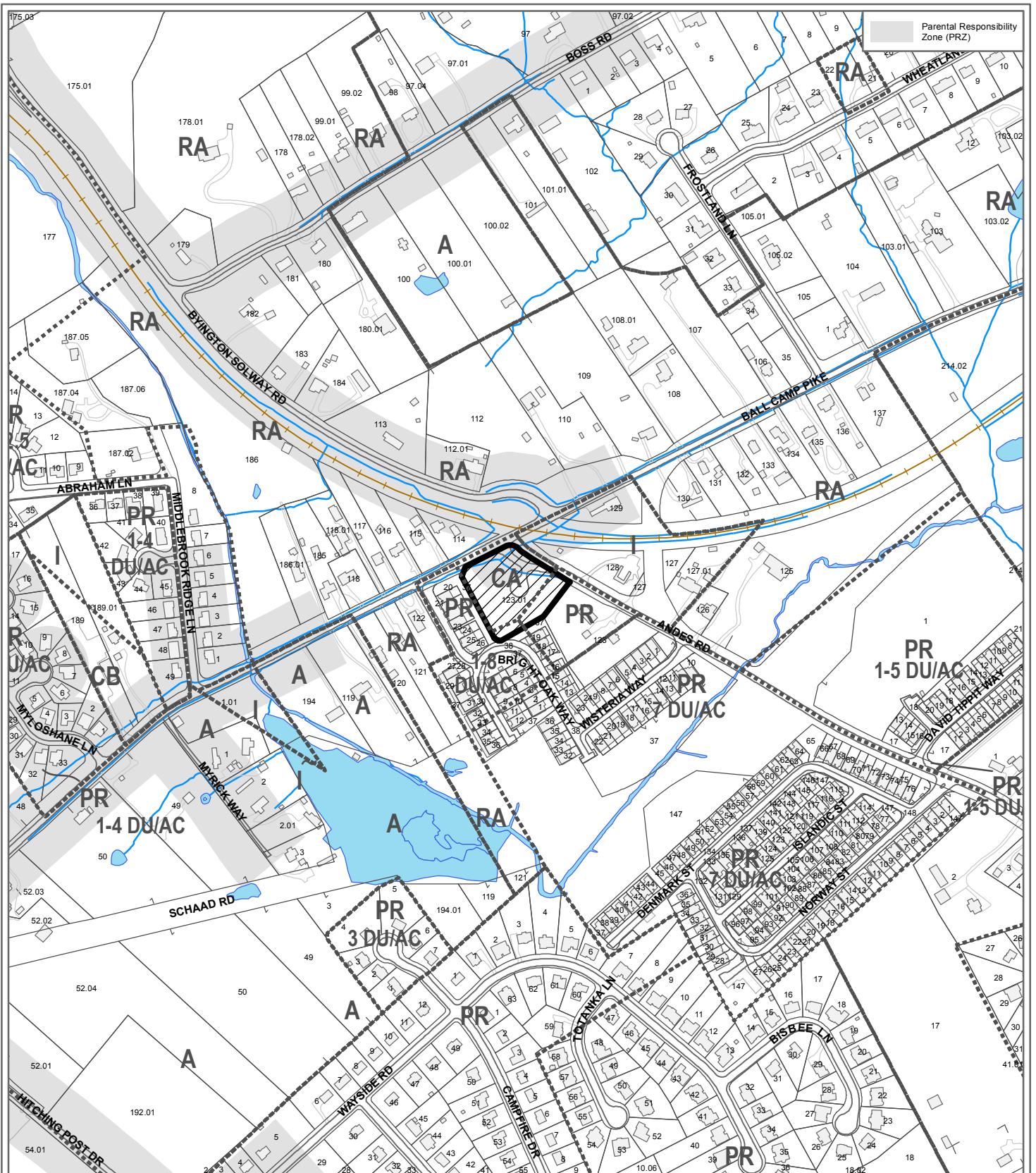
Petitioner: Rufus H. Smith Jr. & Company

Map No: 91

Jurisdiction: County



Original Print Date: 4/24/2013 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**5-D-13-RZ
REZONING**

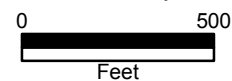
From: CA (General Business) & PR (Planned Residential)
To: PR (Planned Residential)



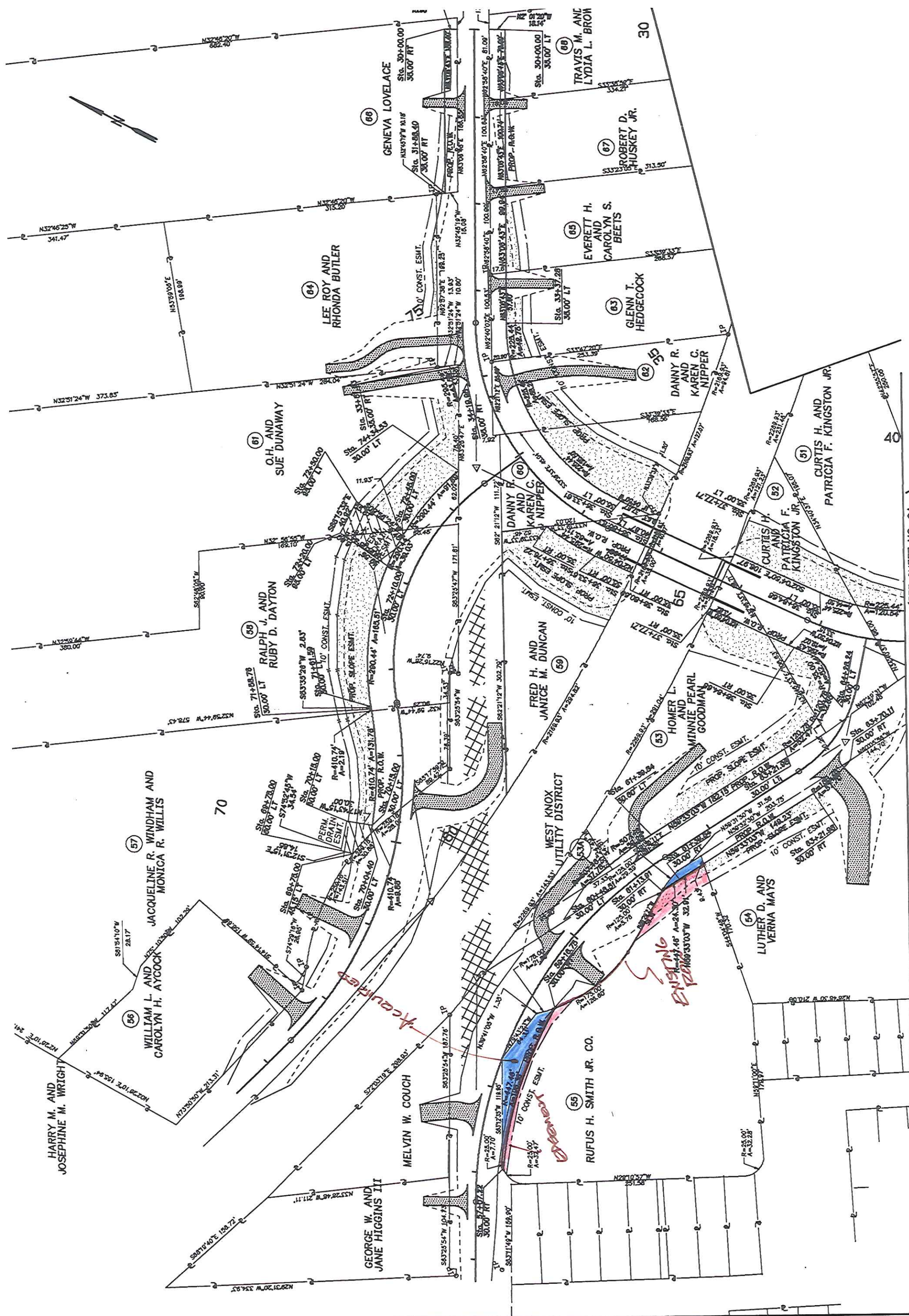
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Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**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**, Rufus H. Smith Jr. and Company has submitted an application to amend the Sector Plan from Low Density Residential to Medium Density Commercial 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 May 9, 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 #5-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