

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

▶ **FILE #:** 5-E-15-RZ
 8-C-15-SP

AGENDA ITEM #: 41
AGENDA DATE: 8/13/2015

▶ **APPLICANT:** KNOX COUNTY COMMISSION
 OWNER(S): First Knox Realty, LLC

TAX ID NUMBER: 130 174 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 11616 Snyder Rd

▶ **LOCATION:** East side Snyder Rd., north side Outlet Dr.

▶ **TRACT INFORMATION:** 13.36 acres.

SECTOR PLAN: South City

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Snyder Rd., a minor collector street with 20' of pavement width within 50' of right-of-way, or Outlet Dr., a 3 lane, major collector street with 36' of pavement width within 100' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Turkey Creek

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

▶ **PROPOSED PLAN DESIGNATION/ZONING:** HDR (High Density Residential) / PR (Planned Residential) at up to 18 du/ac

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Apartments

DENSITY PROPOSED: 18 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: A sector plan amendment to MDR was approved for this property in 2007 (3-B-07-SP) and the current PR density of up to 12 du/ac was approved by MPC earlier this year (2-F-15-RZ). MPC denied the current requests on May 14, 2015.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: House / LDR / A (Agricultural)
 South: Outlet Dr. - RV sales business / LDR / CA (General Business)
 East: Vacant land / MDR / PR (Planned Residential) @ 1-12 du/ac
 West: Snyder Rd. - House, vacant land, outdoor vehicle storage / Town of Farragut

NEIGHBORHOOD CONTEXT: This area just north of I-40/75 is developed with a mix of uses, including low and medium density residential, office and commercial. The site is located about a half mile east of the N. Campbell Station Rd. and I-40/75

STAFF RECOMMENDATION:

▶ **DENY the request to amend the Northwest County Sector Plan map to HDR (High Density Residential).**

The requested sector plan amendment does not meet the General Plan criteria to warrant amendment of the land use plan. The applicant has reasonable use of the land under the current medium density residential plan designation.

▶ **DENY the requested increase in PR (Planned Residential) zoning density from 12 to 18 du/ac.**

Based on the denial recommendation of the sector plan amendment from Medium to High Density Residential, the associated rezoning request should be denied. The current PR zoning and density give the applicant reasonable use of the property.

COMMENTS:

These requests were denied by MPC on May 14, 2015. The applicant appealed that decision to Knox County Commission. The Commission became the applicant for the sector plan amendment, so that they may refer the requests back to MPC for reconsideration and then take final action on both requests in September. Staff maintains the same recommendation from the May 14, 2015 meeting.

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:

Outlet Dr. was recently improved and extended west from Lovell Rd. to N. Campbell Station Rd. However, the site does not meet criteria for location of densities of greater than 12 du/ac, such as adjacency to an identified neighborhood or community center, or access to public transit. The current density is already much more than could be permitted on surrounding residential properties. Up to 160 units could be proposed for this site and up to 379 units could be proposed if combined with the abutting site to the east. Because of the site's location on collector streets and proximity to the interstate, the current medium density residential designation is appropriate, but the site is not appropriate for high density residential, which would be more out of character with surrounding development and should be located near an identified neighborhood or community center, with access to transit.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan calls for medium density residential uses for the site, which should be maintained for this site. The update of the Northwest County Sector Plan does not propose any changes for this site.

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

No changes in policy warrant the requested sector plan amendment. Residential development density will already be concentrated at this location under the current medium density residential designation. Residential densities of up to 12 du/ac may be considered within MDR areas, which far exceeds any densities in the surrounding area.

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

There are no trends that warrant reconsideration of the original plan proposal. This sector plan is currently being updated and the current MDR designation is recommended to be maintained. The current MDR designation serves as a transition between more intense land uses proposed by Farragut and Knox County to the east and west and the low density residential area to the north in Knox County.

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. This site is accessed from either Outlet Dr., a major collector street, or Snyder Rd., a minor collector street, and is about a half mile east from an interstate interchange. Outlet Dr. was recently improved and extended west from Lovell Rd. to N. Campbell Station Rd.
2. The property is located in the Urban Growth Area of Farragut on the Growth Policy Plan. It is proposed for medium density residential uses on the sector plan, consistent with the existing zoning and density.
3. The current medium density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern. The Farragut Town limits are across the street to the west from the subject property and the subject property is within Farragut's Urban Growth Boundary on the Growth Policy Plan. Officials from Farragut were notified of this request and have indicated agreement with the denial recommendation. Farragut's future land use plan map proposes light industrial or office uses for the site. Office uses are considered similar in intensity to medium density residential uses.
4. The site is appropriate to be developed under PR zoning at the maximum permissible density in the MDR category. The site does not have significant slope or other environmental constraints, and has access to a major collector street. The current zoning and density of the site provides reasonable use of the property. Under the current PR zoning at up to 12 du/ac on the subject 13.36-acre property, up to 160 dwelling units could be proposed for MPC consideration. If combined with the adjacent property (18.24 acres) to the east, which is zoned the same, up to 379 units could be proposed on the combined 31.6 acres.
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, but should be limited to no more than 12 du/ac, which is the maximum density allowed under the current MDR sector plan designation.

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 requested density of up to 18 du/ac on the 13.36 acres reported, up to 240 dwelling units could be proposed for the site. If developed with attached multi-dwelling residential units, this would add approximately 2096 trips to the street system and about 56 children to the school system. At the current density of up to 12 du/ac on the 13.36 acres reported, up to 160 dwelling units could be proposed for the site. If developed with attached multi-dwelling residential units, this would add approximately 1456 trips to the street system and about 37 children to the school system. If more than 75 units are proposed, a traffic impact study will be required to be submitted along with development plans. Sidewalks are in place along Outlet Dr. and a portion of Snyder Rd. adjacent to the site. Sidewalks should be continued north along Snyder Rd. to connect with the development's pedestrian network.
2. PR zoning at the current density is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. 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. The Northwest County Sector Plan proposes medium density residential uses for this property, consistent with the current PR zoning at up to 12 du/ac.
2. The site is located within the Urban Growth Area of Farragut on the Knoxville-Knox County-Farragut Growth Policy Plan map. Staff met with The Town of Farragut staff and they are in agreement with the MPC staff recommendation.
3. The Knoxville-Knox County General Plan 2033 Development Policy 11.2 states the following for MDR development:
-Medium-density 6 to 12 du/ac in planned and urban growth areas (per Growth Policy Plan); appropriate along collector or arterial roads; along waterfronts; and as buffer zones between lower density residential and more

intense uses. (This is the current situation, which is appropriate.)

-Medium density 6 to 24 du/ac in urban growth areas adjacent to neighborhood or community centers. (Neither the current Northwest County Sector Plan nor the pending update identify an intense neighborhood or community center in this area. Therefore, staff cannot apply the 6 to 24 du/ac standard for this site.) There is no public transit available in the area to serve the site, which would also be very desirable for the requested density.

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.

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: 2096 (average daily vehicle trips)

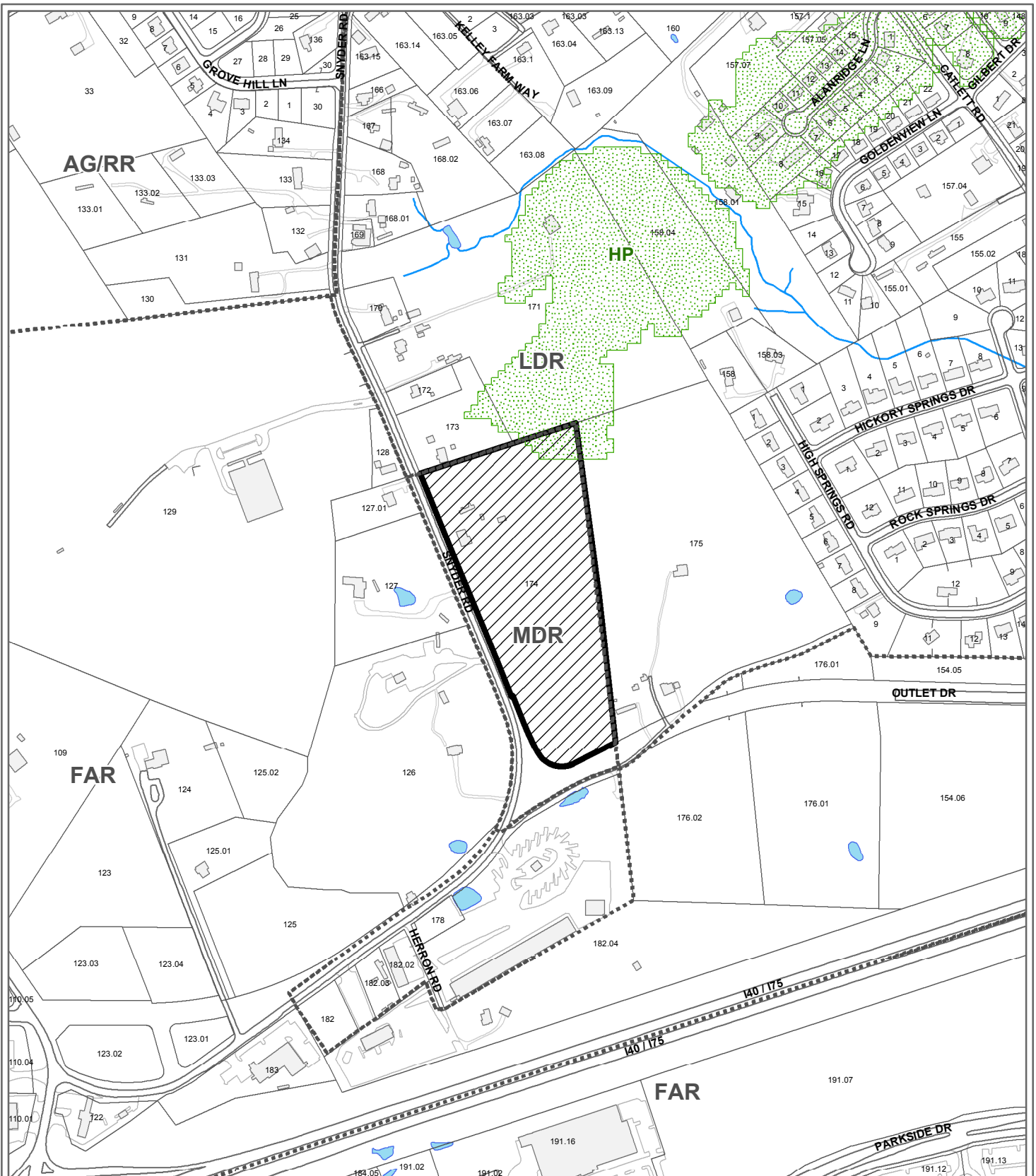
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 83 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Farragut Primary/Intermediate, Farragut 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 9/28/2015. 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-C-15-SP / 5-E-15-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

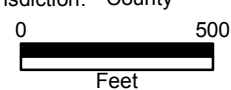
From: MDR (Medium Density Residential)
To: HDR (High Density Residential)

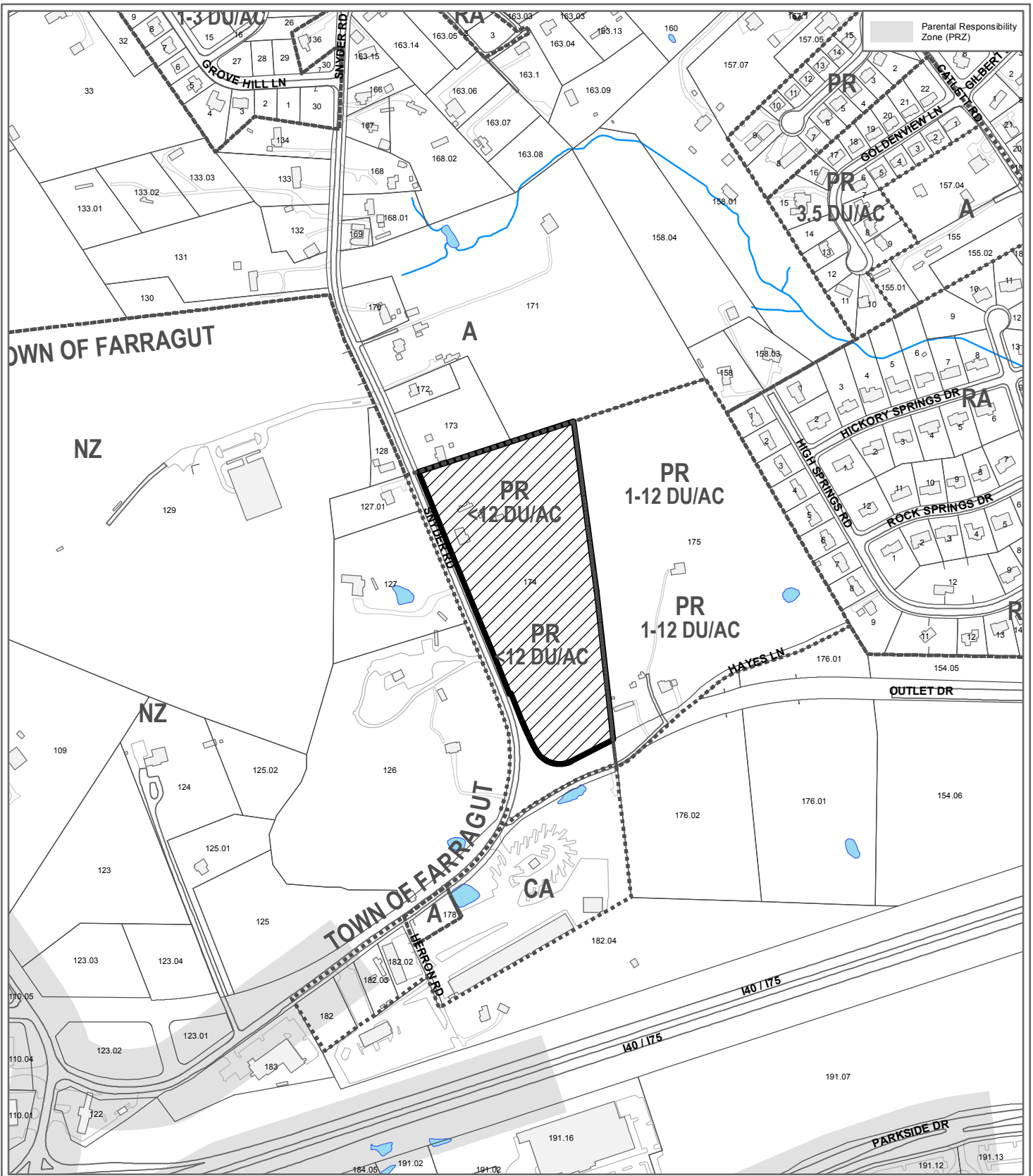


Petitioner: Knox County Commission

Map No: 130
Jurisdiction: County

Original Print Date: 7/24/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**5-E-15-RZ
REZONING**

From: PR (Planned Residential) @ up to 12 du/ac

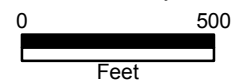
To: PR (Planned Residential) @ up to 18 du/ac



Petitioner: First Knox Realty LLC

Map No: 130

Jurisdiction: County



Original Print Date: 4/27/2015
 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

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JAMES E. WAGNER
BEVERLY D. NELMS
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July 10, 2015

Via e-mail

Mr. Michael Brusseau
Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, TN 37902

Re: Appeal by James Gentry and First Knox Realty, LLC
Snyder Road at Outlet Drive

Dear Mike:

At the Town of Farragut's June 25, 2015 meeting, the Mayor and Board of Aldermen approved an agreement with TDOT for development of a Feasibility Study for Parkside Drive/Outlet Drive Connector. I am enclosing herewith the Report from Farragut's Engineering department, which was approved.

I was present at the meeting and there was discussion about the agreement, including that Knox County and the City of Knoxville have both verbally indicated support for a connector across I-40 from Outlet to Parkside Drive.

When you are considering the recommendation for the rezoning of First Knox Realty's property at Outlet Drive and Parkside Drive, I think it is important to consider this action. This would increase the connectivity between the proposed site and Outlet Drive to Parkside Drive and would support high-density development for the site.

If you have any questions, please let me know.

Very truly yours,



Arthur G. Seymour, Jr.

FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:lbb

Enc.

cc: Mr. Rick Gentry

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of agreement with TDOT for development of Feasibility Study for Parkside Drive/Outlet Drive Connector

INTRODUCTION: The purpose of this agenda item is to consider approval of an agreement with the Tennessee Department of Transportation for development of a traffic study to determine the feasibility and benefits of a possible north-south connection between Parkside Drive and Outlet Drive.

BACKGROUND: During the early planning stages of the Parkside Drive corridor, the Town (along with the developers) considered the benefits of a north-south connection over Interstate 40/75 between Parkside Drive and Outlet Drive. At that time, consideration was mainly for an additional interchange between Campbell Station Road and Lovell Road. However, due to the amount of right of way required (along with limited interstate funding), the idea was abandoned. With Outlet Drive/Snyder Road being completed in 2010, this project is to commission a feasibility/benefits study of a north-south overpass of I-40. Staff believes this type of connection will provide motorists on Parkside Drive with easier access to the interstate and areas north of the interstate, while improving access and further development of the Outlet Drive corridor. The attached aerial photograph shows two possible locations for the connector near the Pinnacle and CarMax, though the study will also consider other locations. Once this agreement is executed, staff will work with TDOT's Office of Local Programs in the selection of a consultant to conduct the study. This project is funded with Surface Transportation Program (STP) funds on an 80/20 federal/local match. We have discussed the possibility of sharing the 20% local match with Knox County and the City of Knoxville, and both jurisdictions have verbally indicated their support of the project. Total project cost is currently estimated at \$100,000. In the event the study finds this connection to be worthy of development as a project, the Town will solicit the Knoxville Regional Transportation Planning Organization (KRTPO) for additional federal funds for the future project phases.

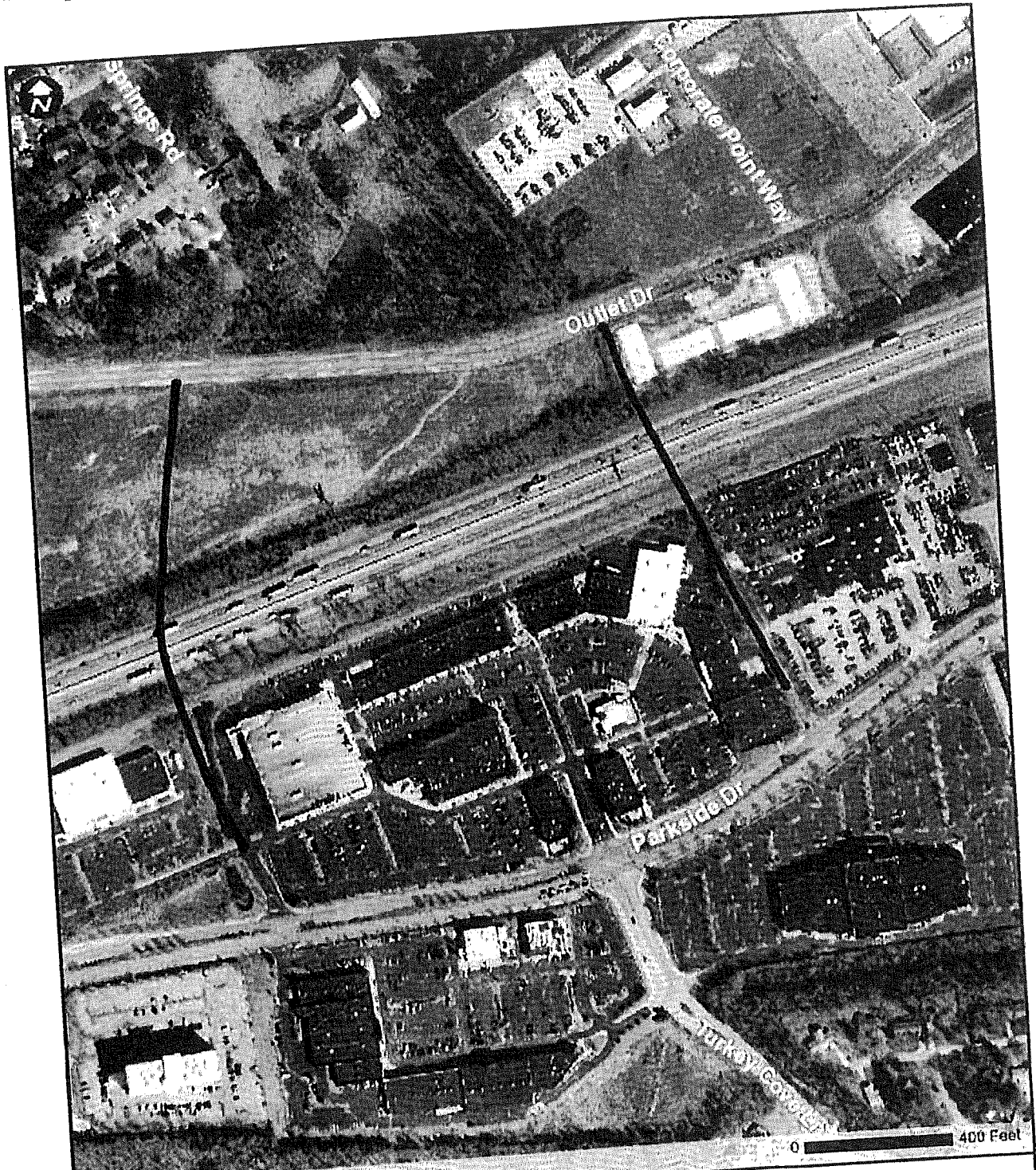
RECOMMENDATION BY: Darryl Smith, Town Engineer, for approval.

PROPOSED MOTION: Approval of TDOT Agreement 150061 for development of Traffic Circulation and Feasibility Study involving north-south connection between Parkside Drive and Outlet Drive.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>LAMARCHE</u>	<u>HONKEN</u>	<u>MARKLI</u>	<u>PINCHOK</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____



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Parkside/Outlet Connector

Printed: 6/17/2015 at 3:16 PM

KGIS - 606 Main St - Suite 150 - Knoxville, TN 37902 - www.kgis.org

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Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: Snyder Road Area Rezoning

Tim Kuhn <tim.kuhn@knoxmpc.org>
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Aug 5, 2015 at 8:07 AM

----- Forwarded message -----
From: "Cal Peters" <ctpeters@tds.net>
Date: Aug 4, 2015 8:44 PM
Subject: Snyder Road Area Rezoning
To: <contact@knoxmpc.org>
Cc:

Hello,
I have lived in Amber Meadows off Snyder Road for over 32 years and have seen the area grow from farmland to subdivisions. I know the developers own you, but you are going to have to STOP the "High Density Residential" developments in the Snyder Road area. The roads in the area cannot handle the traffic that this type of development produces. Unless you have immediate plans to turn Snyder Road into a four lane super highway, you are going to get someone killed in traffic accidents. These small "country lanes", such as Snyder Road, are very narrow and cannot handle large trucks, pickups pulling wide trailers, motor homes, etc. Do you ever go look at the areas you rezone? I doubt it.

Calin T. Peters N1CAL
ctpeters@tds.net

 **winmail.dat**
8K

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Direct Fax: 865-541-4612

May 12, 2015

Via email only to: commission@knoxmpc.org

MPC Commissioners
Knoxville-Knox County MPC
Suite 403, City County Building
400 Main Street
Knoxville, Tennessee 37902

Re: Agenda Item # 28
First Knox Realty, LLC

Dear Commissioners:

This letter is written on behalf of the applicant's zoning request for High Density Residential and Planned Residential at 18 dwelling units per acre on property which is located on Outer Drive. This matter will be before you on Thursday.

As the MPC report states, this property was rezoned from Planned Residential at 6 units per acre to Planned Residential at 12 units per acre several months ago. This was consistent with the Sector Plan and zoning on adjacent property. At that time, it was anticipated that property adjacent to it, which was already zoned Planned Residential at 12 units per acre, could be acquired, or at least three or four acres could be acquired, so that that property could be combined with the property subject to this zoning request to develop an apartment complex with at least 225 units. That adjoining landowner has decided not to sell, and money I would state, is not the object. The landowner simply has no interest in selling. To our knowledge, she does not oppose the development of the subject property at a higher density.

The economics of apartment development today are such that to provide the quality of life apartment dwellers want, which includes a pool, clubhouse, exercise facility, walking trails, dog park, etc., the bare minimum number of units that will support that type of community is 225. This request would get the subject property to that density.

As pointed in the MPC report, Knox County recently expended a pretty good sum of money to extend Outlet Drive from Lovell Road to north Campbell Station Road and it is now a major collector street. The site is a short distance from the interchange of Campbell Station Road and I-40. It is a little further from the interchange of Lovell Road and I-40. It is close to the Turkey Creek commercial center, parks and other recreational facilities.

It is unlikely that public transit will be available to the site any time in the near future, since Knox County does not provide public transit. However, the road system, and the amenities nearby certainly support this property being allowed to develop as a high density apartment complex.

Although not stated explicitly in your policies in recent years, under the leadership of Mark Donaldson, a number of high density residential developments were approved along Pellissippi Parkway because of the good transportation system available. This site, although not on Pellissippi Parkway or adjacent to it, has access to an excellent transportation system.

As pointed out at your Agenda Review meeting, Knox County is projected to grow by 400,000 people in the next 25 years. A portion of the housing for these new residents is going to have to be provided in high density apartment developments, which meet the criteria this site does.

Recently adjacent to the new Kroger commercial development on Emory Road in Powell, an apartment complex with well over 200 units was approved. Construction on that project should start by year end. That location had the same attributes that this one does.

Furthermore, there are no sites near this one that are available and meet the criteria MPC staff has set forth for High Density Residential.

We would urge you to approve and recommend the request by the applicant.

Thank you for your consideration.

Very truly yours,



Arthur G. Seymour, Jr.

FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:lbb

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Dr. Ralph McGill, *Mayor*
Mary Dorothy LaMarche, *Vice-Mayor*
David Smoak, *Town Administrator*
Allison M. Myers, *Town Recorder*



Ron Honken, *Alderman*
Robert N. Markli, *Alderman*
Ron Pinchok, *Alderman*

May 11, 2015

Knoxville-Knox County Metropolitan Planning Commission
City-County Building, Suite 403
400 Main St.
Knoxville, TN 37902

Re: Requested rezoning of Parcel 174, Tax Map 130

Dear MPC:

As the Community Development Director of the Town of Farragut I am sending this letter to request that, consistent with the MPC staff recommendation, the requested rezoning of Parcel 174, Tax Map 130 off Snyder Road from PR at 12 DU/Acre to PR at 18 DU/Acre be denied.

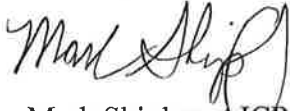
You may recall that this parcel was just recently rezoned from PR at 6.5 DU/Acre to PR at 12 DU/Acre. The parcel in question is also within the Town's adopted Urban Growth Boundary and was included in the Town's update to its Comprehensive Land Use Plan (CLUP). When this parcel was recently rezoned, the Town did not present strong opposition to the request. The rezoning at that time was recommended by the MPC staff, consistent with the sector plan, and was at the same density level of the adjacent parcel to the east.

The new rezoning request however is very different. The request is opposed by the MPC staff, inconsistent with the sector plan, and completely out of character with the context and surrounding plan of development. The maximum residential density permitted in the Town of Farragut is 12 DU/Acre. An increase to 18 DU/Acre would provide for an urban level of density in what is a very suburban and somewhat rural portion of the county. The portion of Snyder Road that development on this property would likely access is not up to a standard that could logically accommodate such density. The subject property is also within a general area where sinkholes are known to exist. Consequently, rezoning this property to provide for an urban level of density would be seriously problematic.

For all of these reasons and the fact that the request would also be completely inconsistent with the Town's adopted CLUP, which the Town spent several months and numerous meetings to develop, we would respectfully ask that you please **deny** this rezoning of Parcel 174, Tax Map 130.

The Town appreciates this opportunity to convey our thoughts on this matter. If you have any questions, please either call me at (865) 966-7057 or send me an e-mail at mark.shiple@townoffarragut.org. Thank you again.

Best regards,

A handwritten signature in black ink that reads "Mark Shipley". The signature is written in a cursive style with a large, stylized initial "M".

Mark Shipley, AICP
Community Development Director

Parkside Drive to Outlet Drive Connector Transportation Feasibility Study

FY 15: \$100,000

Total Project Cost: \$100,000

80% TDOT

20% Local Match (TOF CoK and KC)

Local Match Reimbursed Post Study

