

▶ **FILE #:** 8-J-15-RZ

AGENDA ITEM #: 51

AGENDA DATE: 8/13/2015

▶ **APPLICANT:** SHADY GLEN LLC

OWNER(S): Eric Moseley

TAX ID NUMBER: 104 01708

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 10210 Hardin Valley Rd

▶ **LOCATION:** South side Hardin Valley Rd. , west of Westcott Blvd.

▶ **APPX. SIZE OF TRACT:** 10 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 4 lanes and a center median within 155' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** PR (Planned Residential) at up to 4 du/ac

▶ **ZONING REQUESTED:** PR (Planned Residential) at up to 6 du/ac

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Residential development

DENSITY PROPOSED: 6 du/ac

EXTENSION OF ZONE: Yes, extension of PR at up to 6 du/ac from the south and east

HISTORY OF ZONING: Adjacent property to south and east was rezoned PR at 6 du/ac in early 2015 (1-D-15-RZ)

SURROUNDING LAND USE AND ZONING: North: Vacant land / PC (Planned Commercial) with conditions

South: Vacant land / PR (Planned Residential) at up to 6 du/ac

East: Vacant land / PR (Planned Residential) at up to 6 du/ac

West: Houses and vacant land / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This site is located within a mixed use corridor along Hardin Valley Rd., east of Pellissippi Parkway.

STAFF RECOMMENDATION:

▶ **DENY the requested increase in PR (Planned Residential) zoning density from 4 to 6 du/ac.**

The slope characteristics of the site are not appropriate for the requested density. When applying the recommendations of the Hillside and Ridgetop Protection Plan (HRPP) to this site, the recommended density should be limited to about 3.7 du/ac. Since the current zoning density already exceeds that, staff can not support this request to increase the density.

COMMENTS:

NOTE: The rezoning requests 8-I-15-RZ and 8-J-15-RZ are from the same applicant and both properties are proposed to be part of the same development.

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. The current PR zoning is the most appropriate residential zone for this site, because of its flexibility in lot sizes, and the ability to cluster development in the more suitable areas of the site. The developer should make every attempt to preserve existing trees on the site and keep development off of the steepest slopes.
2. The site is adjacent to a larger parcel that was rezoned PR at up to 6 du/ac earlier this year. However, staff had recommended a density of up to 3 du/ac on that site because of the slope characteristics. Both MPC and Knox County Commission approved a density of up to 6 du/ac. Because of the similar slope constraints of this site, staff can not recommend a higher density.
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 elements 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 current density will allow the property to be developed, but will require use on review development plan approval by MPC prior to construction. The current density gives the applicant reasonable use of the site, with the opportunity to protect the steeper slopes that make up almost a quarter of the site.
2. Based on the calculated 9.78-acre size of the property, the proposed PR zoning at a density of up to 6 du/ac would allow for a maximum of 58 dwelling units to be proposed for the site. That number of detached units would add approximately 585 vehicle trips per day to the street system and would add approximately 11 children under the age of 18 to the school system. The current density of up to 4 du/ac would allow for a maximum of 39 dwelling units to be proposed for the site. That number of detached units would add approximately 409 vehicle trips per day to the street system and would add approximately 7 children under the age of 18 to the school system.
3. Hardin Valley Rd. is a 4-lane, median-divided, minor arterial street with sufficient capacity to support low density residential development of this site.
4. PR zoning at the current density is compatible with the scale and intensity of the surrounding development and zoning pattern, and also considers the slope constraints of the property. The proposed density of 6 du/ac would not conform with the slope protection policies of the HRPP.
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 medium density residential uses with slope protection, consistent with the current PR zoning and density. Staff ran a slope analysis (attached) on the site which revealed that 39% of the site consists of slopes greater than 15%. The current density is slightly more than the residential density recommendations of the HRPP.
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 on other A-zoned properties in the area, consistent with the sector plan proposal for 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.

ESTIMATED TRAFFIC IMPACT: 585 (average daily vehicle trips)

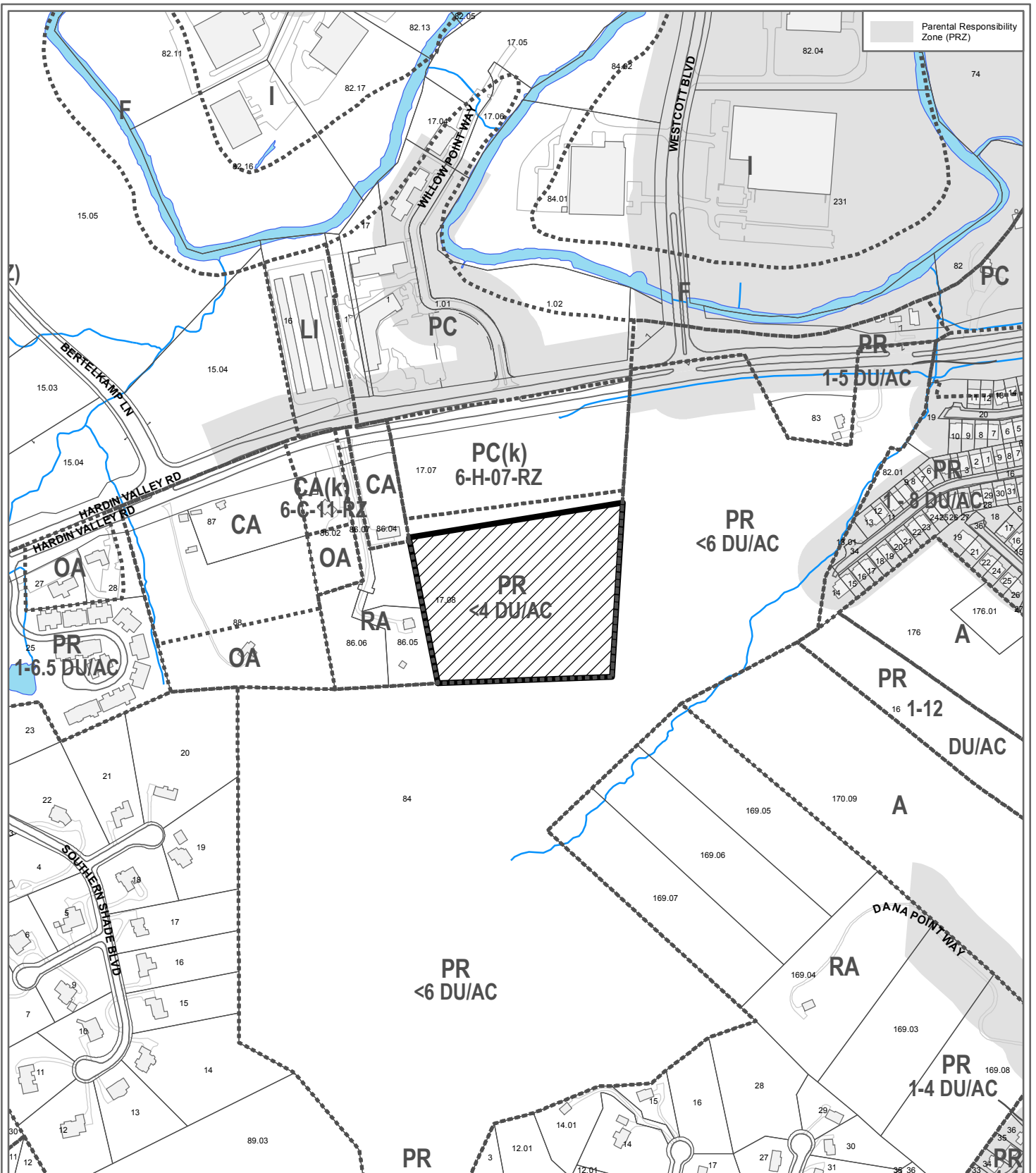
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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 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-J-15-RZ
REZONING**

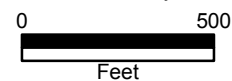
From: PR (Planned Residential) at up to 4 du/ac
 To: PR (Planned Residential) at up to 6 du/ac



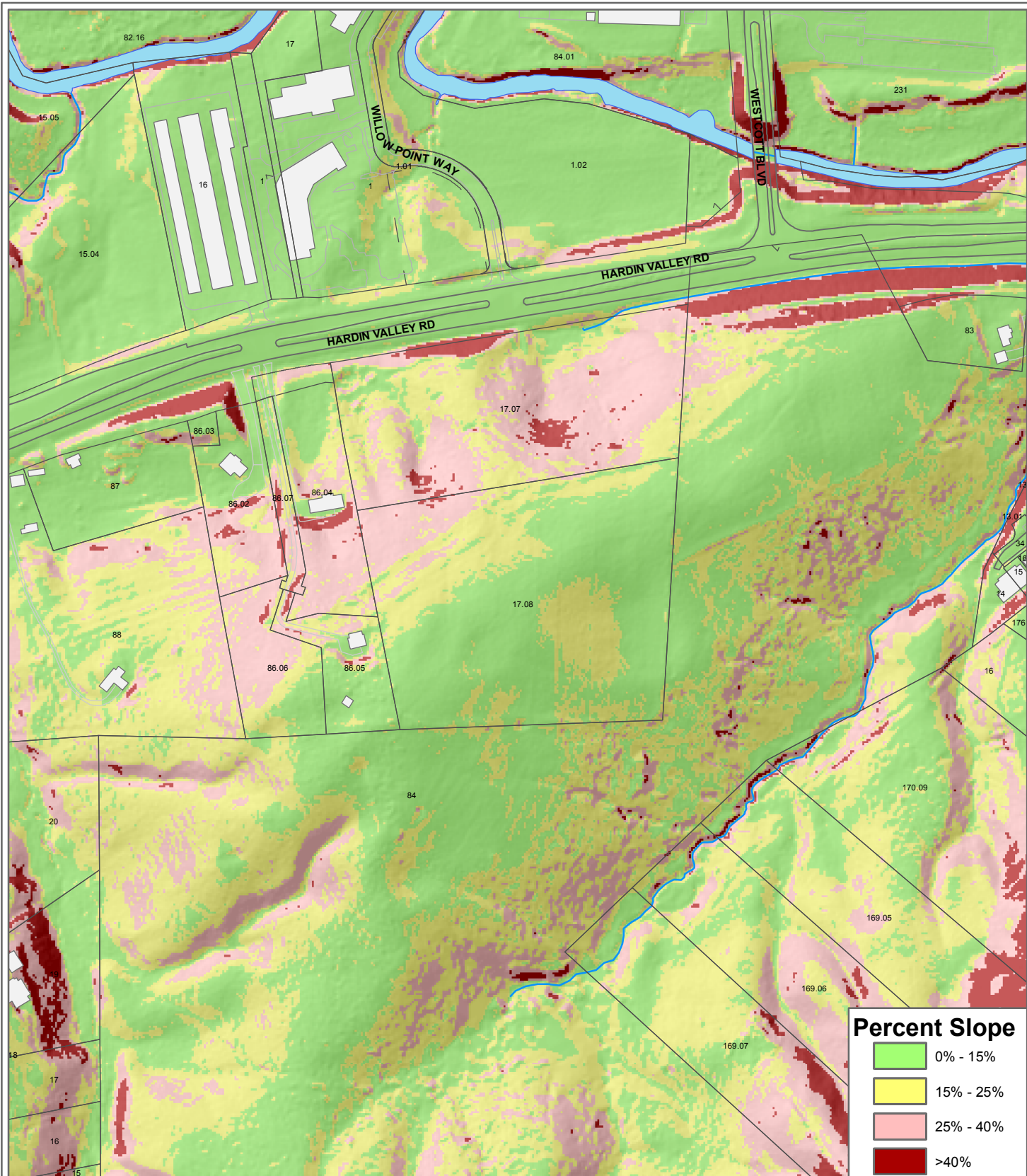
Petitioner: Shady Glen LLC

Map No: 104

Jurisdiction: County



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



**8-J-15-RZ
REZONING - SLOPE ANALYSIS**

From: PR (Planned Residential) @ <4 DU/AC

To: PR (Planned Residential) @ <6 DU/AC

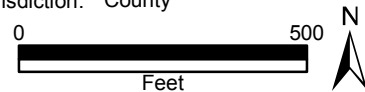


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MPC STAFF - SLOPE / DENSITY ANALYSIS
8-J-15-RZ / SHADY GLEN LLC / PR (4 du/ac) to PR (6 du/ac)

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0	5.00	0.0
0-15% Slope	5.97	5.00	29.9
15-25% Slope	2.98	2.00	6.0
25-40% Slope	0.81	0.50	0.4
Greater than 40% Slope	0.02	0.20	0.0
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	9.78		36.2
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	9.78	3.70	36.2
Proposed Density (Applicant)	9.78	6.00	58.7

From Hillside & Ridgetop Protection Plan, page 33

LOW DENSITY AND RURAL RESIDENTIAL USES

Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines
for Recommendations on Changes to the Zoning Map and Development Plan/
Concept Plan Review within the Hillside and Ridgetop Protection Area
that is within the Urban Growth and the Planned Growth Area

<i>Percent of Slope</i>	<i>Recommended Maximum Density Factor*</i>	<i>Recommended Maximum Land Disturbance Factor**</i>
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

dua: dwelling units per acre

* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

*** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 – 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.

The Knoxville Knox County Hillside and Ridgetop Protection Plan — 33

8-J-15-RZ Slope Analysis

			Acreage
Non-Hillside Portions			0
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	10406	5.97
2	15%-25%	5194	2.98
3	25%-40%	1412	0.81
4	>40%	30	0.02
			9.78
Ridgetop Area			0
Site Total			9.78