



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

▶ **FILE #:** 12-B-15-RZ
12-B-15-SP

AGENDA ITEM #: 34
AGENDA DATE: 12/10/2015

▶ **APPLICANT:** CHAMPION CONSTRUCTION, LLC
OWNER(S): Thomas C. Beeler

TAX ID NUMBER: 89 121 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 3004 Solway Rd

▶ **LOCATION:** Northeast side Solway Rd., southeast of George Light Rd.

▶ **TRACT INFORMATION:** 15.49 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Solway Rd., a minor collector street with 21' of pavement width within 40-75' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** ROW (Right-of-Way) & MU-SD (Mixed Use Special District) - (NW-Co-7) / BP (Business and Technology) / TO (Technology Overlay) and F (Floodway) / TO

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

DENSITY PROPOSED: 4 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: TTCDA denied a Certificate of Appropriateness for rezoning from BP/TO to PR/TO at 5 du/ac on 5/5/14 (5-B-14-TOR).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Beaver Creek - ROW - F (Floodway) / TO (Technology Overlay)

South: Business - ROW - BP (Business & Technology Park) / TO

East: Pellissippi Parkway right-of way - ROW - BP (Business & Technology Park) / TO

West: Solway Rd., Vacant land - MU-SD (NW-Co-7) - A (Agricultural) / TO

NEIGHBORHOOD CONTEXT: This area is sparsely developed with agricultural and rural to low density residential uses under A, PR and RA zoning, all within the TO overlay. There is a business to the south of the subject property, zoned BP/TO.

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. This is especially important on properties that front on and have exposure from Pellissippi Parkway, as is the case with this property. All of the properties between Solway Rd. and Pellissippi Parkway are appropriately proposed for either office or technology park uses on the Northwest County Sector Plan update, which is currently in progress. Also, the interchange of Pellissippi Parkway, Oak Ridge Highway and Solway Rd., to the north, is proposed to be improved by TDOT in the near future. These improvements will improve access to this site for appropriate technology park or office uses.

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

In keeping with the intent and mission of the Technology Corridor, the areas zoned BP/TO should be maintained. This is especially important on properties that front on and have exposure from Pellissippi Parkway, as is the case with this property. The proposed PR zoning at this location would compromise the potential for future business and technology park uses on this and surrounding BP/TO-zoned sites. TTCDA denied a Certificate of Appropriateness for rezoning from BP/TO to PR/TO at 5 du/ac on 5/5/14 (5-B-14-TOR). MPC has not considered rezoning of this property in the past. If approved, future residential property owners may oppose appropriate business and technology park uses on the other nearby BP/TO zoned properties, which would require use on review plan approval at a public meeting.

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 Solway Rd. The road width is sufficient to accommodate either office, technology park or low density residential uses.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan designates this site as ROW (Right-of-way). The current plan was adopted in 2003, when TDOT was proposing this area as part of the right-of-way for the proposed Orange Route. That project is no longer being considered. The Northwest County Sector Plan is currently being updated and is proposed for either Technology Park or Office uses. The TTCDA Comprehensive Development Plan, updated in 2008, proposes Technology Park uses, consistent with the current BP/TO zoning. 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 west, outside of the Technology Corridor. No residential uses have been established on land that lies between Solway Rd. and Pellissippi Parkway, which run approximately parallel to each other, no more than 800 feet apart.

REZONING COMMENTS

Staff is recommending denial of the rezoning request to PR for the reasons above and below. However, since the majority of the site is shown as hillside protection on the sector plan, a slope analysis was produced in order to determine appropriate density if the site were to be rezoned to PR. The slope map, analysis and calculations are attached. With application of the recommended guidelines of the Hillside and Ridgetop Protection Plan, the residential density should not exceed 3.66 du/ac. If MPC or County Commission is inclined to approve the requested PR zoning, this recommended density should be considered.

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 adjacent to a business to the south, zoned BP/TO. 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 north and west, but those areas are further away from Pellissippi Parkway, and most are 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 may 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 BP/TO-zoned sites between Solway Rd. and Pellissippi Parkway.
2. PR zoning is not consistent with the surrounding zoning and development pattern within the Technology Overlay.
3. The requested density of 4 du/ac would allow for a maximum of 61 dwelling units to be proposed for the site. That number of detached units, would add approximately 658 vehicle trips per day to the street system and would add approximately 32 children under the age of 18 to the school system.

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 7, 2015 (12-A-15-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: 658 (average daily vehicle trips)

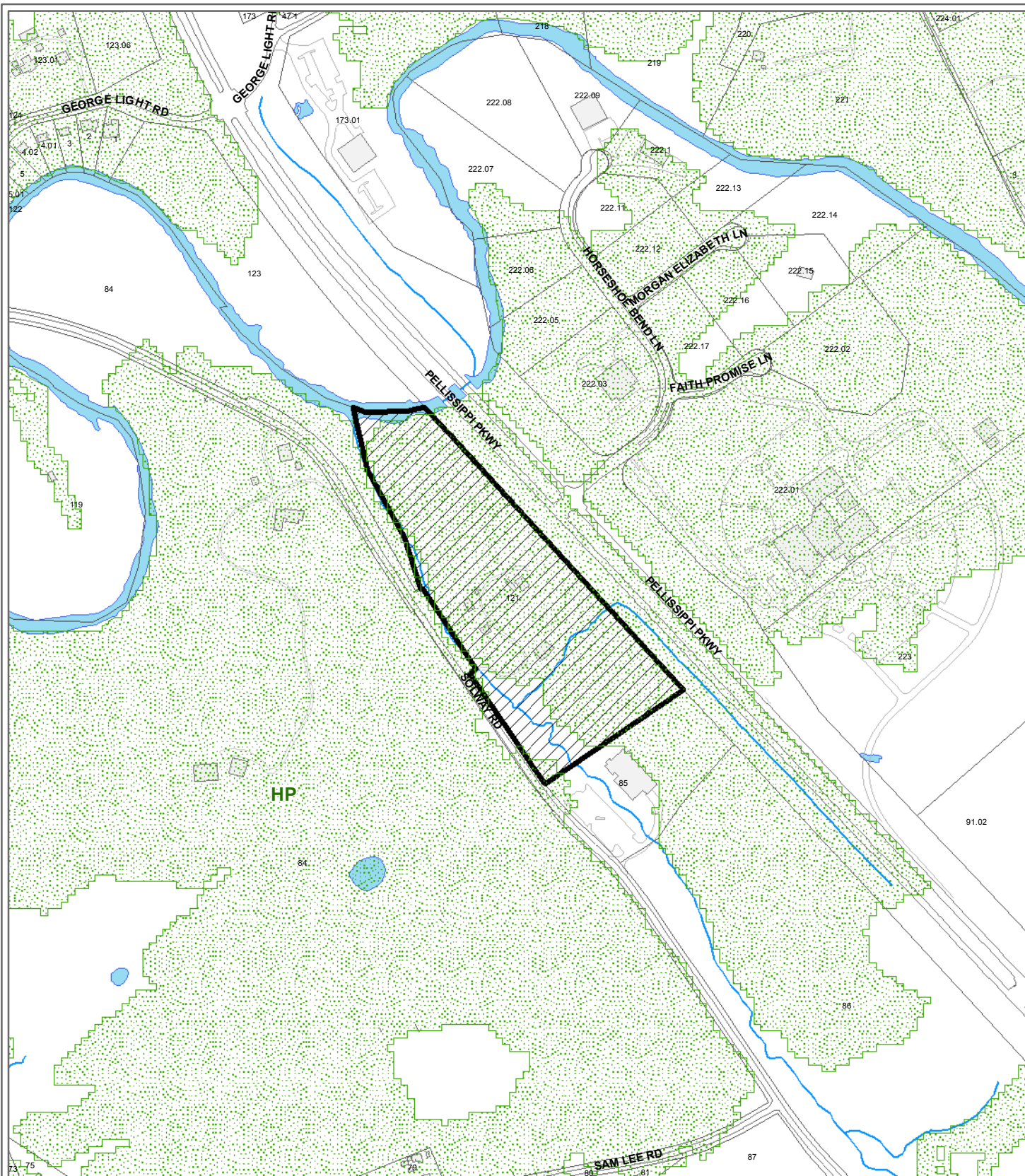
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 32 (public and private school children, ages 5-18 years)

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

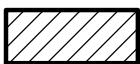
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students 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 1/25/2016. 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-B-15-SP / 12-B-15-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Champion Construction, LLC

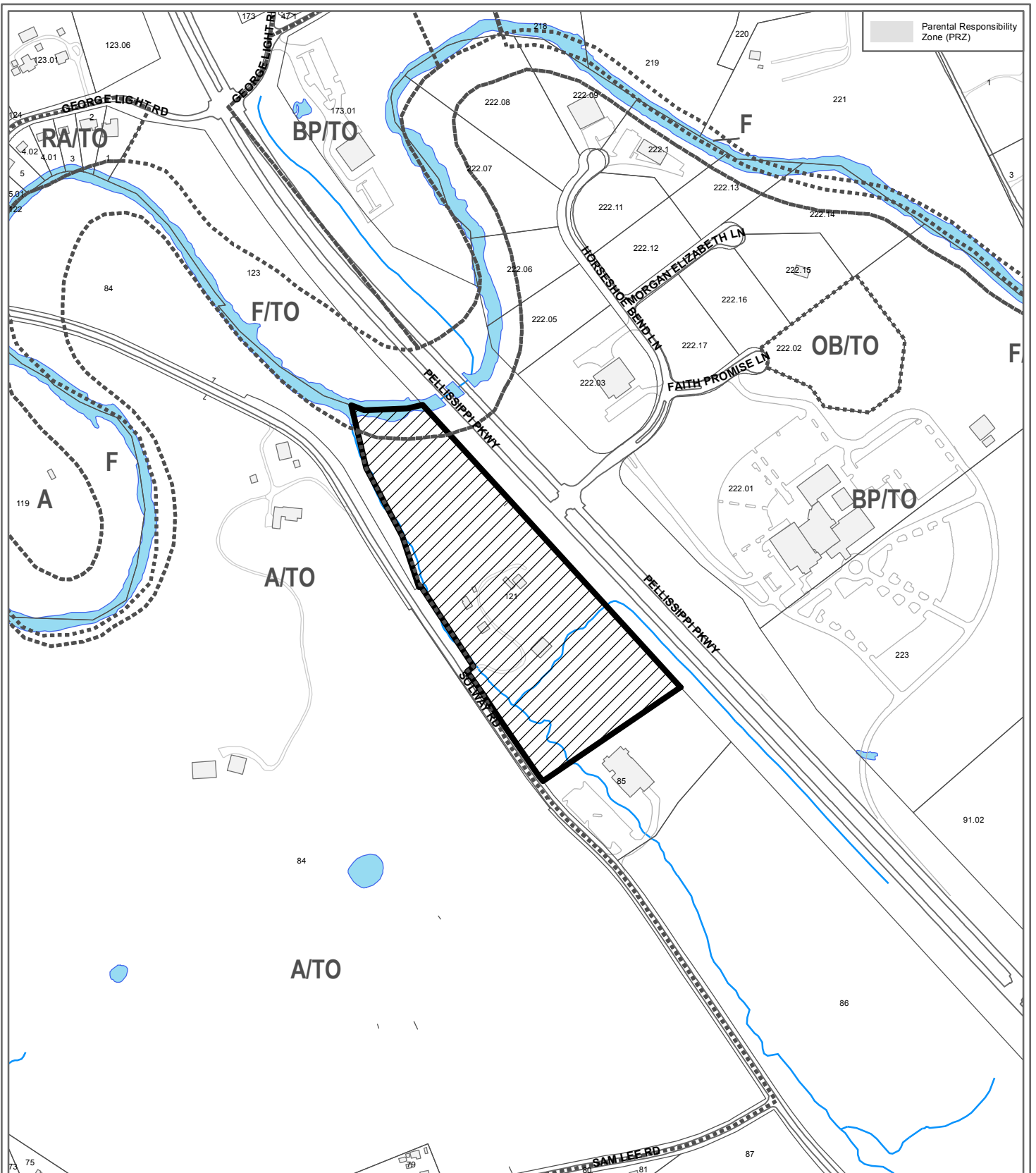


From: ROW (Right-of-Way) & MU-SD (Mixed Use Special District) - (NW-Co-7)
To: LDR (Low Density Residential)

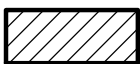
Map No: 89
Jurisdiction: County

Original Print Date: 11/20/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**12-B-15-RZ
REZONING**

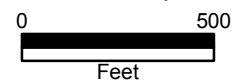


From: BP (Business and Technology) / TO (Technology Overlay) and F (Floodway) / TO
 To: PR (Planned Residential) / TO (Technology Overlay) and F (Floodway) / TO

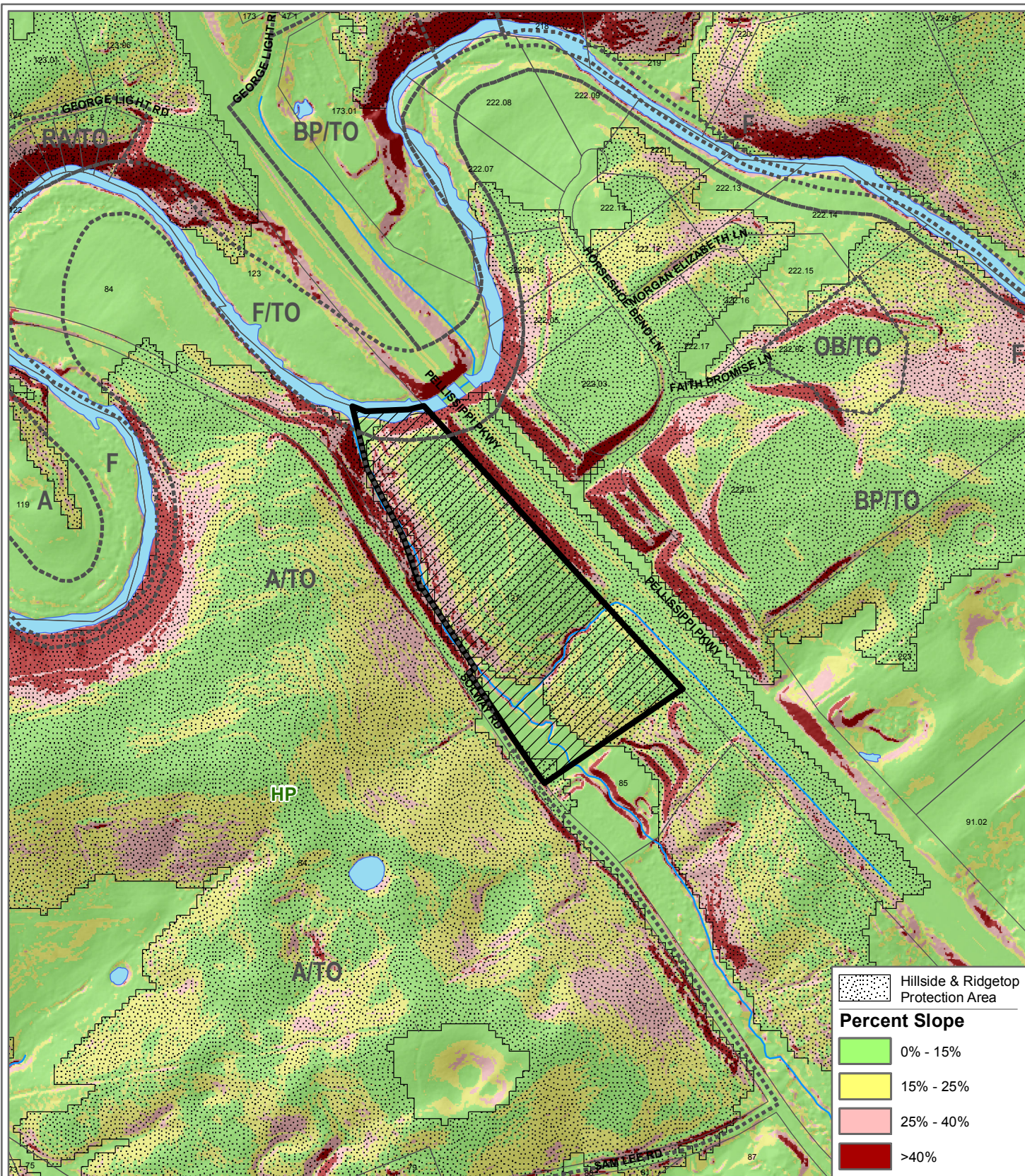
Petitioner: Champion Construction, LLC

Map No: 89

Jurisdiction: County



Original Print Date: 11/20/2015 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**12-B-15-RZ
REZONING - SLOPE ANALYSIS**

From: BP (Business and Technology) / TO (Technology Overlay) and F (Floodway) / TO
 To: PR (Planned Residential) / TO (Technology Overlay) and F (Floodway) / TO



Original Print Date: 11/18/2015 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Champion Construction, LLC

Map No: 89
 Jurisdiction: County



12-B-15-RZ Slope Analysis

			Acreage
Non-Hillside Portions			2.29
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	13238	7.60
2	15%-25%	6121	3.51
3	25%-40%	2694	1.55
4	>40%	1238	0.71
			13.37
Ridgetop Area			0
Site Total			15.66

**MPC STAFF - SLOPE / DENSITY ANALYSIS
12-B-15-RZ / CHAMPION CONSTRUCTION / A to PR**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	2.29	5.00	11.5
0-15% Slope	7.6	5.00	38.0
15-25% Slope	3.51	2.00	7.0
25-40% Slope	1.55	0.50	0.8
Greater than 40% Slope	0.71	0.20	0.1
Ridgetops	0	0.00	0.0
Subtotal: Sloped Land	13.37		45.9
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	15.66	3.66	57.4
Proposed Density (Applicant)	15.66	5.00	76.0

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.