



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

▶ **FILE #:** 1-D-15-RZ
2-D-15-SP

AGENDA ITEM #: 28
AGENDA DATE: 2/12/2015

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

TAX ID NUMBER: 104 084 SOUTH OF HARDIN VALLEY RD. ONLY [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 10105 Hardin Valley Rd

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

▶ **TRACT INFORMATION:** 77.36 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 PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & SLPA (Slope Protection Area) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR/O (Medium Density Residential/Office) & SLPA (Slope Protection Area) / OB (Office, Medical, and Related Services) & PR (Planned Residential)

▶ **EXISTING LAND USE:** House and vacant land

▶ **PROPOSED USE:** Residential and office development

DENSITY PROPOSED: 6 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Hardin Valley Rd. - Westbridge Business Park entrance / LI, STPA / I (Industrial)

South: Residential subdivision / LDR, SLPA / RA (Low Density Residential)

East: Condominiums and vacant land / LDR, SLPA / PR (Planned Residential), RA (Low Density Residential) and A (Agricultural)

West: Vacant land and residential subdivision / LDR, SLPA / A (Agricultural), PC (Planned Commercial) and PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This site is located just east of the mixed use development that has occurred along Hardin Valley Rd., east of Pellissippi Parkway.

STAFF RECOMMENDATION:

- ▶ **DENY the request to amend the future land use map of the Northwest County Sector Plan to MDR/O (Medium Density Residential/Office) land use classification.**

The slope characteristics of the site make it inappropriate for office or medium density residential uses. About 19 acres of the site has slopes of more than 25%. The current plan designation of Low Density Residential and Slope Protection is appropriate for this site and should be maintained. Higher intensity uses are primarily proposed for and located to the west, closer to the interchange of Hardin Valley Rd. and Pellissippi Parkway.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac on the entire property. (Applicant requested a split of PR at 6 du/ac and OB zoning.)**

PR is an appropriate zone for residential development of this site and is consistent with the sector plan recommendation for the property, which is within the Planned Growth Area on the Growth Policy Plan. The recommended density of up to 3 du/ac is consistent with the slope protection recommendations of the Hillside and Ridgeway Protection Plan (HRPP) for residential densities and 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 road improvements have been made recently in the area. Hardin Valley Rd. is classified as a minor arterial street, and is sufficient to provide access for the proposed uses. However, the proposed land use designation of MDR/O is not appropriate for this particular site, which has significant slope characteristics. The vast majority of the site is shown within the hillside protection overlay on the sector plan.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan appropriately calls for low density residential and slope protection uses for this site. Based on the attached slope analysis, about 19 of the 77 acres has slopes of 25% or more.

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 low density residential uses are the most appropriate for development of this site. There have been some rezonings to the west to OB zoning, but those were on parcels closer to the interchange that were proposed for those uses by the sector plan.

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 appropriate properties for MDR/O development in the area are already designated as such on the sector plan map.

GENERAL COMMENTS

The slope analysis and calculations are based on an estimated area of about 77.36 acres for the site, which excludes the areas of the site that are within the public right-of-way of Hardin Valley Rd. Apparently, the subject property was split in two when Hardin Valley Rd. was constructed. The applicant has revised the application to exclude the portion of the site on the north side of Hardin Valley Rd. The revised application requests OB zoning on the southern portion of the site (about 56 acres) and PR zoning at a density of up to 6 du/ac on the northern portion of the site (the remaining 21.36 acres). The attached slope calculation table applies these acreages and applies densities of 12 du/ac to the OB portion and 6 du/ac to the PR portion. The 12 du/ac applied to the OB represents the maximum residential density that can be achieved in the OB zone. The OB zone allows multi-dwelling attached residential development at up to 12 du/ac as a permitted use by right, without any review by MPC. Strict application of the HRPP recommended guidelines yields a total of 232 units, for a density of 2.81 du/ac. Staff elected to round this number up to the recommended density of 3 du/ac, based on surrounding development and zoning, access to a 4-lane, minor arterial street and proximity to Pellissippi Parkway. The applicant has indicated to staff that he may be able to set aside about 22 acres of the site to be undisturbed and placed in a conservation easement. This HRPP contains a density bonus provision that allows a 10 percent bonus in number of units when this is done and another 10 percent bonus if

part of that conservation easement is approved for public access. The southern property line of the subject property is denoted on the Parks and Greenways plan as a "Ridge Conservation Corridor". Public access along the ridgeline could be possible in the future. If the applicant provides documentation showing that these two provisions can be met, then a 20% density bonus could be applied to the recommended 232 units, allowing up to 278 units to be considered in the overall development. This equates to a density of about 3.6 du/ac. This documentation would need to be provided in advance of final approval of the PR zoning and density. The density bonus provision from the HRPP and a copy of the greenway plan for this area is attached.

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, 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. The steepest area of this site appears to be southernmost portion along Beaver Ridge.
2. PR zoning is a logical extension of zoning from the east and the requested density is consistent with the sector plan proposal for the property. However, because of the slope constraints of the site, staff is recommending a lesser 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 recommended density will allow the property to be developed, but will require use on review development plan approval by MPC prior to construction.
2. Based on the calculated 77.36-acre reported size of the property, the proposed PR at up to 6 du/ac and OB zoning could allow as many as maximum of 800 dwelling units to be proposed for the site. Within the requested OB zoning district on about 56 acres, a density up to 12 du/ac (672 units) may be permitted without any review of plans by MPC. A density of greater than 12 du/ac may be considered in the OB zone, with use on review consideration by MPC. The remaining 21.36 acres of the site is requested for PR zoning at up to 6 du/ac, which would allow MPC consideration of up to 128 units. If developed with attached multi-dwelling units, 800 units would add approximately 6188 vehicle trips per day to the street system and would add approximately 185 children under the age of 18 to the school system. The recommended density of up to 3 du/ac would allow for a maximum of 232 dwelling units to be proposed for the site. That number of attached multi-dwelling units would add approximately 2033 vehicle trips per day to the street system and would add approximately 54 children under the age of 18 to the school system. If detached housing is proposed, these numbers would be slightly higher, as those uses generate more trips and school-aged children.
3. Hardin Valley Dr. is a 4 -lane, median divided, minor arterial street with sufficient capacity to support low density residential development of this site. The access to the proposed subdivision should be located to line up with Westcott Blvd. on the north side of Hardin Valley Rd. There is a traffic signal at this location which should provide safe access to the proposed subdivision. If more than 150 units are proposed, a secondary access point may be recommended. If more than 75 units are proposed, a traffic impact study will be required to be submitted as part of the development plan review.
4. PR zoning at the recommended 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 OB and PR zones 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 low density residential uses with some slope protection, consistent with the proposed PR zoning and density. Staff ran a slope analysis (attached) on the site which revealed that about 19 acres of the site consists of slopes greater than 25%. The recommended density is consistent with 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 in the future 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: 6188 (average daily vehicle trips)

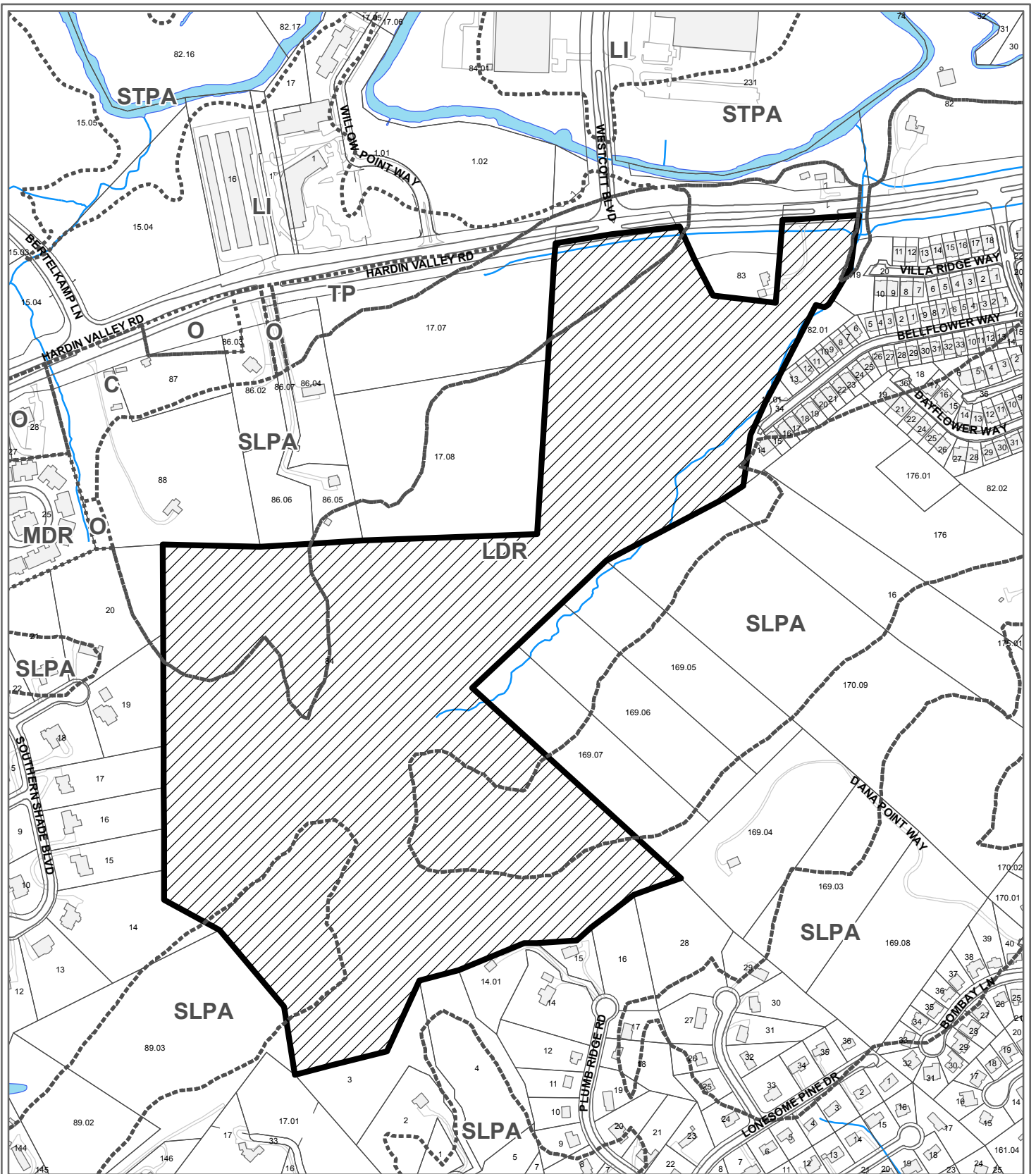
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 185 (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 3/23/2015. 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.



**2-D-15-SP / 1-D-15-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential) & SLPA (Slope Protection Area)

To: MDR/O (Medium Density Residential/Office) & SLPA (Slope Protection Area)



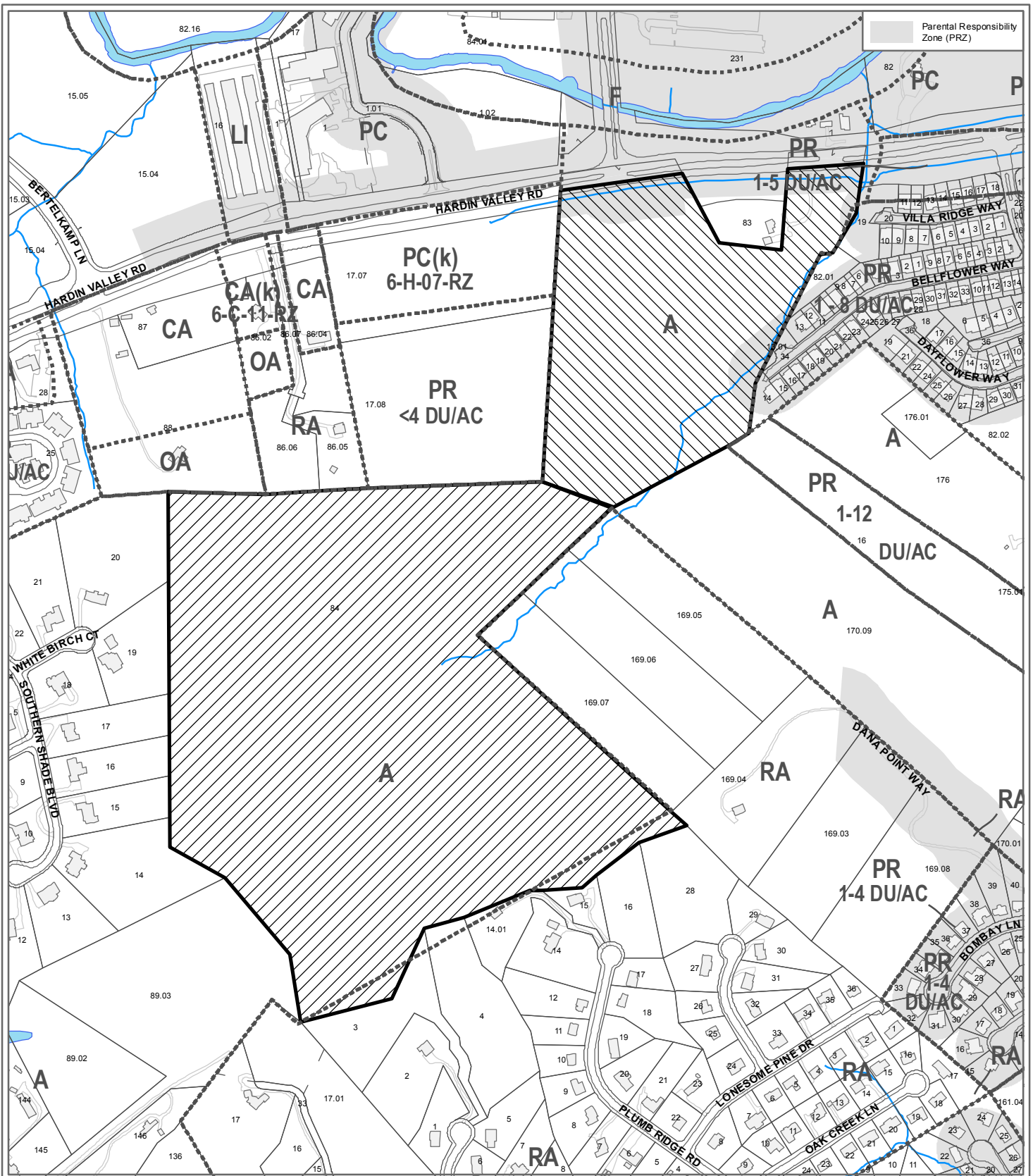
Petitioner: Mesana Investments, LLC

Map No: 104

Jurisdiction: City

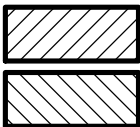


Original Print Date: 1/23/2015 Revised: 1/27/2015
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**1-D-15-RZ_Applicant
REZONING**

Petitioner: Mesana Investments, LLC

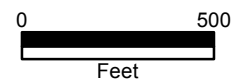


From: A (Agricultural) to OB (Office, Medical, and Related Services)

From: A (Agricultural) to PR (Planned Residential)

Map No: 104

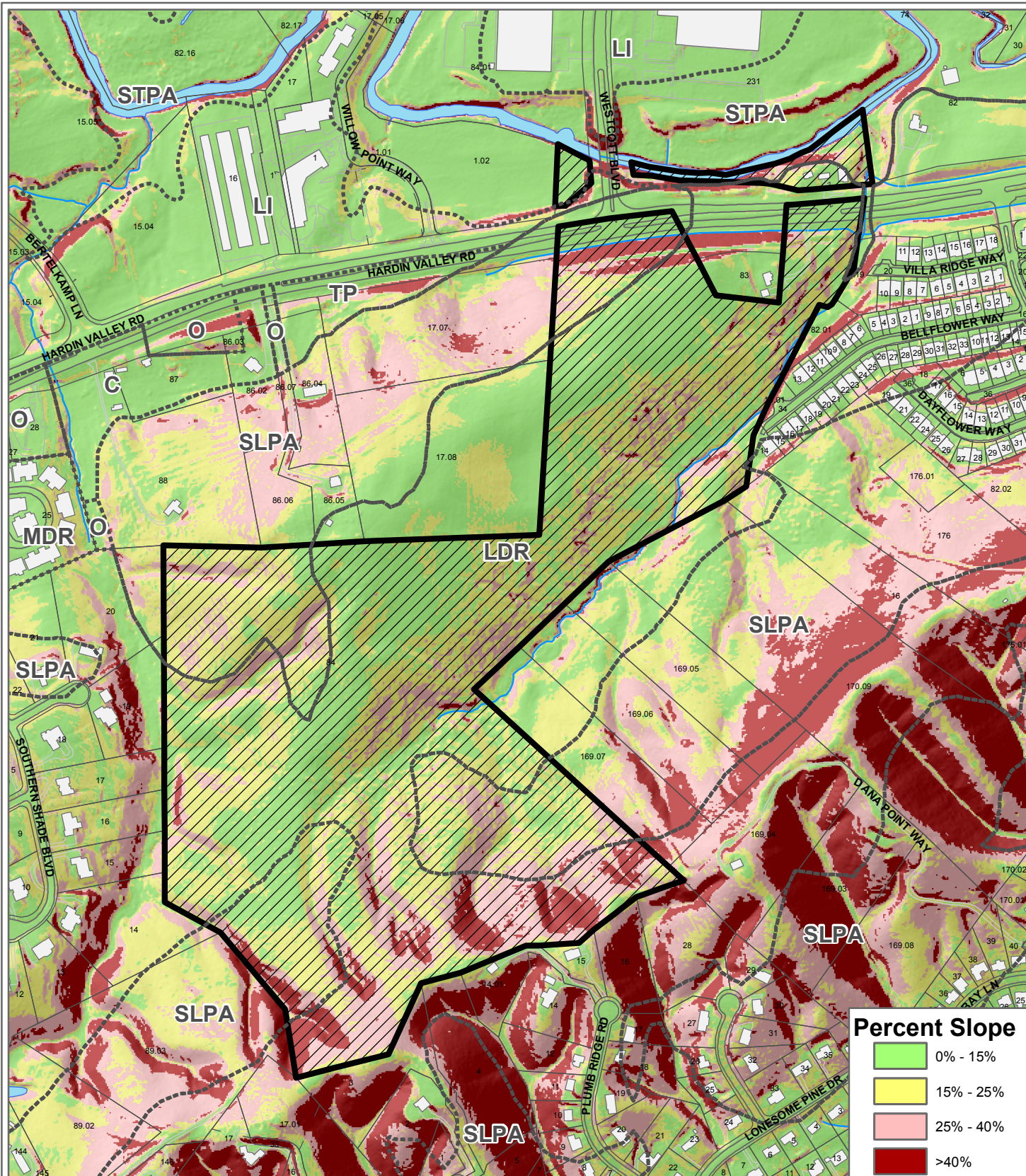
Jurisdiction: County



Original Print Date: 1/27/2015

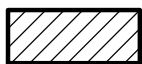
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**1-D-15-RZ
REZONING - SLOPE ANALYSIS**

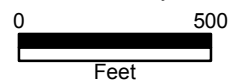
From: A (Agricultural)
To: PR (Planned Residential)



Original Print Date: 12/30/2014 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Mesana Investments, LLC

Map No: 104
Jurisdiction: County



1-D-15-RZ Slope Analysis

			Acreage
Non-Hillside Portions			9.83
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	36741	21.09
2	15%-25%	47762	27.41
3	25%-40%	25136	14.43
4	>40%	8020	4.60
			67.53
Ridgetop Area			0
Site Total			77.36

**MPC STAFF - SLOPE / DENSITY ANALYSIS
1-D-15-RZ / MESANA INVESTMENTS / A to PR/OB**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	9.83	5.00	49.2
0-15% Slope	21.09	5.00	105.5
15-25% Slope	27.41	2.00	54.8
25-40% Slope	14.43	0.50	7.2
Greater than 40% Slope	4.6	0.20	0.9
Ridgetops	0	0.00	0.0
Subtotal: Sloped Land	67.53		168.4
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	77.36	2.81	217.6
Proposed Density (Applicant)	77.36	varies	800.0

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

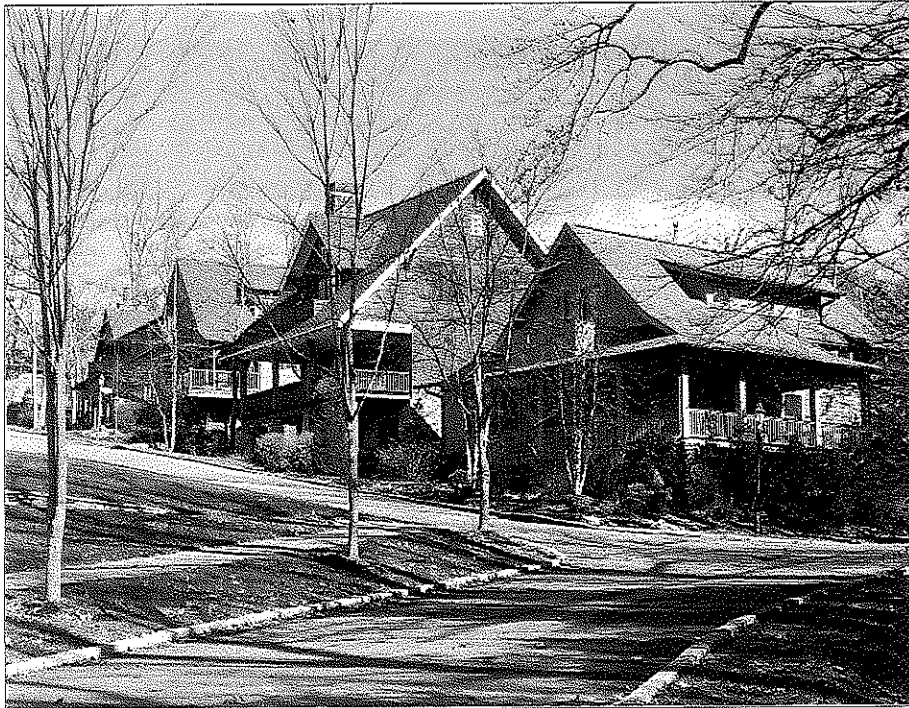
* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered 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.

Density Bonus Provision

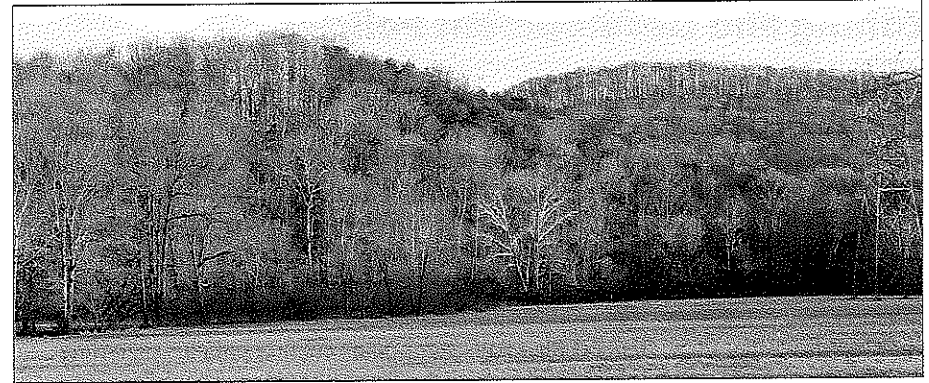
The density on the site may be raised in relation to the conservation of the steeper slopes and ridgetops that are part of a parcel. In cases relative to the Hillside and Ridgetop Protection Area, the planning commission may approve a density bonus of up to 10 percent of the total units allowed in the base density when a conservation easement is placed on an undisturbed steep hillside or ridgetop portion of a parcel. An additional bonus density of 10 percent of that allowed by the base density may be approved when public access, such as a trail easement, is provided within the conservation easement. This bonus provision should be made available within a planned residential development and in a conservation subdivision.



An example of clustered housing on a modest slope in Black Mountain, North Carolina. This approach enabled the conservation of steep hillsides nearby. Note the small front yards and use of earth tone colors, chosen to help the houses blend with the natural terrain.

Density/Intensity Outside the Hillside Protection Area

The land below the Hillside and Ridgetop Protection Area, which contains more than 200,000 acres or about 60 percent of the county, would be suitable for those uses proposed by the General Plan and individual sector plans, and that are consistent with the Growth Policy Plan. As such, density and intensity would be regulated by those particular plans.



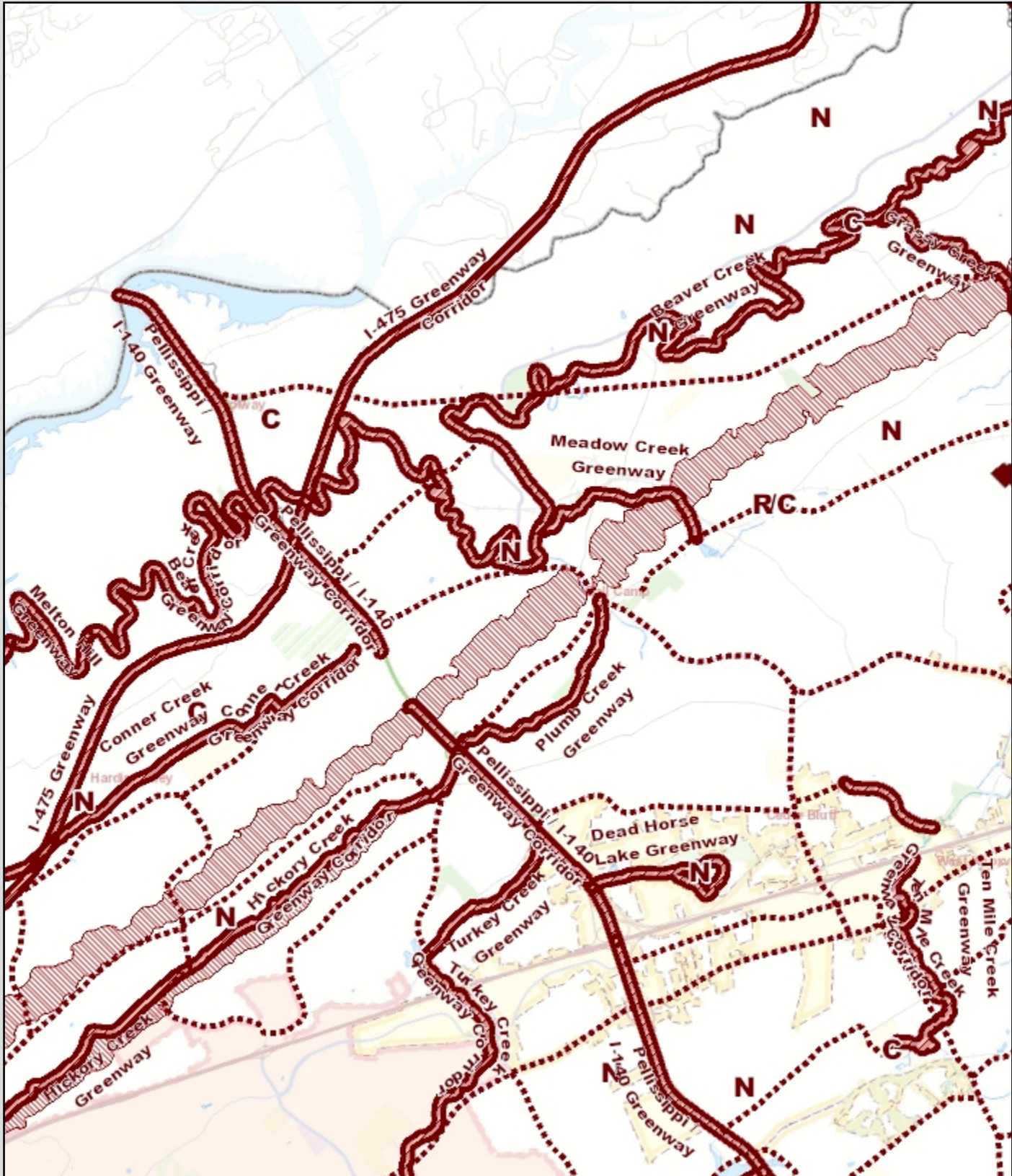
Some hillsides are very steep like the north face of Copper Ridge, which has slopes in excess of 50 percent. Very low density residential uses and minimal forest clearing are recommended on such slopes.

Clearing and Grading Provision

Hillside and ridgetop development necessitates careful consideration of the forest cover on various types of slopes. Loss of that cover may lead to erosion, water quality and geotechnical problems. The natural beauty of a ridge is also lost with wholesale destruction of hillsides. The clearing limits for rezoning cases, and subdivision and site plan review processes are shown in Table 3. In reviewing rezoning requests, concept and site plans, it may be necessary to note the steepest slopes of a parcel for conservation purposes. Clearing and grading should not be permitted until a development or clearing and grading plan has been approved.



This represents a good local example where clearing was limited around a ridgetop house, providing views for the owner and maintenance of the surrounding forest.



My Map

My Notes

0 3080 6160 12320



Feet

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