

▶ **FILE #:** 10-P-15-RZ

AGENDA ITEM #: 49

AGENDA DATE: 10/8/2015

▶ **APPLICANT:** ROBERT BYRNE

OWNER(S): Robert Byrne

TAX ID NUMBER: 92 09302

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 5311 McKamey Rd

▶ **LOCATION:** Northwest side McKamey Rd., north of Amherst Rd.

▶ **APPX. SIZE OF TRACT:** 15.92 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via McKamey Rd., a major collector street with 19' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** School, dwelling

▶ **PROPOSED USE:** School, assisted living facility, independent senior living

DENSITY PROPOSED: 5 du/ac

EXTENSION OF ZONE: Not an extension of PR, but property is adjacent to RP-1 and RA zoning.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential subdivision / RP-1 (Planned Residential)

South: McKamey Rd., vacant land / A (Agricultural)

East: Vacant land and house / A (Agricultural)

West: Residential subdivision / RP-1 (Planned Residential)

NEIGHBORHOOD CONTEXT: This area is developed primarily with low density residential uses under R-1, RP-1 and RA zoning. There is some A (Agricultural) zoned land to the south and east.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3.75 du/ac. (Applicant requested 5 du/ac)**

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 3.75 du/ac is consistent with the slope protection recommendations of the Hillside and Ridgetop Protection Plan (HRPP) for residential densities and development. At the requested density of 5 du/ac, the proposal exceeds (by 19 units) the maximum 57 units recommended in accordance with the HRPP guidelines.

COMMENTS:

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 is in the northern portion of the site.
2. PR zoning is a logical extension of similar zoning from the north and west 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 15.32-acre calculated size of the property, the proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 76 dwelling units to be proposed for the site. That number of attached units, as proposed, would add approximately 746 vehicle trips per day to the street system and would add approximately 14 children under the age of 18 to the school system. The recommended density of up to 3.75 du/ac would allow for a maximum of 57 dwelling units to be proposed for the site. That number of detached units would add approximately 576 vehicle trips per day to the street system and would add approximately 11 children under the age of 18 to the school system.
3. McKamey Rd. is a major collector street with sufficient capacity to support low density residential development of this site.
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 density of 5 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.
6. The applicant is proposing to retain the existing school on the site and to develop a new assisted living facility. The acreage dedicated to these uses may not be counted toward overall density for development of individual residential units on site. Staff has determined that the area of the on-site pond may be counted toward density, as long as the pond is maintained as an amenity on the proposed development plan.

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 1.2 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: 746 (average daily vehicle trips)

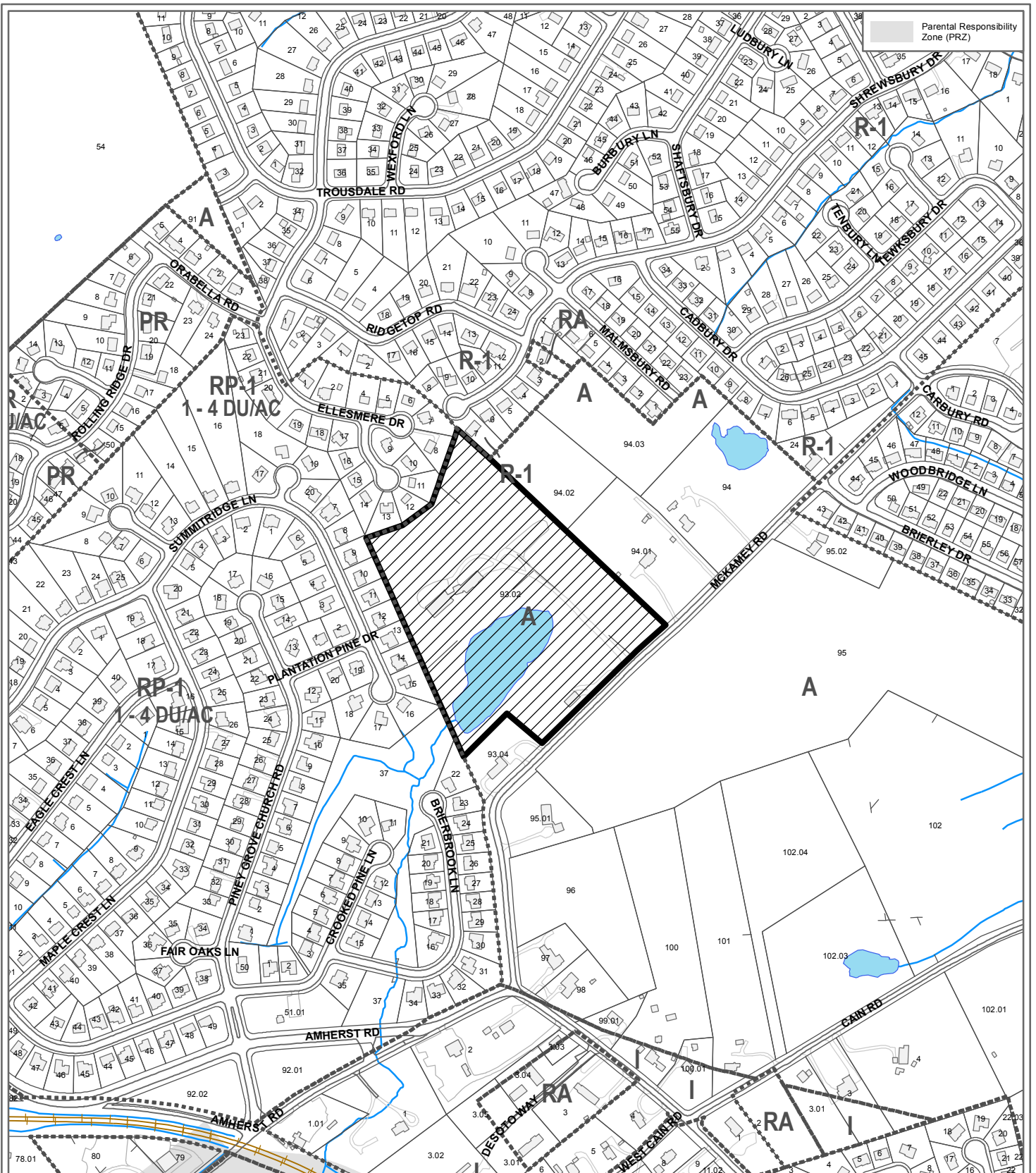
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 14 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Amherst Elementary, Northwest Middle, and Karns High.

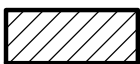
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students 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 11/16/2015. 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.



**10-P-15-RZ
REZONING**

Petitioner: Byrne, Robert

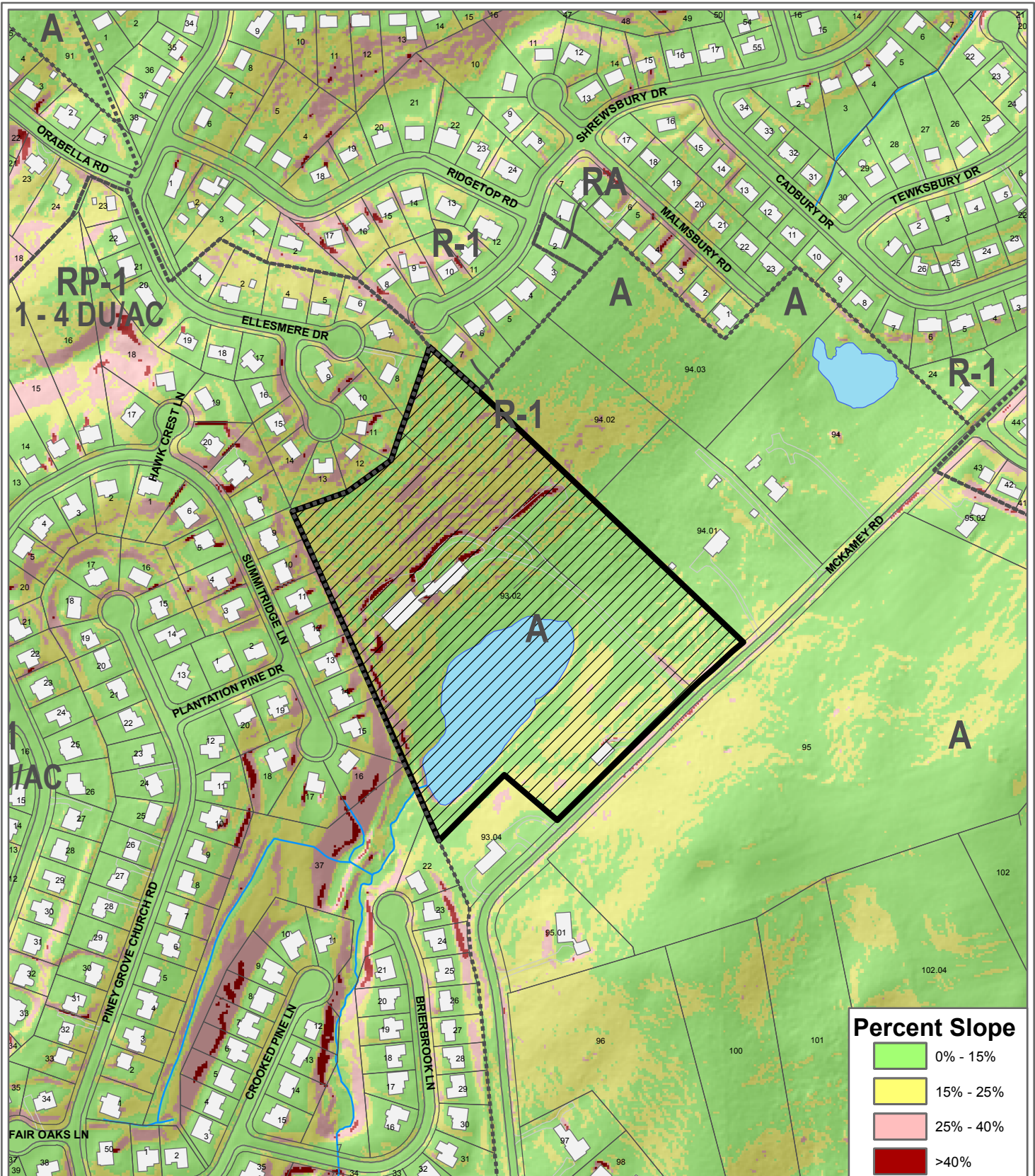


From: A (Agricultural)
To: PR (Planned Residential)

Map No: 92
Jurisdiction: County

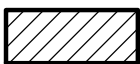


Original Print Date: 9/22/2015 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-P-15-RZ
REZONING - SLOPE ANALYSIS**

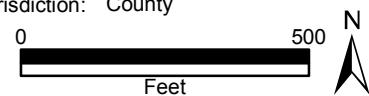
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**MPC STAFF - SLOPE / DENSITY ANALYSIS
10-P-15-RZ / ROBERT BYRNE / A to PR**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	7.23	5.00	36.2
0-15% Slope	2.31	5.00	11.6
15-25% Slope	4.61	2.00	9.2
25-40% Slope	1.01	0.50	0.5
Greater than 40% Slope	0.16	0.20	0.0
Ridgetops	0	0.00	0.0
Subtotal: Sloped Land	8.09		21.3
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	15.32	3.75	57.5
Proposed Density (Applicant)	15.32	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.

10-P-15-RZ Slope Analysis

			Acreage
Non-Hillside Portions			7.23
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	4032	2.31
2	15%-25%	8041	4.61
3	25%-40%	1760	1.01
4	>40%	282	0.16
			8.10
Ridgetop Area			0
Site Total			15.33