



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

▶ **FILE #:** 7-J-16-RZ
7-E-16-SP

AGENDA ITEM #: 26
AGENDA DATE: 8/11/2016

POSTPONEMENT(S): 7/14/2016

▶ **APPLICANT:** **HOMESTEAD LAND HOLDINGS, LLC**
OWNER(S): Homestead Land Holdings, LLC

TAX ID NUMBER: 129 126, 126.01 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 11952 Hardin Valley Rd

▶ **LOCATION:** **Southwest side Hardin Valley Rd., East of Marietta Church Rd.**

▶ **TRACT INFORMATION:** **107 acres.**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with a 22' pavement width within a 40' - 60' right-of-way, and Marietta Church Rd., a minor collector street with a 19' pavement width within a 40' of right-of-way.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **AG/RR (Agricultural/Rural Residential) / A (Agricultural)**

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

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Single family detached residential subdivision**

DENSITY PROPOSED: **2.0 du/ac**

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, from the north and northwest.

HISTORY OF ZONING REQUESTS: LDR sector plan designation was approved for the properties to the north and northwest in 2005 and 2006, and the properties were rezoned to PR up to 1.8 du/ac and up to 3 du/ac.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Agricultural, rural residential, detached houses / CA (General Business), A (Agricultural), PR (Planned Residential)

South: Rural residential and vacant / A (Agricultural)

East: Agricultural, rural residential / A (Agricultural)

West: Agricultural, rural residential / CA (General Business), A (Agricultural)

NEIGHBORHOOD CONTEXT: The surrounding area includes rural residential dwellings, farm structures, farmland and detached subdivisions under A and PR zoning. There is some

CA zoning to the intersection of Hardin Valley Rd. and Marietta Church Rd., which is not currently uses commercially, and southwest of the site, which is used for a body shop. Hardin Valley Elementary is approximately 1.5 miles to the east.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #7-E-16-SP, amending the Northwest County Sector Plan to LDR (Low Density Residential) and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

The subject site is classified as Rural Area by the Knoxville-Farragut-Knox County Growth Policy Plan, which allows consideration of densities between 1 and 2 dwelling units per acre if within a Low Density Residential (LDR) land use classification on the sector plan. If the sector plan remains unchanged, the maximum density is 1 dwelling unit per acre.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 1.5 du/ac. (Applicant requested 2 du/ac)**

PR zoning at the requested density is consistent with the recommended sector plan designation, if approved, and will allow uses compatible with the surrounding land uses and zoning pattern. Much of the site is constrained by steep slopes as shown in the slope/density analysis (attached). The recommended density is 1.5 du/ac, consistent with the recommendations of the Hillside and Ridgetop Protection Plan, and the Growth Policy Plan.

COMMENTS:

Several properties within the immediate vicinity along Hardin Valley Rd. and Hickory Creek Rd. have been approved for LDR sector plan designation and PR zoning, though those sites do have less steep slope constraints than the subject site. The slope analysis (see attached) shows that of the calculated 113.42 acres of the site, 101.72 acres are within the Hillside Protection Area and approximately 43 acres of which have slopes greater than 25 percent. The steep slopes on the property are a major concern regarding the request to change the sector plan, however, the associated request for Planned Residential (PR) zoning does require use-on-review approval of the development plan by the planning commission. This will allow consideration of how the development minimizes disturbance of the steepest slopes. The current Agricultural (A) zoning allows 1 acre lots with only concept plan review by the planning commission if new roads are proposed. This allows far less ability for the planning commission to review protections of steep slopes.

This property is within the Rural Area of the Growth Policy Plan which does allow consideration of PR zoning up to 2 du/ac subject to considerations based on the site's environmental characteristics. The Growth Policy Plan also allows consideration of up to 3 du/ac in the Rural Area if the property: 1) is zoned PR, 2) public sewer and water service is provided, 3) site is on a collector or arterial that connects with the Planned Growth Area (PGA) or Urban Growth Boundary (UGB), and 4) a traffic impact analysis demonstrates the road can accommodate the proposed and similar developments through to the PGA or UGB. The slope analysis performed by staff used 2 du/ac as the maximum density allowed, which resulted in a calculated density of 1.42 du/ac using the recommendations of the Hillside and Ridgetop Protection Plan, and staff is recommending 1.5 du/ac. The applicant was made aware that in order for staff to consider 3 du/ac as the maximum density allowed a traffic impact analysis would need to be submitted and its findings would need to state that the proposed project does not unreasonably impact traffic flow on Hardin Valley Drive. If 3 du/ac were used as the maximum density allowed to calculate a density based on the Hillside Plan recommendations, it would be 1.68 du/ac.

This property is not within a parental responsibility zone (PRZ) of the Knox County School system but sidewalks can be require on some or all of the roads during the use-on-review if the planning commission deems them necessary for the safety of pedestrians and children. At the intersection of Hardin Valley Rd. and Marietta Church Rd. there is approximately 10 undeveloped acres of land zoned CA (General Business) which could have neighborhood-oriented commercial businesses that are a short walking distance from the subject site. In addition, a neighborhood amenity could be required by the planning commission because of the number of dwelling units that could be developed if the rezoning is approved.

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:

1. Water and sewer utilities have been extended to this area and are available to this site.
2. Portions of Hardin Valley Rd. have been improved since the sector plan was updated in 2003, though not within the vicinity of the subject property.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is no obvious or significant error or omission in the sector plan, however, since 2003 there has been significant development activity in the Hardin Valley Rd. corridor, including two new schools and one more to be constructed soon.

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

1. The proposed land use is consistent with the policies of the Growth Policy Plan and General Plan, if the density of the site is no more than 2 dwelling units per acre.
2. There are two public schools within close proximity to this site, with one more to be constructed soon. The government has been active to provide needed services to this fast growing portion of the county.

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

1. There has been significant development activity in the Hardin Valley Rd. corridor, including two new schools and one more to be constructed soon.
2. There have been several sector plan amendments and rezoning's in the vicinity consistent with this request.
3. Several residential developments have been started or are completed within the vicinity of the subject site.

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 Hardin Valley Rd., a minor arterial street, and Marietta Church Rd., a minor collector street, and is in the vicinity of other residential developments that are zoned PR at comparable densities.
2. The property is located in the Rural Area on the Growth Policy Plan and, if approved, low density residential uses on the sector plan, consistent with the proposal. The Rural Area of the Growth Policy Plan allows consideration of up to 2 du/ac if the property is zoned PR.
3. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern.
4. Portions of Hardin Valley Rd. have been improved since the sector plan was updated in 2003, though not within the vicinity of the subject property.
5. There are two public schools within close proximity to this site, with one more to be constructed soon. The government has been active to provide needed services to this fast growing portion of the county.
6. 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.

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 2 du/ac on the 113.42 acres calculated (107 acres reported), up to 226 dwelling units could be proposed for the site. If developed with at the recommended density of up to 1.5 du/ac, up to 170 dwelling units could be proposed for the site.
2. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

ESTIMATED TRAFFIC IMPACT: 2087 (average daily vehicle trips)

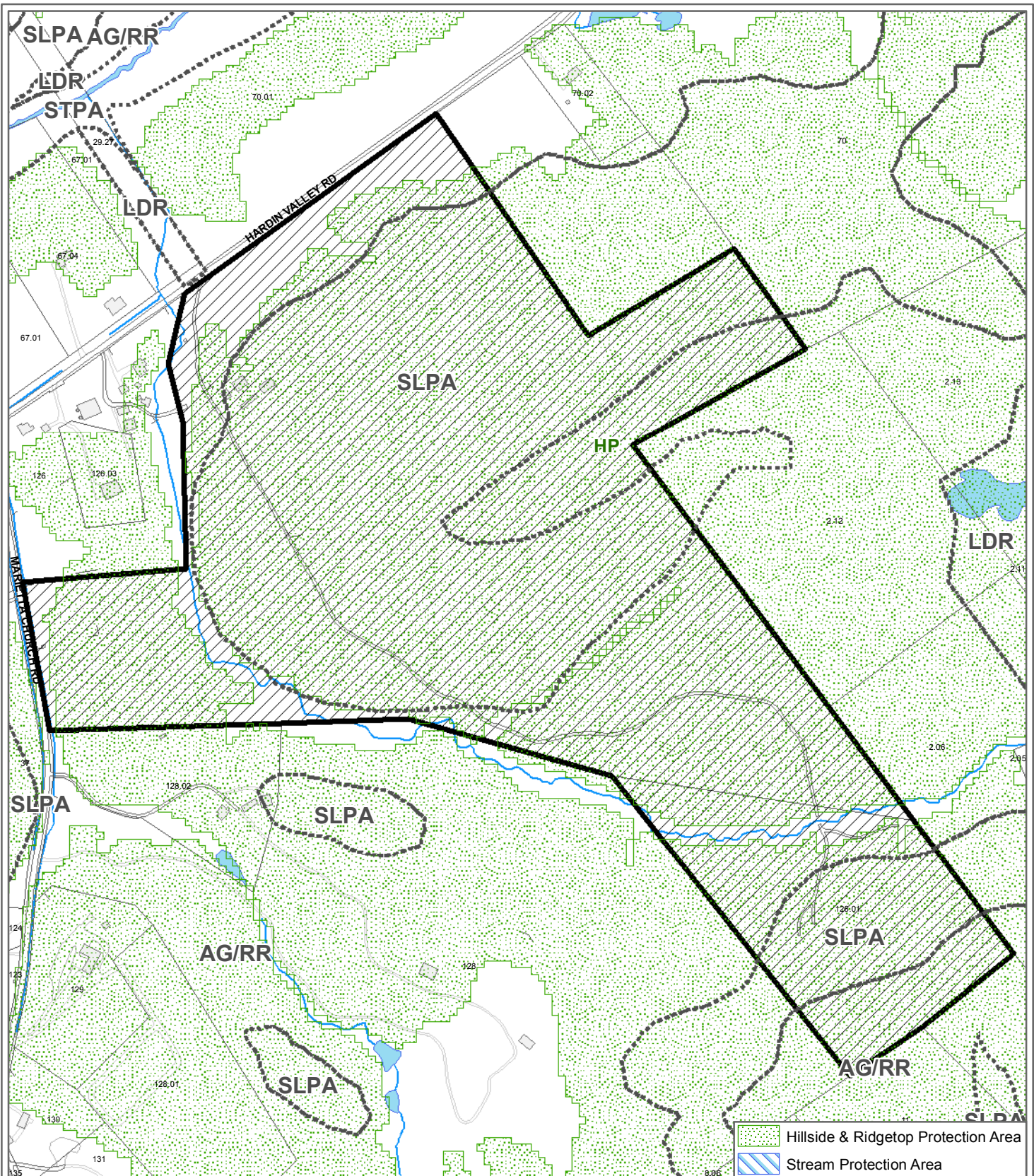
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 114 (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 9/26/2016. 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.



**7-E-16-SP
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

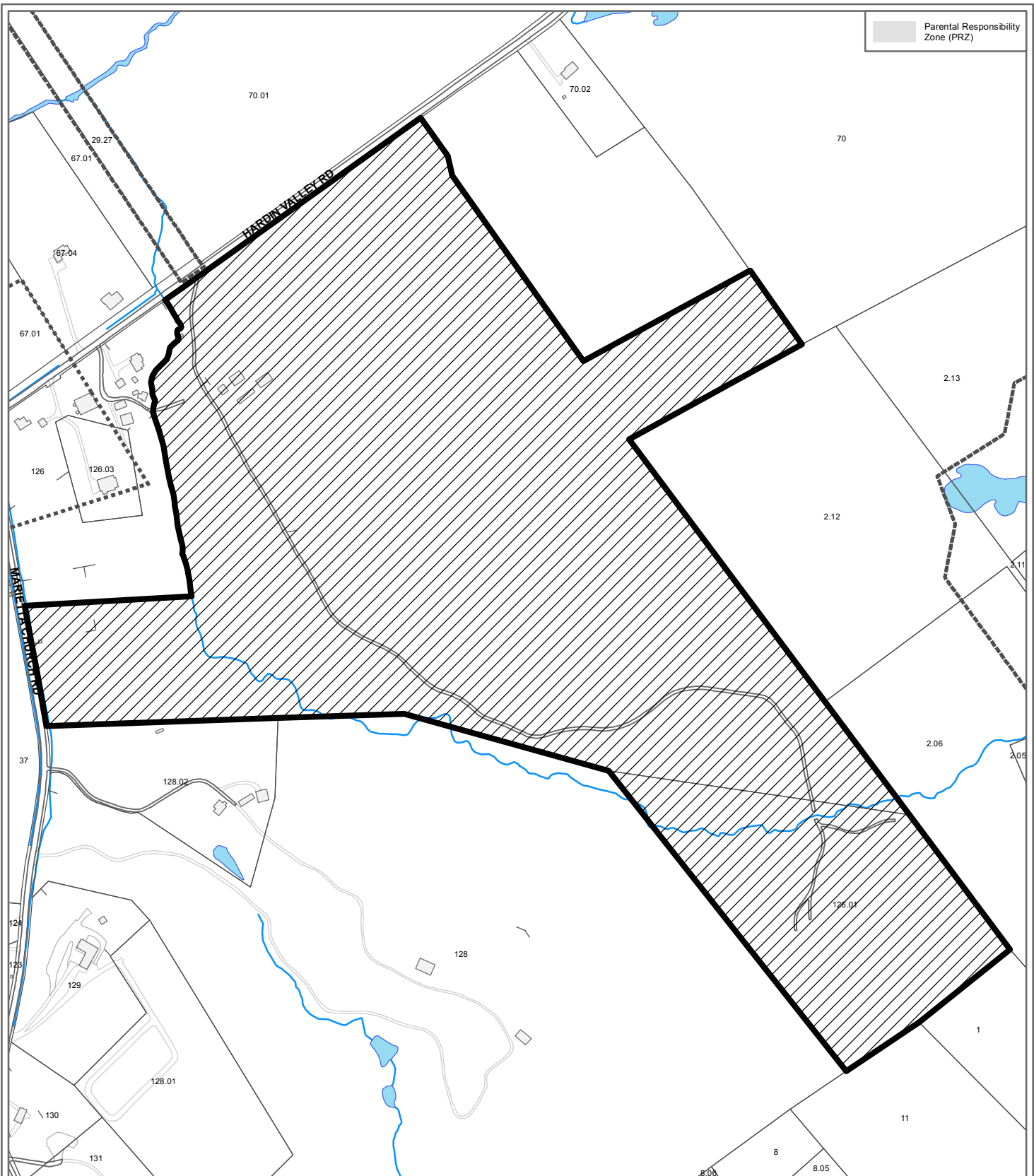
From: AG/RR (Agricultural/Rural Residential)
 To: LDR (Low Density Residential)



Petitioner: Homestead Land Holdings, LLC

Map No: 129
 Jurisdiction: County





**7-J-16-RZ
REZONING**

From: A (Agricultural)
To: PR (Planned Residential) up to 2 du/ac



Petitioner: Homestead Land Holdings, LLC

Map No: 129
Jurisdiction: County



Original Print Date: 6/23/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST COUNTY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northwest County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Homestead Land Holdings, LLC, has submitted an application to amend the Sector Plan from Agricultural/Rural Residential to Low Density Residential, for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on August 11, 2016, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northwest County Sector Plan, with its accompanying staff report and map, file #7-E-16-SP.

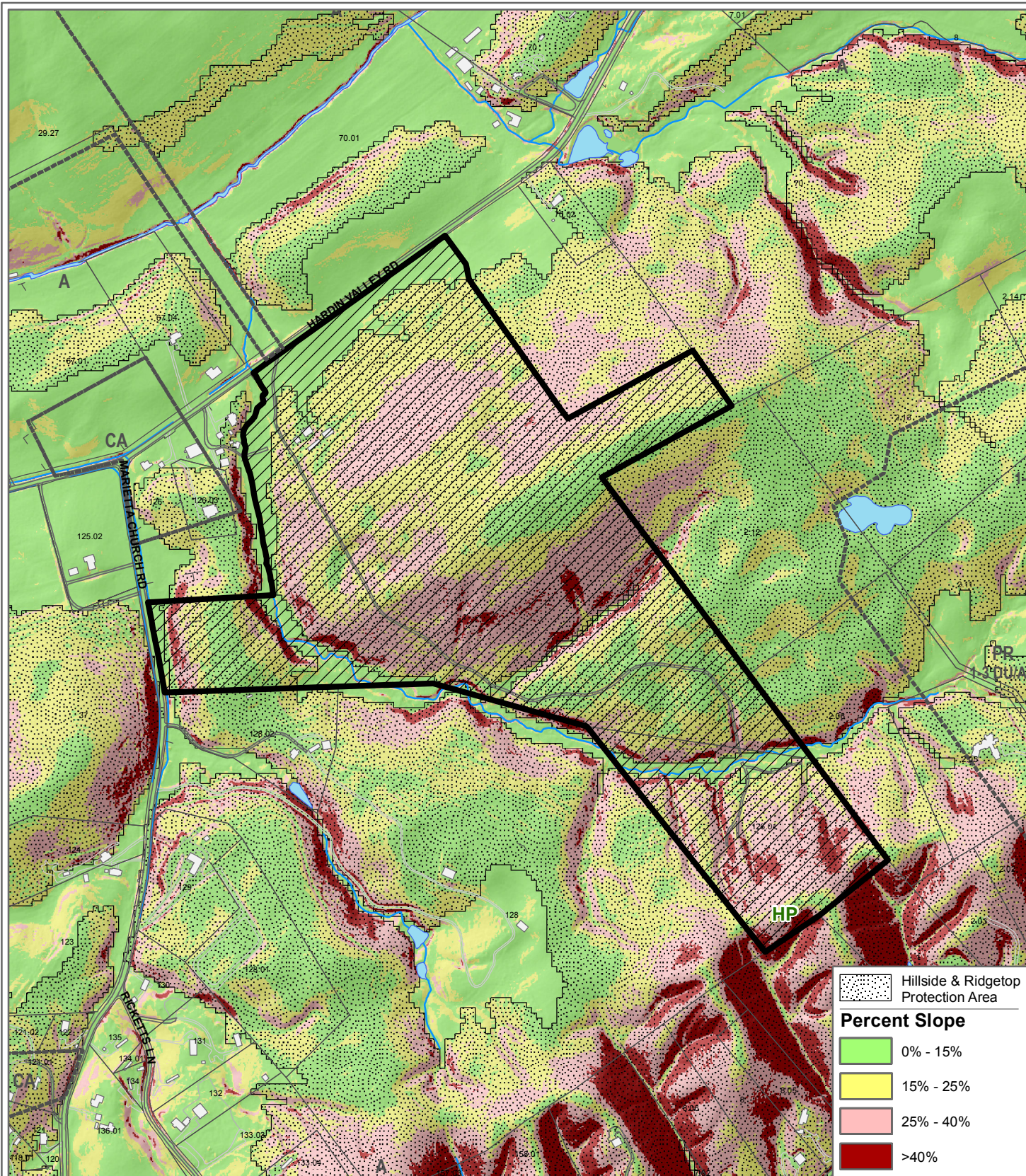
SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

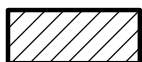
Chairman

Secretary



**7-J-16-RZ
REZONING - SLOPE ANALYSIS**

From: A (Agricultural)
To: PR (Planned Residential) up to 2 du/ac



Original Print Date: 6/21/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Homestead Land Holdings, LLC

Map No: 129
Jurisdiction: County
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MPC STAFF - SLOPE / DENSITY ANALYSIS
7-J-16-RZ / Homestead Land Holdings / A to PR (1-2 DUA)

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside (HRPA)	11.7	2.00	23.4
0-15% Slope	14.31	2.00	28.6
15-25% Slope	40.88	2.00	81.8
25-40% Slope	37.24	0.50	18.6
Greater than 40% Slope	5.66	0.20	1.1
Ridgetops	3.63	2.00	7.3
Subtotal: Sloped Land (Inside HRPA)	101.72		137.4
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	113.42	1.42	160.8
Proposed Density (Applicant)	113.42	2.00	226.8

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

Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
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