



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

▶ **FILE #:** 3-G-16-RZ
3-F-16-SP

AGENDA ITEM #: 32
AGENDA DATE: 3/10/2016

▶ **APPLICANT:** S & E PROPERTIES
OWNER(S): Eric Moseley

TAX ID NUMBER: 141 08201 142-001 (WEST PORTION ONLY) [View map on KGIS](#)
JURISDICTION: Commission District 6
STREET ADDRESS:

▶ **LOCATION:** Northeast side Everett Rd., east of Yarnell Rd.

▶ **TRACT INFORMATION:** 72 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Everett Rd., a major collector street with 21' of pavement width within the large I-40/75 right-of-way. Access may also be possible from Hatmaker Ln. to the east, a local street with 19' of pavement width within the I-40/75 right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Hickory Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** Ag/RR (Agricultural/Rural Residential) / A (Agricultural) and PR (Planned Residential)

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Residential development

DENSITY PROPOSED: 5 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of LDR plan designation and PR zoning from the north

HISTORY OF ZONING REQUESTS: Part of property was designated LDR and rezoned PR at 1-1.8 du/ac in 2006 (8-E-06-RZ/8-G-06-SP).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Vacant land, houses / Ag-RR, SLPA / A (Agricultural)
South: I-40/75 right-of-way / Farragut

East: Vacant land, houses / Ag-RR / A (Agricultural)

West: Vacant land, houses / Ag-RR, SLPA / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural and rural to low density residential uses under A, RA and PR zoning.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #3-F-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.)**

Low density residential use of this site is appropriate along Everett Rd, which is classified as a major collector street. However, the maximum density that can be considered is 3 du/ac, because the site is located with the Rural Area of the Growth Policy Plan, contiguous with the Planned Growth Area. If it were not contiguous with the Planned Growth Area, density would be limited to 2 du/ac.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of 2.5 du/ac. (Applicant requested 5 du/ac.)**

PR zoning at the recommended density is consistent with the recommended LDR sector plan designation as well as with the policies of the Growth Policy Plan, which limits the density to no more than 3 du/ac in the Rural Area, contiguous with the Planned Growth Area. The recommended lesser density of 2.5 du/ac is based on the recommended slope protection policies for residential densities from the Hillside and Ridgetop Protection Plan, based on the attached slope analysis of the site.

COMMENTS:

The requested sector plan amendment applies only to the portion of the site currently designated as Ag-RR (Agricultural-Rural Residential) with HP (Hillside Protection) on the plan. This area is approximately 10 acres in size. The remaining portion of the rezoning area is already designated as LDR and SLPA. The associated rezoning request applies to the entire 72 acres.

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 known improvements have been made recently to Everett Rd., but it has at least 20' of pavement width and is classified as a major collector street. The street is sufficient to handle the additional traffic that would be generated by low density residential development of the site. Utilities are available in the area, but may need to be extended to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan appropriately proposes agricultural and rural residential uses for the site, consistent with the current A zoning. This is also consistent with the Growth Plan designation of Rural Area on the site. However, since the site is contiguous with the Planned Growth Area on the Growth Plan, consideration of PR zoning at up to 3 du/ac is allowed, if appropriate for the particular site and if consistent with the sector plan, as is recommended.

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

Since this site is connected by a major collector street back to the Planned Growth Area, it is appropriate for consideration of low density residential uses. The site has direct access to Everett Rd.

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

An LDR plan designation and PR zoning at 1-1.8 du/ac was approved on the majority of this site in 2006. The requested plan amendment is a small expansion of that designation.

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, which is located within the Rural Area designation on the Growth Policy Plan, limiting residential zoning to PR at certain densities. PR

zoning allows clustering of development onto the less slope-constrained portions of the site.

2. Access to the site is from Everett Rd., which is classified as a major collector street, PR zoning at a limited density is appropriate.
3. Limiting the density to 2.5 du/ac is recommended for compliance with the residential density and land disturbance guidelines of the Hillside and Ridgetop Protection Plan. (See attached slope map, analysis and calculations, as well as the applicable portion of the HRPP.)

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 proposed 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. PR zoning at the recommended density will allow reasonable use of the property for residential development, while maintaining compliance with the Growth Policy Plan, sector plan and slope protection policies.
2. The recommended PR zoning at a density of up to 2.5 du/ac would allow for a maximum of 178 dwelling units to be proposed for the site. That number of attached units, as proposed, would add approximately 1602 vehicle trips per day to the street system and would add approximately 41 children under the age of 18 to the school system. The requested density of 5 du/ac would allow for a maximum of 360 dwelling units to be proposed for the site. That number of detached units, would add approximately 3018 vehicle trips per day to the street system and would add approximately 83 children under the age of 18 to the school system.
3. A traffic impact study will be required if more than 75 dwelling units are proposed as part of the overall development. Adequate sight distance from proposed access point(s) will need to be certified on the development plans.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. Public water and sanitary sewer utilities are available in the area, but may need to be extended to serve the site.
5. Staff would expect that the northern portion of the site, where the steepest slopes exist, will remain undisturbed. The northernmost 500 feet or so of the site consists of steep slopes dropping off to the north down to Hickory Creek. A greenway is also proposed along Hickory Creek, north of the site. If applicable, a greenway easement may be recommended along the creek.

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 recommended amendment of the Northwest County Sector Plan map to LDR, a PR zoning density of up to 3 du/ac may be considered, consistent with the Growth Plan policies for the Rural Area.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. With an approved sector plan amendment to LDR, the proposal meets all Growth Policy Plan requirements for approval of PR zoning at up to 3 du/ac. The Growth Policy Plan policies in the Rural Area limit the allowable density to a maximum of 3 du/ac. A density of up to 3 du/ac may be considered in the Rural Area if the site abuts the Planned Growth Area, which this site does to the west.
3. This request may lead to future requests for PR zoning in the future on large lot, agricultural properties in the area, especially with the extension of sewer to this site.

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.

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 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: 3018 (average daily vehicle trips)

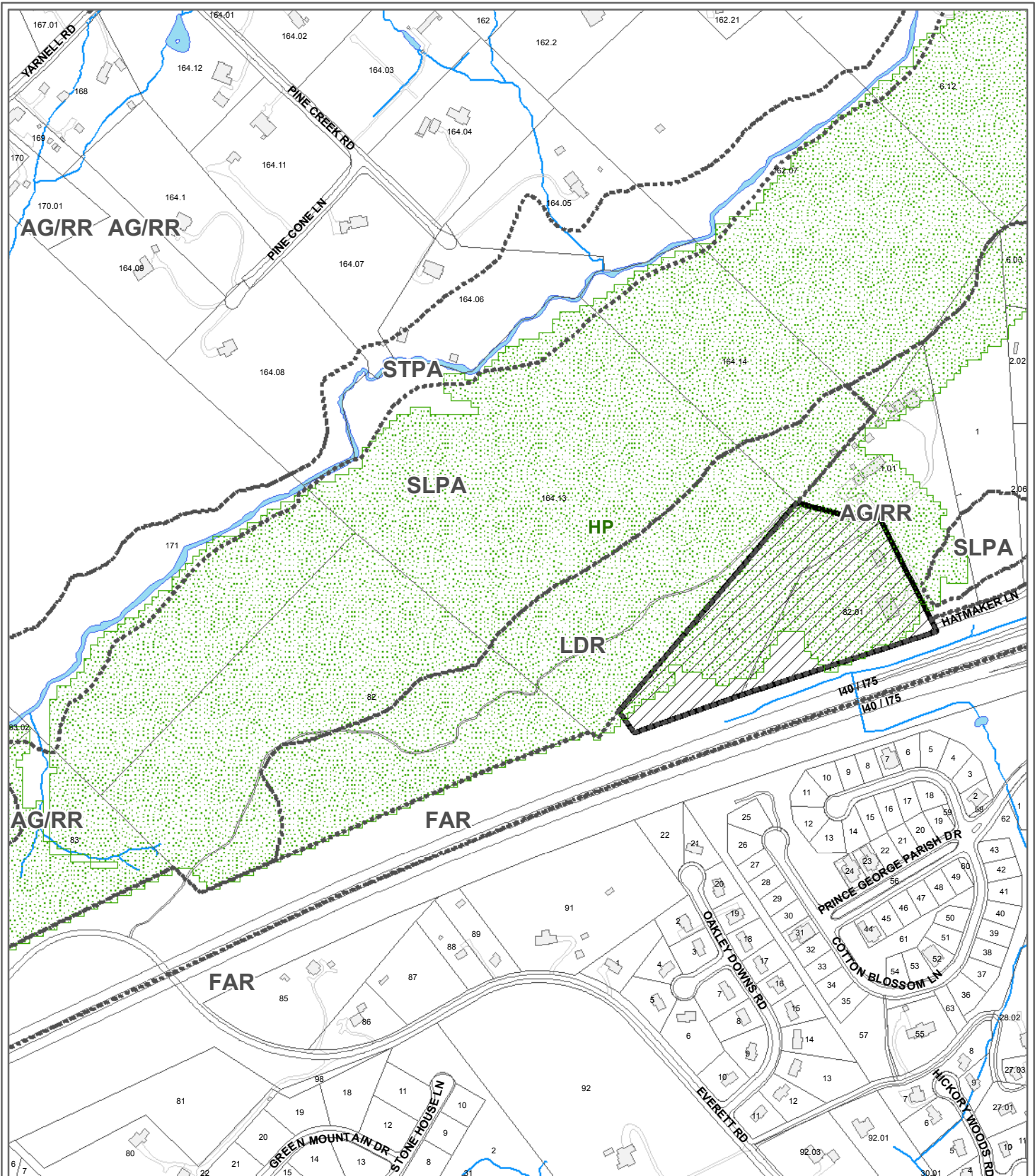
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 83 (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 4/25/2016. 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.



**3-F-16-SP / 3-G-16-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

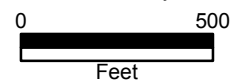
From: Ag/RR (Agricultural/Rural Residential)
To: LDR (Low Density Residential)



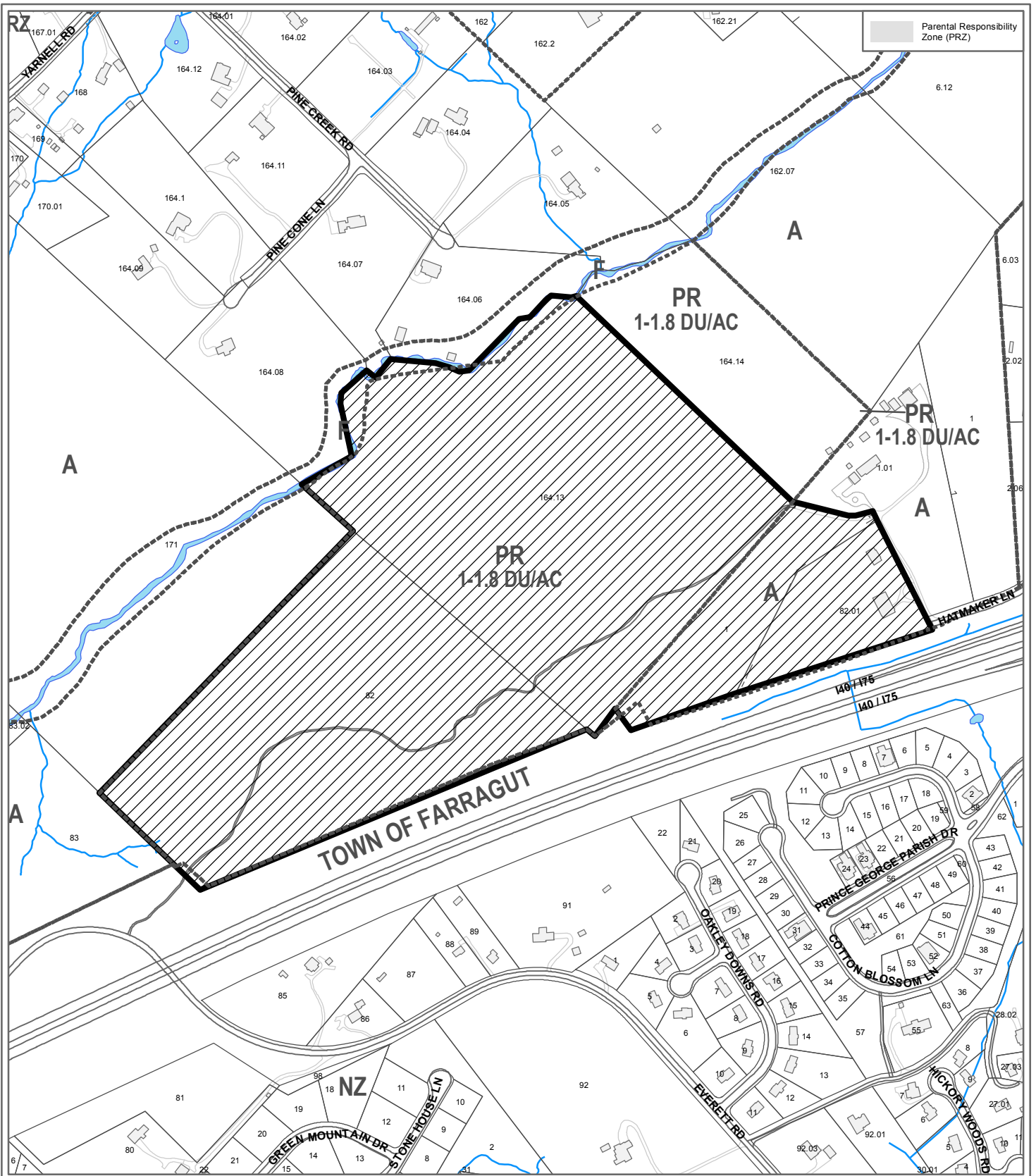
Petitioner: S & E Properties

Map No: 141

Jurisdiction: County



Original Print Date: 2/23/2016 Revised: 3/2/2016
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**3-G-16-RZ
REZONING**

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

To: PR (Planned Residential)



Petitioner: S & E Properties

Map No: 141

Jurisdiction: County



Original Print Date: 2/23/2016
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

**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**, S & E Properties, 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 March 10, 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 #3-F-16-SP.

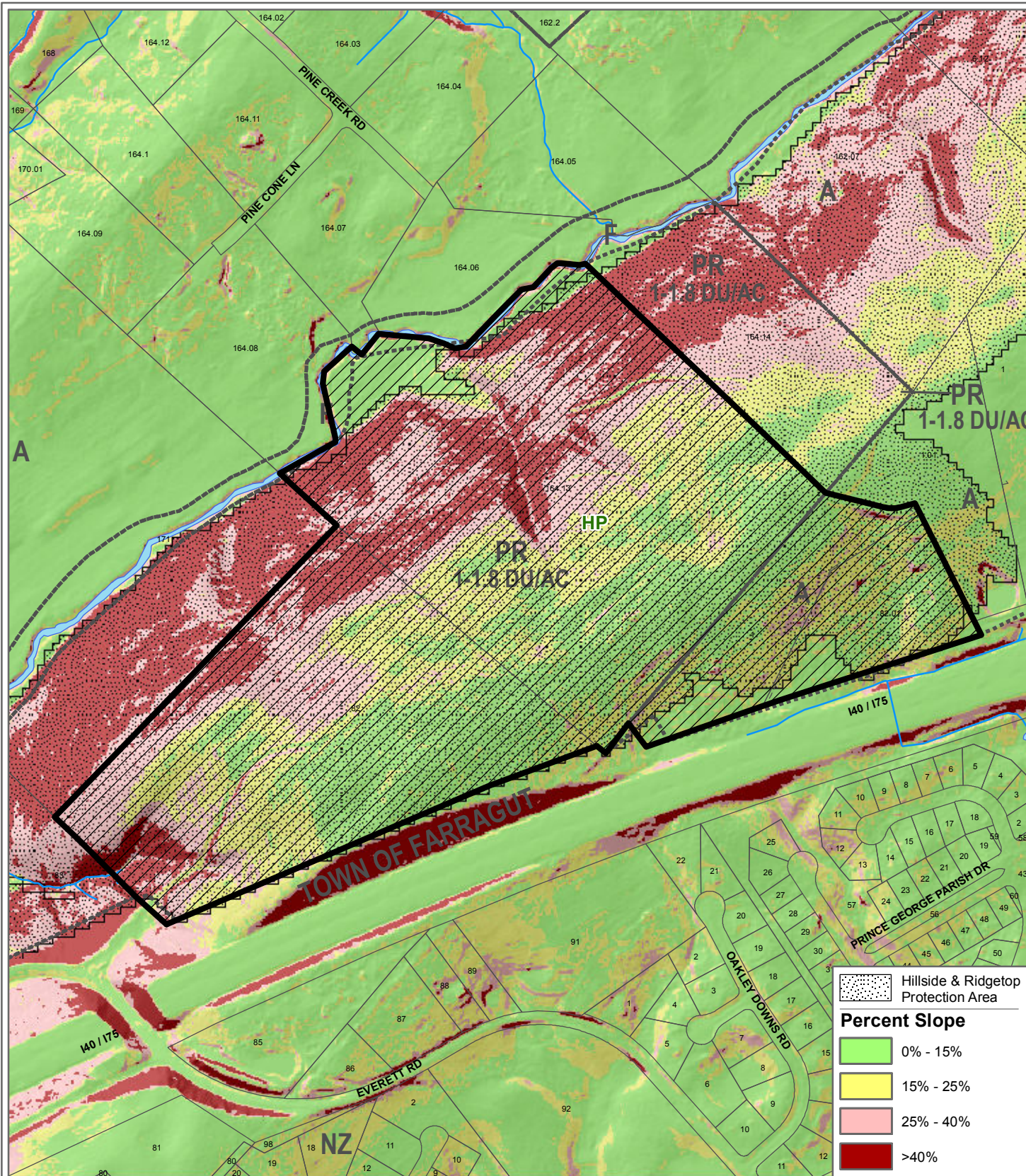
SECTION 2: This Resolution shall take effect upon its approval.

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

Date

Chairman

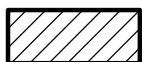
Secretary



**3-G-16-RZ
REZONING - SLOPE ANALYSIS**

From: PR (Planned Residential)

To: PR (Planned Residential)



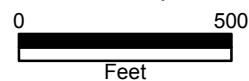
Original Print Date: 2/1/2016
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Eric Moseley

Map No: 141

Jurisdiction: County



MPC STAFF - SLOPE / DENSITY ANALYSIS
3-G-16-RZ / S & E Properties / A, PR (1.8 du/ac) to PR (5 du/ac)

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	4.79	5.00	24.0
0-15% Slope	20.97	5.00	104.9
15-25% Slope	19.95	2.00	39.9
25-40% Slope	15.18	0.50	7.6
Greater than 40% Slope	11.1	0.20	2.2
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	67.2		154.6
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	71.99	2.48	178.5
Proposed Density (Applicant)	71.99	5.00	360.0

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.

The Knoxville Knox County Hillside and Ridgetop Protection Plan — 33

3-G-16-RZ Slope Analysis

			Acreage
Non-Hillside Portions			4.79
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	36537	20.97
2	15%-25%	34769	19.95
3	25%-40%	26456	15.18
4	>40%	19344	11.10
			67.21
Site Total			72.00