

▶ **FILE #:** 1-F-17-RZ **AGENDA ITEM #:** 44
 POSTPONEMENT(S): 1/12/2017-2/9/2017 **AGENDA DATE:** 7/13/2017
 ▶ **APPLICANT:** DK DEVELOPMENT
 OWNER(S): DK Development, LLC

TAX ID NUMBER: 79 040 [View map on KGIS](#)
 JURISDICTION: County Commission District 6
 STREET ADDRESS: 4705 Beaver Ridge Rd
 ▶ **LOCATION:** North side Beaver Ridge Rd., east of Lindal Rd.
 ▶ **APPX. SIZE OF TRACT:** 5.3 acres
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)
 ACCESSIBILITY: Access is via Beaver Ridge Rd., a local street with 18' of pavement width within 50' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Grassy Creek

▶ **PRESENT ZONING:** A (Agricultural)
 ▶ **ZONING REQUESTED:** PR (Planned Residential)
 ▶ **EXISTING LAND USE:** Residence and vacant land
 ▶ **PROPOSED USE:** Detached residential
DENSITY PROPOSED: 5 du/ac
 EXTENSION OF ZONE: Yes, extension of PR zoning from three sides
 HISTORY OF ZONING: None noted
 SURROUNDING LAND USE AND ZONING: North: Residential subdivision / PR (Planned Residential) at 5 du/ac
 South: Beaver Ridge Rd., vacant land / OB (Office, Medical & Related Services)
 East: Residential subdivision / PR (Planned Residential) at 1-5 du/ac
 West: Residential subdivision / PR (Planned Residential) at 5 du/ac
 NEIGHBORHOOD CONTEXT: This area, accessed from Beaver Ridge Rd. only is developed with agricultural and rural to low density residential uses under A and PR zoning.

STAFF RECOMMENDATION:

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

The requested PR zoning and density are consistent with the current sector plan designation for the property and with the surrounding zoning pattern.

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 zoning at the recommended density for the subject property will allow reasonable development of the site for attached or detached residential uses, consistent with other detached residential developments along this section of Beaver Ridge Rd.
2. The recommended zoning and density is consistent with the current sector plan proposal for the property.
3. The site is surrounded by low density residential uses and zoning, consistent with the proposal.

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. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The recommended PR zoning at a density of up to 5 du/ac would allow for a maximum of 26 dwelling units to be proposed for the site. That number of attached units, would add approximately 300 vehicle trips per day to the street system and would add approximately 14 children under the age of 18 to the school system.
3. There is a low lying stream that runs east-west through this property. If applicable, the applicant will be expected to meet all Knox County Engineering requirements for stream protection.
4. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
5. The approval of this request will allow the applicant to submit a development plan with up to 26 dwelling units for MPC's consideration.
6. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
7. Public water and sewer utilities are available to serve the site, and the recommended density is consistent with other zoning and density in the immediate area.
8. Sidewalks will be required on at least one side of new subdivision roads and possibly along Beaver Ridge Rd.

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 appropriately proposes low density residential uses for the site, consistent with the recommended PR zoning at a density of up to 5 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended zoning and density do not present any apparent conflicts with any other adopted plans.

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: 300 (average daily vehicle trips)

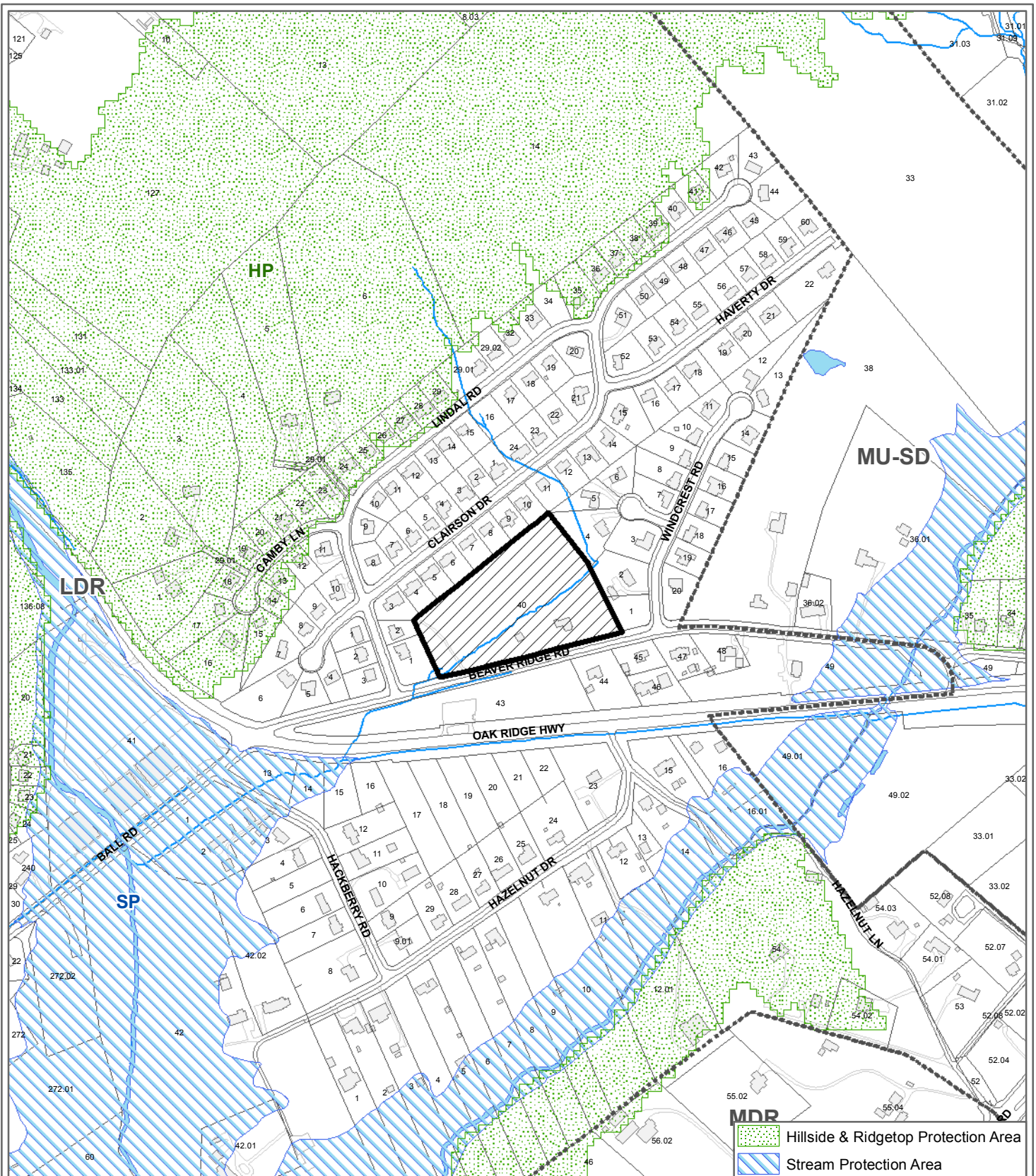
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 11 (public school children, ages 5-18 years)

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

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- 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.

If approved, this item will be forwarded to Knox County Commission for action on 8/28/2017. 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.



**1-E-17-SP
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: MDR (Medium Density Residential)

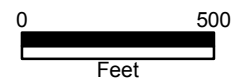


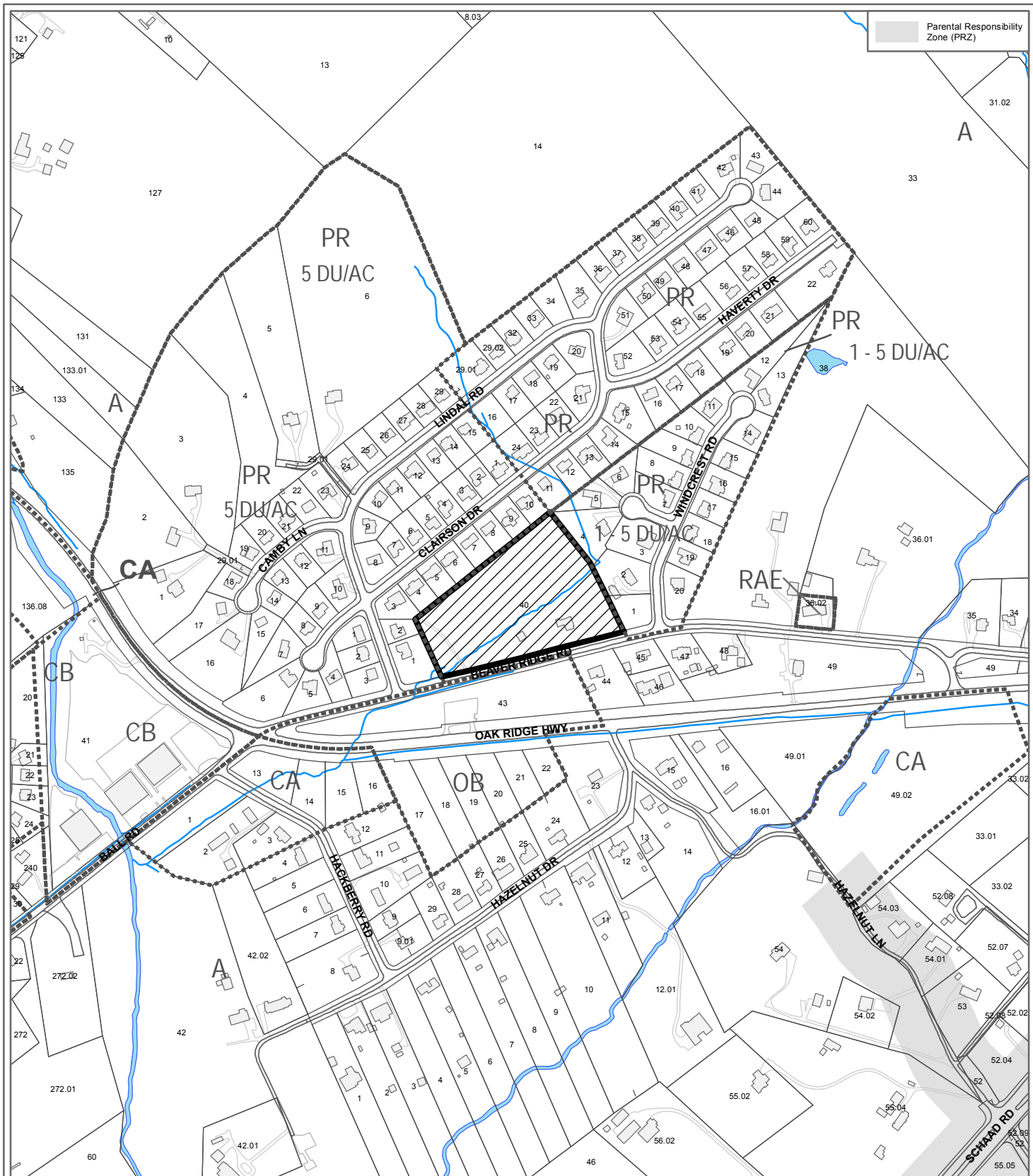
Petitioner: Trantabella Construction, David Trantabella

Map No: 79

Jurisdiction: County

Original Print Date: 12/21/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**1-F-17-RZ
REZONING**

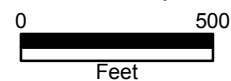
From: A (Agricultural)
To: PR (Planned Residential)



Petitioner: DK Development

Map No: 79

Jurisdiction: County



Original Print Date: 12/21/2016 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

6/8/2017

1-E-17-SP-WD-6-8-17
KnoxMPC Mail - Fid: 7-N-17-RZ



----- Forwarded message -----

From: Danny Kirby <dkirby@5881000.com>
Date: Thu, Jun 8, 2017 at 10:08 AM
Subject: RE: 7-N-17-RZ
To: Michael Brusseau <mike.brusseau@knoxmpc.org>



Let this e-mail serve as a request to withdraw item 1-E-17-SP, as I do not need a Sector Plan Amendment in connection with the rezoning request.

Thanks,

Danny Kirby
First Commercial Real Estate
P.O. Box 10226
Knoxville, TN 37939
(865)588-1000

From: Michael Brusseau [mailto:mike.brusseau@knoxmpc.org]
Sent: Thursday, June 08, 2017 10:06 AM
To: Danny Kirby <dkirby@5881000.com>
Subject: Re: 7-N-17-RZ

The withdraw request on 7-N-17-RZ is taken care of. Need a withdrawal request on 1-E-17-SP, since you do not need a sector plan amendment.

[Quoted text hidden]
[Quoted text hidden]



1-F-17-RZ-1-E-17-SP_ untable_ 6-8-17

Sherry Michienzi <sherry.michienzi@knoxmpc.org>

Fwd: Rezoning File # 1-F-17-RZ (4705 Beaver Ridge Rd.)

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>
To: Sherry Michienzi <sherry.michienzi@knoxmpc.org>

Thu, Jun 8, 2017 at 10:21 AM

Untabing request for 1-F-17-RZ and 1-E-17-SP

----- Forwarded message -----
From: **Danny Kirby** <dkirby@5881000.com>
Date: Wed, Jun 7, 2017 at 3:46 PM
Subject: RE: Rezoning File # 1-F-17-RZ (4705 Beaver Ridge Rd.)
To: Michael Brusseau <mike.brusseau@knoxmpc.org>



* If he is releasing the file to me, can I request the item be untabled? If so, I do so with this e-mail.

Danny Kirby
First Commercial Real Estate
P.O. Box 10226
Knoxville, TN 37939
(865)588-1000

From: Michael Brusseau [mailto:mike.brusseau@knoxmpc.org]
Sent: Wednesday, June 07, 2017 3:45 PM
To: Danny Kirby <dkirby@5881000.com>

Subject: Fwd: Rezoning File # 1-F-17-RZ (4705 Beaver Ridge Rd.)

Here is Wanis email. Waiting on word from Dan on how to proceed with refund and old vs. new application.

Mike

----- Forwarded message -----
From: **Michael Brusseau** <mike.brusseau@knoxmpc.org>
Date: Wed, Jun 7, 2017 at 2:36 PM
Subject: Fwd: Rezoning File # 1-F-17-RZ (4705 Beaver Ridge Rd.)
To: Dan Kelly <dan.kelly@knoxmpc.org>

What now? Old item is still on table. I have entered Danny's new app. Can we just get Wanis to request untabling and withdrawal of old item, refund Danny's money and hear new request? I don't see how we can make recommendation on the old file when it is still tabled. Thanks.

REZONING

PLAN AMENDMENT

Name of Applicant: David Trantanella / Trantanella Construction

Date Filed: 11/22/16 Meeting Date: Jan 12, 2017

Application Accepted by: Bussan

Fee Amount: \$865 File Number: Rezoning 1-F-17-SP

Fee Amount: \$800 File Number: Plan Amendment 1-E-17-SP

PROPERTY INFORMATION

Address: 4705 Beaver Ridge Rd

General Location: on Beaver Ridge Rd
East of Lindall Rd & West of
Windcrest Rd

Tract Size: 5.3 ± Acres

Tax Identification Number: 079040

Existing Land Use: Residential

Planning Sector: Northwest County

Growth Policy Plan: Urban Growth (Knoxville)

Census Tract: 60.02

Traffic Zone: 208

Jurisdiction: City Council _____ District

County Commission 6th District

Requested Change

REZONING

FROM: Agriculture

TO: PR

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: LDR

TO: MDR

PROPOSED USE OF PROPERTY

Detached residential

Density Proposed 6.0 Units/Acre

Previous Rezoning Requests: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose names are included on the back of this form.

Signature: David Trantanella

Date: 11-22-16

PLEASE PRINT

Name: David Trantanella

Company: Trantanella Construction

Address: 8001 Conner Rd

City: Powell State: TN Zip: 37849

Telephone: 865 938 7200

Fax: 938 7277

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be directed to:

PLEASE PRINT

Name: WANIS A. Rghebi

Company: SEC, LLC

Address: 4909 Ball Rd

City: Knoxville State: TN Zip: 37931

Telephone: 865-694-7756

Fax: 865-693-9699

E-mail: Wrghebi@sengconsultants.com

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW.

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
David Trantanella	8001 Conner Rd	Powell	TN	37849		<input checked="" type="checkbox"/>