

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

▶ **FILE #:** 3-D-17-RZ
 3-A-17-SP

AGENDA ITEM #: 38
AGENDA DATE: 3/9/2017

▶ **APPLICANT:** BALL HOMES, LLC
 OWNER(S): Ball Homes LLC

TAX ID NUMBER: 117 00601 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 11521 Hardin Valley Rd

▶ **LOCATION:** North side Hardin Valley Rd., west of Steele Rd.

▶ **TRACT INFORMATION:** 15.18 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 22' of pavement width within 90' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

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

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

DENSITY PROPOSED: 4 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Vacant land, residences / RR / A (Agricultural)
 South: Hardin Valley Rd., vacant land, residence / MU-SD (NWCo5) / A (Agricultural)
 East: Church, office / CI / A (Agricultural) and CR (Rural Commercial)
 West: Vacant land / RR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is located just west of Steele Rd. and the Hardin Valley Schools in an area developed with agricultural and rural to low density residential uses under A, PR and RA.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #3-A-17-SP, amending the Northwest County Sector Plan to LDR (Low Density Residential) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)**

The subject property is located in close proximity to the Hardin Valley Schools and is adjacent to the Planned Growth Area in an area where utilities are available. It is appropriate to amend the sector plan map to allow consideration of low density residential development at this location.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac. (Applicant requested up to 4 du/ac.)**

PR zoning at the recommended density is consistent with the sector plan recommendation and the Growth Policy Plan and is compatible with surrounding development and zoning. Under PR zoning, a development plan would be have to be reviewed and approved by MPC as a use on review and concept plan.

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 known improvements have been made recently to this section of Hardin Valley Rd., but it has about 22' of pavement width and is classified as a minor arterial 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 property is adjacent to the Planned Growth Area of the Gowth Policy Plan map and is in near proximity to other low density residential development.

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

Properties all along Hardin Valley Rd. have been approved for low density residential uses. This proposal continues that trend.

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

Other developments along Hardin Valley Rd. have been approved for PR zoning in the low density residential density range, both inside and outside of the Planned Growth Area. This proposal continues that development trend.

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. The property is located in the Rural Area on the Growth Policy Plan but is adjacent to the existing Planned Gowth Area, just east of the site. The maximum density allowed by the Growth Plan in a this particular situation is 3 du/ac. Staff is recommending approval of the associated sector plan amendment to LDR, which allows the recommended PR zoning and density.
2. The recommended PR zoning up to 3 du/ac allows the property to be developed with up to 41 dwelling units, which is consistent with the policies of the Growth Policy Plan. The current agricultural zoning would require minimum lot sizes of 1 acre and likely yield less than 18 lots, once legal access to the lots is established.
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 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. PR zoning is required by the Growth Policy Plan in the Rural Area if the density is greater than 1 du/ac and 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. In order to allow consideration of densities of up to 3 du/ac in the Rural Area of the Growth Policy Plan, the property must be zoned PR, sewer and water services must be available and the frontage road must connect to a collector or arterial. All of these conditions are met and the property is adjacent to the Planned Growth Area to the east, so the recommended zoning and density are consistent with the policies of the Growth Policy Plan.
2. With the recommended sector plan amendment to LDR, the recommended PR zoning and density are consistent with the sector plan.
3. The property is located within the Parental Responsibility Zone for the Hardin Valley Schools, so sidewalks will be required on at least one side of each street within the development, and possibly along the Hardin Valley Rd. frontage.
4. To the east and west are vacant parcels that will likely be developed in the near future. Staff will expect that stub streets to provide future access to these sites will be shown on the development plans. This eliminates the need for numerous, individual access points along Hardin Valley Rd., provides for better connectivity, and could potentially provide access to Steele Rd. from this proposed development. Pedestrian access should also be provided directly east, to prevent having to go down to Hardin Valley Rd. in order to walk to school.
5. The Knox County Greenways Coordinator has indicated that a future greenway is proposed along Conner Creek through the northern portion of the site. A map is attached that shows a drawing of the approximate area needed for a 30 feet wide greenway easement along the south side of Conner Creek. The developer will be expected to work with the Knox County Greenways Coordinator in dedicating an adequate greenway easement as part of the development plan.
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. The proposed PR zoning at a density of up to 4 du/ac would allow for a maximum of 60 dwelling units to be proposed for the site. That number of detached units, as proposed. would add approximately 648 vehicle trips per day to the street system and would add approximately 32 children under the age of 18 to the school system. At the staff recommended density of up to 3 du/ac, a maximum of 45 dwelling units may be proposed for the site. That number of detached units, as proposed. would add approximately 497 vehicle trips per day to the street system and would add approximately 24 children under the age of 18 to the school system.

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. Staff is recommending approval of an amendment to the Northwest County Sector Plan map to LDR, within which the recommended zoning and density are compatible. The applicant's requested density of up to 4 du/ac is not consistent with the policies of the Growth Policy Plan.
2. Approval of this request could lead to future requests for PR zoning in this area.
3. This proposal does not present any apparent conflicts with any other adopted plans.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping 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: 648 (average daily vehicle trips)

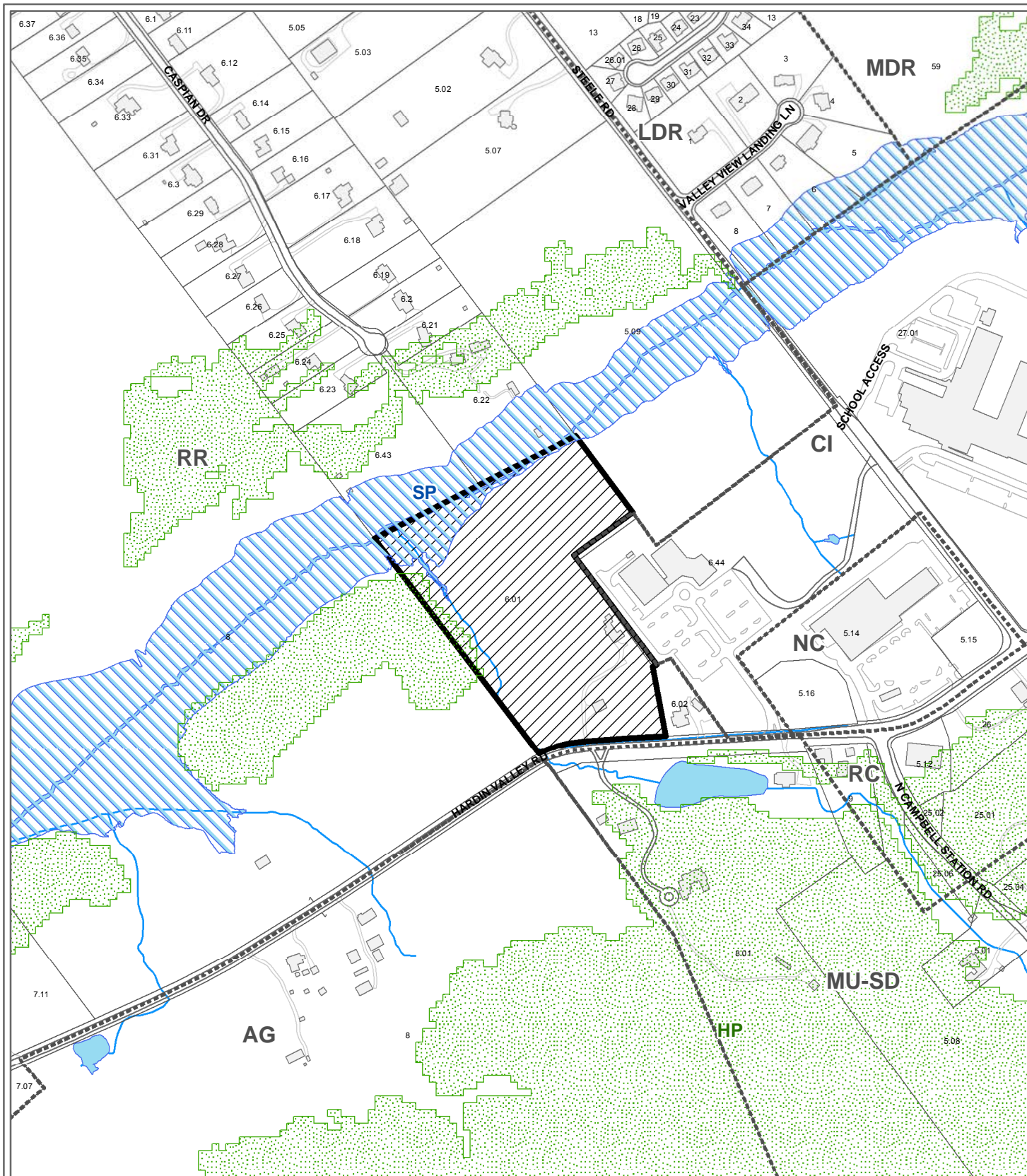
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 32 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Hardin Valley Academy.

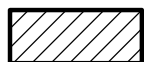
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students 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 4/24/2017. 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.



**3-A-17-SP / 3-D-17-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

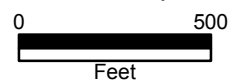
Petitioner: Ball Homes, LLC

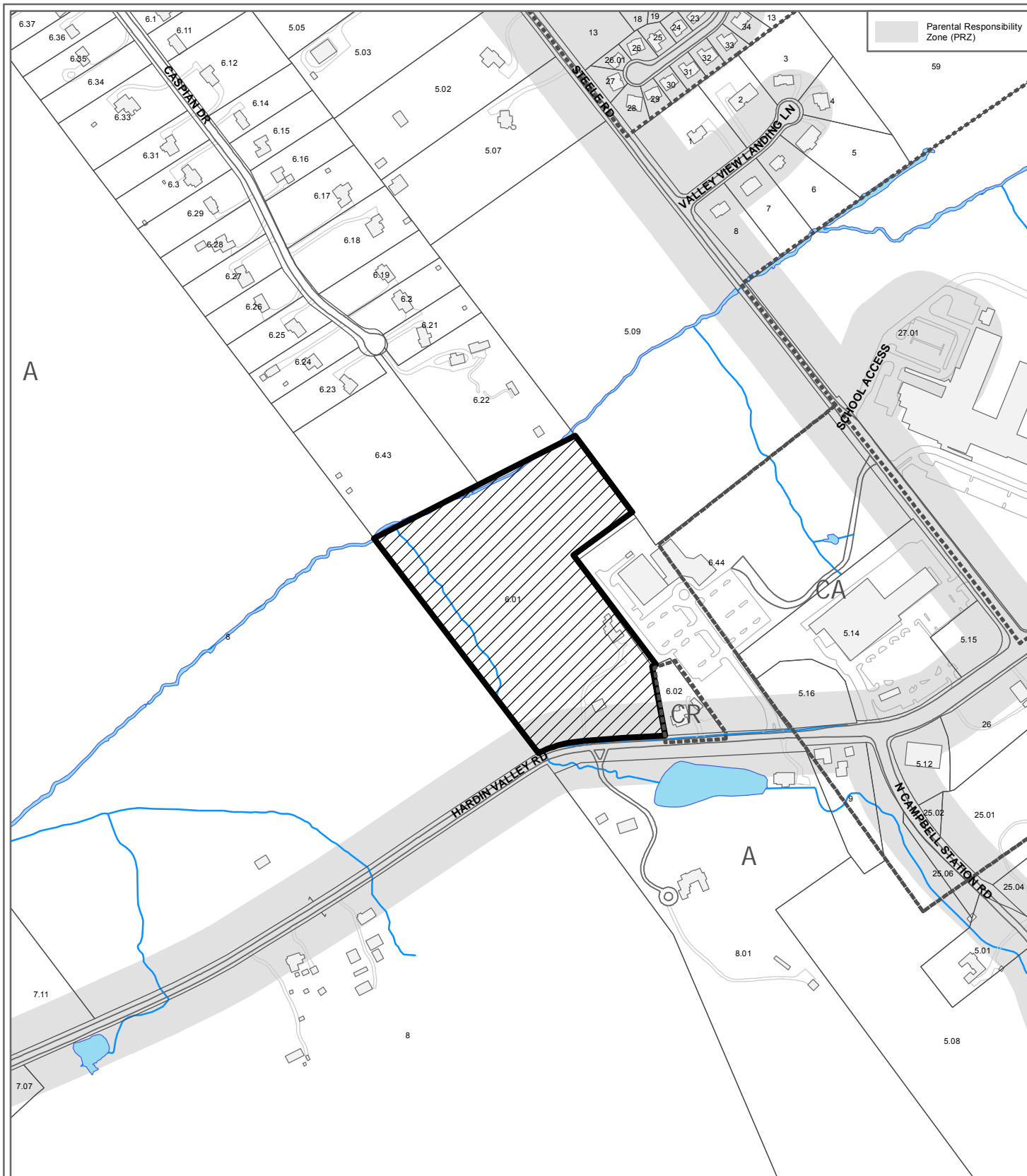


From: RR (Rural Residential)
To: LDR (Low Density Residential)

Map No: 117
Jurisdiction: County

Original Print Date: 2/14/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

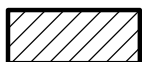




**3-D-17-RZ
REZONING**

From: A (Agricultural)

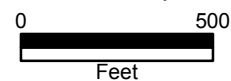
To: PR (Planned Residential)



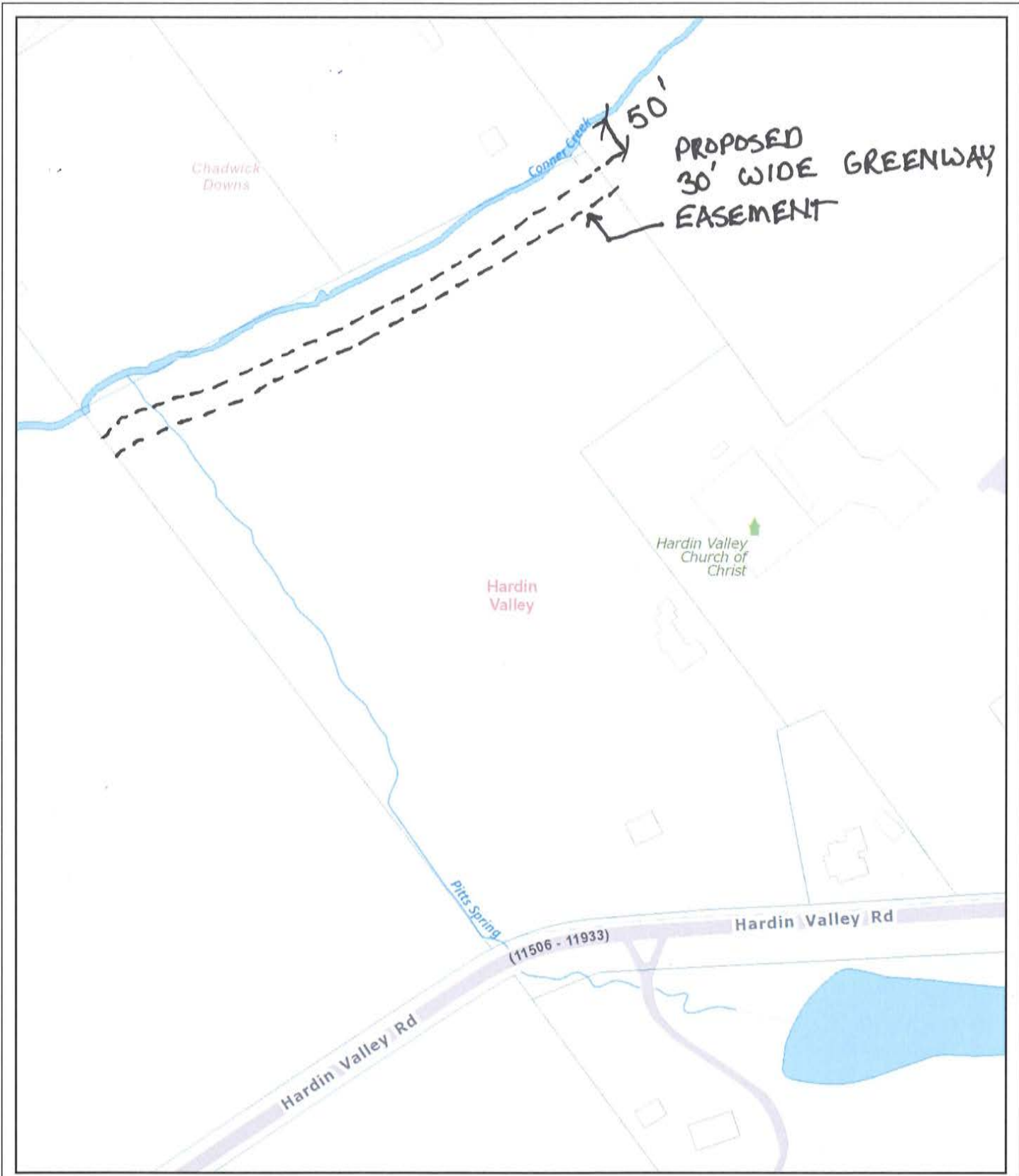
Petitioner: Ball Homes, LLC

Map No: 117

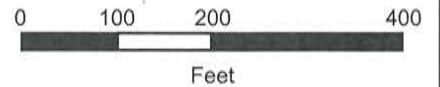
Jurisdiction: County



Original Print Date: 2/14/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



11521 HARDIN VALLEY ROAD



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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, Ball Homes LLC, has submitted an application to amend the Sector Plan from 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 9, 2017, 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-A-17-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

REZONING

PLAN AMENDMENT

Name of Applicant: BALL HOMES LLC.

Date Filed: 1/17/2017 Meeting Date: 3/9/2017

Application Accepted by: M. Payne

Fee Amount: 1358.90 File Number: Rezoning 3-D-17-RZ

Fee Amount: 800.00 File Number: Plan Amendment 3-A-17-5P



PROPERTY INFORMATION

Address: 11521 HARDIN VALLEY

General Location: HARDIN VALLEY WEST / CAMPBELL STATION
1/2 Hardin Valley Rd due west N. Campbell Station

Parcel ID Number(s): 117 00601

Tract Size: 15.178

Existing Land Use: AG

Planning Sector: NW COUNTY

Growth Policy Plan: RURUM AREA

Census Tract: 59.06

Traffic Zone: 218

Jurisdiction: City Council _____ District
 County Commission 6 District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: RAY BALL

Company: BALL HOMES LLC.

Address: 3609 WAIDEN DR.

City: Lexington State: KY Zip: 40517

Telephone: 865-985-6705

Fax: 865-862-4775

E-mail: rhickey@ballhomes.com

Requested Change

REZONING

FROM: AG

TO: PR

PLAN AMENDMENT

One Year Plan NW County Sector Plan

FROM: PR

TO: LDR

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: RYAN HICKEY

Company: BALL HOMES LLC.

Address: 1914 Pinnacle Pointe Way

City: Knoxville State: TN Zip: 37922

Telephone: 865-985-6705

Fax: 865-862-4775

E-mail: rhickey@ballhomes.com

PROPOSED USE OF PROPERTY

Detached Residential
Subdivision

Density Proposed 4.00 Units/Acre

Previous Rezoning Requests: NONE KNOWN

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 signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT

Name: RYAN HICKEY

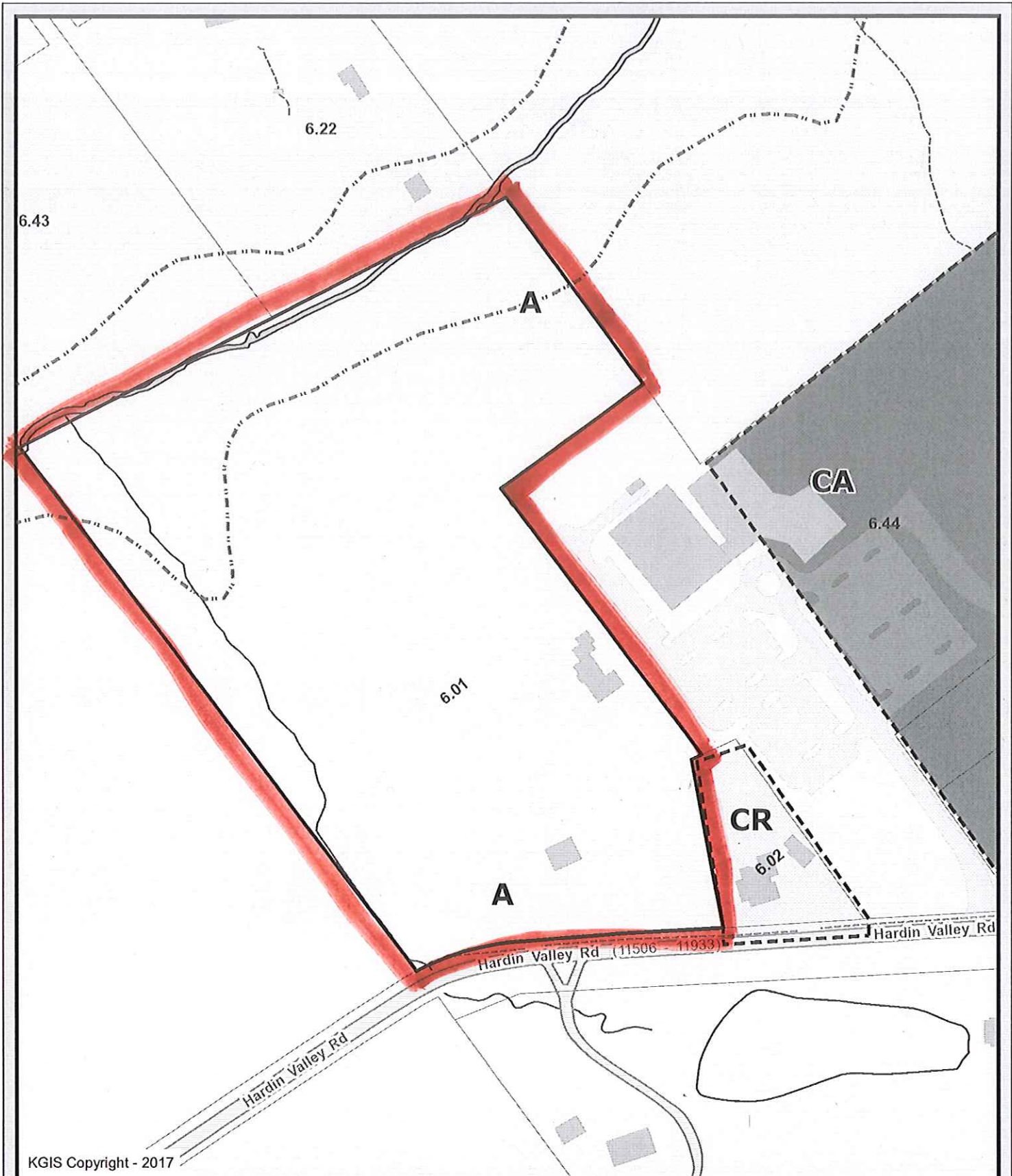
Company: BALL HOMES LLC.

Address: 1914 Pinnacle Pointe Way

City: Knoxville State: TN Zip: 37922

Telephone: 865-985-6705

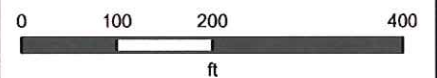
E-mail: rhickey@ballhomes.com



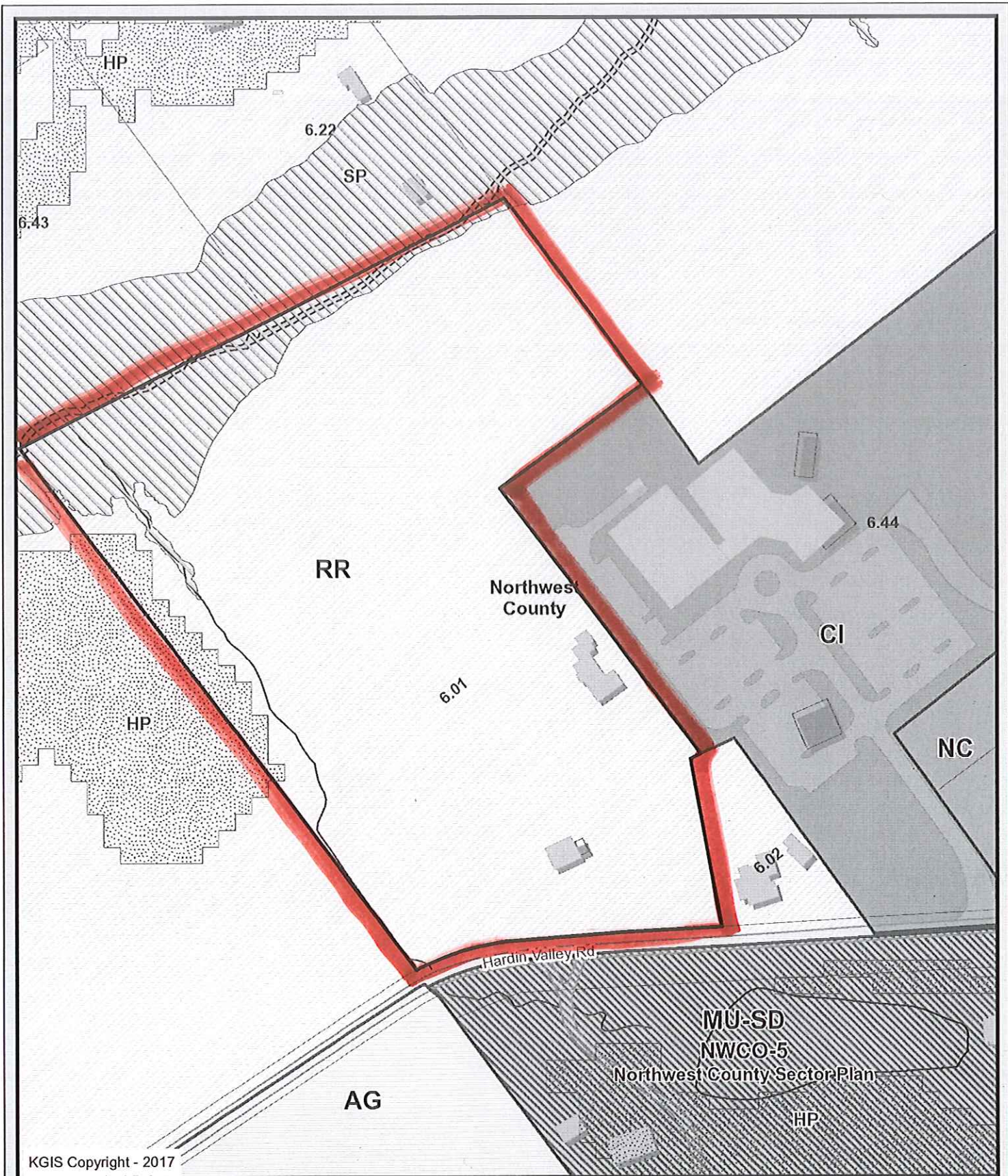
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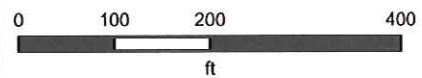


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