



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

▶ **FILE #:** 11-B-17-RZ
11-D-17-SP

AGENDA ITEM #: 33
AGENDA DATE: 11/9/2017

▶ **APPLICANT:** KATHY PINKSTON
OWNER(S): Kathy Pinkston

TAX ID NUMBER: 129 04706,04707&04709

[View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 2127 Nora Mae Ln

▶ **LOCATION:** Northwest side Hickory Creek Rd., southwest of Graybeal Rd.

▶ **TRACT INFORMATION:** 40.66 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hickory Creek Rd., a minor arterial street with 21' of pavement width within 50' of right-of-way, or Nora Mae Ln., a private street with varied pavement width.

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

WATERSHED: Hickory Creek

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

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

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

▶ **PROPOSED USE:** Residential development

DENSITY PROPOSED: 5 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Vacant land / AG / A (Agricultural)
South: Hickory Creek Rd., houses, vacant land / PP, AG / A (Agricultural)
East: Houses, vacant land / AG / A (Agricultural)
West: Houses, vacant land / AG / A (Agricultural)

NEIGHBORHOOD CONTEXT: The land uses in this area include agricultural and rural residential, under A zoning.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #11-D-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 surrounded by Agricultural zoning and an Agricultural sector plan designation. However, because the property is connected to the Planned Growth Area with arterial streets and is a little over a half mile west from a developing subdivision, zoned PR at up to 3 du/ac, it is appropriate to amend the sector plan map to allow low density residential development on this property, as long as consistent with the policies of the Hillside and Ridgetop Protection Plan (HRPP) and the Growth Policy Plan, which allows for PR zoning at no more than 2 du/ac.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 2 du/ac. (Applicant requested up to 5 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 have to be reviewed and approved by MPC as a use on review and concept plan. The requested density of up to 5 du/ac is not consistent with the policies of the Growth Policy Plan. The recommended density of up to 2 du/ac is also more compatible with the scale of the surrounding development in the area.

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 Hickory Creek Rd., but it has about 21' of pavement width and is classified as a minor arterial street. Hickory Creek Rd. 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 uses for the site, consistent with the current A zoning and the Growth Plan designation as Rural Area.

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

One property within a mile to the east has been approved for low density residential uses and is developing with a subdivision. This proposal continues that trend to the extent allowable within the Rural Area on the Growth Policy Plan.

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

Development has been very limited within this Rural Area designated corridor along Hickory Creek Rd. The recommended zoning and density will keep this development more compatible with the trends in the area.

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 and is not adjacent to the existing Planned Growth Area. The maximum density allowed by the Growth Plan in this particular situation is 2 du/ac. Staff is recommending approval of the associated sector plan amendment to LDR, which allows the recommended PR zoning and density.
3. Staff has conducted a slope analysis for the property. With application of the residential density guidelines of the Hillside and Ridgetop Protection Plan, using the maximum density of 2 du/ac allowed by the Growth

Policy Plan, the recommended density is 1.93 du/ac, consistent with the density recommendation. The slope analysis, map and calculations are attached.

4. The recommended PR zoning up to 2 du/ac allows the property to be developed with up to 81 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 40 lots, once legal access to the lots is established.

5. 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 but the property is not adjacent to the Planned Growth Area 3.5 miles east or 1 mile southwest, 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. Sidewalks will be required on at least one side of each street within the development, and possibly along the Hickory Creek Rd. frontage.

4. 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.

5. The proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 203 dwelling units to be proposed for the site. That number of detached units would add approximately 1980 vehicle trips per day to the street system and would add approximately 83 children under the age of 18 to the school system. At the staff recommended density of up to 2 du/ac, a maximum of 81 dwelling units may be proposed for the site. That number of detached units would add approximately 854 vehicle trips per day to the street system and would add approximately 33 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 5 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: 1989 (average daily vehicle trips)

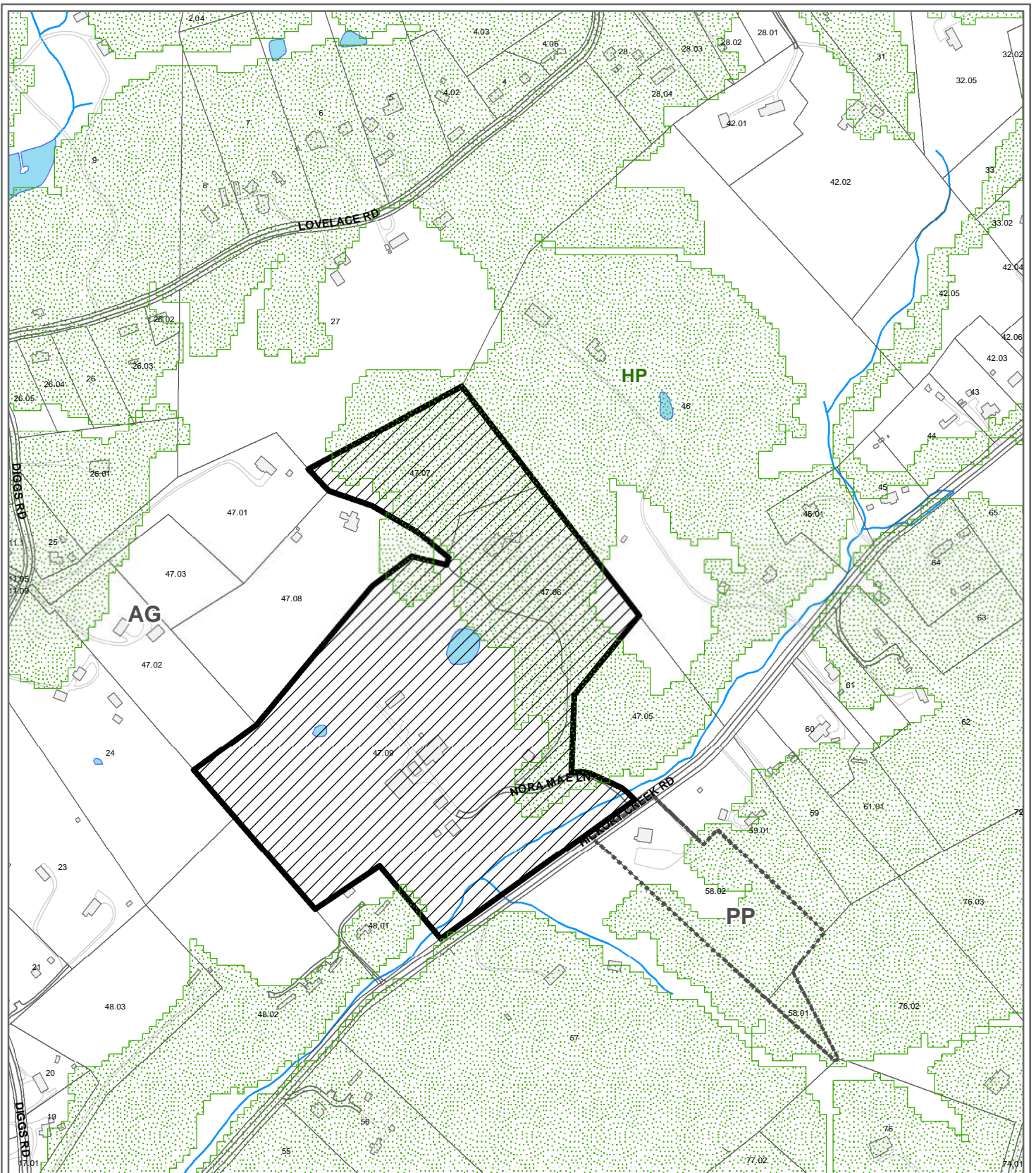
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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 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.
- 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 12/18/2017. 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.



**11-D-17-SP / 11-B-17-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: AG (Agricultural)
To: LDR (Low Density Residential)



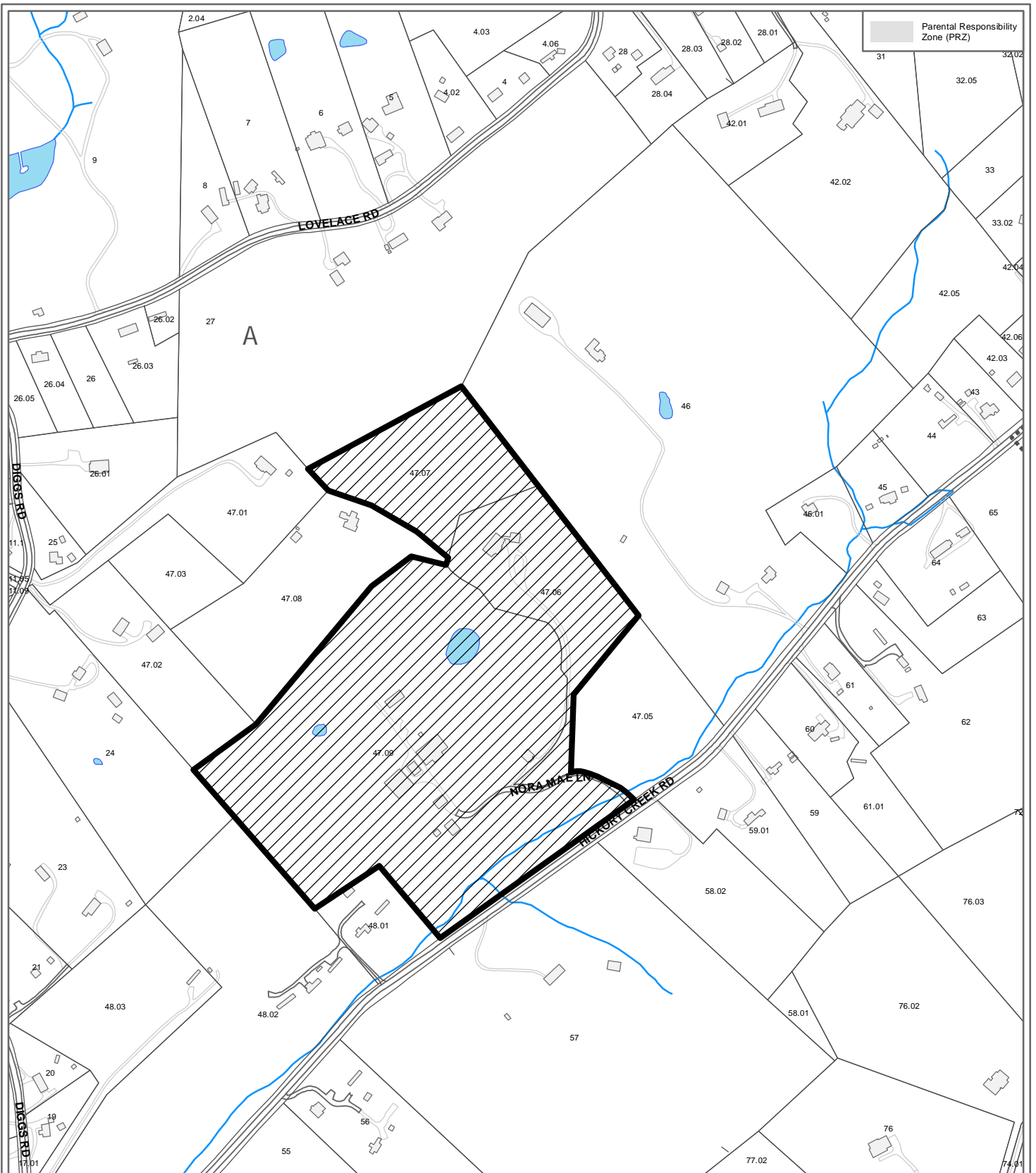
Petitioner: Pinkston, Kathy

Map No: 129

Jurisdiction: County



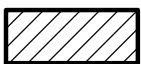
Original Print Date: 10/17/2017 Revised: 11/2/2017
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**11-B-17-RZ
REZONING**

From: A (Agricultural)

To: PR (Planned Residential)



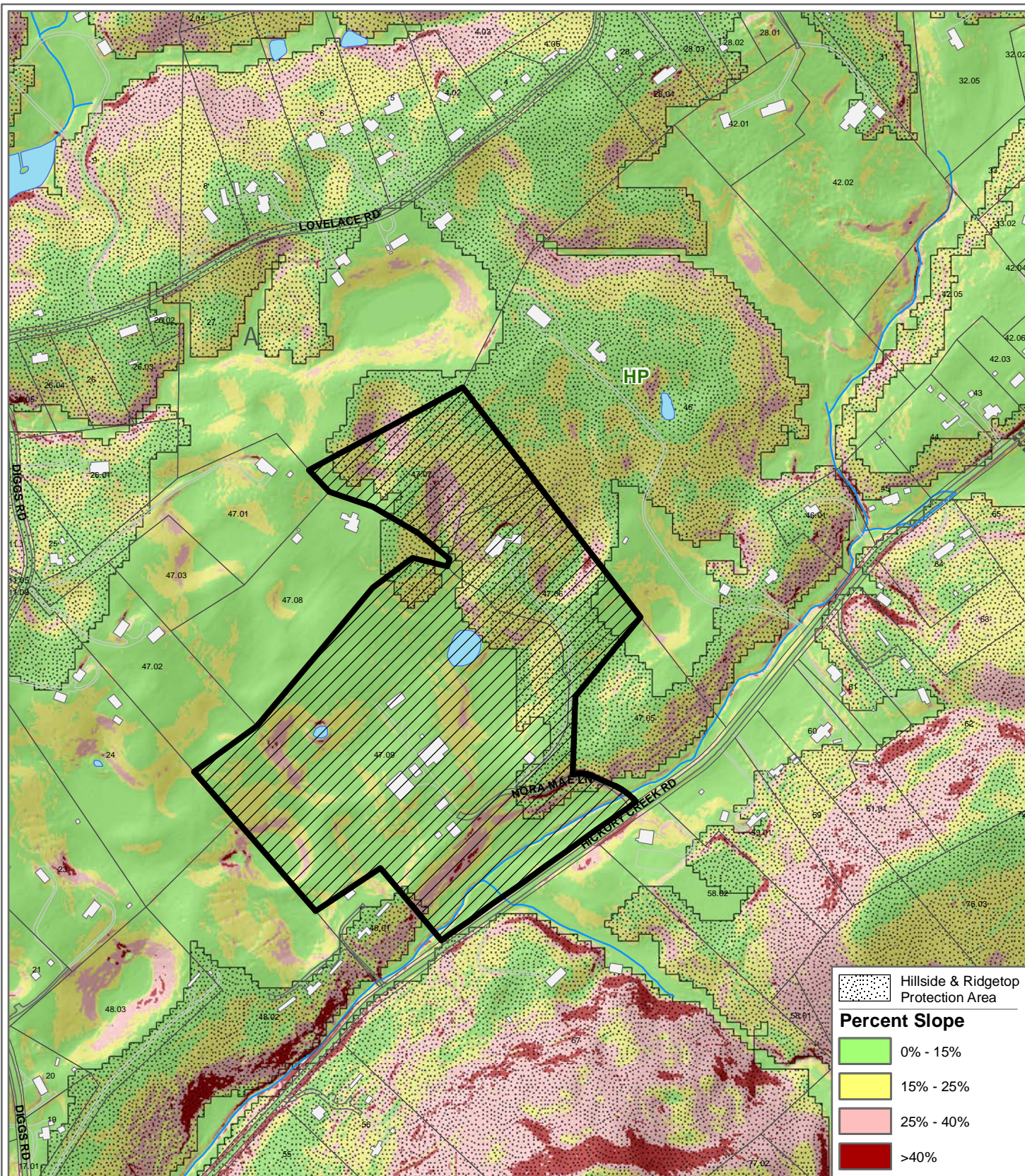
Petitioner: Pinkston, Kathy

Map No: 129

Jurisdiction: County

Original Print Date: 10/17/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**11-B-17-RZ
REZONING - SLOPE ANALYSIS**

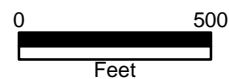
From: A (Agricultural)
To: PR (Planned Residential)



Petitioner: Pinkston, Kathy

Map No: 129
Jurisdiction: County

Original Print Date: 11/2/2017 Revised:
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11-B-17-RZ Slope Analysis

			Acreage
Non-Hillside Portions			25.9
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	9567	5.49
2	15%-25%	12402	7.12
3	25%-40%	3290	1.89
4	>40%	170	0.10
			14.59
Ridgetop Area			0
Site Total			40.49

**MPC STAFF - SLOPE / DENSITY ANALYSIS
11-B-17-RZ - Kathy Pinkston - A to PR**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	25.9	2.00	51.8
0-15% Slope	5.49	2.00	11.0
15-25% Slope	7.12	2.00	14.2
25-40% Slope	1.89	0.50	0.9
Greater than 40% Slope	0.1	0.20	0.0
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	14.6		26.2
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	40.5	1.93	78.0
Proposed Density (Applicant)	40.5	5.00	200.0

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

*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, Kathy Pinkston, has submitted an application to amend the Sector Plan from Agricultural 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 November 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 #11-D-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: Kathy Pinkston

Date Filed: 9/22/2017

Meeting Date: 11/9/2017

Application Accepted by: Marc Payne

Fee Amount: \$3549.50 File Number: Rezoning 11-B-17-RZ

Fee Amount: # File Number: Plan Amendment 11-D-17-SP



PROPERTY INFORMATION

Address: 2150 Norma Mae Lane

General Location: Located off of Hickory Creek Road 1/2 Hickory Creek Rd 1/3 Norma Mae Ln

Parcel ID Number(s): CLT 129 Parcels 04707, 04706, 04709

Tract Size: 40.66 acres

Existing Land Use: Vacant and Residential

Planning Sector: Northwest County

Growth Policy Plan: Rural

Census Tract: 59.06

Traffic Zone: N/A

Jurisdiction: City Council _____ District County Commission 6th District

Requested Change

REZONING

FROM: As

TO: PR-15 units/acre

PLAN AMENDMENT

One Year Plan Sector Plan

FROM: A

TO: LDR

PROPOSED USE OF PROPERTY

Planned Residential

Density Proposed 5 Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: Kathy Pinkston

Company: _____

Address: P O Box 23313

City: Knoxville State: TN Zip: 37933

Telephone: (865) 986-0650

Fax: _____

E-mail: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Kathy Pinkston

Company: _____

Address: P O Box 23313

City: Knoxville State: TN Zip: 37933

Telephone: (865) 986-0650

Fax: _____

E-mail: _____

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: Kathy Pinkston

PLEASE PRINT

Name: Kathy Pinkston

Company: _____

Address: P O Box 23313

City: Knoxville State: TN Zip: 37933

Telephone: (865) 986-0650

E-mail: _____