



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

▶ **FILE #:** 6-G-17-RZ
9-B-17-SP

AGENDA ITEM #: 39
AGENDA DATE: 9/14/2017

▶ **APPLICANT:** KNOX COUNTY COMMISSION / H.E. BITTLE III
OWNER(S): Hardin Valley Land Partners

TAX ID NUMBER: 117 PART OF 027 PORTION ZONED PR ONLY [View map on KGIS](#)
JURISDICTION: Commission District 6
STREET ADDRESS:

▶ **LOCATION:** Southeast side Hardin Valley Rd., southeast of Steele Rd.

▶ **TRACT INFORMATION:** 29 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with 3 lanes, including a center turn lane, with 57' of pavement width within 85' 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) / 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: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Hardin Valley Rd., vacant land, Hardin Valley Elementary School / RC,CI / CA (General Business) and I (Industrial)

ZONING South: Vacant land / AG / A (Agricultural)

East: Vacant land / AG, RR / A (Agricultural)

West: Dwellings and vacant land / RR / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is primarily developed with agricultural and rural to low density residential uses, under A and PR zoning. Hardin Valley Elementary School is to the north, zoned I. A commercial development is to the northwest, zoned CA.

STAFF RECOMMENDATION:

► **DENY LDR (Low Density Residential) sector plan designation.**

Based on the attached slope analysis and calculations, the sector plan amendment to LDR, which would allow consideration of the requested greater density, is not warranted. The slope calculations reveal that the current PR zoning density is appropriate for the site, so the sector plan should not be changed.

► **DENY the requested increase in PR density, consistent with the denial recommendation on the associated sector plan amendment.**

The subject property has significant slopes throughout. The attached slope analysis and calculations reveal that the current density is appropriate for the site, based on the density and land disturbance guidelines of the Hillside and Ridgetop Protection Plan (HRPP). The requested density would allow consideration of up to 144 units on the property, compared to the 62 units that may now be considered.

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:

Hardin Valley Rd. was improved about 10 years ago with the widening to three lanes. However, since those improvements occurred, the sector plan was recently updated and maintains to proposal for Rural Residential uses on the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

No obvious or significant errors or omissions in the recently adopted Northwest County Sector Plan are identifiable. This property is appropriately designated for rural residential uses only, consistent with the current zoning, and with the Growth Policy Plan designation of Rural Area for this site.

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

There has been no change in public/government policy that warrants the requested amendment to the sector plan.

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

No trends in development, population or traffic have been identified that would warrant reconsideration of the recently adopted Northwest County Sector Plan proposal for this 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. The current zoning and density are appropriate for this site, considering the slope characteristics. The requested density of up to 5 du/ac would allow consideration of up to 144 dwelling units, which is 82 more than the maximum number of units recommended with application of the HRPP density and land disturbance guidelines.
2. The existing PR zoning allows reasonable use of the property for residential development up to a density of 2 du/ac, which would allow consideration of up to 62 dwelling units.
3. The Growth Policy Plan map shows the subject property with the Rural Area. This designation means that the maximum density that could be recommended would be up to 3 du/ac, because the site is adjacent to the Planned Growth Area and meets other criteria for consideration of that PR density. However, the slope characteristics of the site warrant limiting the density to the current 2 du/ac in place.
4. 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 the current PR is the most appropriate zone for the development. Of the site, but the density must be limited because of the slope characteristics of the site.

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. The requested increase in PR zoning density from 2 to 5 du/ac would exceed the maximum density guideline of the HRPP. See the attached slope analysis, map and calculations. The calculations reveal that the current density of 2 du/ac is the maximum that should be recommended for the site.
2. Approval of the requested density is likely to lead to extensive clearing and grading of the entire site to accommodate the 144 dwelling units that could be considered, which is not consistent with the density and land disturbance guidelines of the HRPP.
3. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.

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 approval of the requested Northwest County Sector Plan amendment to LDR, the requested PR zoning at up to 5 du/ac would be consistent with the sector plan.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The current zoning does not present any apparent conflicts with any adopted plans, and should be maintained.

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: 1459 (average daily vehicle trips)

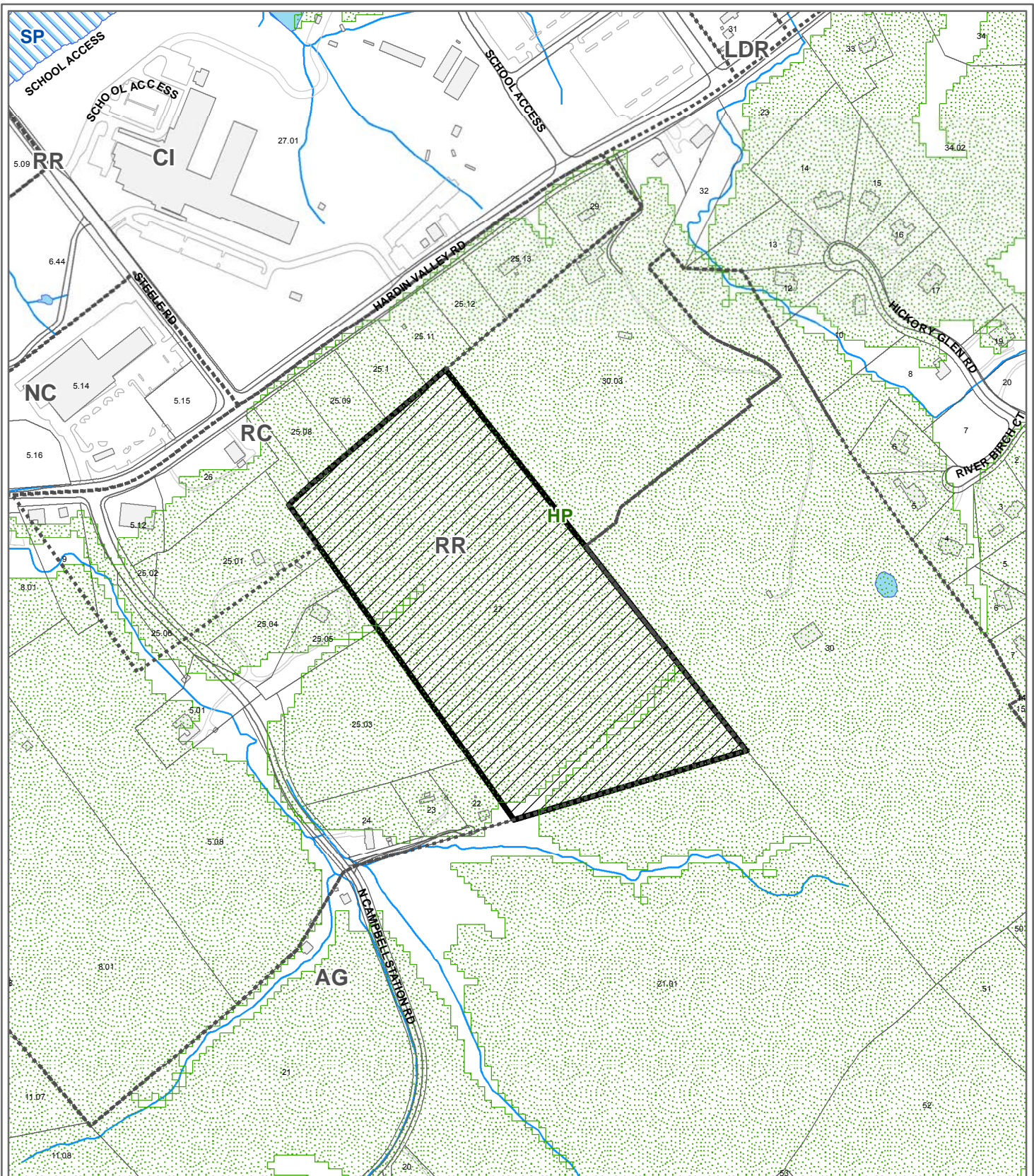
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 59 (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 10/23/2017. 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.



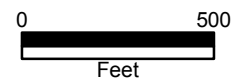
**9-B-17-SP / 6-G-17-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

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

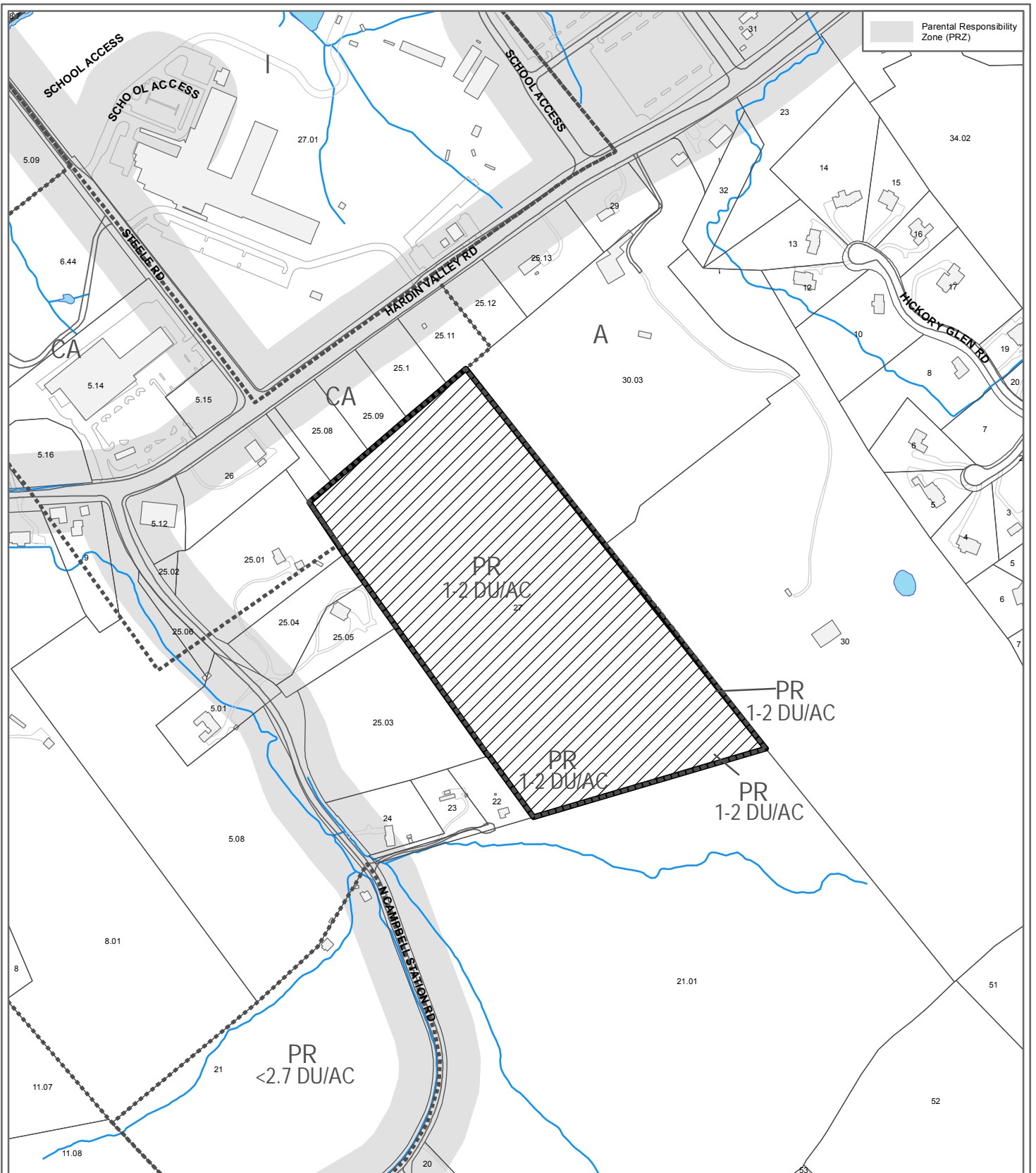


Petitioner: Knox County Commission / H.E. Bittle III

Map No: 117
Jurisdiction: County



Original Print Date: 8/15/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



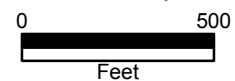
**6-G-17-RZ
REZONING**

From: PR (Planned Residential) at 1-2 du/ac
To: PR (Planned Residential) at up to 5 du/ac



Petitioner: Bittle III, H.E.

Map No: 117
Jurisdiction: County



Original Print Date: 5/17/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

REZONING AND PLAN AMENDMENT

Date Filed: 7/25/2017

Name of Applicant: KNOX COUNTY COMMISSION / H.E. BITTLE III

Meeting Date: 9/14/2017

Application Accepted By: Michael Brusseau

Rezoning File Number: 6-G-17-RZ

Plan Amendment File Number: 9-B-17-SP

PROPERTY INFORMATION

Street Address:

General Location:
Southeast side Hardin Valley Rd., southeast of Steele Rd.

Tract Size: 29 acres
Parcel ID: 117 PART OF 027 PORTION ZONED PR ONLY

Existing Land Use:
Vacant land

Planning Sector: Northwest County
Growth Plan: Rural Area
Census Tract(s): 59.05
Traffic Zone(s): 237
Jurisdiction: County Commission District 6

PROPERTY OWNER/OPTION HOLDER

Hardin Valley Land Partners
10784 Hardin Valley Rd
Knoxville, TN 37932
Telephone: 865-670-7424 Fax: 865-670-7426
Email: rusty@hardinvalleyland.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
Knox County Commission
400 Main St City County Building
Knoxville, TN 37902
Telephone: 865-215-2534 Fax: 865-215-2038
Email:

APPROVAL REQUESTED

Rezoning

FROM:
PR (Planned Residential)

TO:
PR (Planned Residential)

Plan Amendment

Type: Northwest County Sector Plan Amendment
FROM:
RR (Rural Residential)

TO:
LDR (Low Density Residential)

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: 
Knox County Commission
400 Main St City County Building
Knoxville, TN 37902
Telephone: 865-215-2534 Fax: 865-215-2038
Email:

PROPOSED USE OF PROPERTY

Residential development

Density Proposed: 5 du/ac
Previous Rezoning Requests: