

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

▶ **FILE #:** 7-D-17-RZ **AGENDA ITEM #:** 40
 POSTPONEMENT(S): 7/13/2017-8/10/2017 **AGENDA DATE:** 9/14/2017
 ▶ **APPLICANT:** CLEAR WATER PARTNERS, LLC
 OWNER(S): Clear Water Partners

TAX ID NUMBER: 118 00104 117-03613 [View map on KGIS](#)
 JURISDICTION: County Commission District 6
 STREET ADDRESS:

▶ **LOCATION:** Southeast side Carmichael Rd., southeast of Valley Vista Rd, southwest of Pellissippi Pkwy.
 ▶ **APPX. SIZE OF TRACT:** 24.98 acres
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via Carmichael Rd., a minor collector street with 21' of pavement width within 50' of right-of-way.
 UTILITIES: Water Source: West Knox Utility District
 Sewer Source: West Knox Utility District
 WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** BP (Business and Technology) / TO (Technology Overlay)
 ▶ **ZONING REQUESTED:** OB (Office, Medical, and Related Services) / TO (Technology Overlay)
 ▶ **EXISTING LAND USE:** Vacant land
 ▶ **PROPOSED USE:** Any use permitted in OB zoning
 EXTENSION OF ZONE: Yes, extension of OB/TO from the southwest
 HISTORY OF ZONING: None noted for this site
 SURROUNDING LAND USE AND ZONING: North: Carmichael Rd., Local Motors, vacant land - BP (Business & Technology Park) / TO (Technology Overlay) and PR (Planned Residential) / TO at up to 12 du/ac
 South: Centerpoint condos, vacant land - BP (Business & Technology Park) / TO
 East: Pellissippi Pkwy. R-O-W - BP (Business & Technology Park) / TO
 West:
 NEIGHBORHOOD CONTEXT: This site is located along the west side of Pellissippi Pkwy., south of Vista Dei Monte business park, under various zones, and north of the Centerpoint condominium development, zoned OB/TO and BP/TO.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE OB (Office, Medical & Related Services) / TO (Technology Overlay) zoning, subject to two conditions.**
 1. Use on review approval of a development plan will be required by MPC prior to any disturbance of the site, including clearing and grading.
 2. The maximum residential density that may be considered for this site shall be 12 du/ac.

With the above conditions, this site is appropriate to be rezoned to OB, consistent with the sector plan proposal for the property. Use on review development plan approval is necessary because of the extremely steep slopes on the property.

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. OB/TO zoning is consistent with the proposal of the sector plan, as long as use on review approval of a development plan is required.
2. The site has significant slope constraints. Over 16 of the 25 acres of the subject property have slopes of 25% or greater (see attached slope map, analysis and calculations).
3. If approved, the applicant may submit a plan for up to 300 residential units, office development or some combination of the two. Regardless of the type of development proposed, use on review approval will be required, giving staff and MPC the opportunity to address slope protection on this steeply-sloped site. The maximum density that can be supported by staff and MPC may be impacted by the steep slope characteristics of the site.
4. The recommended condition 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, slope protection, reforestation, 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. The requested OB zoning district is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The OB zoning district also allows residential development as permitted by the RB zoning district.
2. Based on the above description and intent of OB zoning, this property is appropriate to be rezoned to OB with conditions, as recommended.
3. The TO zoning overlay will remain in place, regardless of the decision on the rezoning. Depending on the type of development proposed, plans may be subject to approval of a Certificate of Appropriateness from the Tennessee Technology Corridor Development Authority (TTCCA).

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 applicant has submitted plans for the site requesting use on review approval for attached multi dwelling residential units.
2. The impact to the street system will be addressed through the review of a Traffic Impact Study, (TIS) which will be required to be submitted as part of the use on review development plan package. Any recommendations from the TIS will need to be included on the final plans for the site.
3. The applicant will be expected to avoid grading of the steep slopes as much as possible. Where grading is necessary and new slopes are created within the development, a reforestation plan will be required as part of the required development plan package.
4. The proposed zoning is compatible with surrounding development. A large business (Local Motors) is located to the north, zoned BP/TO, and there are other parcels in the immediate area that are zoned BP, PC, OB and PR at 1-12 du/ac.
5. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.
6. No other area of the County will be impacted by this rezoning request.

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 reflects this site within a mixed use special district (NW-CO-4). The recommendations for this district within the sector plan are included with this report. This specific area south of Carmichael Rd. is addressed in the plan with this specific language; "The northern portion of the site adjacent to Carmichael Road (including 1,000 feet to the south of the Carmichael Road frontage) should be limited to: Office (O) with a recommendation for all new development to go through a Use on Review process due to the steep topography of the site." Staff is therefore recommending this rezoning to OB office, with the condition that use on review approval is required. Without this condition, up to 12 du/ac (about 300 units) could be developed with out any public review of a development plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The recommendation does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 2562 (average daily vehicle trips)

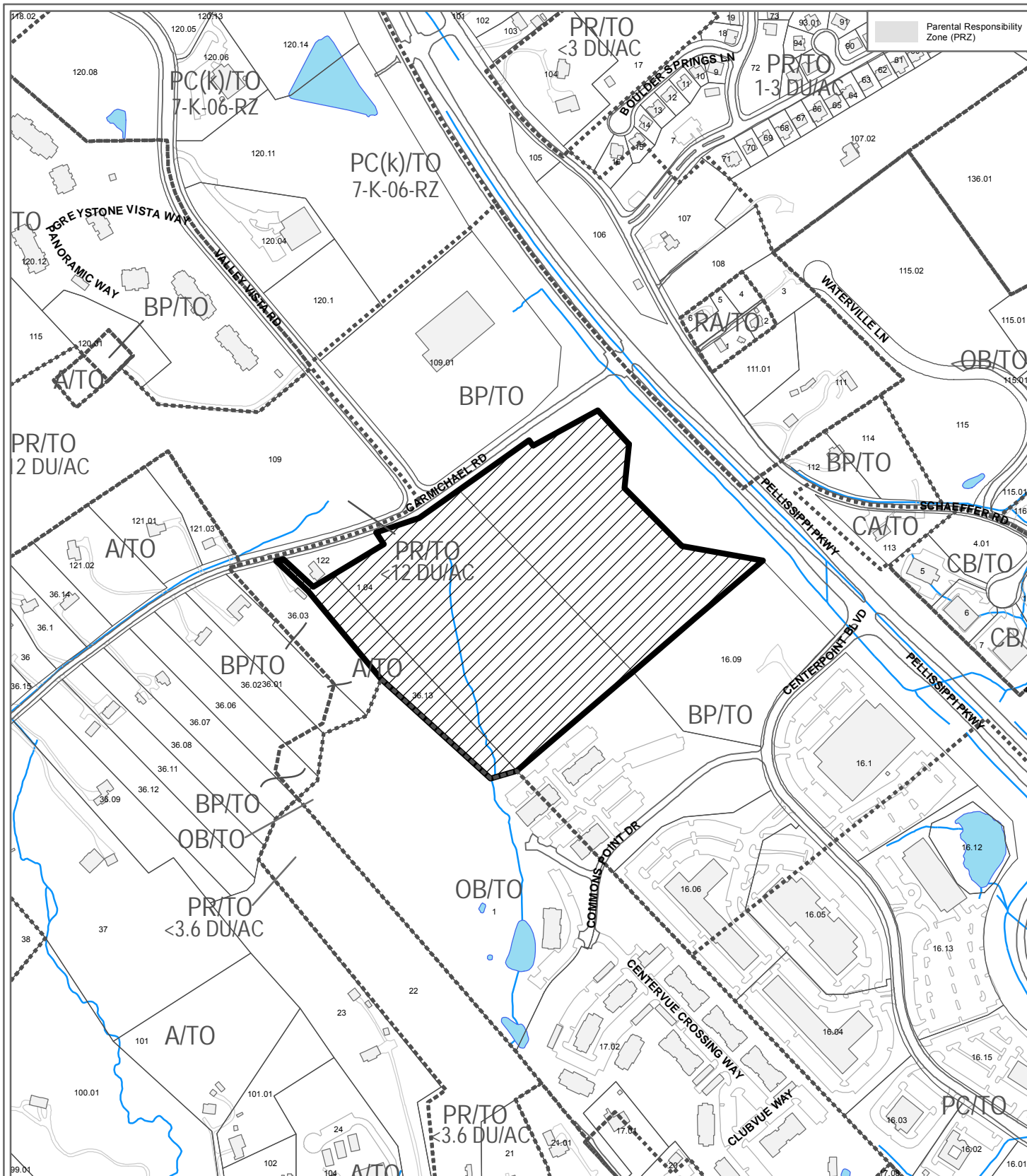
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 22 (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.

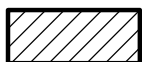
If approved, this item will be forwarded to Knox County Commission for action on 10/23/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**7-D-17-RZ
REZONING**

From: BP (Business and Technology) / TO (Technology Overlay)

To: OB (Office, Medical, and Related Services) / TO (Technology Overlay)



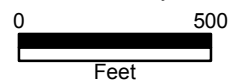
Original Print Date: 6/15/2017
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

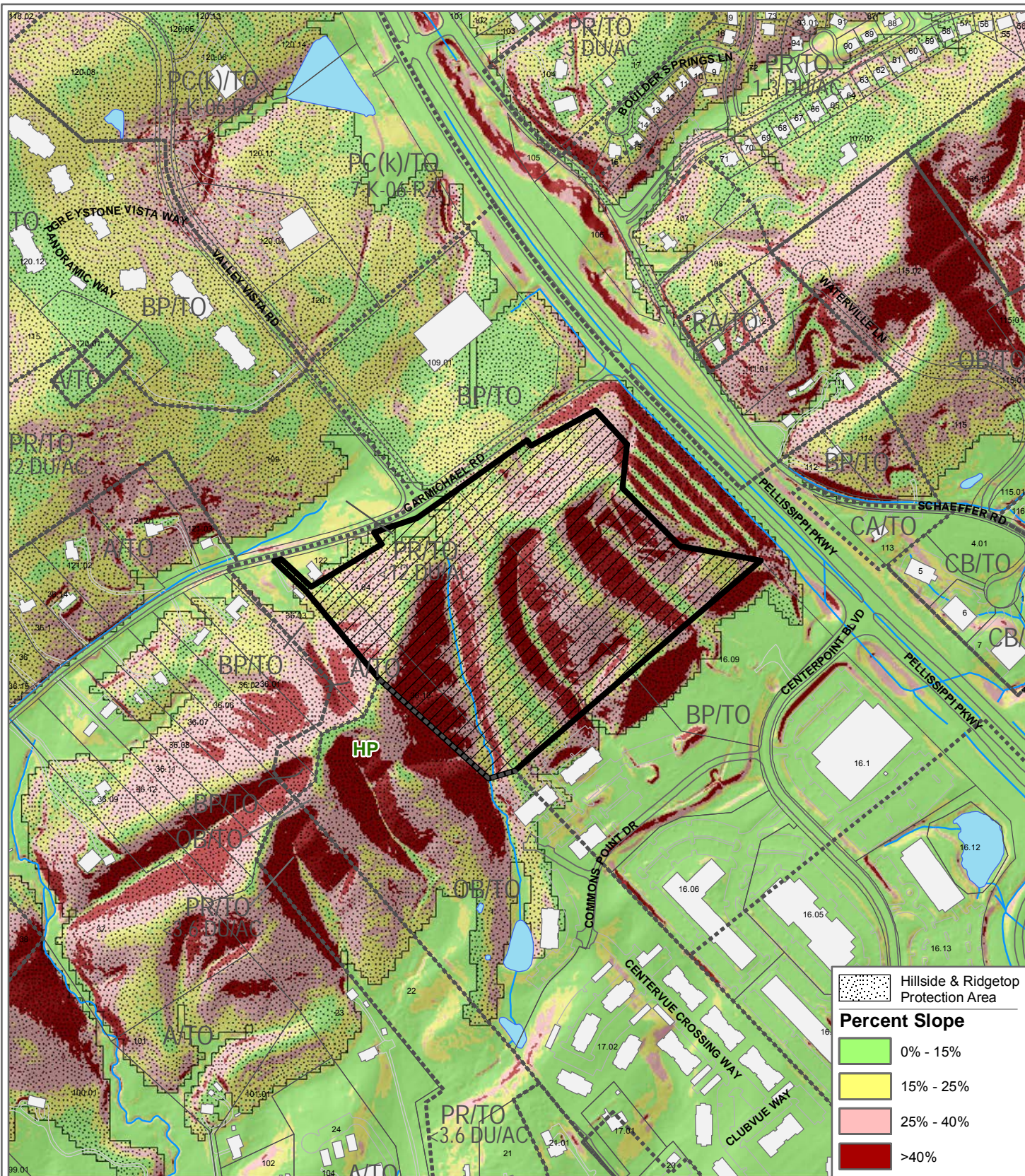
Revised:

Petitioner: Clear Water Partners, LLC

Map No: 118

Jurisdiction: County

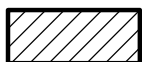




**7-D-17-RZ
REZONING - SLOPE ANALYSIS**

From: BP (Business and Technology) / TO (Technology Overlay)

To: OB (Office, Medical, and Related Services) / TO (Technology Overlay)



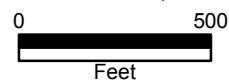
Original Print Date: 6/19/2017
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Clear Water Partners, LLC

Map No: 118

Jurisdiction: County



7-D-17-RZ Slope Analysis

			Acreage
Non-Hillside Portions			0.44
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	3518	2.02
2	15%-25%	10275	5.90
3	25%-40%	15838	9.09
4	>40%	12601	7.23
			24.24
Ridgetop Area			0.64
Site Total			25.32

MPC STAFF - SLOPE / DENSITY ANALYSIS
7-D-17-RZ - Clear Water Partners - BP/TO to OB/TO

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0.44	12.00	5.3
0-15% Slope	2.02	12.00	24.2
15-25% Slope	5.9	2.00	11.8
25-40% Slope	9.09	0.50	4.5
Greater than 40% Slope	7.23	0.20	1.4
Ridgetops	0.64	12.00	7.7
Subtotal: Sloped Land	24.88		49.7
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	25.32	2.17	55.0
Proposed Density (Applicant)	25.32	12.00	303.8

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

Mixed Use Special District NWCO-4

SADDLEBROOK

This area is predominately developed as medium density residential development and office buildings on the southern flatter side of the site, however, the northern portion of site, abutting Carmichael Road is dominated by the steep slopes of Beaver Ridge and falls mostly within the Hillside and Ridgetop Protection Area. This approximately 37 acre area of undeveloped land consists primarily of slopes greater than 25 percent to 50 percent and greater.

Recommended Uses

Most of the remaining undeveloped portion of the district is on the north end of the site abutting Carmichael Road. This area is characterized by steep forested slopes from 25 to 50 percent and greater. Some of the steepest forested areas of the site should be preserved during development.

The southern flatter portion of the site should be limited to:

- Technology Park (TP)
- Office (O)
- Medium Density Residential / Office (MDR/O)
- Community Mixed Use Center (MU-CC)

The northern portion of the site adjacent to Carmichael Road (including 1,000 feet to the south of the Carmichael Road frontage) should be limited to:

- Office (O) with a recommendation for all new development to go through a Use on Review process due to the steep topography of the site

Site Design Guidelines

- The northern portion of the site within the Hillside and Ridgetop Protection Area, adjacent to Carmichael Road, should be limited to small scale office development with minimal need for large swaths of clearing and grading. Recommendations for building height, clearing, grading, density, revegetation and other principles of the Hillside and Ridgetop Protection Plan should be followed.
- Reference the *Tennessee Technology Corridor Development Authority Design Guidelines* for all development within the district (inside the boundaries of the Tennessee Technology Corridor), excluding only low density residential and agricultural uses.
- Street trees should be planted within medians, sidewalk planting strips and wells.

Transportation Improvements

- A north/south road connection should be studied from Lovell Road/Yarnell Road to Hardin Valley Road to provide an additional connection for movement of

neighborhood traffic without having to access Pellissippi Parkway (SR 162).

- Continuity, circulation, connectivity in streets, sidewalks and pathways, as well as parking and road access to Pellissippi Parkway (SR 162) should follow the *Tennessee Technology Corridor Development Authority Design Guidelines*.
- All components of future development should have interparcel access, with more than one means to reach adjoining thoroughfares.

Community Facilities

- The proposed Knox to Oak Ridge Greenway connects from the Ten Mile Greenway through this district, along Pellissippi Parkway (SR 162), and would be an amenity for offices and residents in the area. Easements for this greenway should be sought through this district.
- Pedestrian connections for residents of Lovell Crossing to the existing pathways of the CenterPoint Business Park should also be pursued in collaboration between Knox County and the property owners and residents of the area, as well as providing a connection from the pathways in CenterPoint to the proposed greenway.

Lovell Crossing apartments, 2008



REZONING **PLAN AMENDMENT**

Name of Applicant: Clear Water Partners, LLC

Date Filed: 5/17/17 Meeting Date: 7/13/17

Application Accepted by: [Signature]

Fee Amount: 3498.00 File Number: Rezoning 7-D-17-RZ

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 8 Carmichael
 General Location: Corner of Carmichael Road + Pellissippi Parkway
 Parcel ID Number(s): 118-00104 & 117-03603
 Tract Size: 24.98 Acres
 Existing Land Use: Aq
 Planning Sector: MU-SD of NW County
 Growth Policy Plan: PG
 Census Tract: _____
 Traffic Zone: _____
 Jurisdiction: City Council _____ District
 County Commission 6 District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT
 Name: Clear Water Partners
 Company: _____
 Address: P.O. Box 23038
 City: Knoxville State: TN Zip: 37933
 Telephone: 865-966-1600
 Fax: _____
 E-mail: _____

Requested Change

REZONING

FROM: Aq BP-TO
 TO: OB-TO

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____
 TO: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
 Name: John Huber
 Company: Clear Water Partners, LLC
 Address: Same
 City: _____ State: _____ Zip: _____
 Telephone: _____
 Fax: _____
 E-mail: _____

PROPOSED USE OF PROPERTY

Any use perm. Her

Density Proposed _____ 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 signatures are included on the back of this form.

Signature: [Signature]
 PLEASE PRINT
 Name: John Huber
 Company: Clear Water Partners
 Address: Same
 City: _____ State: _____ Zip: _____
 Telephone: _____
 E-mail: _____

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
<i>Star Castle</i>					<input checked="" type="checkbox"/>	
<i>United Properties</i>						