

▶ **FILE #:** 4-G-18-RZ

**AGENDA ITEM #:** 44

**AGENDA DATE:** 4/12/2018

▶ **APPLICANT:** PRIMOS LAND COMPANY LLC

OWNER(S): Primos Land Company, LLC

TAX ID NUMBER: 37 025 & 10201

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 1015 E Copeland Dr

▶ **LOCATION:** Northwest side E. Copeland Dr., west side Pedigo Rd., northwest side Pedigo Rd.

▶ **APPX. SIZE OF TRACT:** 82.1 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Pedigo Rd., a major collector street with 19' of pavement width within 55' of right-of-way, Greenwell Dr., a major collector street with 18' of pavement width within 40' of right-of-way or E. Copeland Dr., a local street with 15' of pavement width within 40-50' of right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential development

**DENSITY PROPOSED:** 5 du/ac

EXTENSION OF ZONE: Yes, extension of PR zoning from the east

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land / A (Agricultural)

South: Greenwell Dr., house, vacant land / A (Agricultural)

East: Pedigo Rd., residential subdivision, houses, vacant land / PR (Planned Residential) and A (Agricultural)

West: Houses and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed agricultural and rural to low density residential uses, under A, RA and PR zoning.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac. (Applicant requested 5 du/ac.)**

PR is an appropriate zone for residential development of this site and is consistent with the sector plan proposal for the property. The property is designated as Rural Area on the Growth Policy Plan, but is adjacent to the Planned Growth Area to the east. In this situation, the maximum permissible density, based on the policies of the Growth Policy Plan, is 3 du/ac. This is the reason for the staff's recommendation of a lesser

density than requested.

**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 is the most appropriate residential zone that can be considered for this site. The recommended density is compatible with the surrounding development and zoning pattern, and consistent with the policies of the Knoxville-Knox County-Farragut Growth Policy Plan.
2. PR zoning at up to 5 du/ac density is consistent with the current LDR sector plan proposal for the site. However, the Growth Policy Plan limits the density that may be permitted, since the property is classified as Rural Area.
3. The recommended density is more compatible with surrounding development than the requested density of up to 5 du/ac. The adjacent PR development to the east of the site on the opposite side of Pedigo Rd. is developed with 98 lots on about 40.5 acres, which is a density of about 2.41 du/ac. That property is zoned PR at 2 or 3 du/ac.
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 PR is the most appropriate zone for proposed development of this 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. PR zoning at the recommended density will allow use of the property for residential development, while maintaining compatibility with surrounding development and zoning. The requested 3 du/ac is consistent with the prevailing densities in the area.
2. Based on the reported acreage of 82.1 acres, the requested density of 5 du/ac would allow for a maximum of 410 dwelling units to be proposed for the site. That number of detached units would add approximately 3797 vehicle trips per day to the street system and would add approximately 168 children under the age of 18 to the school system. At staff's recommended density of up to 3 du/ac would allow for up to 246 dwelling units to be proposed for the site. That number of detached units would add approximately 2373 vehicle trips per day to the street system and would add approximately 101 children under the age of 18 to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
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. Public water and sanitary 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. The North County Sector Plan designates this site for low density residential uses and hillside protection, consistent with PR zoning at up to 5 du/ac. Because a portion of the property is designated as hillside protection on the sector plan, staff produced a slope analysis for the property. This analysis revealed that 59 acres of the site are outside of the hillside protection area and another 11.5 acres of the site has slopes of less than 15%. Since only about 12 of the 82.1 acres are under hillside protection, it was not necessary to recommend a reduced density based on the slopes on the site. Application of the residential density guidelines from the Hillside and Ridgetop Protection Plan produces a maximum density of 4.56 du/ac, which is well above the 3 du/ac that can be recommended based on the Rural Area policies of the Growth Policy Plan.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map,

which limits PR density to 3 du/ac on a property that is adjacent to the Planned Growth Area, which is located to the south, east and west of the subject property.

3. This request may lead to future requests for PR zoning in the future on other A-zoned properties in the area, consistent with the sector plan proposal.

4. 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 concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern 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.

ESTIMATED TRAFFIC IMPACT: 3797 (average daily vehicle trips)

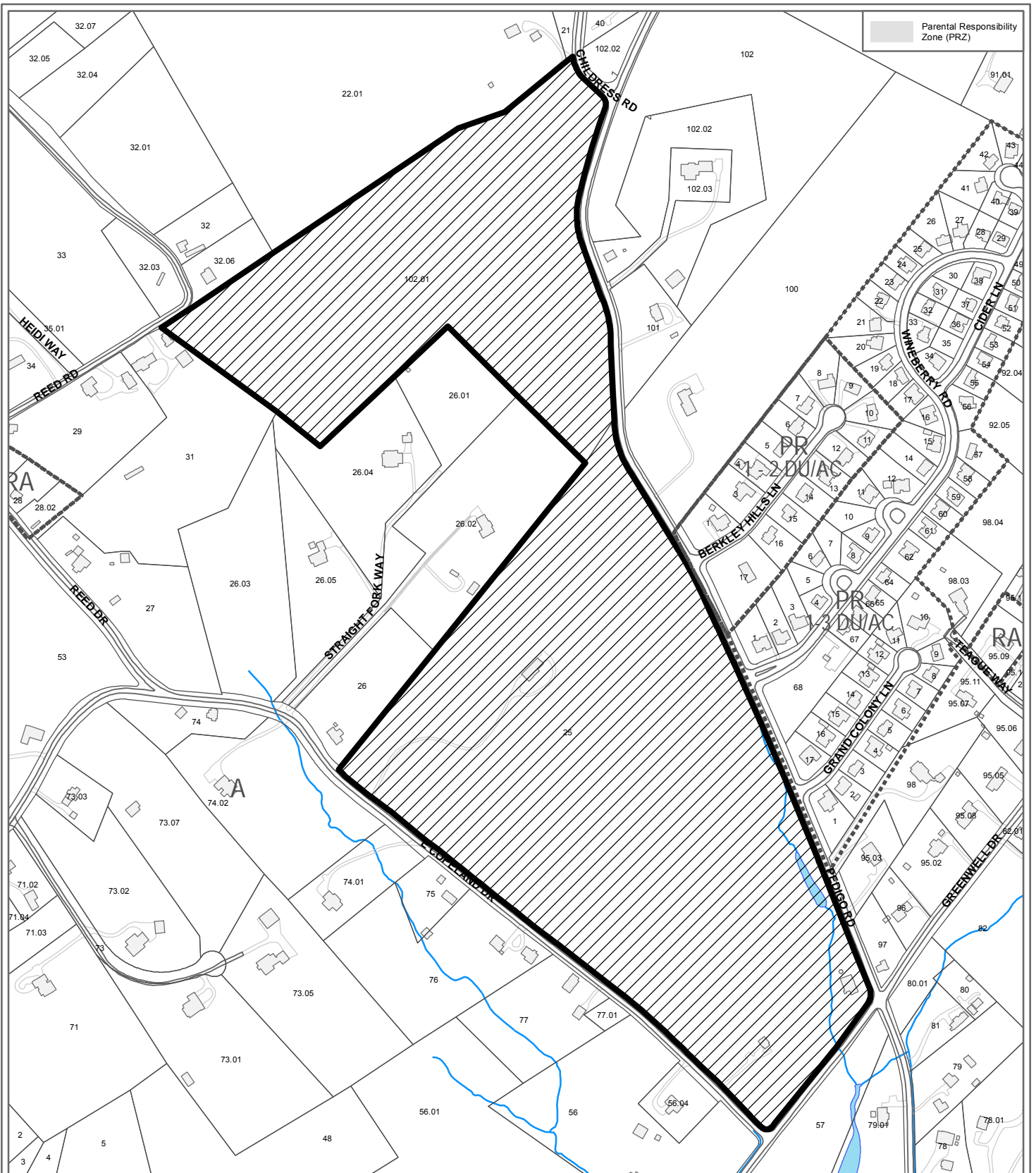
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 168 (public school children, ages 5-18 years)

Schools affected by this proposal: Brickey-McCloud Elementary, Powell Middle, and Powell 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.

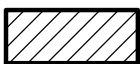
If approved, this item will be forwarded to Knox County Commission for action on 5/29/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**4-G-18-RZ  
REZONING**

From: A (Agricultural)

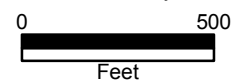
To: PR (Planned Residential)



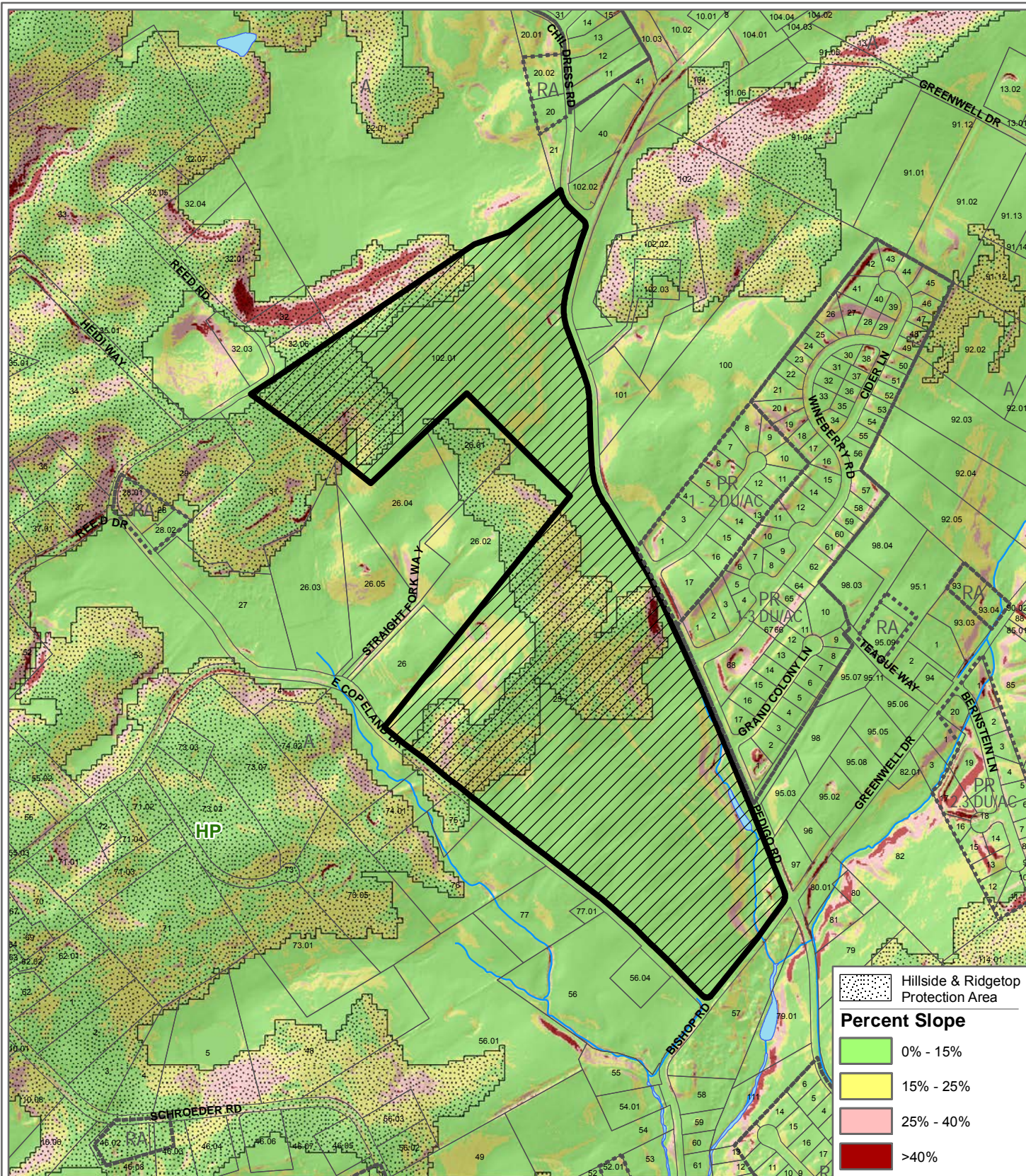
Petitioner: Primos Land Company LLC

Map No: 37

Jurisdiction: County

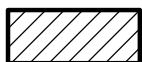


Original Print Date: 3/19/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**4-G-18-RZ  
REZONING - SLOPE ANALYSIS**

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



Original Print Date: 3/13/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Primos Land Company LLC

Map No: 37  
Jurisdiction: County  
0      500  
Feet



**4-G-18-RZ Slope Analysis**

			<b>Acreage</b>
<b>Non-Hillside Portions</b>			59
<b>Hillside and Ridgetop Protection Area</b>			
<b>Value</b>	<b>Percent Slope</b>	<b>Count</b>	<b>Acres</b>
1	0%-15%	20136	11.56
2	15%-25%	17456	10.02
3	25%-40%	2147	1.23
4	>40%	281	0.16
			<b>22.97</b>
<b>Ridgetop Area</b>			<b>0</b>
<b>Site Total</b>			<b>81.97</b>

**MPC STAFF - SLOPE / DENSITY ANALYSIS**  
**4-G-18-RZ - Primos Land Company LLC - A to PR**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	59	5.00	295.0
0-15% Slope	11.56	5.00	57.8
15-25% Slope	10.02	2.00	20.0
25-40% Slope	1.23	0.50	0.6
Greater than 40% Slope	0.16	0.20	0.0
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	22.97		78.5
<b>Maximum Density Guideline</b> (Hillside & Ridgetop Protection Plan)	<b>81.97</b>	<b>4.56</b>	<b>373.5</b>
<b>Proposed Density (Applicant)</b>	<b>81.97</b>	<b>5.00</b>	<b>409.9</b>

**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



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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## [MPC Comment] Concerned property owner adjacent to proposed SmithBilt homes development in Powell at the Copeland Farm

1 message

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Seal, Brian <bseal@epri.com>  
Reply-To: bseal@epri.com  
To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Tue, Mar 27, 2018 at 2:26 PM

Dear commissioners,

My name is Brian Seal and I live at 8215 Straight Fork Way in Powell. I was informed recently that an 80-acre farm in our community has been bought by SmithBilt and that they have made a request to you to allow 5 homes per acre. I understand that there will be a hearing/discussion on this topic on April 12<sup>th</sup>.

I'm writing to voice my opposition to this change, and I understand that the community as a whole has similar views.

Let me start by saying that I genuinely appreciate owner rights and freedoms and respect the fact that Smithbilt had the money to buy this land and we (the community) did not. That being said, I also appreciate the role and work of the MPC to help communities grow in healthy sustainable ways and to become their very best, considering the present and future quality of Knox County.

There is not a good way with words to communicate to you the nature of the immediate community around this proposed development site. I wholeheartedly invite each of you to come by our home and visit with Julie and I some evening prior to the hearing. We would enjoy an opportunity to show you around and let you experience firsthand the nature and feel of the area. Nothing else would need to be said. But since we haven't met yet, I'll say just a bit more:

I did a screen-shot from the KGIS website and annotated it for reference (see attached ppt and jpeg). Like many areas on the outskirts of town, this is a region that has been slowly converting from farm to residential over the years. People drawn to this area are generally looking for space for recreation, the sounds of nature and more privacy than what is found in some developments. As you can see from the annotated map, independent lots like mine that surround the area are typically 2-5 acres.

In addition to these independent lots, there have been some developments. You can see these, for example, along Pedigo Rd. to the East of the Copeland farm. In order to get a better sense of density, I counted the lots and measured the area of a few of these communities using the KGIS system and calculated the homes-per-acre values that are on the diagram. As you see, these neighborhoods are all under 3 per acre, typically around 2 homes per acre. I also analyzed nearby developments that are outside the field of view in this picture and they were also in the order of 2 per acre or less.

This is the essence of the Powell community, and this area in particular. There is a lot of pride and optimism recently, with the building of medical facilities around the Tennova North hospital. The community has seen these professional business lift the quality of the area, with rundown homes being torn down and replaced with new/larger homes.

In summary, this community is strongly opposed to the requested increase in allowed housing density. Even 3 per acre seems high relative to the area norms. We are confident that the businesses and economic growth in the area will support



(and prefer) homes with larger lots. I appreciate your consideration of these comments as you work on this topic. And please do give me a call and come by the area. I would love to host your visit.

Thanks in advance,

**Brian K. Seal**

Email: [bseal@epri.com](mailto:bseal@epri.com)

Desk: 865-218-8181

Cell: 865-456-3586

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)

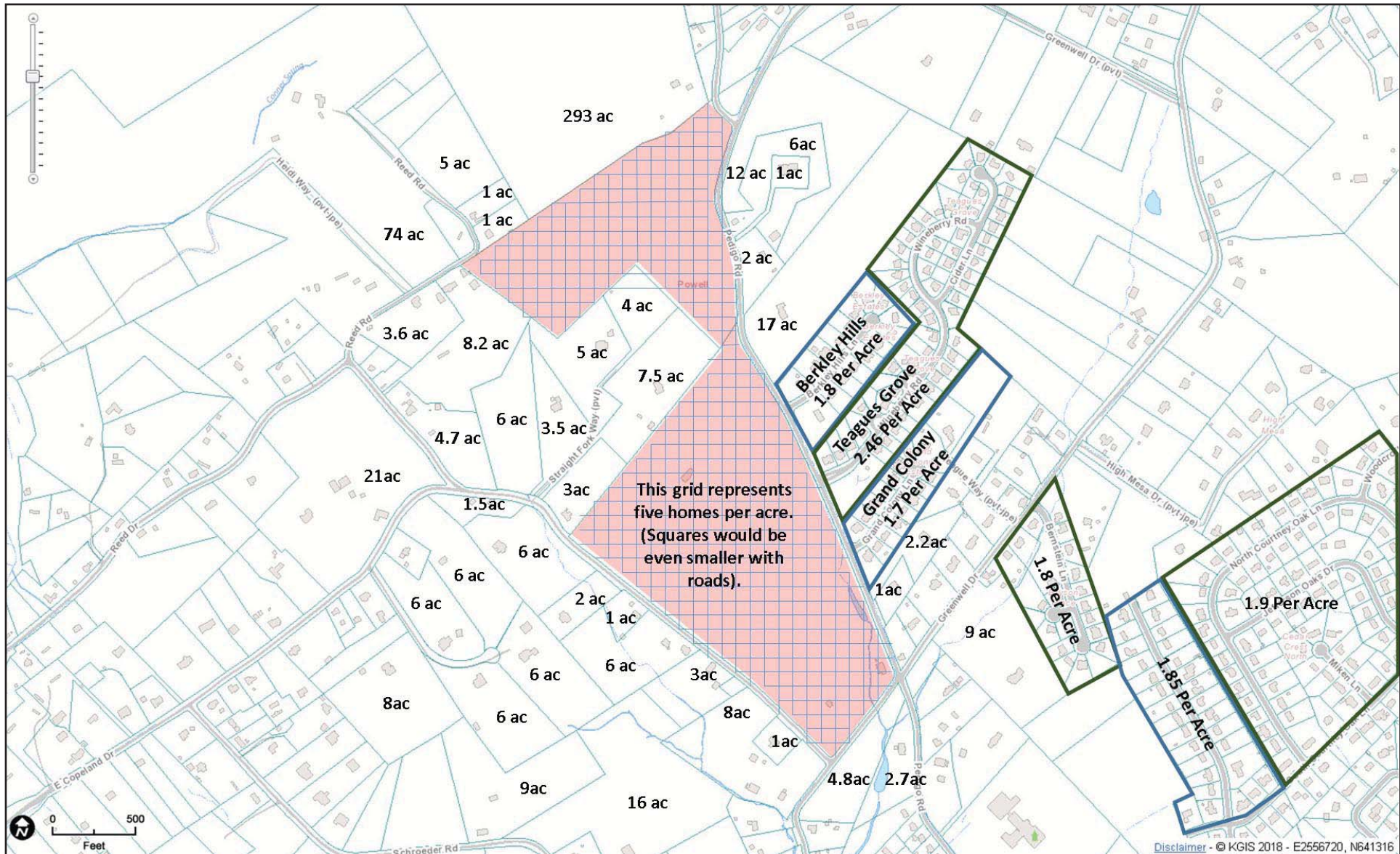
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2 attachments



Copeland Community .jpg  
561K

 Copeland Community Housing Density Map.pptx  
3919K



4-G-18-RZ



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[MPC Comment] Fwd: Property off Pedigo Rd

1 message

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Michael Brusseau <mike.brusseau@knoxmpc.org>  
Reply-To: mike.brusseau@knoxmpc.org  
To: Commission <commission@knoxmpc.org>

Wed, Mar 28, 2018 at 11:41 AM

Correspondence on item #44 - Primos Land Company - 4-G-18-RZ

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

From: Terry Gilhula <terry.gilhula@knoxmpc.org>  
Date: Wed, Mar 28, 2018 at 11:28 AM  
Subject: Fwd: Property off Pedigo Rd  
To: "Payne, Marc" <marc.payne@knoxmpc.org>, "Michienzi, Sherry" <sherry.michienzi@knoxmpc.org>, "Brusseau, Mike" <mike.brusseau@knoxmpc.org>, Mike Reynolds <mike.reynolds@knoxmpc.org>

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

From: Linda Renee' Bradley <reneebradley@comcast.net>  
Date: Wed, Mar 28, 2018 at 9:56 AM  
Subject: Property off Pedigo Rd  
To: [contact@knoxmpc.org](mailto:contact@knoxmpc.org)

Good morning,

I live in the area off of Pedigo Rd in Powell. I noticed yesterday that there is a piece of property planned for rezoning. How do I get more information about the rezoning planned?

If it is to be rezoned to a subdivision I have serious concerns about the infrastructure in place to support this for example the roads (especially Bishop and E. Copeland) surrounding this property, schools, etc. I realize that Bishop and E. Copeland may not be considered primary roads traveled but due to the back ups on Emory these roads are being utilized more and more each day by people cutting through to get to Powell, the interstate, Oak Ridge. They are narrow roads and with the case of E. Copeland too narrow for two cars to safely pass without one yielding to the other and pulling to the side. Both Powell and Halls schools are already subject to overcrowding. I would like serious consideration made to addressing these concerns prior to any new housing being added to the area.

Thank you for your assistance!

Sincerely,  
Linda R. Bradley

--  
Michael A. Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County [Building, Suite 403](#)  
[400 Main St.](#)  
[Knoxville, TN 37902](#)  
Phone: (865) 215-2500  
Fax: (865) 215-2068  
[www.knoxmpc.org](http://www.knoxmpc.org)

REZONING PLAN AMENDMENT

Name of Applicant: PRIMOS Land Company LLC Date Filed: 2/21/18 Meeting Date: April 12 Application Accepted by: James Reed Fee Amount: \$4,000 File Number: Rezoning 4-G-18-RZ Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: 1015 E. Copeland Rd General Location: East Pedigo Rd & South Greenwell Rd & E. Copeland Rd Tract Size: 54.50 Tax Identification Number: 37/25 & 37/102.01 Existing Land Use: Vacant Planning Sector: LDR Growth Policy Plan: Rural Census Tract: 62.06 Traffic Zone: 248 Jurisdiction: [ ] City Council [ ] District [x] County Commission 7 District

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: Wanis A. Rghebi Date: 2/15/18

PLEASE PRINT

Name: WANIS A. Rghebi Company: SEC, LLC Address: 4909 Ballard Address: 4909 Ballard City: Knoxville State: TN Zip: 37931 Telephone: 865-694-7756 Fax: 865-693-9699 E-mail: Wrghebi@sengconsultants.com

Requested Change

REZONING

FROM: Agr TO: PR (5 units/Acre)

PLAN AMENDMENT

[ ] One Year Plan [ ] Sector Plan FROM: TO:

PROPOSED USE OF PROPERTY

Single Family Residential Density Proposed 5 Units/Acre Previous Rezoning Requests:

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be directed to:

PLEASE PRINT

Name: Company: Address: Same as Above City: State: Zip: Telephone: Fax: 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
Joch Sanderson	4909 Ball Rd	Knoxville	TN	37931		✓
Primer Land Co. LLC						

## REQUIRED SIGN POSTING AGREEMENT FORM

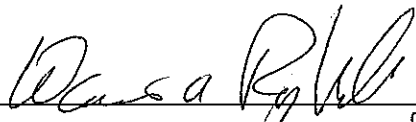
For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign(s) provided on the subject property on or before March 27, 2018, consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature:   
Printed name: Wafiq R. Ghaleb  
Date: 2/21/18  
MPC/BZA File #: 4-G-18-RZ