

▶ **FILE #:** 4-L-18-RZ

AGENDA ITEM #: 49

AGENDA DATE: 4/12/2018

▶ **APPLICANT:** EAGLE CDI INC.

OWNER(S): William Overton, Jr.

TAX ID NUMBER: 106 B A 001

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS:

▶ **LOCATION:** Northeast side Ferd Hickey Rd., east of Piney Grove Church Rd.

▶ **APPX. SIZE OF TRACT:** 17.5 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Ferd Hickey Rd., a local street with 21' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

▶ **PRESENT ZONING:** A-1 (General Agricultural)

▶ **ZONING REQUESTED:** RP-1 (Planned Residential)

▶ **EXISTING LAND USE:** House, outbuildings and vacant land

▶ **PROPOSED USE:** Detached residential development

DENSITY PROPOSED: 5 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Houses and vacant land / A-1 (General Agricultural) and R-1 (Low Density Residential)

South: Houses / R-1 (Low Density Residential)

East: Houses / R-1 (Low Density Residential)

West: Ferd Hickey Rd., houses / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is primarily developed with low to medium density residential uses under A-1, R-1 and RP-1 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 4 du/ac. (Applicant requested 5 du/ac.)**

RP-1 zoning at the recommended density is consistent with both the One Year Plan and sector plan proposals for the property, is compatible with surrounding development and zoning and the density is consistent with the residential density guidelines of the Hillside and Ridgetop Protection Plan (HRPP).

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. The recommended RP-1 zoning and density is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. Staff has recommended a decreased density because of the slope characteristics of the site. The majority of the site is identified as hillside protection area, so staff completed the attached slope analysis, map and calculations to determine an appropriate density for this site. With application of the residential density guidelines of the HRPP, the density should be limited to around 3.66 du/ac. Because of the nature of the surrounding development, with some medium density development, staff rounded the number up to 4 du/ac.
3. Ferd Hickey Rd. has adequate pavement width to provide access to low density residential uses.
4. The sector plan and the One Year Plan both propose low density residential uses for the property, consistent with the requested RP-1 zoning and density. The requested density of 5 du/ac is under the maximum allowable density of 6 du/ac under the low density residential plan designation with the City Limits of Knoxville.
5. The surrounding area is developed with low to medium density residential uses under various zoning districts, compatible with the proposed development.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. RP-1 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 RP-1 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. RP-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. Based on the calculated area of 15.59 acres, the approval of staff's recommended density of 4 du/ac will allow the applicant to submit a development plan with up to 61 dwelling units for MPC's consideration, which, if developed with detached residential units, would add 25 students to the school system and add 658 trips to the street system. At the requested density of 5 du/ac, the applicant may submit a development plan with up to 77 dwelling units for MPC's consideration, which, if developed with detached residential units, would add 32 students to the school system and add 815 trips to the street system. The difference in number of units between the staff recommended and the requested density is 16 dwelling units.
3. The property is located within the Parental Responsibility Zone, so sidewalks will be required on at least one side of the street within the development and possibly along the frontage of Ferd Hickey Rd. If more than 750 trips would be generated by the proposed development, a traffic impact study will be required to be submitted along with development plans.
4. The RP-1 zoning district has a stipulation that at least 15% of the gross development area must be set aside for permanent usable open space or recreational uses. Staff will expect this to be addressed on the proposed development plan for the site.
5. Public water and sewer utilities are available to serve the site, and the proposal is consistent with other zoning and density in the immediate area.

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 and the Knoxville One Year Plan propose low density residential uses for this property, consistent with the proposed RP-1 zoning at a density of up to 5.99 du/ac.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
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 Knoxville Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT: 815 (average daily vehicle trips)

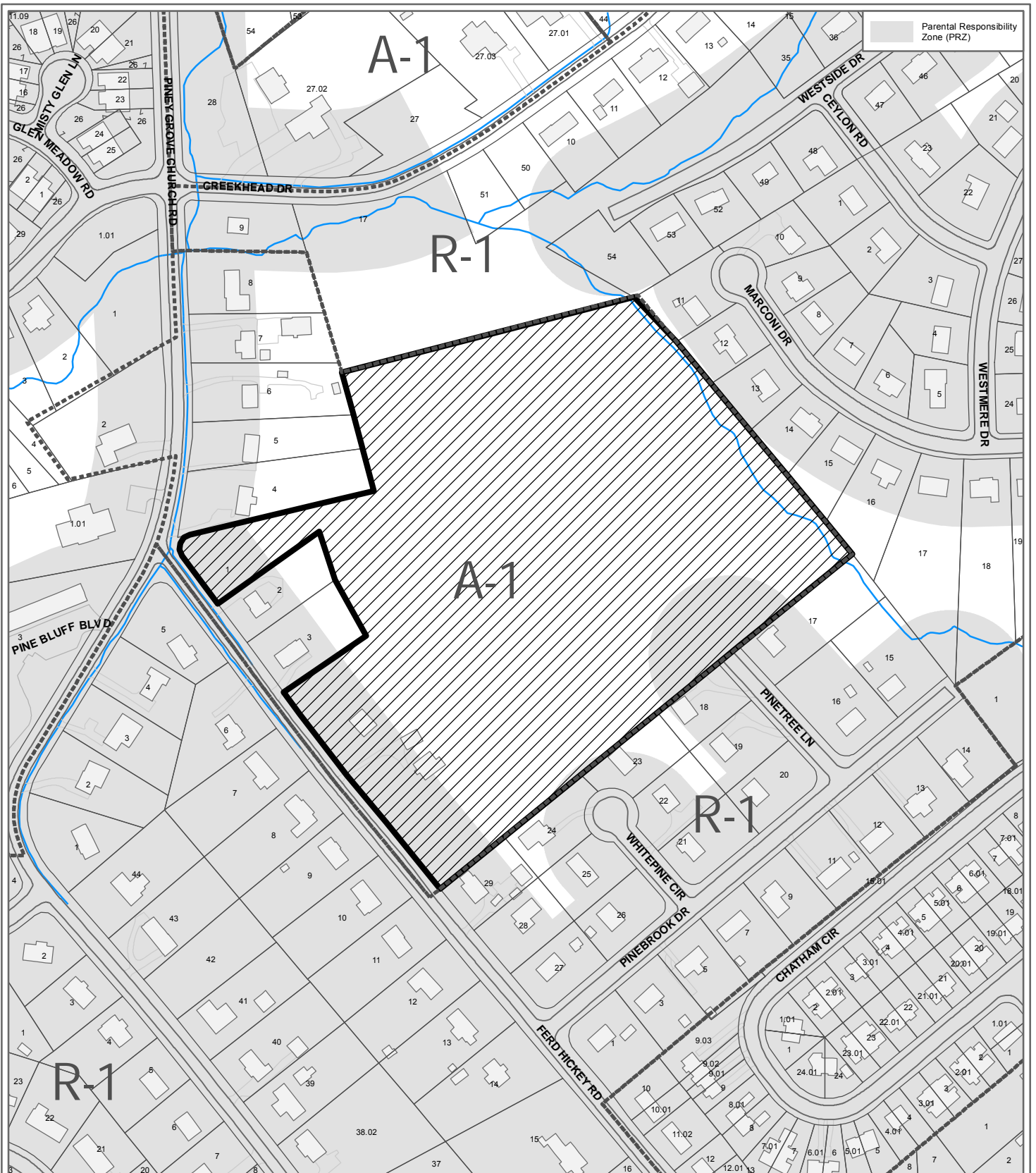
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden 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 Knoxville City Council for action on 5/8/2018 and 5/22/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



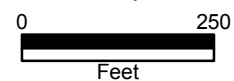
**4-L-18-RZ
REZONING**

From: A-1 (General Agricultural)
To: RP-1 (Planned Residential)

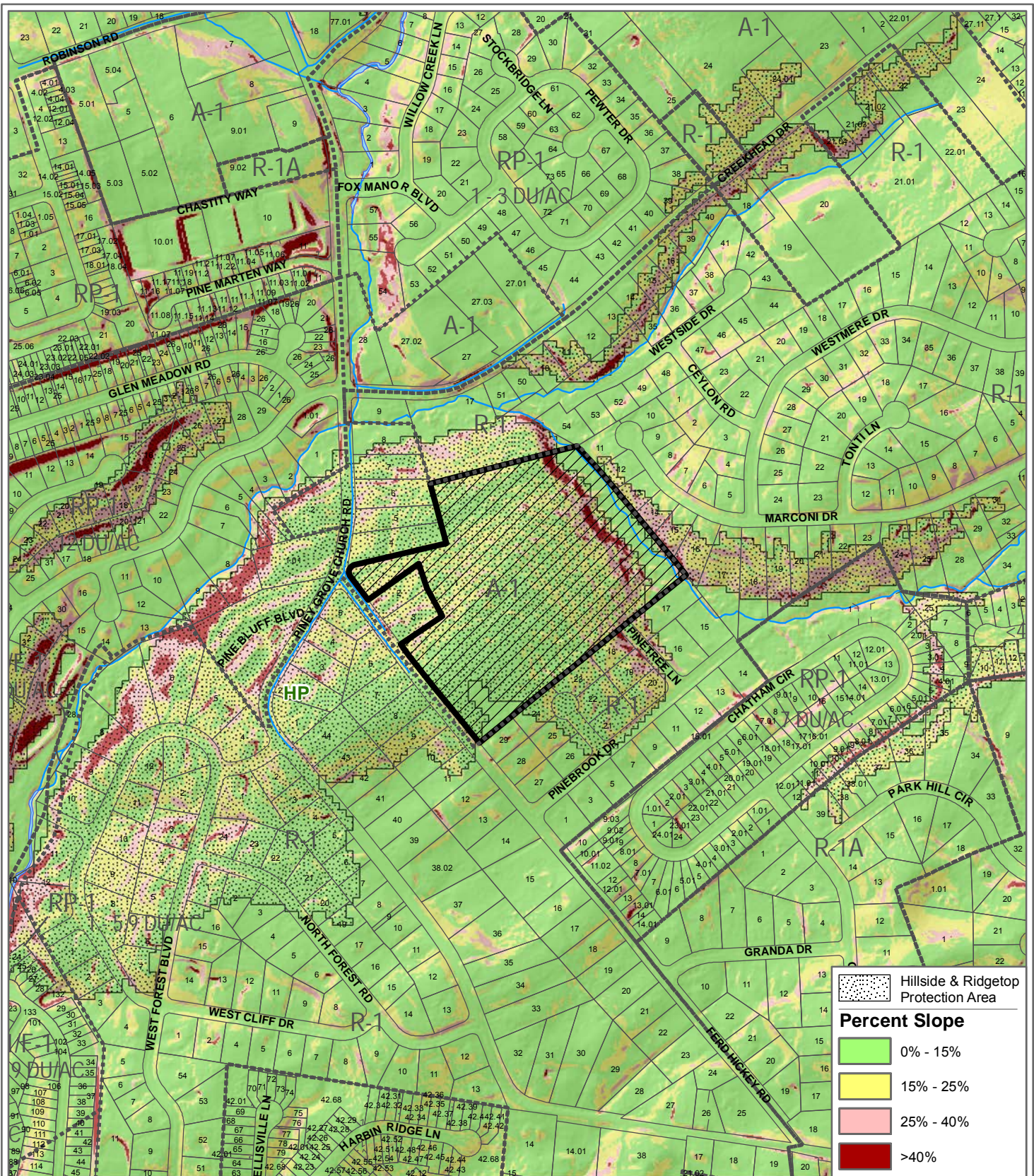


Petitioner: Eagle CDI Inc.

Map No: 106
Jurisdiction: City



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



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

From: A-1 (General Agricultural)

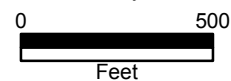
To: RP-1 (Planned Residential)



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

Petitioner: Eagle CDI Inc.

Map No: 106
Jurisdiction: City



4-L-18-RZ Slope Analysis

			Acreage
Non-Hillside Portions			1.73
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	13376	7.68
2	15%-25%	7862	4.51
3	25%-40%	2064	1.18
4	>40%	678	0.39
			13.76
Ridgetop Area			0
Site Total			15.49

**MPC STAFF - SLOPE / DENSITY ANALYSIS
4-L-18-RZ - Eagle CDI Inc. - A-1 to RP-1**

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	1.73	5.00	8.7
0-15% Slope	7.68	5.00	38.4
15-25% Slope	4.51	2.00	9.0
25-40% Slope	1.18	0.50	0.6
Greater than 40% Slope	0.39	0.20	0.1
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	13.76		48.1
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	15.49	3.66	56.7
Proposed Density (Applicant)	15.49	5.00	77.5

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

Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Eagle CDI Inc
Date Filed: 2/26/18 Meeting Date: 4/12
Application Accepted by: [Signature]
Fee Amount: 1475⁰⁰ File Number: Rezoning 4-L-18-RZ
Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 1744 FERD Hickey Rd
General Location: FERD Hickey rd
Piney Grove church rd
E/S FERD HICKEY RD, E of Piney Grove
Tract Size: 17.50 ± Acres Church Rd
Tax Identification Number: 106BA001

Existing Land Use: Vacant
Planning Sector: Northwest County
Growth Policy Plan: _____
Census Tract: 46.15
Traffic Zone: 217
Jurisdiction: City Council 3 District
 County Commission _____ District

Requested Change

REZONING

FROM: A-1
TO: DR + RP-1

PLAN AMENDMENT

One Year Plan _____ Sector Plan
FROM: _____
TO: _____

PROPOSED USE OF PROPERTY

Single Family Residential

Density Proposed 5 Units/Acre
Previous Rezoning Requests: NONE

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: [Signature]
Date: 2/22/2018

PLEASE PRINT
Name: Dan Mitchell
Company: EAGLE CDI, Inc.
Address: P.O. Box 756
City: Seymour State: TN Zip: 37865
Telephone: 865-609-8874
Fax: 865 609 6811
E-mail: Dan@Eaglecdi.com

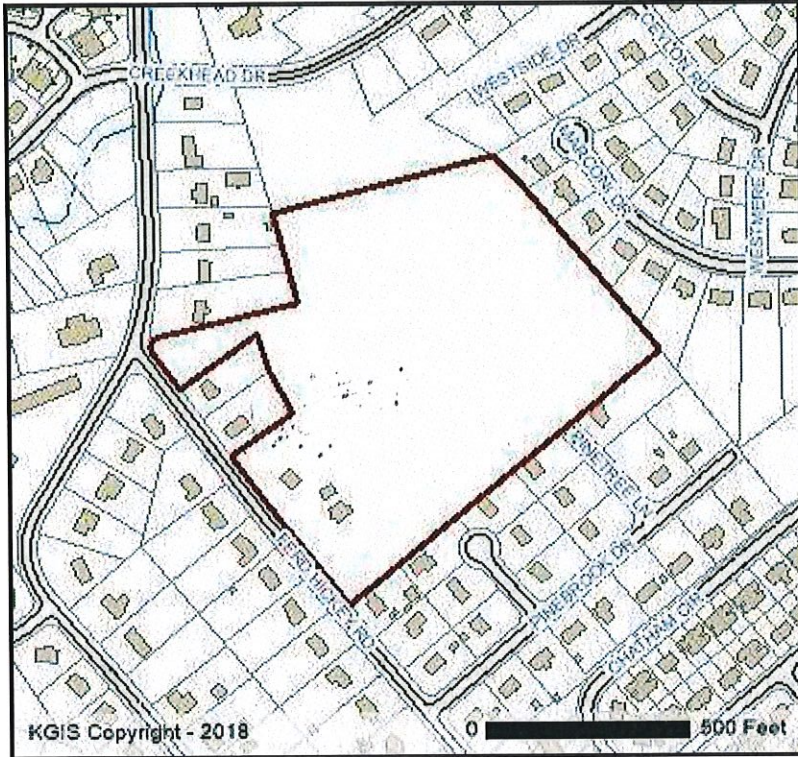
APPLICATION CORRESPONDENCE

All correspondence relating to this application should be directed to:

PLEASE PRINT
Name: WANIS A. Rghebi
Company: SEC, LLC
Address: 4909 Ball Rd
City: KNOXVILLE State: TN Zip: 37931
Telephone: 865-694-7756
Fax: 865-698-9699
E-mail: wrghebi@sengconsultants.com

Parcel 106BA001 - Property Map and Details Report

March 26th
April 2nd
Decker



Property Information

Location Address: 1744 FERD HICKEY RD
 CLT Map: 106
 Insert: B
 Group: A
 Condo Letter: :
 Parcel: 1
 Parcel ID: 106BA001
 Parcel Type:
 District: 46
 Ward: 46
 City Block: 46788
 Subdivision: ROLL BACK TAXES EFFECTIVE APPLICATION #A-3745
 Rec. Acreage: 0
 Calc. Acreage: 17.50
 Recorded Plat: -
 Recorded Deed: 20151022 - 0025401
 Deed Type: Deed: Gift Deed
 Deed Date: 10/22/2015

RP-1

\$1812.50

Address Information

Site Address: 1744 FERD HICKEY RD
 KNOXVILLE - 37909
 Address Type: RESIDENTIAL
 Site Name:

Owner Information

OVERTON WILLIAM Jr
 PO BOX 885
 POWELL, TN 37849

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Jurisdiction Information

County: KNOX COUNTY
 City / Township: Knoxville

MPC Information

Census Tract: 46.15
 Planning Sector: Northwest County
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 46
 Voting Location: Knoxville 1st Church of Nazarene
 538 VANOSDALE RD
 TN State House: 18 Martin Daniel
 TN State Senate: 7 Richard Briggs
 County Commission: 4 Hugh Nystrom
 Bob Thomas
 Ed Brantley
 City Council: 3 Seema Singh-Perez
 School Board: 4 Lynne Fugate

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

School Zones

2017-2018 School Year - Current

Elementary: WEST HILLS ELEMENTARY
 Intermediate:
 Middle: BEARDEN MIDDLE
 High: BEARDEN HIGH

2018-2019 School Year

Elementary: WEST HILLS ELEMENTARY
 Intermediate:
 Middle: BEARDEN MIDDLE
 High: BEARDEN HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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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 29 consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature: _____

Wahid A. Rghebi

Printed name: _____

Wahid A Rghebi

Date: _____

2/26/18

MPC/BZA File #: _____

4-L-18-RZ