

► **FILE #:** 8-C-18-RZ

AGENDA ITEM #: 30

AGENDA DATE: 8/9/2018

► **APPLICANT:** DEBRA G. DAHERTY

OWNER(S): SEC, LLC

TAX ID NUMBER: 104 12601 104OI005 (PART ZONED PR AT 5 DU/AC) [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 1714 Lovell Rd

► **LOCATION:** Southeast side Lovell Rd., northeast of Cape Brittany Rd.

► **APPX. SIZE OF TRACT:** 1.6 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Lovell Rd., a minor arterial street with 24' of pavement width within 100' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

► **PRESENT ZONING:** A (Agricultural) / TO (Technology Overlay) and PR (Planned Residential)

► **ZONING REQUESTED:** PR (Planned Residential) / TO (Technology Overlay) at up to 12 du/ac

► **EXISTING LAND USE:** House

► **PROPOSED USE:** Residential development

DENSITY PROPOSED: 12 du/ac

EXTENSION OF ZONE: Yes, extension of PR/TO zoning from the north and west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Lovell Rd., house and vacant land - A (Agricultural) / TO (Technology Overlay)

South: Residences - PR (Planned Residential) / TO (Technology Overlay) at up to 12 du/ac

East: Residences - PR (Planned Residential) / TO (Technology Overlay) at up to 12 du/ac

West: Attached residences - PR (Planned Residential) / TO (Technology Overlay) at up to 10 du/ac

NEIGHBORHOOD CONTEXT: This section of Lovell Rd. is developed with low to medium density residential uses under A, RA and PR zoning.

STAFF RECOMMENDATION:

► **RECOMMEND that County Commission APPROVE PR (Planned Residential) / TO (Technology Overlay) zoning at a density of up to 7 du/ac. (Applicant requested 12 du/ac.)**

PR zoning at the requested density is consistent with the sector plan designation. It is a logical extension of the zoning and density from the north and east. However, since the proposal is a stand-alone project, not to be combined with adjacent developments, staff is recommending that the density be limited to 7 du/ac, which is

more consistent with the actual developed densities in the surrounding area. With the small size of the site, less units will allow reasonable development of about 11 units, and there will be more area to include some open space, allow more flexibility as to where the access drive may be placed, and reduce the possibility for variances that may be necessary with 19 units, especially in regard to the 35 foot peripheral setback requirement of the PR zoning district. Landscape screening will be required within the peripheral areas and it would be preferable if the full 35 foot setback area is established.

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 proposed rezoning and density is an extension of zoning from the northeast. However, this site is not proposed to be combined in with that development. The intent of this proposal is to develop 19 residential units on the subject property as a stand-alone project.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for medium density residential uses on the sector plan, consistent with the proposal.
3. The recommended PR zoning and density is compatible with the scale and intensity of the surrounding development. The adjacent property to the north east is zoned PR at up to the same 12 du/ac as requested on the subject property, so the proposal is an extension of that zoning and density. However, that development has been approved for only 94 units on 37 acres for a density of only 2.54 du/ac. The property to the west is zoned PR at up to 10 du/ac and has been built out to a density of about 7.3 du/ac (80 units on 11 acres).
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 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. PR zoning at the recommended density is compatible with surrounding development and will have a minimal impact on adjacent properties.
2. The approval of this request, as proposed by the applicant, will allow the applicant to submit a development plan with up to 19 dwelling units for MPC's consideration. Staff's recommended density will allow consideration of up to 11 units.
3. Based on the site area of 1.6 acres for the site, the proposed PR zoning at a density of up to 12 du/ac would allow for a maximum of 19 dwelling units to be considered for the site. That number of attached units would add approximately 214 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system. The recommended PR zoning at a density of up to 7 du/ac would allow for a maximum of 11 dwelling units to be proposed for the site. That number of attached units would add approximately 131 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system.
4. Public water and sanitary sewer utilities are available to serve the site.
5. Staff has concerns with the proposed direct access to Lovell Rd., because of the nearby intersecting streets in both directions along Lovell Rd. The applicant will be expected to propose access as far away as possible from those two streets, while certifying that adequate sight distance is available in both directions. It would be preferable if this development could be accessed through one of the adjacent subdivisions, without the need for another curbcut along this high traffic, two-lane portion of Lovell Rd.
6. With the proposed density of 12 du/ac, the number of units will not allow enough area for open space and pervious areas for landscaping and vegetation. Staff will expect that some usable open space be included as part of the site plan submitted.

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 proposes medium density residential uses for this property, consistent with the PR zoning at up to 12 du/ac. However, staff is recommending a more compatible density of up to 7 du/ac, which is still within the allowable MDR density range.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request could lead to future requests for PR zoning, consistent with the sector plan's low density residential proposal for the area.

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.

ESTIMATED TRAFFIC IMPACT: 214 (average daily vehicle trips)

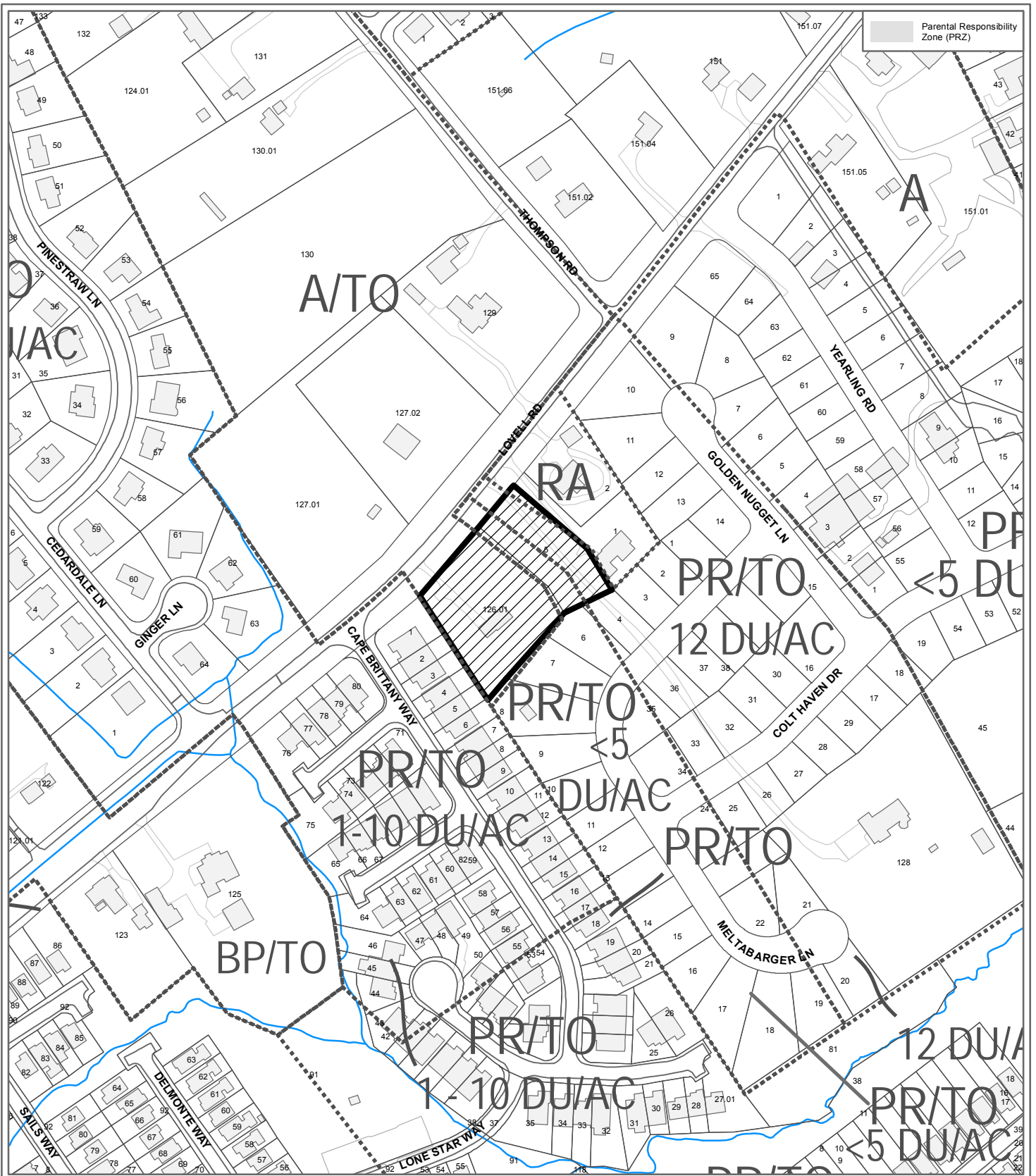
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 1 (public school children, ages 5-18 years)

Schools affected by this proposal: Ball Camp Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

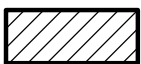
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. 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 9/24/2018. 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.



**8-C-18-RZ
REZONING**

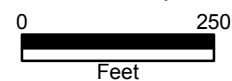
From: A (Agricultural) / TO (Technology Overlay) and PR (Planned Residential) / TO at up to 5 du/ac
 To: PR (Planned Residential) / TO (Technology Overlay) at up to 12 du/ac



Petitioner: Dauherty, Debra G.

Map No: 104

Jurisdiction: County



Original Print Date: 7/19/2018
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

REZONING PLAN AMENDMENT

Name of Applicant: Debra G. Daugherty

Date Filed: 6-25-18 Meeting Date: 8-9-18

Application Accepted by: Sherry Michienzi

Fee Amount: 600 File Number: Rezoning 8-C-18-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: 1714 Lovell Rd. General Location: 3/5 Lovell Rd East of Cape Brittany Way

Tract Size: 1.60

Tax Identification Number: 104/126.01 & 104 01 005

Existing Land Use: Residential

Planning Sector: Northwest County

Growth Policy Plan:

Census Tract: 59.03

Traffic Zone: 229

Jurisdiction: City Council County Commission 6 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: 6/22/18

PLEASE PRINT

Name: WANIS A. Rghebi

Company: SEC, LLC

Address: 4909 Ball Rd

City: Knoxville State: TN Zip: 37931

Telephone: 865-694-7756

Fax: 865-693-9699

E-mail: wrghebi@sengconsultants.com

Requested Change

REZONING

FROM: Ag

TO: PR (12U/Ac.)

PLAN AMENDMENT

One Year Plan Sector Plan

FROM:

TO:

PROPOSED USE OF PROPERTY

Density Proposed 12 Units/Acre

Previous Rezoning Requests:

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.

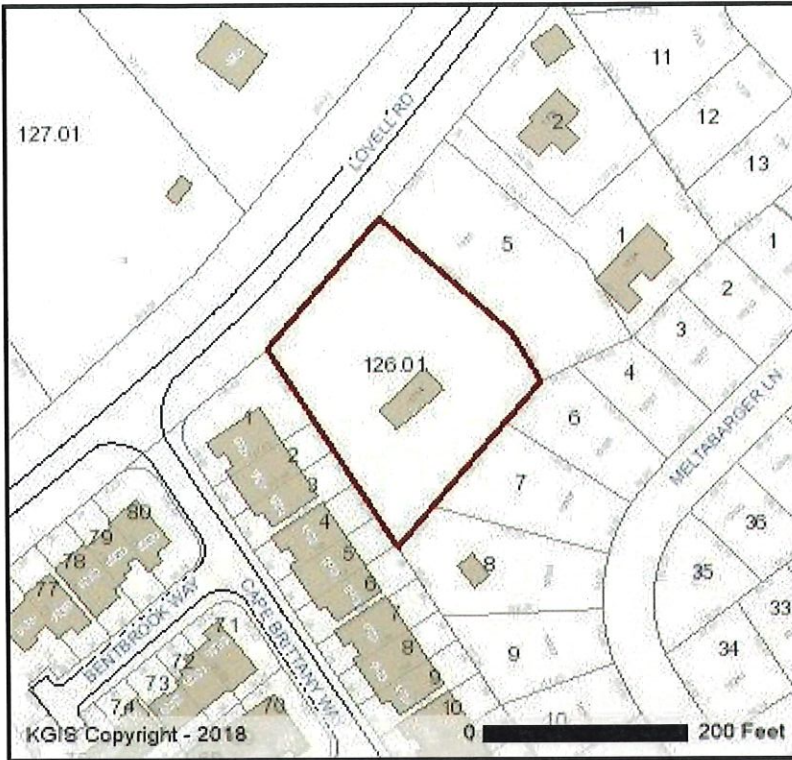
City: Knoxville State: TN Zip: 37931

Telephone: 865-694-7756

Fax: 865-693-9699

E-mail: wrghebi@sengconsultants.com

Parcel 104 12601 - Property Map and Details Report



Property Information

Location Address: 1714 LOVELL RD
 CLT Map: 104
 Insert:
 Group:
 Condo Letter:
 Parcel: 126.01
 Parcel ID: 104 12601
 Parcel Type:
 District: W6
 Ward:
 City Block:
 Subdivision:
 Rec. Acreage: 1.04
 Calc. Acreage: 0
 Recorded Plat: -
 Recorded Deed: 20031203 - 0058456
 Deed Type: Legal Document:
 Deed Date: 12/3/2003

Address Information

Site Address: 1714 LOVELL RD
 KNOXVILLE - 37932
 Address Type: RESIDENTIAL
 Site Name:

Jurisdiction Information

County: KNOX COUNTY
 City / Township:

Political Districts

Voting Precinct: 70W
 Voting Location: Ball Camp Elementary School
 9801 MIDDLEBROOK PIKE
 TN State House: 89 Roger Kane
 TN State Senate: 7 Richard Briggs
 County Commission: 6 Brad Anders
 Bob Thomas
 Ed Brantley
 City Council:
 School Board: 6 Terry Hill
 Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Owner Information

DAUGHERTY DEBRA G
 1545 SILVER SPUR LN
 KNOXVILLE, TN 37932

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.

MPC Information

Census Tract: 59.03
 Planning Sector: Northwest County
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

School Zones

Elementary: BALL CAMP ELEMENTARY
 Intermediate:
 Middle: CEDAR BLUFF MIDDLE
 High: HARDIN VALLEY ACADEMY

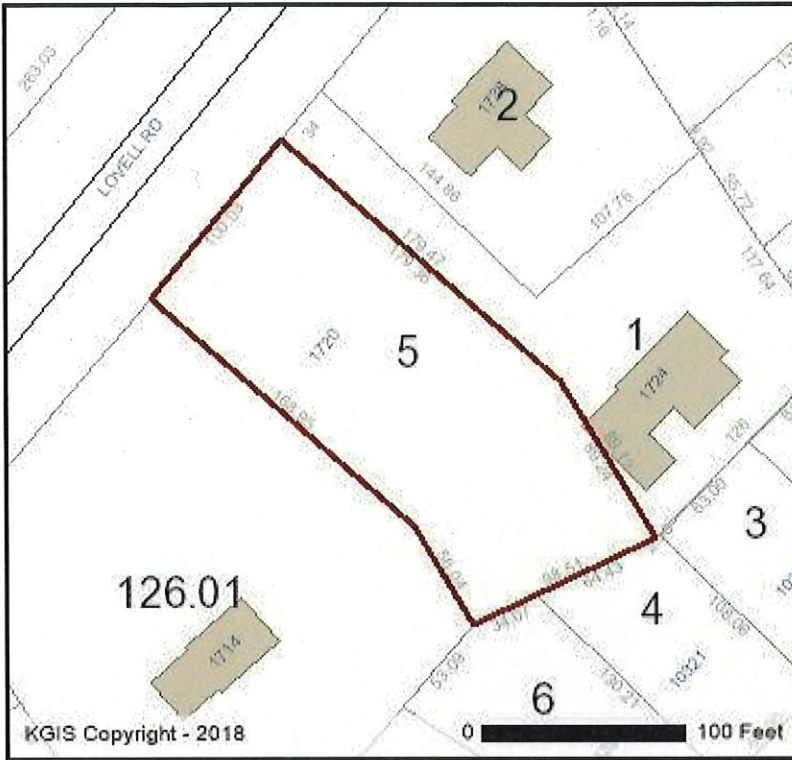
Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

Monday

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Parcel 104OI005 - Property Map and Details Report



Property Information

Location Address: 1720 LOVELL RD
 CLT Map: 104
 Insert: 0
 Group: I
 Condo Letter:
 Parcel: 5
 Parcel ID: 104OI005
 Parcel Type:
 District: W6
 Ward:
 City Block:
 Subdivision: HIDDEN VIEW FARMS UNIT 3
 Rec. Acreage: 0
 Calc. Acreage:
 Recorded Plat: 20171108 - 0029075
 Recorded Deed: -
 Deed Type: :
 Deed Date:

600

Address Information

Site Address: 1720 LOVELL RD
 KNOXVILLE - 37932
 Address Type: RESIDENTIAL
 Site Name: HIDDEN VIEW FARMS

Jurisdiction Information

County: KNOX COUNTY
 City / Township:

Political Districts

Voting Precinct: 70W
 Voting Location: Ball Camp Elementary School
 9801 MIDDLEBROOK PIKE
 TN State House: 89 Roger Kane
 TN State Senate: 7 Richard Briggs
 County Commission: 6 Brad Anders
 Bob Thomas
 Ed Brantley
 City Council:
 School Board: 6 Terry Hill
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Owner Information

PRIMOS LAND COMPANY LLC
 4909 BALL RD
 KNOXVILLE, TN 37931
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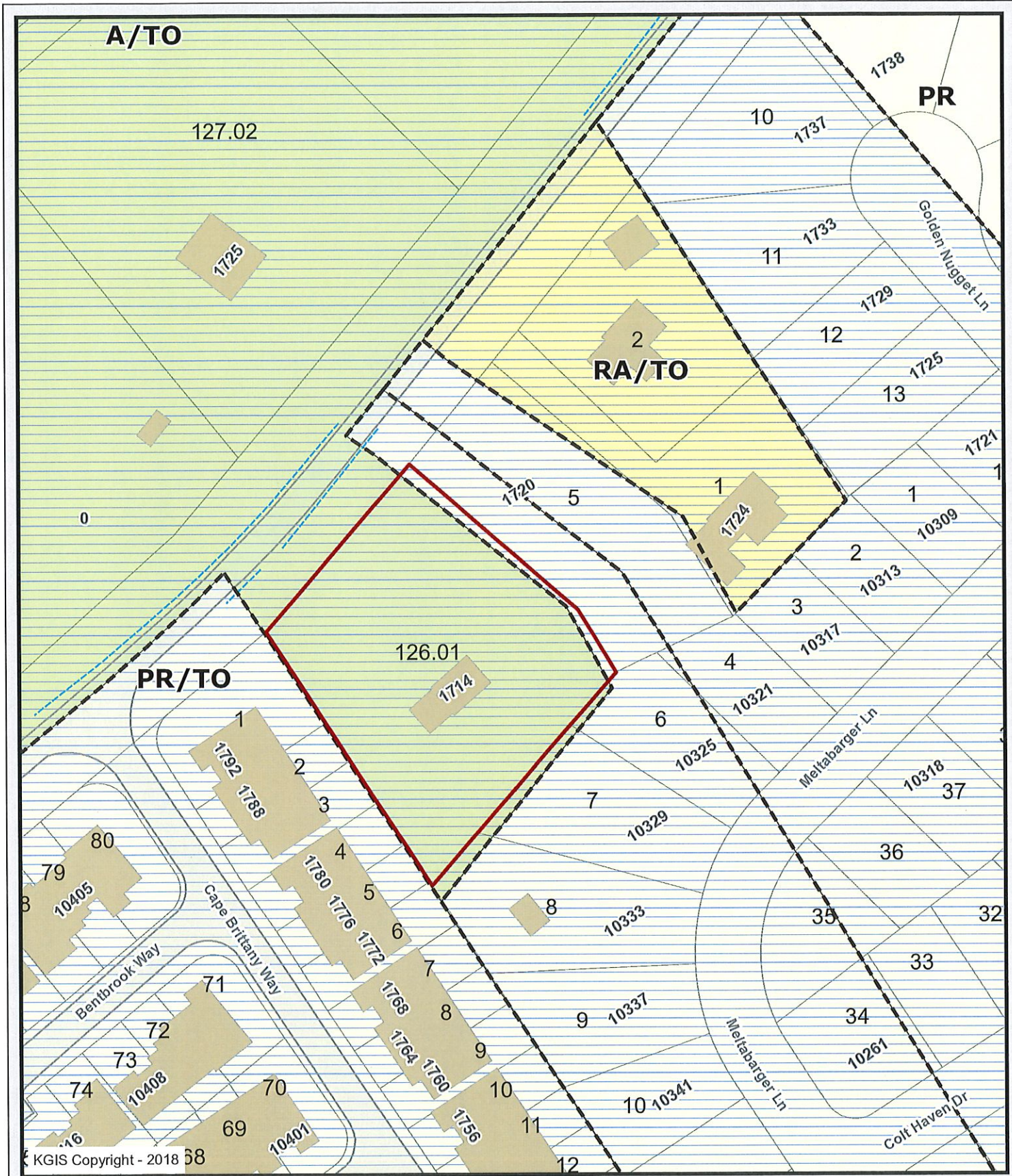
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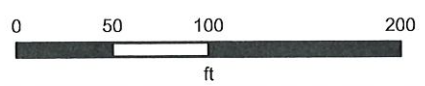
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1714 Lovell Road

Printed: 6/25/2018 at 9:19:33 AM

Knoxville - Knox County - KUB Geographic Information System



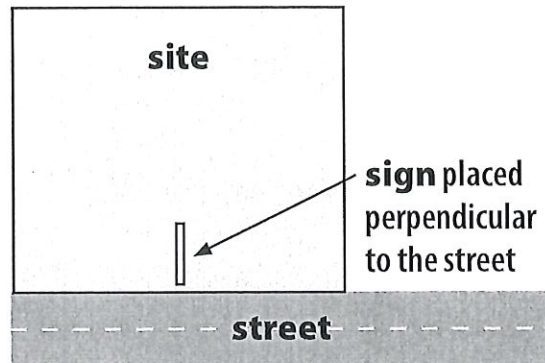
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REQUIRED SIGN POSTING AGREEMENT FORM

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. MPC staff will provide a sign to post on the property at the time of application.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign must be posted no later than **two weeks prior** to the scheduled MPC or BZA hearing and must remain in place until after the 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 or BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

I hereby agree to post the sign provided on the subject property on or before

July 25, 2018
consistent with the guidelines provided above; and to **remove the sign within one week after** the MPC or BZA decision.

Signature: Debra G. Dauberty

Printed Name: Debra G. Dauberty

Date: 6-25-18

MPC or BZA File Number: 8-C-18-RZ