



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

▶ **FILE #:** 12-C-18-RZ
12-B-18-SP

AGENDA ITEM #: 40
AGENDA DATE: 12/13/2018

▶ **APPLICANT:** SMITHBILT HOMES LLC
OWNER(S): SEC, LLC

TAX ID NUMBER: 90 PART OF 091 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 9717 Garrison Dr

▶ **LOCATION:** Northeast side of Karns Valley Dr, north of Byington Solway Rd, south of Oak Ridge Hwy

▶ **TRACT INFORMATION:** 59.31 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Karns Valley Drive a major arterial street with 50' of pavement width within 80' - 100' of right-of-way, or Garrison Drive, a minor collector street with 25' of pavement width within 50' - 60' of right of way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** BP-1 (Business Park Type 1) and STPA (Stream Protection Area) / A (Agricultural) and F (Floodway)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) and STPA (Stream Protection Area) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant

▶ **PROPOSED USE:** Single family residential

DENSITY PROPOSED: 5 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, LDR is to the north, east and west.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Agriculture / Forestry / Vacant Land / LDR (Low Density Residential) / HP (Hillside and Ridgetop Protection Area)

South: Agriculture / Forestry / Vacant Land / BP-1 (Business Park Type 1) / STPA (Stream Protection Area)

East: Agriculture / Forestry / Vacant Land / LDR (Low Density Residential) / STPA (Stream Protection Area)

West: Agriculture / Forestry / Vacant Land / LDR (Low Density Residential) / HP (Hillside and Ridgetop Protection Area)

NEIGHBORHOOD CONTEXT: This area is largely a mix of vacant, agricultural land and single family

residential along the Beaver Creek floodplain. To the east and south are industrial zoned properties of Westbridge Business Park and Karns High School. The Northwest Sports Complex and Karns Senior Center are also within a half mile radius on the north side of Oak Ridge Highway.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #12-B-18-SP, amending the Northwest County Sector Plan to LDR (Low Density Residential) and STPA (Stream Protection Area) and recommend that Knox County Commission also adopt the sector plan amendment.(See attached resolution, Exhibit A)**

The requested LDR (Low Density Residential) sector plan designation is recommended as an extension of the adjacent LDR designation from the north and west.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) at the requested density up to 5 du/acre zoning, consistent with the LDR (Low Density Residential) sector plan recommendation.**

The requested PR (Planned Residential) zoning at the requested density of up to 5 du/ac is compatible with the area. The site is located within half of mile of Karns High School, the Northwest Sports Park and the Karns Senior Center. The PR zone requires a public review of a development plan prior to construction so that any issues may be addressed through the design process.

COMMENTS:

SECTOR PLAN AMENDMENT 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:

No additional streets or utilities improvements have been made in the area since the Northwest County Sector Plan was last updated.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The site is part of an LDR designated parcel that is part of the proposed development area, but was designated BP-1 as part of the Northwest County Sector Plan update in 2016. The section of the parcel to the south of the now closed section of Byington Solway Road should be incorporated into the adjacent LDR designated land.

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

Population growth in the Northwest County Sector continues to outpace other sectors of Knox County. Additional opportunities for residential development warrant reconsideration of the original plan proposal.

State law regarding amendments of the general plan (which includes 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.

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 Northwest County Sector is the most rapidly growing sector in Knox County.
2. The site is located in the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Changing infrastructure, including road improvements and sidewalk connections along Karns Valley Drive,

also make the area more compatible for PR at 5 du/ac.

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. The PR zoning 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 related to the design. It will also give the opportunity for public comment at the MPC meeting.

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 PR up to 5 du/ac should not produce any direct or indirect adverse effects to any other part of the county.
2. The use on review process, as required in the PR zone, for a development plan, will allow any possible issues or concerns to be addressed through the design process.
3. A traffic impact study will be required to be submitted prior to application for the subsequent use on review application. Discussion and meetings with MPC and Knox County Engineering staffs to discuss access, sidewalks and other transportation concerns is encouraged.

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 PR up to 5 du/acre is consistent with the existing LDR plan designation for the majority of the site, as well as the small portion of the site requested to be changed to LDR (12-B-18-SP), between the closed portion of Byington Solway Road and Beaver Creek.
2. The area is within the Parental Responsibility Zone for Karns High School, sidewalks will be encouraged since school bus service is not provided in these areas.
3. The area is within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.
4. The proposed rezoning to PR up to 5 du/acre is consistent with all other adopted plans in Knoxville and Knox County.

ESTIMATED TRAFFIC IMPACT: 2813 (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.

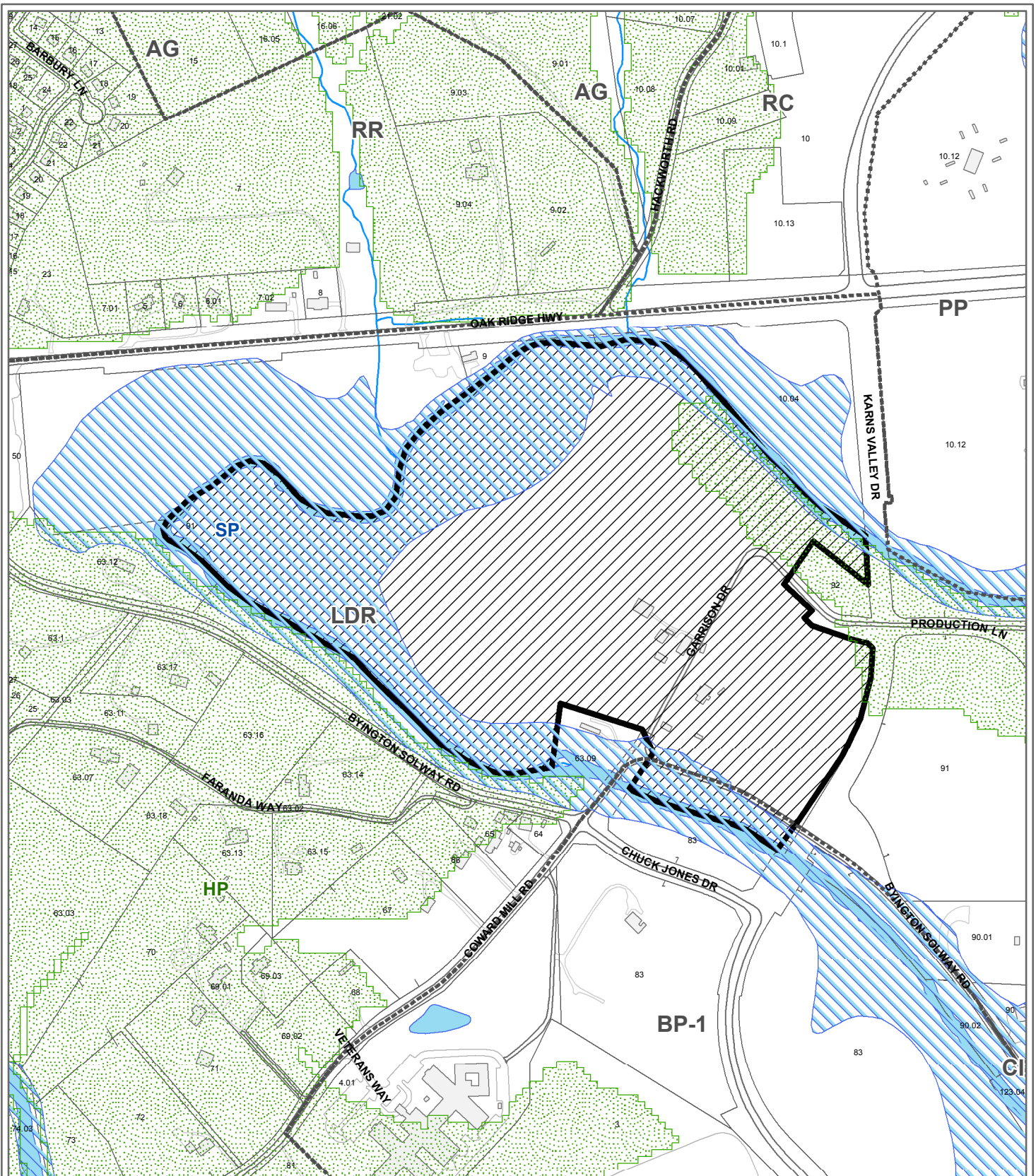
ESTIMATED STUDENT YIELD: 121 (public school children, ages 5-18 years)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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 1/28/2019. 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.



**12-B-18-SP / 12-C-18-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: BP-1 (Business Park Type 1) and STPA (Stream Protection Area)

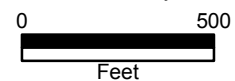
To: LDR (Low Density Residential) and STPA (Stream Protection Area)



Petitioner: Smithbilt Homes LLC

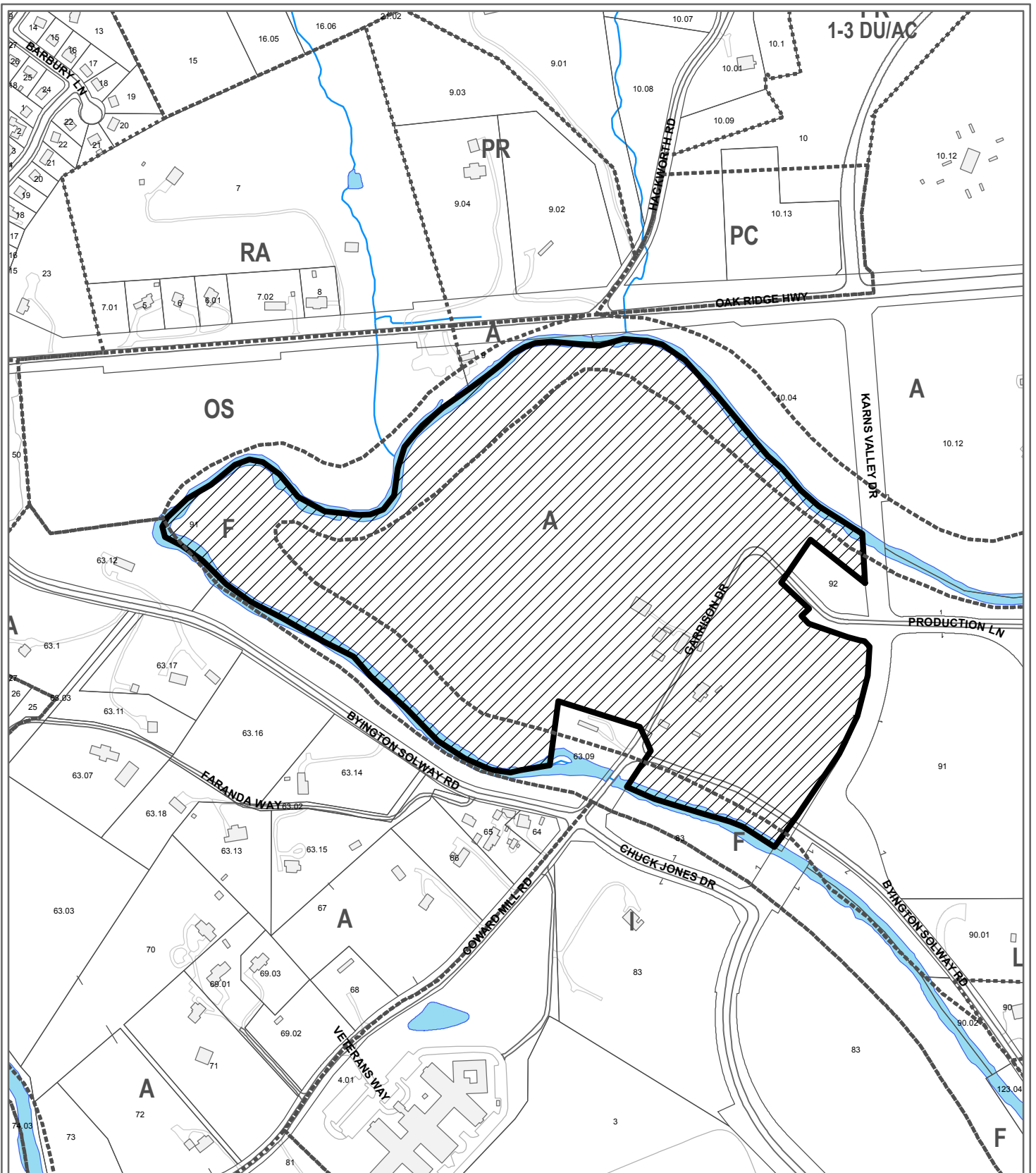
Map No: 90

Jurisdiction: County



Original Print Date: 11/15/2018
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:



**12-C-18-RZ
REZONING**

Petitioner: Smithbilt Homes LLC



From: A (Agricultural)

To: PR (Planned Residential)

Map No: 90

Jurisdiction: County

Original Print Date: 11/15/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST COUNTY SECTOR PLAN**

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northwest County Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Smithbilt Homes, LLC, has submitted an application to amend the Sector Plan from Business Park Type 1 and Stream Protection Area to Low Density Residential and Stream Protection Area, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Northwest County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on December 13, 2018, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northwest County Sector Plan, with its accompanying staff report and map, file #12-B-18-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

REZONING **PLAN AMENDMENT**

Name of Applicant: Smiltbilt Homes LLC

Date Filed: 10/19/2018 Meeting Date: 12/13/2018

Application Accepted by: Mike Reynolds

Fee Amount: \$3,750 File Number: Rezoning 12-C-18-RZ

Fee Amount: \$600 File Number: Plan Amendment 12-B-18-SP



PROPERTY INFORMATION

Address: 9117 Garrison Rd

General Location: Garrison Rd & Karns Valley Drive

Parcel ID Number(s): 090 part of parcel 091 (see attached maps)

Tract Size: 63.0± Acres (1.5± acres for Sector Plan)

Existing Land Use: Farm Land

Planning Sector: NW County

Growth Policy Plan: Planned Growth

Census Tract: 59.08

Traffic Zone: 216

Jurisdiction: City Council _____ District
 County Commission 6 District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Josh Sanderson

Company: Primos Land Co. LLC

Address: 4909 Ball Rd

City: KNOXVILLE State: TN Zip: 37931

Telephone: 865-694-7756

Fax: 865-693-9699

E-mail: Josh@rhsc.com

Requested Change

REZONING

FROM: Ag

TO: PR

PLAN AMENDMENT

One Year Plan NW County Sector Plan

FROM: BP-1

TO: LDR

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent 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

PROPOSED USE OF PROPERTY

Single Family Residential

Density Proposed 5 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: Wanisa Rghebi

PLEASE PRINT

Name: WANIS A. Rghebi

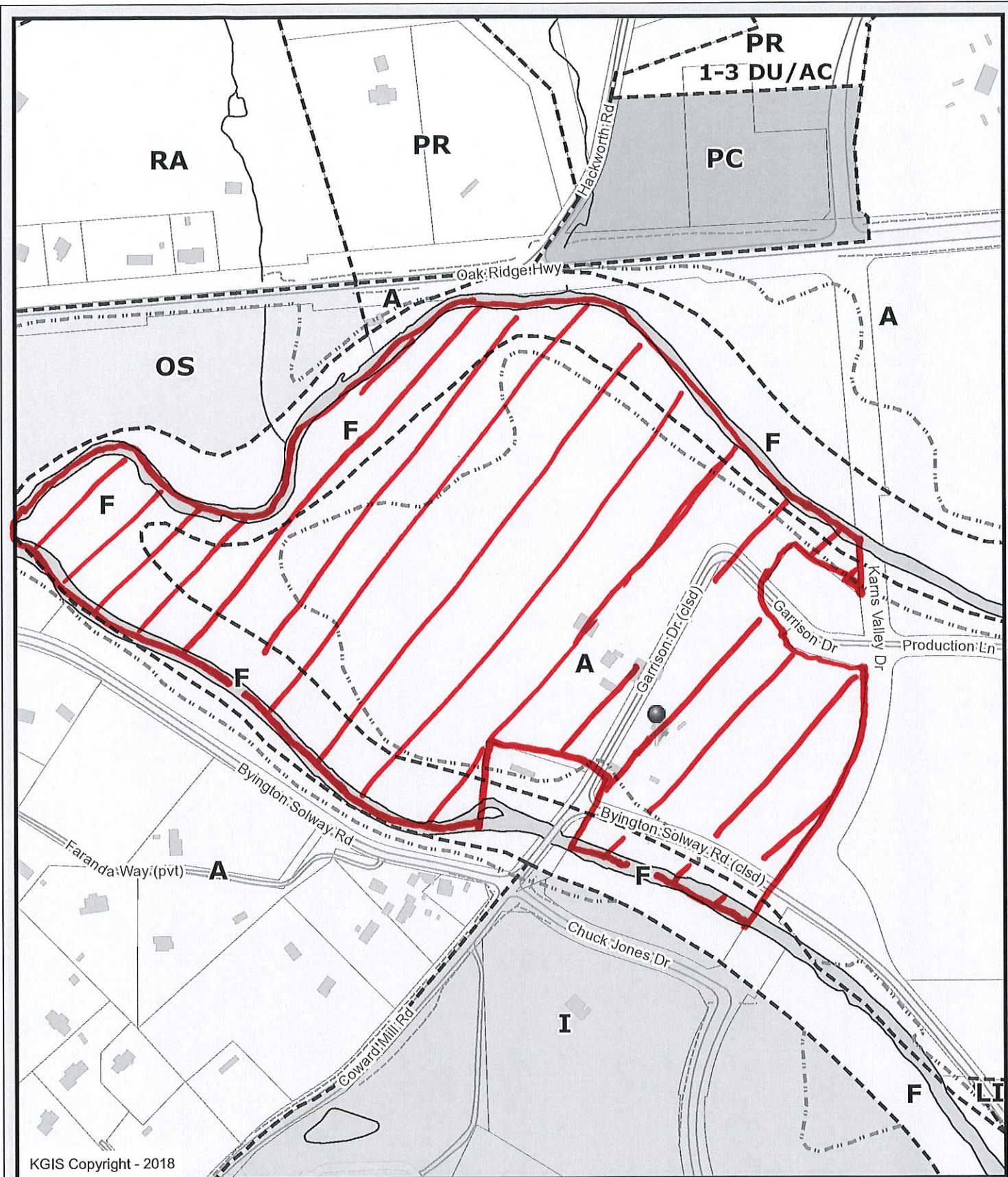
Company: SEC, LLC

Address: 4909 Ball Rd

City: KNOXVILLE State: TN Zip: 37931

Telephone: 865-694-7756

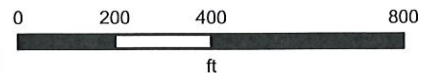
E-mail: 865-693-9699



KGIS Copyright - 2018

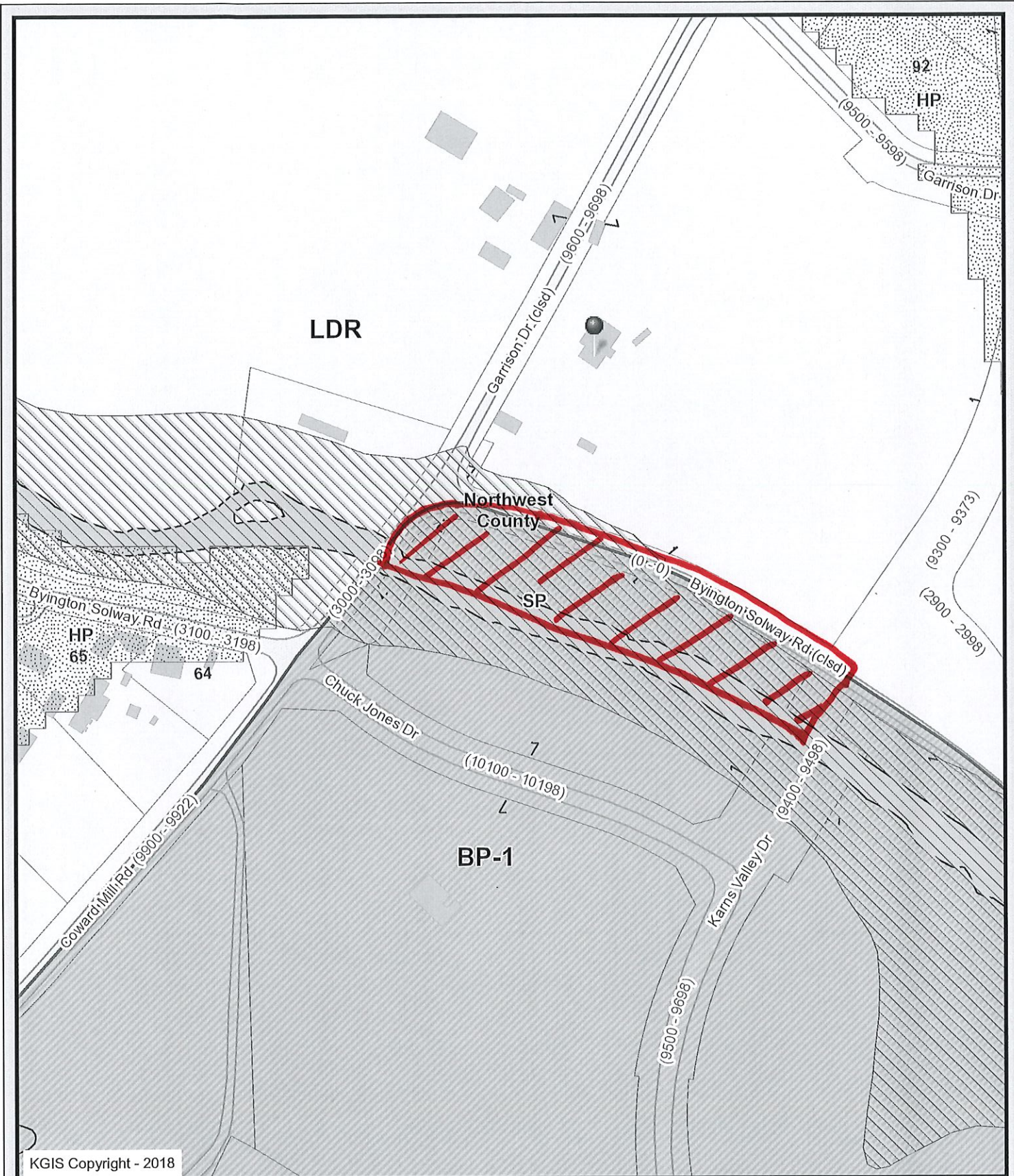
Letter Portrait

Printed: 10/19/2018 at 2:33:53 PM



Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



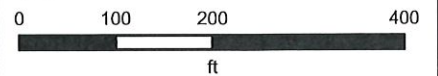
KGIS Copyright - 2018

Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

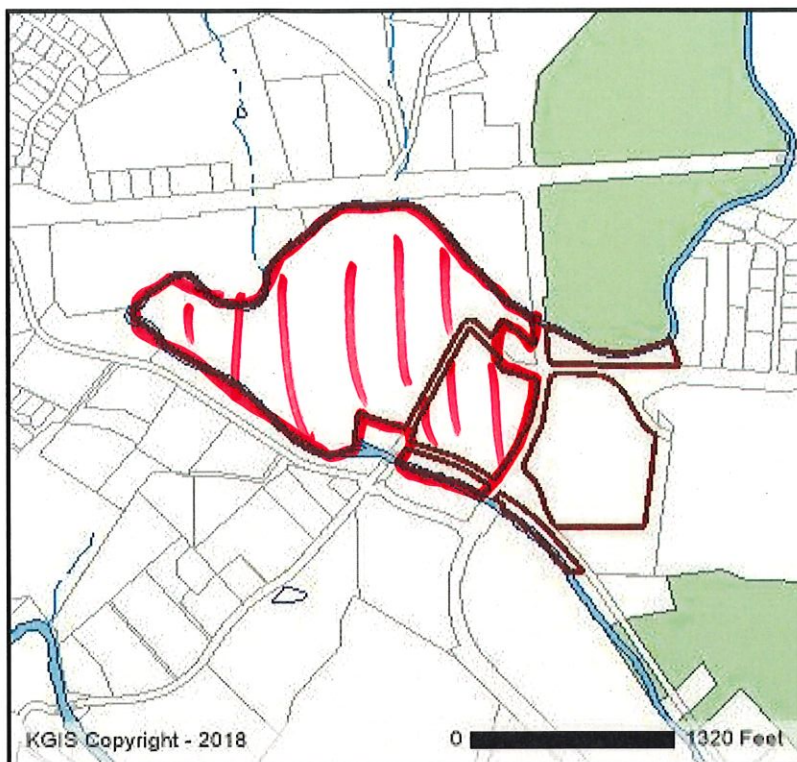


Printed: 10/19/2018 at 2:34:26 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Parcel 090 091 - Property Map and Details Report



Property Information

Parcel ID: 090 091
 Location Address: 9717 GARRISON DR
 CLT Map: 90
 Insert:
 Group:
 Condo Letter:
 Parcel: 91
 Parcel Type:
 District: W6
 Ward:
 City Block:
 Subdivision: ROLL BACK TAXES
 EFFECTIVE APP #A-1838
 Rec. Acreage: 0
 Calc. Acreage: ~~80.86~~ *63.01 Acres*
 Recorded Plat: -
 Recorded Deed: 20180725 - 0005383
 Deed Type: Deed: Gift Deed
 Deed Date: 7/25/2018

Address Information

Site Address: 9717 GARRISON DR
 KNOXVILLE - 37931
 Address Type: RESIDENTIAL
 Site Name:

Owner Information

FETZER FRED B & TAYLOR S FETZER TRUST &
 FETZER SCOTT C & FETZER MARC B
 932 EVERGREEN DR
 DELRAY BEACH, FL 33483
 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:

MPC Information

Census Tract: 59.08
 Planning Sector: Northwest County
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct: 63
 Voting Location: Karns Middle School
 2925 GRAY HENDRIX RD
 TN State House: 89 Roger Kane
 TN State Senate: 7 Richard Briggs
 County Commission: 6 Brad Anders

School Zones

Elementary: KARNS ELEMENTARY
 Intermediate:
 Middle: KARNS MIDDLE
 High: KARNS HIGH
 Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

City Council:
 School Board: 6 Terry Hill
 Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any damage, loss, or liability arising from any use of the map product. Independent verification of all information contained on this map should be obtained by any user.

Proprietary Info: The map products and databases on this Web Site have been copyrighted by the KGIS Policy Board. The KGIS Policy Board hereby reserves all rights thereto, and no portion of the products or databases on this Web Site may be reproduced in any form or by any means without the express written authorization of the KGIS Policy Board or its authorized agents.

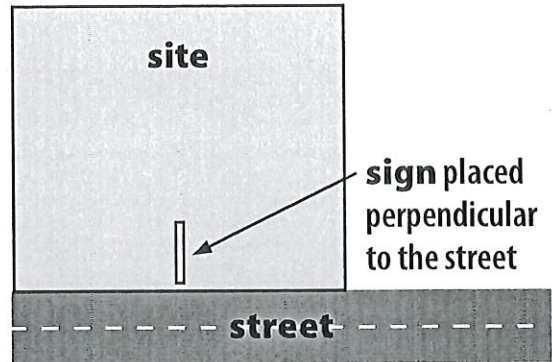
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. 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.

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(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Nov. 29, 2018 and Dec. 14, 2018
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: 

Printed Name: WANIS A. Rshabi

Phone: _____ Email: _____

Date: _____

MPC File Number: 12-C-18-RZ 12-B-18-5P