

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

► FILE #: 12-D-18-RZ AGENDA ITEM #:

> AGENDA DATE: 12-C-18-SP 12/13/2018

► APPLICANT: HMH DEVELOPMENT INC.

OWNER(S): **Lionel Flores**

TAX ID NUMBER: 129 124 & 123 View map on KGIS

Commission District 6 JURISDICTION: STREET ADDRESS: 1925 Marietta Church Rd

► LOCATION: East side of Marietta Church Road, north of Buttermilk Road, south of

Hardin Valley Road

▶ TRACT INFORMATION: 24.51 acres. Includes address 1921 Marietta Church Road (Parcel ID:

129 123) and 1925 Marietta Church Road (Parcel ID: 129 124)

Northwest County SECTOR PLAN:

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Marietta Church Road, a minor collector street with 20' of

pavement within a 40' - 60' right-of-way.

Water Source: West Knox Utility District **UTILITIES:**

> Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

PRESENT PLAN AG (Agricultural) / A (Agricultural)

DESIGNATION/ZONING:

► PROPOSED PLAN

RR (Rural Residential) / PR (Planned Residential) **DESIGNATION/ZONING:**

EXISTING LAND USE: Agriculture/Forestry/Vacant

PROPOSED USE: Single family residential

DENSITY PROPOSED: 2.5

EXTENSION OF PLAN DESIGNATION/ZONING:

HISTORY OF ZONING

REQUESTS:

None noted

SURROUNDING LAND USE,

PLAN DESIGNATION,

North: Agriculture/Forestry/Vacant - AG (Agriculture) / HP (Hillside and

Ridgetop Protection)

Single family residential - AG (Agriculture) / HP (Hillside and South: **ZONING**

Ridgetop Protection)

East: Church - AG (Agriculture) / HP (Hillside and Ridgetop Protection)

Agriculture/Forestry/Vacant - AG (Agriculture) / HP (Hillside and West:

Ridgetop Protection)

NEIGHBORHOOD CONTEXT: The area is largely comprised of agricultural, forestry and vacant lands, and

single family residential homes and a church.

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STAFF RECOMMENDATION:

► ADOPT RESOLUTION #12-C-18-SP, amending the Northwest County Sector Plan to RR (Rural Residential) and recommend that Knox County Commission also adopt the sector plan amendment.(See attached resolution, Exhibit A)

The requested RR (Rural Residential Residential) sector plan designation is recommended because it is compatible with the Rural Area of the Growth Policy Plan.

► RECOMMEND that County Commission APPROVE PR (Planned Residential) up to 2 du/acre zoning, consistent with the RR (Rural Residential) sector plan recommendation. (Applicant requested 2.5 du/acre)

Staff recommends PR (Planned Residential) at a density of up to 2 du/ac. The applicant requested PR (Planned Residential) zoning at the requested density of up to 2.5 du/ac, but the slope analysis yielded an overall density recommendation of 1.8 du/ac for the site based on the steepness of slope. Typical densities in the surrounding area are less than 2 du/ac, with the exception of Creekside Manor which is up to 2.8 du/ac.

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:

There are no significant errors or omissions in the plan.

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 for AG to RR.

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 Rural Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

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,

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religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.

- 2. The applicant is encouraged to contact MPC staff to discuss pedestrian facility opportunities before submitting the use-on-review application.
- 3. 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. PR zoning up to 2 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.

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 zoning up to 2 du/acre is consistent with the proposed RR plan designation for the site.
- 2. The area is within the Planned Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan.
- 3. The recommended rezoning to PR up to 2 du/acre is consistent with all other adopted plans in Knoxville and Knox County, including the Hillside and Ridgetop Protection Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

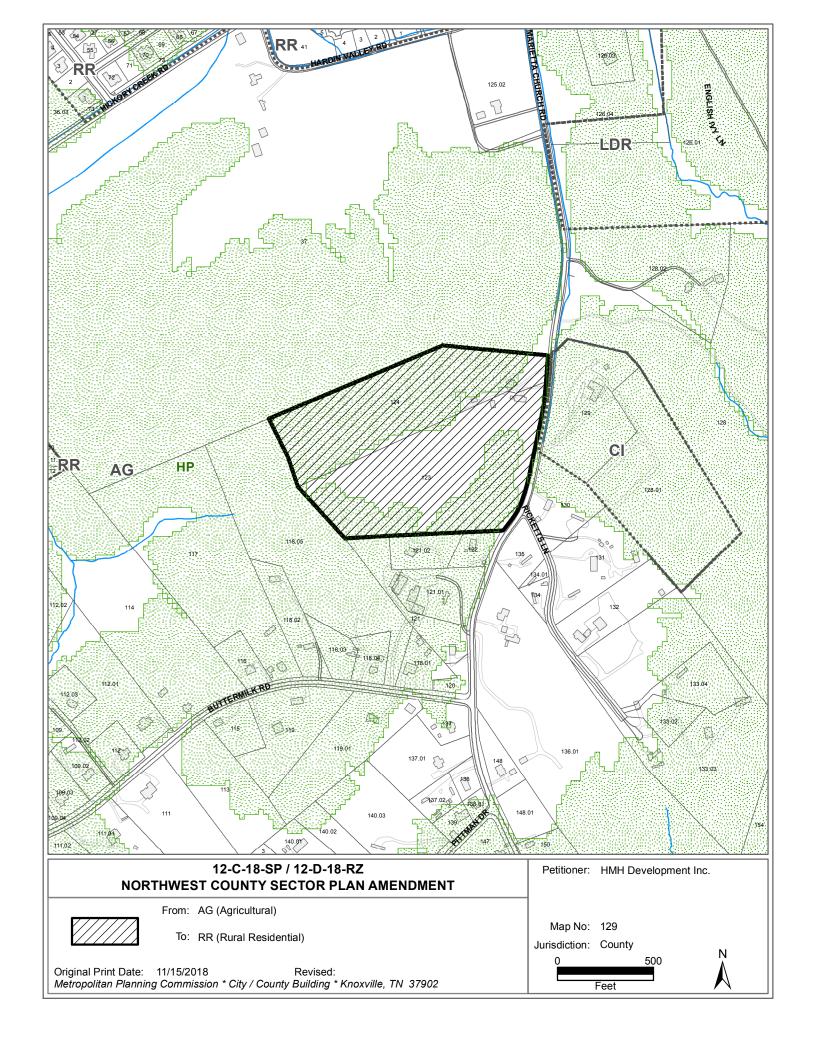
ESTIMATED STUDENT YIELD: 21 (public school children, ages 5-18 years)

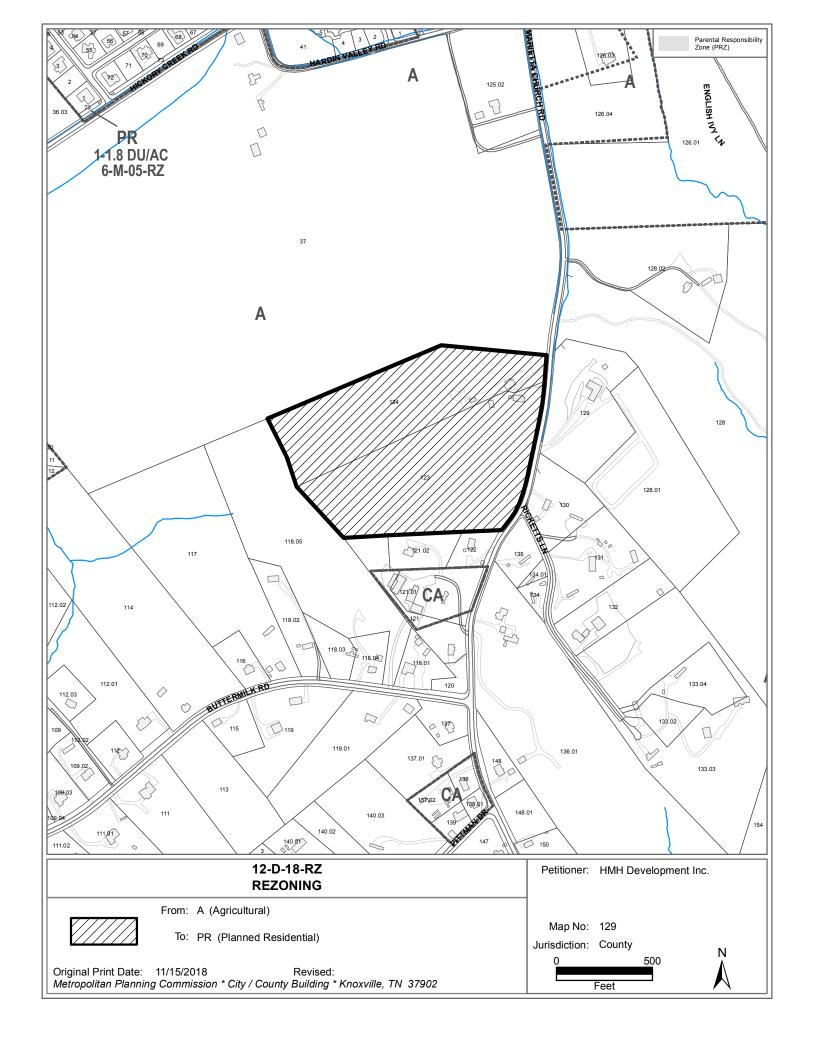
Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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 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.

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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, HMH Development, Inc., has submitted an application to amend the Sector Plan from Agricultural and Hillside and Ridgetop Protection Area to Rural Residential and Hillside and Ridgetop 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.

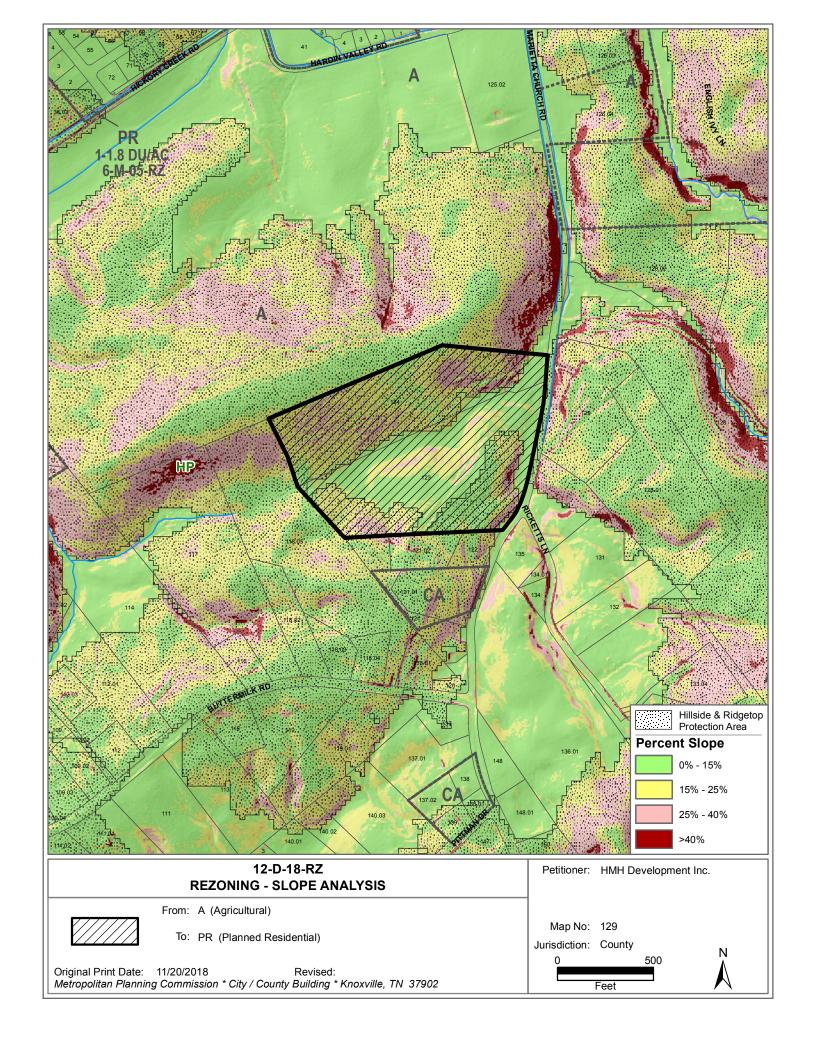
NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

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-C-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	



12-D-18-RZ Slope Analysis

Non-Hillsi	Acres 9.62		
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	5937	3.41
2	15%-25%	14747	8.46
3	25%-40%	5383	3.09
4	>40%	178	0.10
			15.06
Ridgetop Area 0			
		Site Total	24.68

MPC STAFF - SLOPE / DENSITY ANALYSIS 12-D-18-RZ / HMH Development, Inc. / A to PR (2 DUA)

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	9.62	2.00	19.2
0-15% Slope	3.41	2.00	6.8
15-25% Slope	8.46	2.00	16.9
25-40% Slope	3.09	0.50	1.5
Greater than 40% Slope			
Ridgetops	0	2.00	0.0
Subtotal: Sloped Land	15.06		25.3
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	24.68	1.80	44.5
Proposed Density (Applicant)	24.68	2.50	61.7

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: dwellina 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 legislate 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

Google Groups

Agenda Item #41 HMH Development

Frazier <r_frazier@comcast.net>

Dec 4, 2018 9:12 AM

Posted in group: Commission

Board of Commissioners,

I wanted to once again bring your attention to the benefits of developers, land owners and community members working together in regards to land use.

As you know, our group Hardin Valley Planning Advocates was organized to provide a voice to address managed growth, infrastructure improvements with development, the conservation of resources and historically significant landmarks, and to monitor rezoning and sector plan amendment requests within our district. Our focus is on the need for managed growth and suitable development that will ensure a strong sense of community for many years to come, and there are developers out there who feel the same.

A short time ago, Hunter Harrison with HMH Development, reached out to me and asked if I would sit down with this team and discuss a piece of property of interest. We talked at length about density, slope, setback, barriers, impact on traffic and schools, lot size, price points, green space, road improvements and the overall product. Mr. Harrison was not only willing to hear the community's vision, but he was willing to consider all of our requests.

Mr. Harrison spoke with community members living adjacent to the property and discussed his vision and asked for their input. I also spoke with community members and worked with Mr. Harrison to locate and preserve a well house on the property dating back to the late 1800s, early 1900s by creating an entrance with a no disturb area of 100 feet. We were happy to inform the families on Marietta Church that the historical landmark would not be disturbed and that HMH had offered to place a plaque recognizing its significance. He has included HVPA in every redesign including moving the development's road over 70 feet, raising it by approximately 10 feet to improve the lots in regards to sloping concerns and reducing lot numbers to 52 with the intent to increase lot size. Mr. Harrison allowed for lots facing existing land owners to have 170 foot depths with 15 foot barriers. Just this morning, he called to let me know that he thinks that there is a way to increase the size of flat green space for "a surprise amenity".

His efforts to add value back to the community is greatly regarded and can be observed in other developments by HMH in Hardin Valley like Harrison Springs and Massey Creek. This is just one more example of why it is critically important that the board consider including adequate notification and communication as a requirement of applicants. It does make a difference.

I'd also like to quickly acknowledge Goodall Homes for the walking path connecting all three schools on the Hardin Valley campus, their contribution to the new electronic jumbo tron at Hardin Valley Academy. I'd like to thank Ball Homes for their support of an athletic practice field at HVA and an outdoor classroom at HVES.

Thank you for allowing me to share this good news and be a very small part in improving the land use and development process in Hardin Valley.

Your service is appreciated.

Respectfully, Kim Frazier hvpa logo 2



Dori Caron dori.caron@knoxmpc.org

[MPC Comment] 1921 Marietta Church Road issues

1 message

'Dylan Ogle' via Commission < commission@knoxmpc.org> Reply-To: dylanogle@rocketmail.com To: commission@knoxmpc.org

Fri, Nov 30, 2018 at 9:44 AM

The issues that will occur with this property being bought by developer are as followed. Infrastructure will be further compromised by this development.

Eye sores such as junkyard cars in the local area near property will also be a local EPA violation

Neighbor uproar due to neighbors on property line.

The road does not have the necessary traffic control for increase in traffic.

A historic piece to community is on the property. (Developers promises buffer)

Community is not welcome to new developments

TDEC is concerned with this land and Hardin Valley as a whole.

Thank you Dylan Ogle Sent from my iPhone

This message was directed to commission@knoxmpc.org

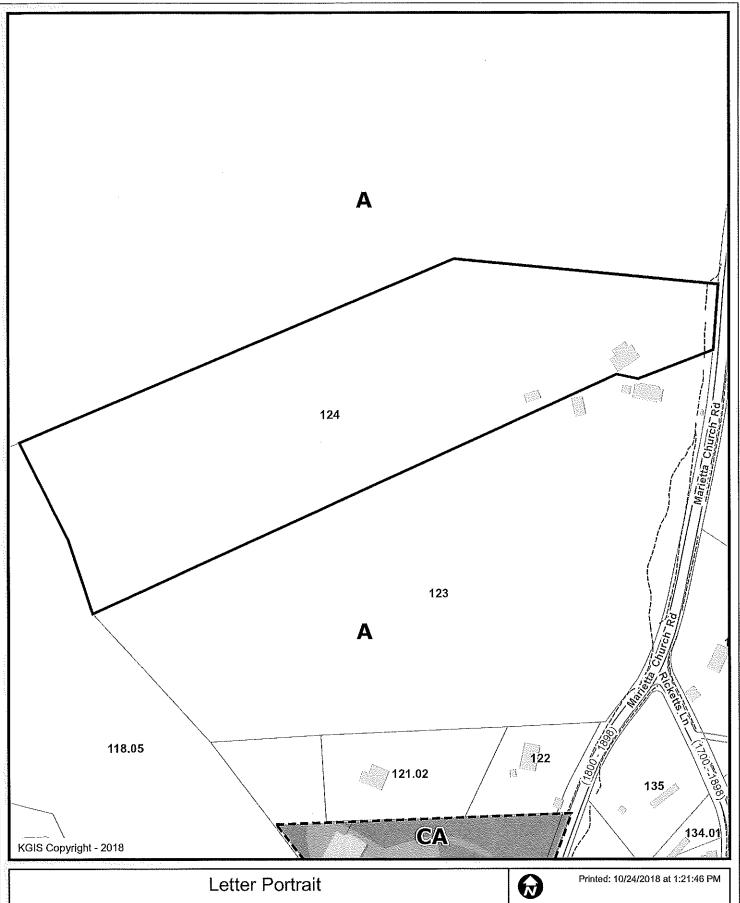
TYPLAN AMENDMENT FREZONING KROXVIELE KROX COUNTY Name of Applicant: HMH Development Tuc METROPOLITAN Date Filed: 10/24/18 Meeting Date: 12/13/ LANNING COMMISSION TENNESSEE Application Accepted by: M. Hayne Suite 403 • City County Building Fee Amount: 1148, 5/100 File Number: Rezoning 12-D-18-R2 OCT 2 4 2018 400 Main Street Knoxville, Tennessee 37902 865 • 215 • 2500 Metropolitan Fee Amount: 800 100 File Number: Plan Amendment 12-C-18-5P FAX • 2 1 5 • 2 0 6 8 Planning Commission www.knoxmpc.org PROPERTY OWNER MOPTION HOLDER PROPERTY INFORMATION Address: 425 & 1921 Marietta Church Fol PLEASE PRINT HULLER HERRIGOU **General Location:** Company: HMH & Development Ive Marrietta Church Rd dugn Ricketts LN Address: 2926 Southout Rd Parcel ID Number(s): 129 124 4 129123 City: Knoxville State: Tu Zip: 37-932 Telephone: 865-470-7396 Tract Size: 10,97 4 16.25 Existing Land Use: AgFoe Vac. Fax: Planning Sector: NORTH WEST COUNTY E-mail: bmh const & comcast, HOT Growth Policy Plan: RA APPLICATION CORRESPONDENCE Census Tract: 59.05 All correspondence relating to this application should be sent to: Traffic Zone: 222 PLEASE PRINT Hunter Hoperson Jurisdiction: City Council __ District Name: ___ County Commission W6 District Company: HMH Davelopment Inc Requested Change Address: 2926 Swalford Rd REZONING City: Knoxville State: The Zip: 37932 FROM: AST OR Vac Telephone: 865-470-7396 TO: PR Fax: _ E-mail: hmh conste comeast. NeT PLAN AMENDMENT One Year Plan 12/_____Sector Plan APPLICATION AUTHORIZATION I hereby certify that I am the authorized applicant, representing FROM: AG ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form. TO: RR Signature: 🖊 PLEASE PRINT HUNTER HARRISON PROPOSED USE OF PROPERTY Sneale Family Residental Company: HMH Development Inc Address: 2926 Swappord ___ State: Tw Zip: 37932 Density Proposed _ 2.5 Units/Acre Telephone: 865-470-7396

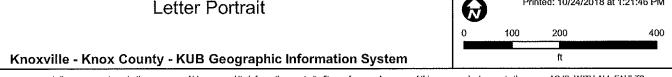
E-mail: hmh conste concast, Net

Previous Rezoning Requests:

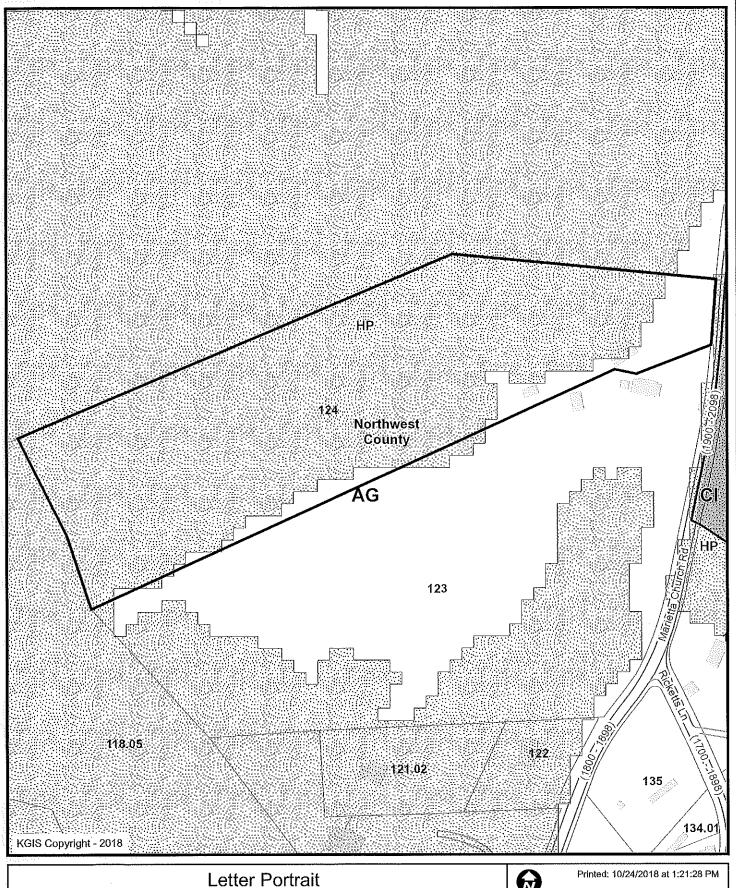
NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:				
Please Print or Type in Black lnk:	(If more space is required attach additional sheet.)			
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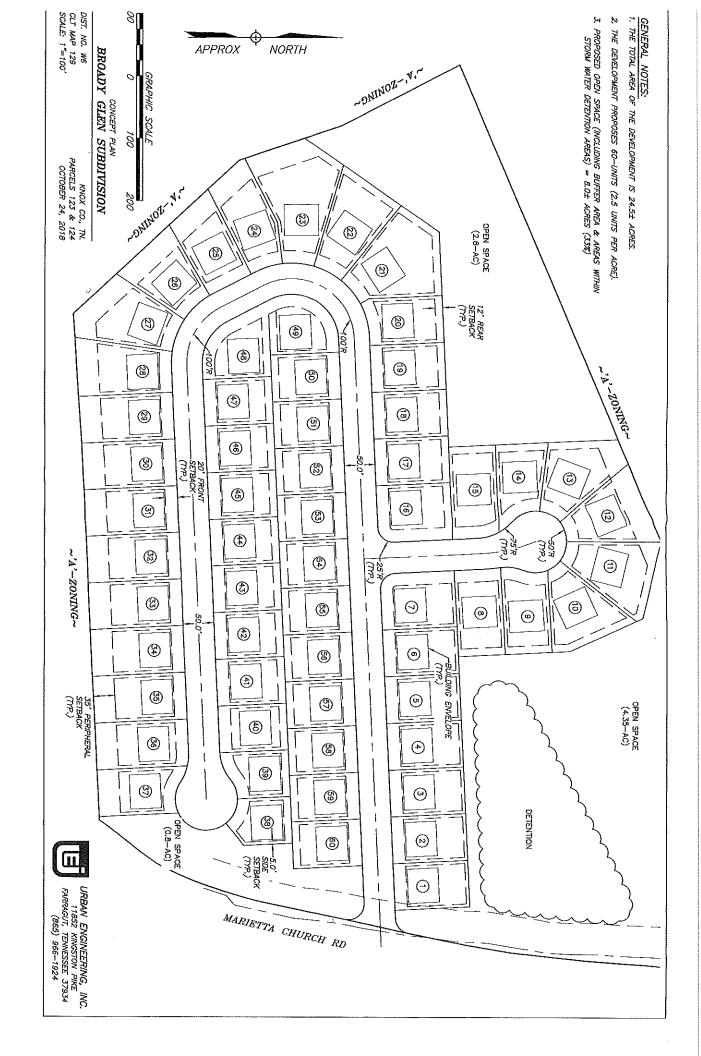


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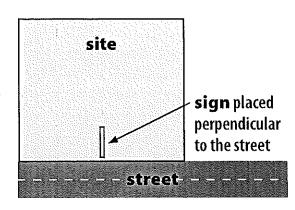
REQUIRED SIGN POSTING AGREEMENT

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:

11/29/18

and 12/14/18

(15 days before the MPC meeting)

Signature: 15/14/18

Printed Name: 15/15/15/15/16/15