

▶ **FILE #:** 12-E-18-RZ

**AGENDA ITEM #:** 42

**AGENDA DATE:** 12/13/2018

▶ **APPLICANT:** MARK YAMBERT AND CYNTHIA MCREYNOLDS

OWNER(S): Mark Yambert

TAX ID NUMBER: 47 PART OF 241

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 1611 Dry Gap Pike

▶ **LOCATION:** East side of Dry Gap Pike, south of Beaver Creek Drive, north of Branch Field Lane.

▶ **APPX. SIZE OF TRACT:** 24.47 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Dry Gap Pike, a minor collector with a pavement width of 51' - 33' within a right of way width of 86' - 100'.

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:** Agriculture/Forestry/Vacant

▶ **PROPOSED USE:** Residential subdivision

**DENSITY PROPOSED:** 1-4 du/ac

EXTENSION OF ZONE: Adjacent to PR zoning up 4.5 du/ac across Dry Gap Pike

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Vacant / Single family residential / A (Agriculture) / CA (General Business)

South: Single family residential / PR (Planned Residential) up to 3 du/ac

East: Rural residential / Multifamily residential / A (Agriculture) / PR (Planned Residential) up to 4.5 du/ac

West: Single family residential / PR (Planned Residential) up to 3 du/ac

NEIGHBORHOOD CONTEXT: The neighborhood consists of mostly single family residential with some multifamily residential developed under the PR (Planned Residential) zone. A small neighborhood commercial node is within 600' at the intersection of E Beaver Creek Dr and Dry Gap Pike.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) at the requested density up to 4 du/acre zoning, consistent with the LDR (Low Density Residential) sector plan recommendation and the slope analysis for the property.**

Staff recommends PR (Planned Residential) at a density of up to 4.0 du/ac. This is consistent with the slope analysis and sector plan land use recommendation. 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:**

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.

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 4 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 Level I Traffic Impact Study will be required to be submitted prior to submittal of a development plan. The applicant is encouraged to begin discussions regarding access alignment with Knox County Engineering and MPC staff.

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 4 du/acre is consistent with the proposed LDR 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 4.0 du/acre is consistent with all other adopted plans in Knoxville and Knox County, including the Hillside and Ridgetop Protection Plan.

ESTIMATED TRAFFIC IMPACT: 1075 (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.

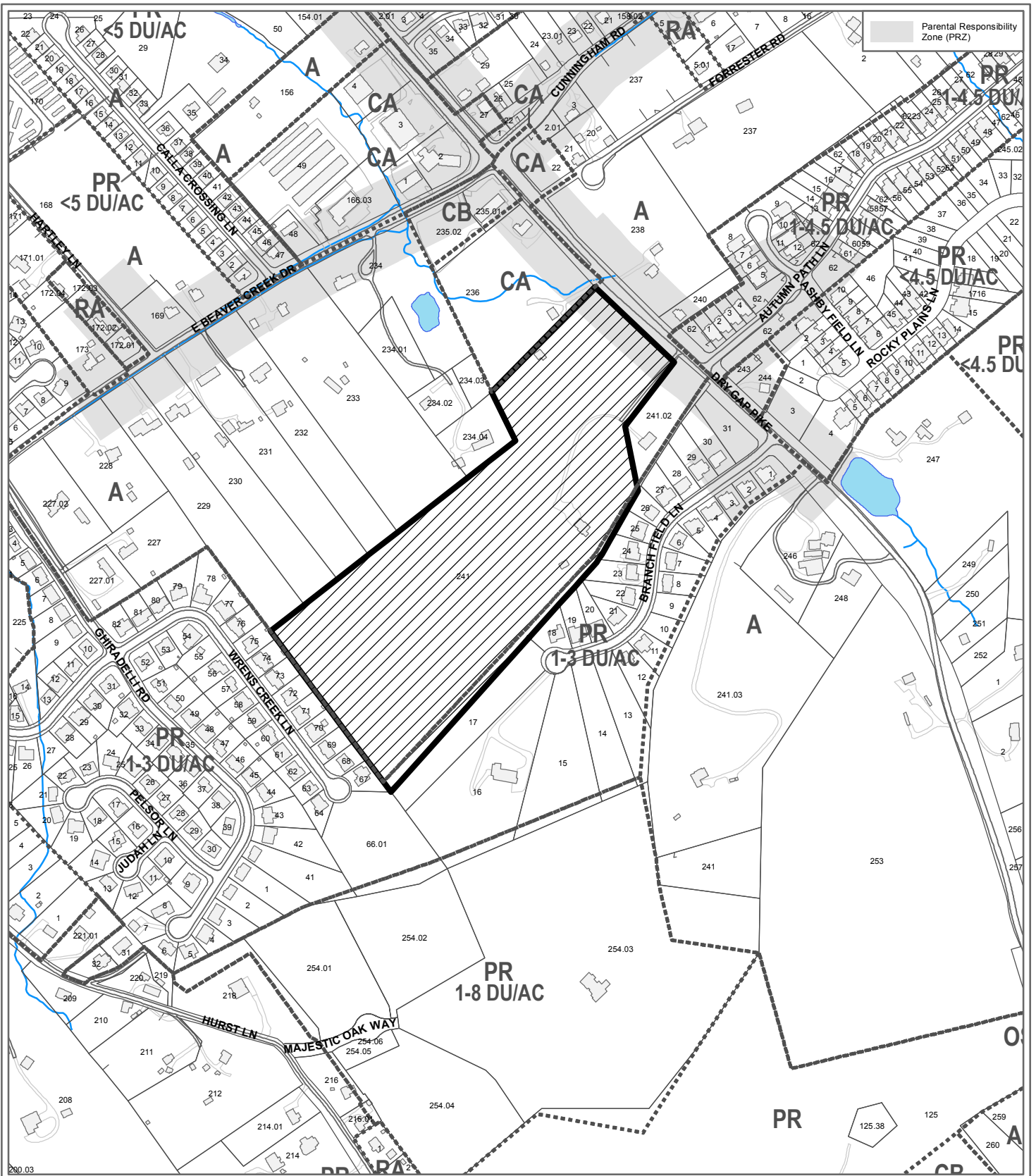
ESTIMATED STUDENT YIELD: 43 (public school children, ages 5-18 years)

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



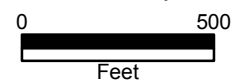
**12-E-18-RZ  
REZONING**

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

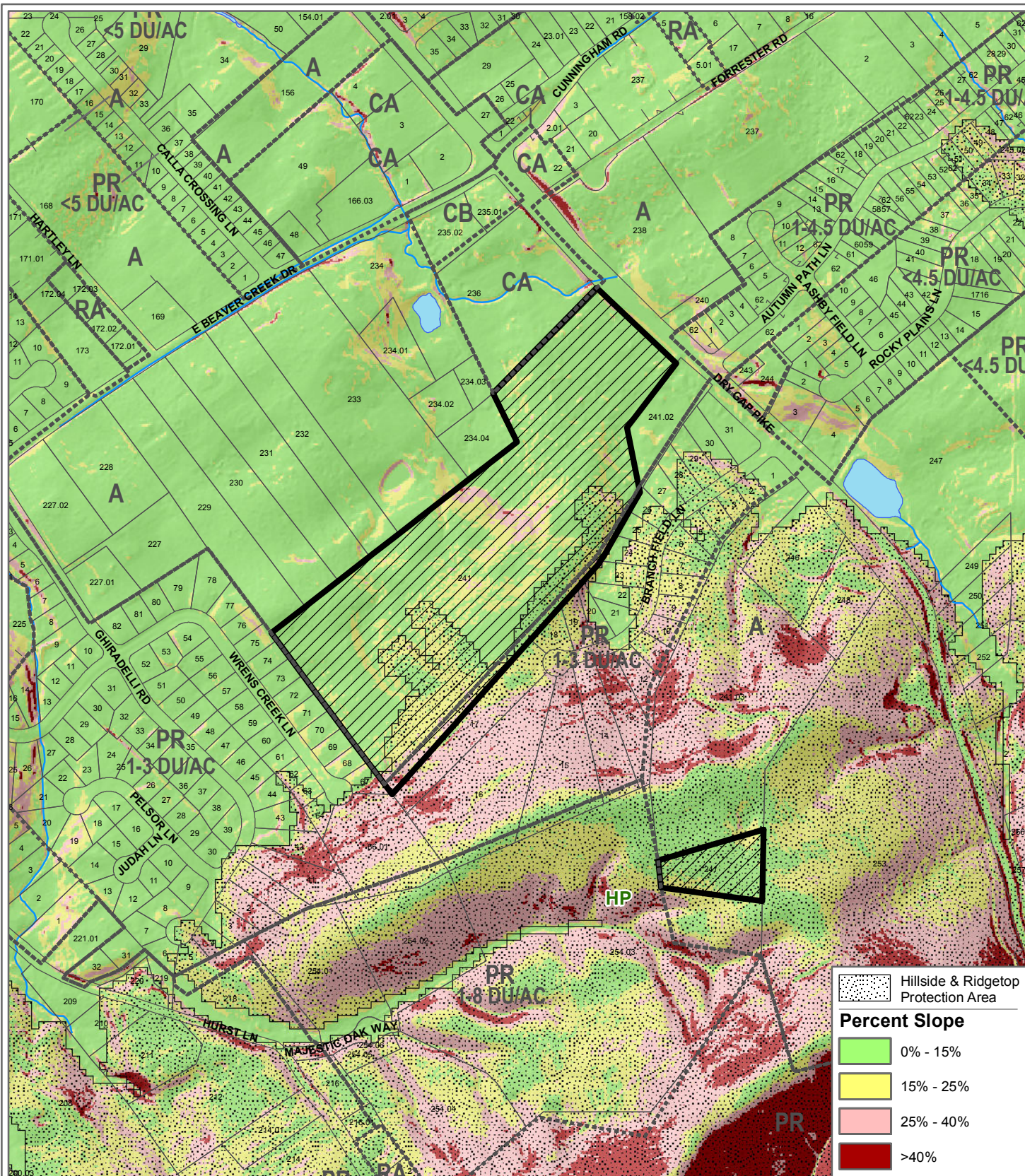


Petitioner: Mark Yambert and Cynthia McReynolds

Map No: 47  
Jurisdiction: County

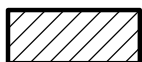






**12-E-18-RZ  
REZONING - SLOPE ANALYSIS**

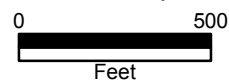
From: A (Agricultural)  
To: PR (Planned Residential)



Original Print Date: 11/20/2018      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Mark Yambert and Cynthia McReynolds

Map No: 47  
Jurisdiction: County





## 12-E-18-RZ Slope Analysis

<b>Non-Hillside Portions</b>			<b>Acres</b>
			19.46
<b>Hillside and Ridgetop Protection Area</b>			
<b>Value</b>	<b>Percent Slope</b>	<b>Count</b>	<b>Acres</b>
1	0%-15%	3447	1.98
2	15%-25%	4566	2.62
3	25%-40%	818	0.47
4	>40%	62	0.04
			<b>5.10</b>
<b>Ridgetop Area</b>			<b>0</b>
<b>Site Total</b>			<b>24.56</b>

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

[X] REZONING [ ] PLAN AMENDMENT

Name of Applicant: Mark Yambert and Cynthia McReynolds

Date Filed: Oct 25 2018 Meeting Date: 12 13 2018

Application Accepted by: Marc Payne

Fee Amount: 1,850.00 File Number: Rezoning 12-E-18-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: 1611 Dry Gap Pike, Knoxville, TN 37918

General Location: 3/4 Dry Gap Pike due W. of Autumn Path Lane

Parcel ID Number(s): 047 241 Alternate Parcel ID is 64582

Tract Size: 25 ac +/-

Existing Land Use: Vacant

Planning Sector: North County

Growth Policy Plan: Planned

Census Tract: 62.07

Traffic Zone: 247

Jurisdiction: [ ] City Council District [X] County Commission 7th District

Requested Change

REZONING

FROM: Agricultural

TO: Planned Residential

PLAN AMENDMENT

[ ] One Year Plan [ ] Sector Plan

FROM: N/A

TO: N/A

PROPOSED USE OF PROPERTY

Property will eventually be developed into residential housing.

Density Proposed 1-4 Units/Acre

Previous Rezoning Requests: This is the 1st attempt at rezoning this land.

[X] PROPERTY OWNER [ ] OPTION HOLDER

PLEASE PRINT

Name: Mark Yambert and Cindy McReynolds

Company: -----

Address: 1605 Dry Gap Pike

City: Knoxville State: TN Zip: 37918

Telephone: 865-567-6597

Fax: -----

E-mail: markyambert@comcast.net

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Mark Yambert

Company: -----

Address: 1605 Dry Gap Pike

City: Knoxville State: TN Zip: 37918

Telephone: 865-567-6597

Fax: -----

E-mail: markyambert@comcast.net

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: Cynthia McReynolds / Mark W. Yambert

PLEASE PRINT

Name: Cynthia McReynolds / MARK W. YAMBERT

Company: -----

Address: 1605 Dry Gap Pike

City: Knoxville State: TN Zip: 37918

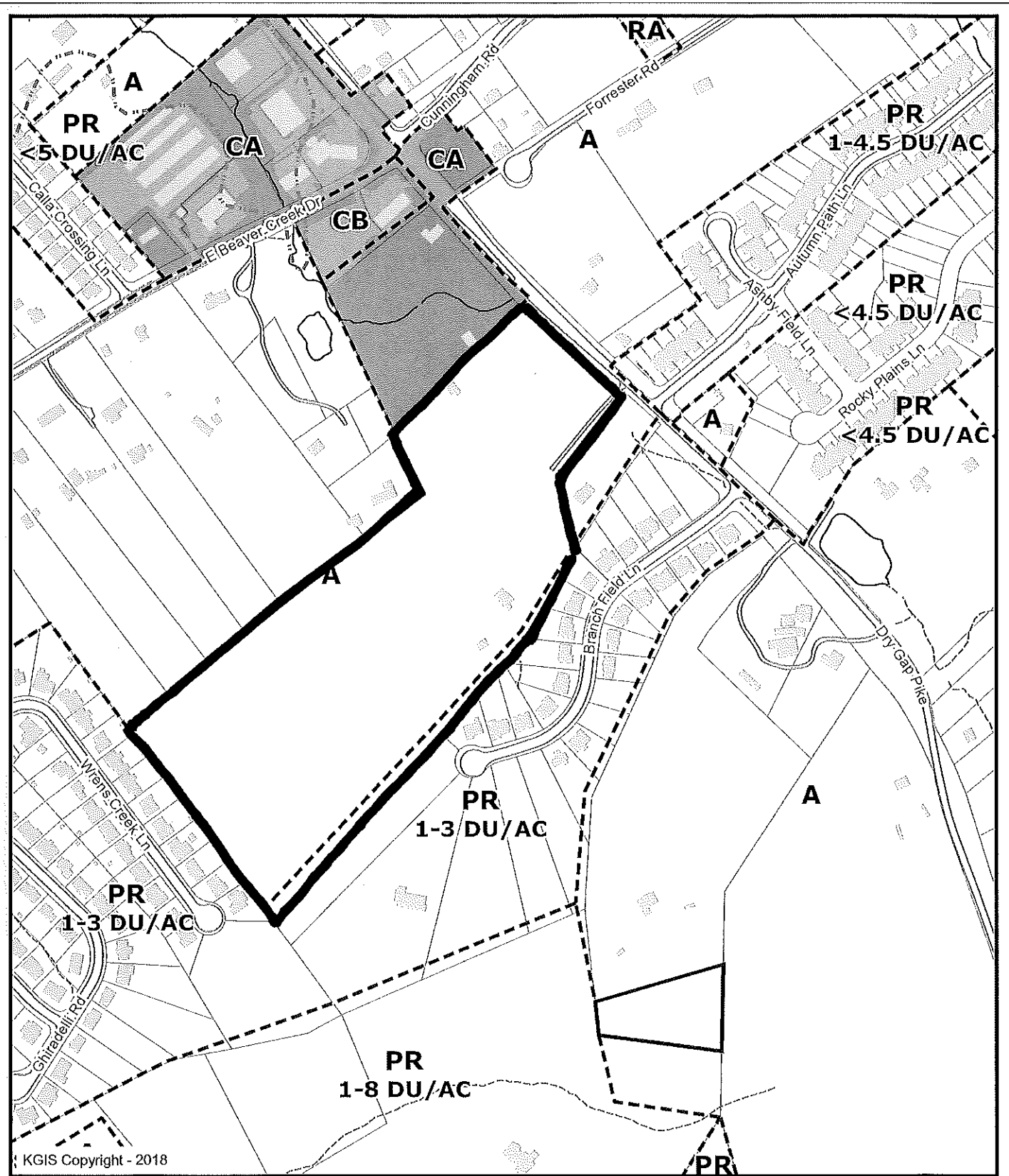
Telephone: 865-567-6597

E-mail: markyambert@comcast.net

\* This Property has a small section of land hooked property to the southeast. It is not the intention of the applicant to include that portion in this rezoning request.





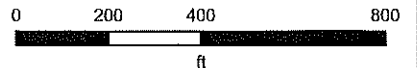


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 10/25/2018 at 1:22:04 PM



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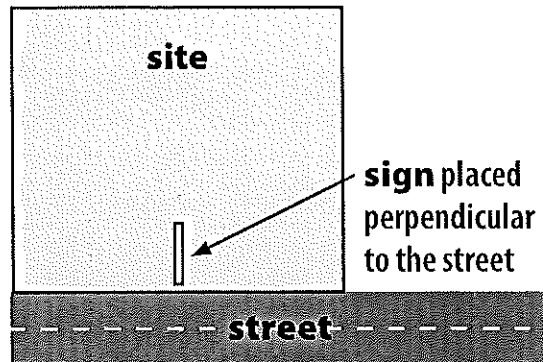
## REQUIRED SIGN POSTING AGREEMENT

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:

11/29/2018 and 12/14/2018  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Brian Eppers

Printed Name: Brian Eppers

Phone: 665-936-0380 Email: bceppers1@aol.com

Date: 10-25-18

MPC File Number: 12-E-18-RZ