

▶ **FILE #:** 7-H-18-RZ

AGENDA ITEM #: 39

AGENDA DATE: 7/12/2018

▶ **APPLICANT:** LAND DEVELOPMENT SOLUTIONS

OWNER(S): Value Added Concepts LLC

TAX ID NUMBER: 108 007

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 1201 Cherokee Trl

▶ **LOCATION:** North side Cherokee Trl., north of Edington Rd.

▶ **APPX. SIZE OF TRACT:** 3.31 acres

SECTOR PLAN: South County

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

ACCESSIBILITY: Access is via Cherokee Trail, a minor collector street with 22' of pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

▶ **PRESENT ZONING:** R-1 (Low Density Residential)

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

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Townhouses

DENSITY PROPOSED: 5.9 du/ac

EXTENSION OF ZONE: Yes, extension of RP-1 zoning from three sides

HISTORY OF ZONING: None noted for this site

SURROUNDING LAND USE AND ZONING: North: Residential development / RP-1 (Planned Residential)

South: Cherokee Trl., apartments / RP-1 (Planned Residential)

East: House / RP-1 (Planned Residential)

West: Residential development / RP-1 (Planned Residential)

NEIGHBORHOOD CONTEXT: Cherokee Trail in this area is developed primarily with medium density residential uses under RP-1 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 5.9 du/ac.**

RP-1 zoning at the requested density is consistent with both the One Year Plan and sector plan proposals for the property and is appropriate at this location, with direct access to a minor collector street on a site adjacent to similar zoning and development.

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 RP-1 zoning and density is compatible with the scale and intensity of the surrounding development and zoning pattern. The proposal is a logical extension of zoning from three sides. These properties are zoned RP-1 at densities between 3.5 and 8 du/ac.
2. The location of the property along a minor collector street makes the site appropriate for the requested density in the low density range.
3. 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 5.9 du/ac is the maximum allowable density under the low density residential plan designation.
4. The requested RP-1 zoning requires MPC's use on review approval of a development plan prior to development. This plan review will identify the type of residential units proposed and allow staff to address access, clearing and grading, landscaping, building orientations and other development issues. It will also provide the opportunity for public review and comment at the MPC public hearing.

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 3.84 acres, the approval of this request will allow the applicant to submit a development plan with up to 22 dwelling units for MPC's consideration, which, if developed with attached residential units, would add 1 student to the school system and add 245 trips to the street system.
3. 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.
4. Staff has concerns about providing a safe access point because of the vertical and horizontal curves on Cherokee Trail. The applicant has provided a conceptual plan showing proposed access at the far west side of the side. The applicant will need to certify required sight distance is available at the proposed entrance from Cherokee Trail.
5. The majority of the site is shown as hillside protection on the sector plan. Staff has provided a slope analysis, map and calculations for the site. With strict application of the residential density guidelines from the Hillside and Ridgetop Protection Plan (HRPP), the recommended density would be 2.65 du/ac. However, because the site's slope characteristics are similar to other sites in the area which are zoned and developed at higher densities, staff is recommending approval of the requested density of 5.9 du/ac, which is consistent with the adopted plan designations for the site. However, the applicant will be expected to preserve the existing steep slopes to the greatest extent possible when proposing a development plan.
6. There is a residence on parcel 7.01 to the east that currently has access through the subject property. The applicant will be expected to provide access to parcel 7.01 through the proposed development.
7. 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.

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 South 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 up to 5.9 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: 245 (average daily vehicle trips)

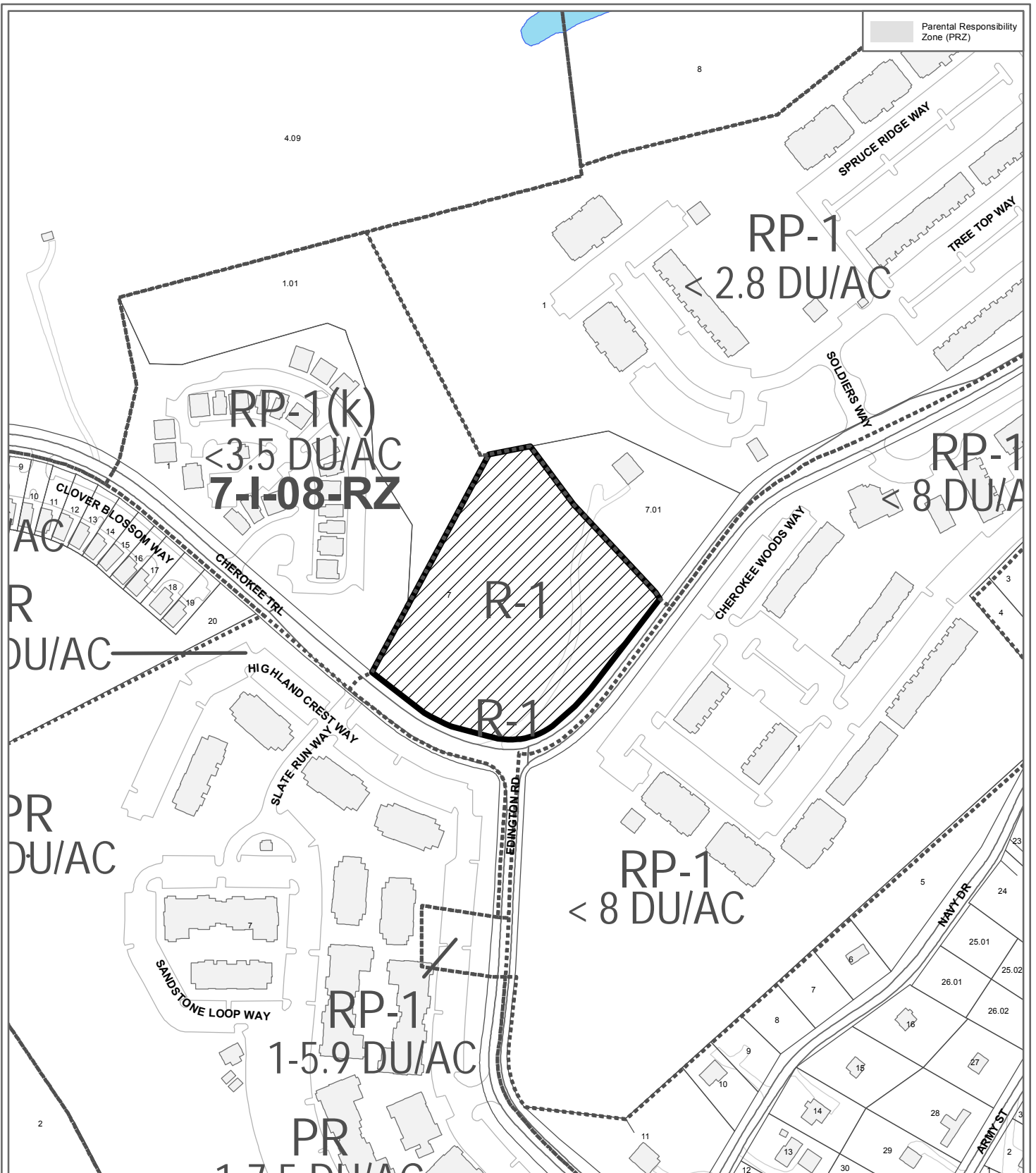
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: Mount Olive Elementary, South Doyle Middle, and South Doyle 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 8/14/2018 and 8/28/2018. 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.



**7-H-18-RZ
REZONING**

From: R-1 (Low Density Residential)

To: RP-1 (Planned Residential)



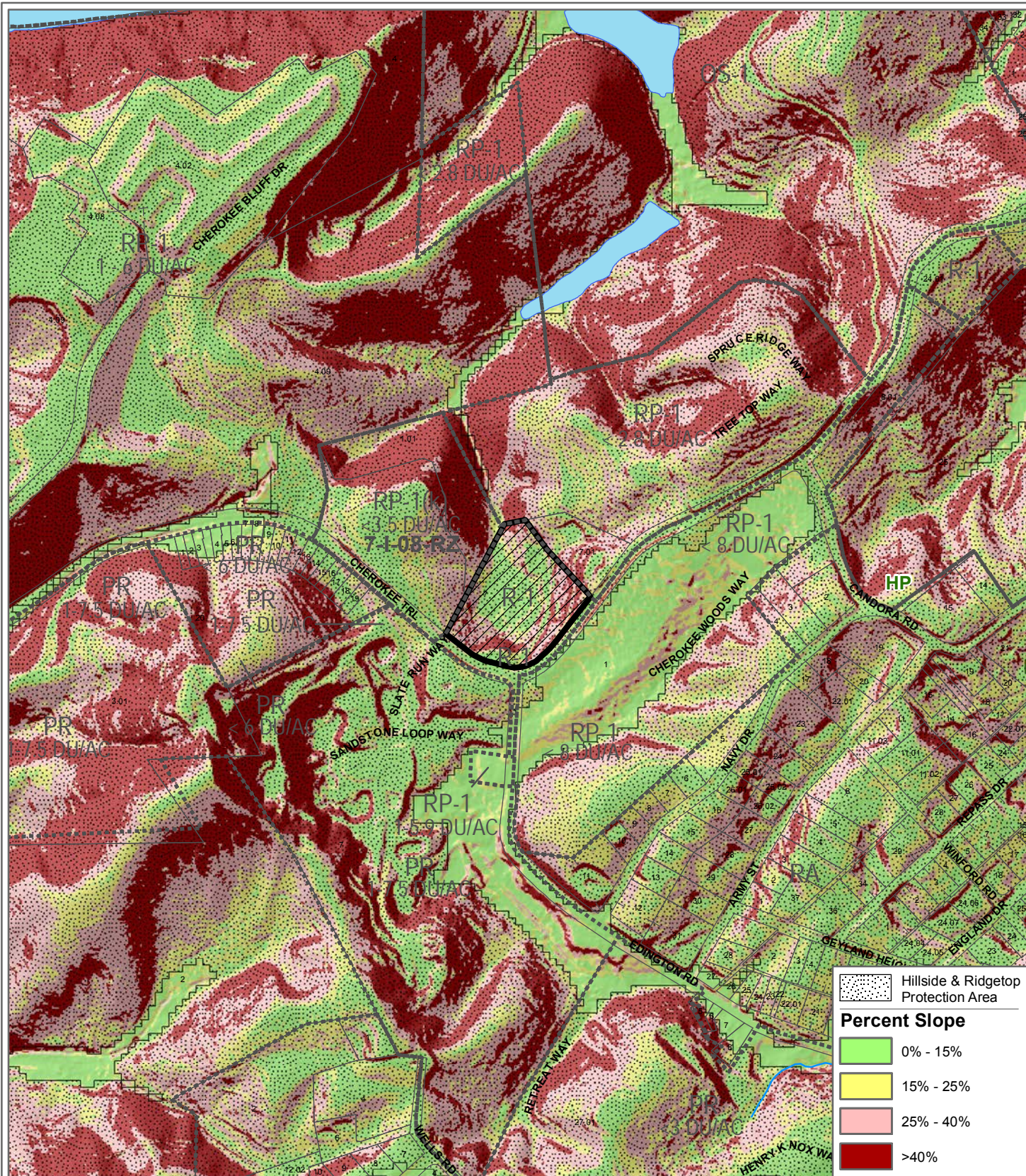
Petitioner: Land Development Solutions

Map No: 108

Jurisdiction: City



Original Print Date: 6/20/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**7-H-18-RZ
REZONING - SLOPE ANALYSIS**

From: R-1 (Low Density Residential)

To: RP-1 (Planned Residential)

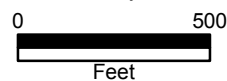


Original Print Date: 6/11/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Land Development Solutions

Map No: 108

Jurisdiction: City



7-H-18-RZ Slope Analysis

			Acreage
Non-Hillside Portions			0
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	2373	1.36
2	15%-25%	1125	0.65
3	25%-40%	2072	1.19
4	>40%	1120	0.64
			3.84
Ridgetop Area			0
Site Total			3.84

MPC STAFF - SLOPE / DENSITY ANALYSIS
7-H-18-RZ - Land Development Solutions - R-1 to RP-1

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0	6.00	0.0
0-15% Slope	1.36	6.00	8.2
15-25% Slope	0.65	2.00	1.3
25-40% Slope	1.19	0.50	0.6
Greater than 40% Slope	0.64	0.20	0.1
Ridgetops	0		0.0
Subtotal: Sloped Land	3.84		10.2
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	3.84	2.65	10.2
Proposed Density (Applicant)	3.84	5.90	22.0

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

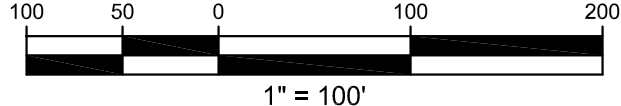
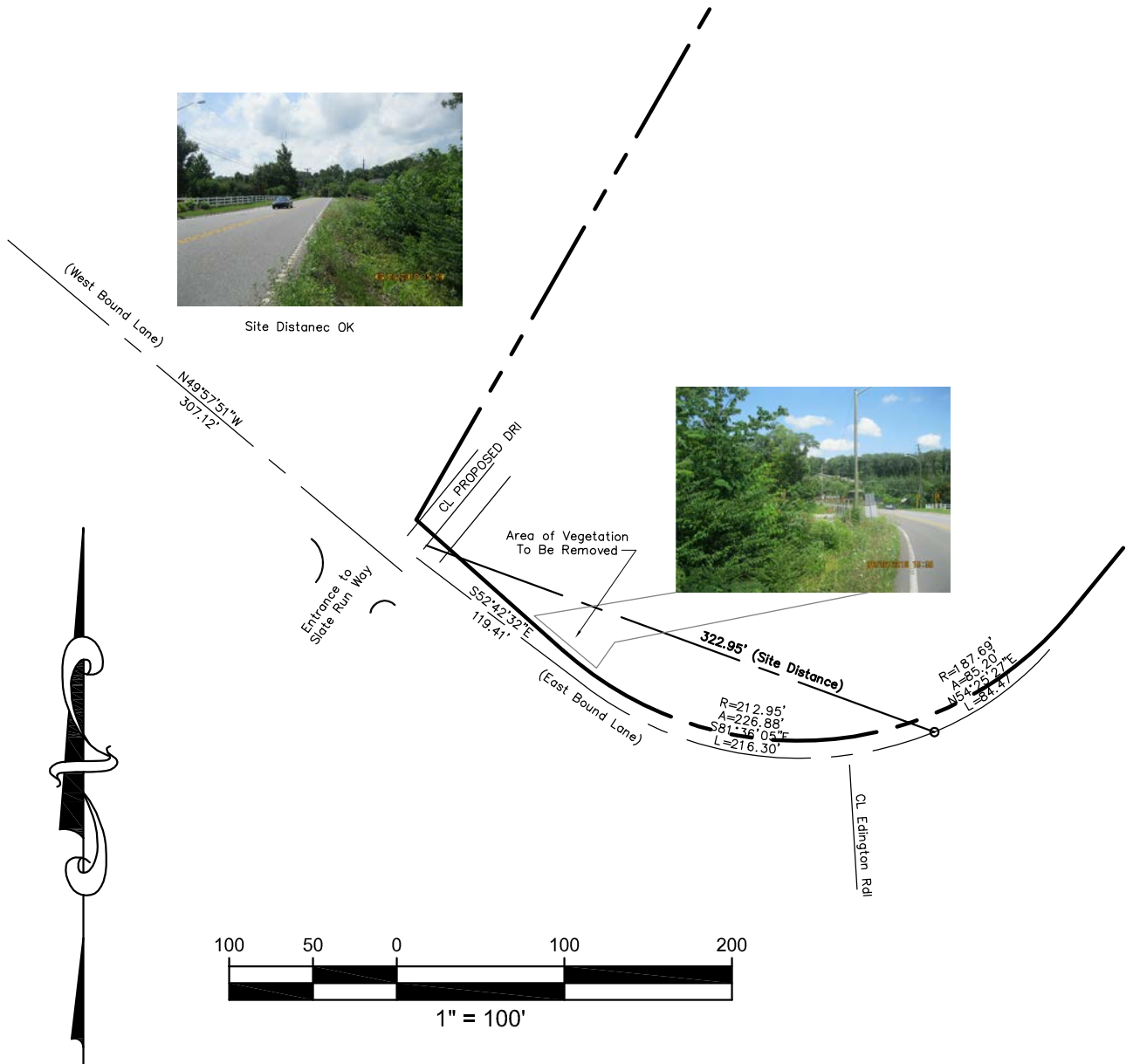
* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered 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

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LAND
DEVELOPMENT
SOLUTIONS

310 SIMMONS RD., SUITE K-KNOXVILLE, TENNESSEE 37922
PH: 865-671-2281

Project: Cherokee Trail Condos
Site Distance
Knoxville, Tennessee

Drawn By	
Checked	
Approved	
Job No.	
Scale: 1"=100'	Sheet No.
Date: 7-5-18	1

REZONING **PLAN AMENDMENT**

Name of Applicant: Land Development Solutions

Date Filed: 5/29/18 Meeting Date: 7/12/18

Application Accepted by: _____

Fee Amount: \$500 File Number: Rezoning 7-H-18-RZ

Fee Amount: File Number: Plan Amendment

PROPERTY INFORMATION

Address: 1201 Cherokee Trail

General Location: Intersection of Cherokee Trail & Edington Rd

Parcel ID Number(s): Map 108 Parcel 007

Tract Size: ~3.31 acres

Existing Land Use: Vacant

Planning Sector: South County

Growth Policy Plan: _____

Census Tract: 35

Traffic Zone: 63

Jurisdiction: City Council 1 District
 County Commission _____ District

**Requested Change
REZONING**

FROM: R-1

TO: RP-1

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Townhouses

Density Proposed 1-5.9 Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Kelly Mahoney

Company: Value Added Concepts LLC

Address: 8771 Macon Hwy Suite B

City: Athens State: GA Zip: 30606

Telephone: 678-628-4678

Fax: _____

E-mail: kellymichaelmahoney@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: E. J. (Rusty) Baksa, Jr. P.E.

Company: Land Development Solutions

Address: 310-K Simmons Rd

City: Knoxville State: TN Zip: 37922

Telephone: 865-671-2281

Fax: _____

E-mail: rbaksa@ldstn.com

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: [Signature]

PLEASE PRINT

Name: E. J. (Rusty) Baksa, Jr. P.E.

Company: Land Development Solutions

Address: 310-K Simmons Rd

City: Knoxville State: TN Zip: 37922

Telephone: 865-671-2281

E-mail: rbaksa@ldstn.com

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
Kelly Mahoney	8771 Macon Hwy Suite B	Macon, GA	30606		X	