

▶ **FILE #:** 6-B-18-RZ

AGENDA ITEM #: 35

AGENDA DATE: 6/14/2018

▶ **APPLICANT:** **WORLEY BUILDERS, INC.**

OWNER(S): Worley Builders, Inc.

TAX ID NUMBER: 91 08603, 087, 08701

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 7123 Ball Rd

▶ **LOCATION:** **Northwest side Ball Rd., southwest of Smithland Ln.**

▶ **APPX. SIZE OF TRACT:** **27.4 acres**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Ball Rd., a major collector street with 21' of pavement width within 55' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** **A (Agricultural) & I (Industrial)**

▶ **ZONING REQUESTED:** **PR (Planned Residential)**

▶ **EXISTING LAND USE:** **Residence and vacant land**

▶ **PROPOSED USE:** **Residential development**

DENSITY PROPOSED: **5 du/ac**

EXTENSION OF ZONE: Yes, extension of PR zoning from the southwest

HISTORY OF ZONING: None noted for this site

SURROUNDING LAND USE AND ZONING: North: Vacant land, Beaver Ridge / A (Agricultural)

South: Ball Rd., vacant land / RA (Low Density Residential)

East: Houses / A (Agricultural) and RA (Low Density Residential)

West: Developing residential subdivision / PR (Planned Residential) at up to 5 du/ac

NEIGHBORHOOD CONTEXT: This area is developed primarily with agricultural and rural to low density residential uses under A, RA and PR zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac (Applicant requested 5 du/ac).**

PR zoning at the recommended density will allow reasonable development of the site, consistent with the sector plan and compatible with surrounding zoning and surrounding built environment. The average of the actual built density of the four closest detached residential subdivisions is less than 3 du/ac, therefore staff is recommending a density for this site which will be compatible with the surrounding development pattern.

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 recommended zoning and density for the subject property are appropriate to allow reasonable use of the site while remaining compatible with surrounding development and zoning.
2. Staff has analyzed the actual as-built densities of the four closest subdivisions to determine a compatible density for the subject property. Hatties Place to the west is approved for 137 lots on about 47.1 acres for an actual density of 2.9 du/ac. Cureton Park to the south off of Cureton Rd. has 33 lots on 12.8 acres for an actual density of 2.57 du/ac. Smoky River, also off of Cureton Rd has 57 lots on 25 acres for an actual density of 2.28 du/ac. Denton Place, to the southeast off of Ball Camp Pike has 77 lots on about 32 acres, for a density of 2.4 du/ac. The conclusion is that the average density of the four closest subdivisions is less than 3 du/ac, which justifies the recommendation for a lesser density on the subject property for better compatibility.
3. 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. Staff's recommended zoning and density will be compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The property is located within the Parental Responsibility Zone. Sidewalks will be required on at least one side of each street within the development, and possibly along the McCloud Rd. frontage.
3. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
4. Based on the calculated area of 28.03 acres for the site, the proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 140 dwelling units to be considered for the site. That number of detached units would add approximately 1413 vehicle trips per day to the street system and would add approximately 57 children under the age of 18 to the school system. The recommended PR zoning at a density of up to 3 du/ac would allow for a maximum of 84 dwelling units to be proposed for the site. That number of detached units would add approximately 883 vehicle trips per day to the street system and would add approximately 34 children under the age of 18 to the school system.
5. If the proposed development generates more than 750 trips per day, a traffic impact study (TIS) will be required to be submitted with the concept/use on review development plan. Any recommended improvements from the TIS will need to be addressed by the applicant. Also, the applicant will need to certify that adequate sight distance is available from the proposed entrance along Ball Rd.
6. There is a paved easement along the northeast property line that appears to be located within the subject property, but provides access to the properties to the east. Legal access for the adjacent properties must be maintained with the development of the subject property.

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 designates this site for low density residential (LDR) uses with a small portion of hillside protection, consistent with the recommended PR zoning and density. The requested density of 5 du/ac is allowable within the LDR designation, but is not compatible with prevailing residential densities in the area. The portion of the site designated for hillside protection is very small, but the recommended density will allow the steepest portions of the site to be protected. A slope map, analysis and calculations are attached. Since the recommended density (3 du/ac) is less than the density that could be recommended (3.75 du/ac) with application of the residential density guidelines of the Hillside and Ridgetop Protection Plan, these calculations do not factor into the staff's recommended density.
2. Approval of this request could lead to future requests for PR zoning on nearby properties, consistent with the sector plan proposal of LDR in the area.

3. The recommended zoning and density do 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 Knox County Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT: 1413 (average daily vehicle trips)

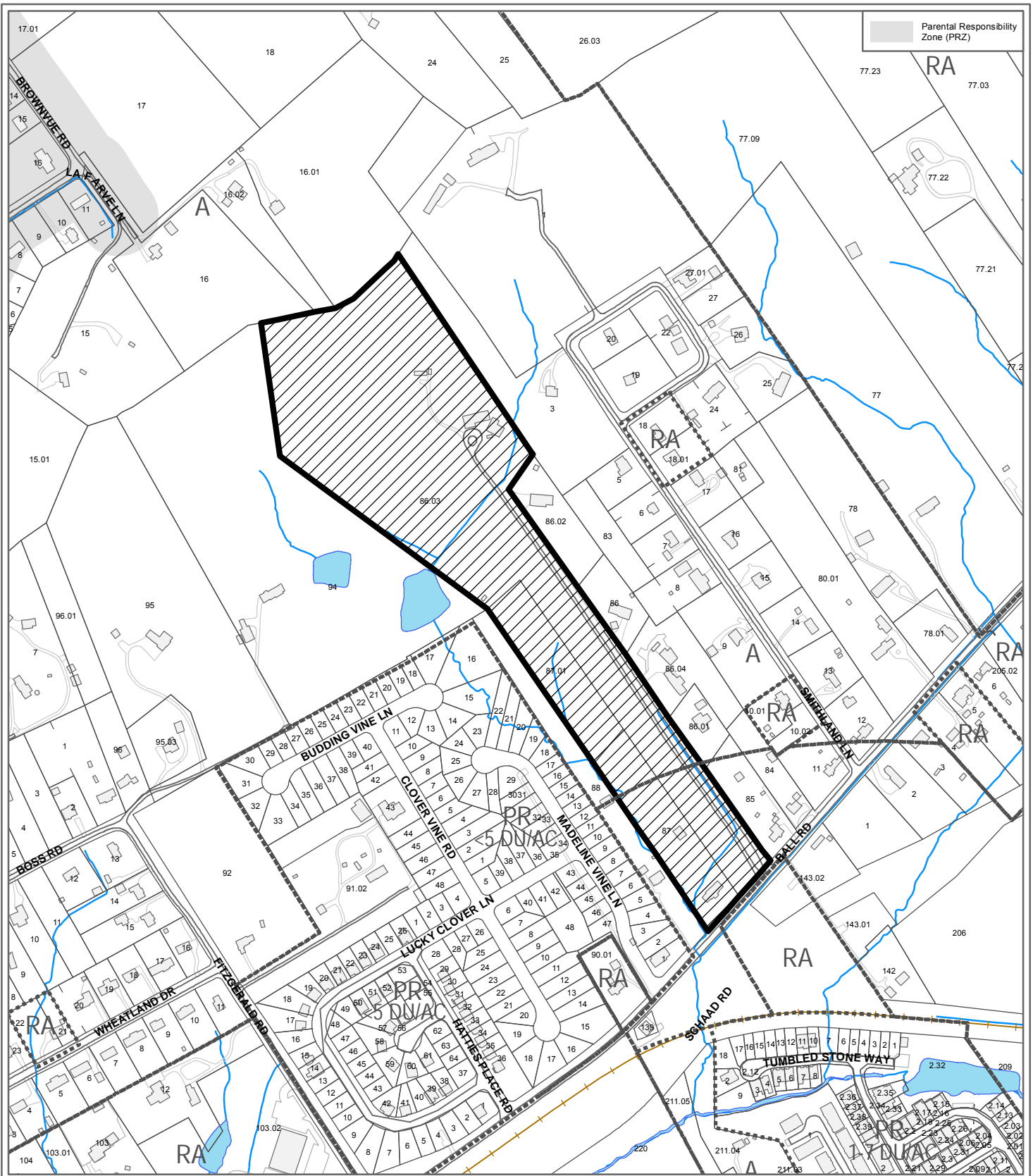
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 57 (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 7/23/2018. 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.



**6-B-18-RZ
REZONING**

From: A (Agricultural) & I (Industrial)
To: PR (Planned Residential)

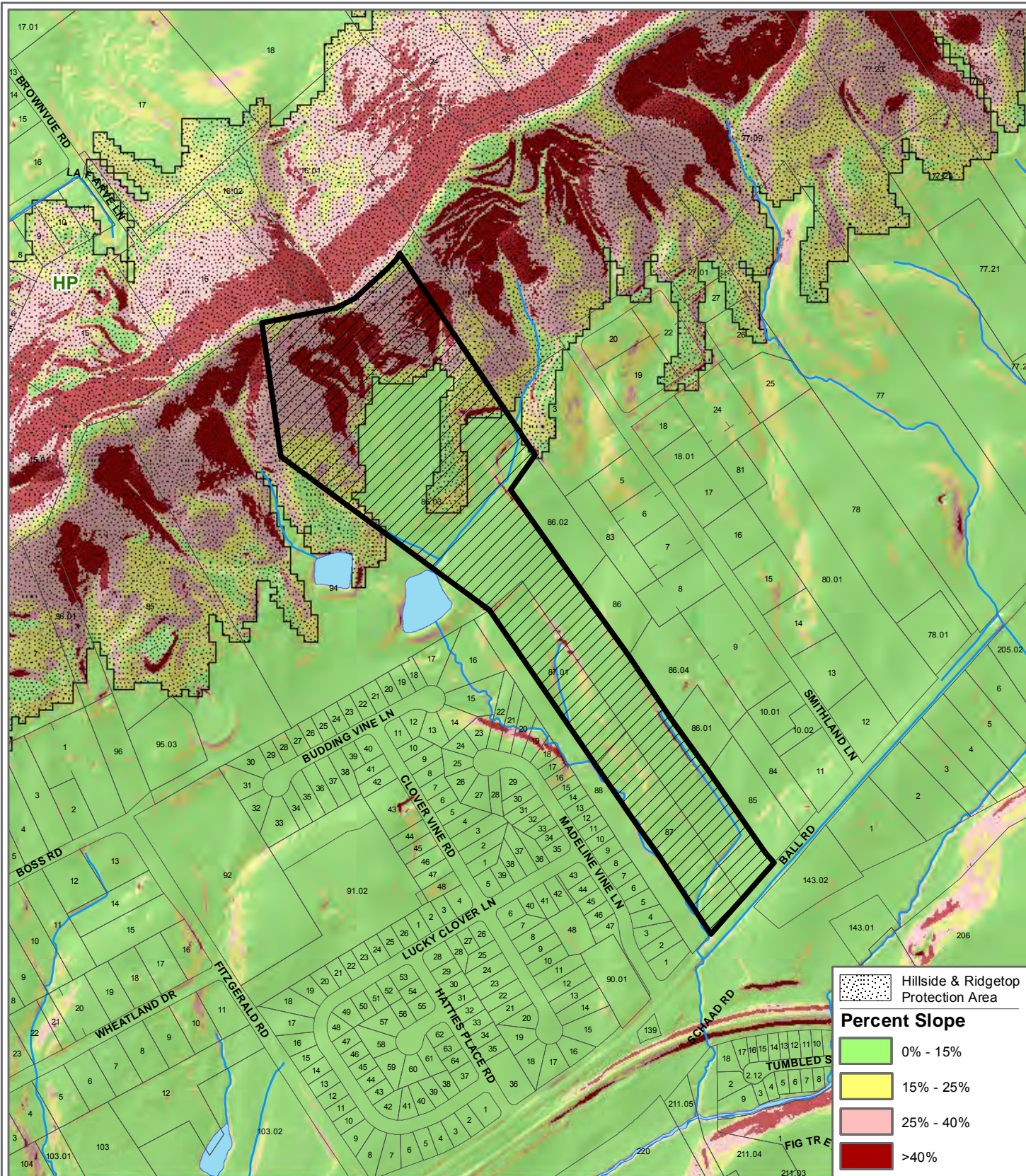


Petitioner: Worley Builders, Inc.

Map No: 91
Jurisdiction: County



Original Print Date: 5/14/2018
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**6-B-18-RZ
REZONING - SLOPE ANALYSIS**

From: A (Agricultural) & I (Industrial)
To: PR (Planned Residential)



Original Print Date: 5/25/2018
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Worley Builders, Inc.

Map No: 91
Jurisdiction: County



6-B-18-RZ Slope Analysis

			Acreage
Non-Hillside Portions			18.8
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	1385	0.79
2	15%-25%	4113	2.36
3	25%-40%	6655	3.82
4	>40%	3942	2.26
			9.24
Ridgetop Area			0
Site Total			28.04

MPC STAFF - SLOPE / DENSITY ANALYSIS
6-B-18-RZ - Worley Builders, Inc. - A & I to PR

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	18.8	5.00	94.0
0-15% Slope	0.79	5.00	4.0
15-25% Slope	2.36	2.00	4.7
25-40% Slope	3.82	0.50	1.9
Greater than 40% Slope	2.26	0.20	0.5
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	9.23		11.0
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	28.03	3.75	105.0
Proposed Density (Applicant)	28.03	5.00	140.0

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

<i>Percent of Slope</i>	<i>Recommended Maximum Density Factor*</i>	<i>Recommended Maximum Land Disturbance Factor**</i>
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.



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Re: Zoning Concerns in Karns

1 message

Gerald Green <gerald.green@knoxmpc.org>

Mon, Jun 4, 2018 at 5:32 PM

Reply-To: gerald.green@knoxmpc.org

To: Bryant <jsbry412@gmail.com>

Cc: Planning Commissioners <commission@knoxmpc.org>, Dwight Van de Vate <Dwight.VandeVate@knoxcounty.org>, Amy Brooks <amy.brooks@knoxmpc.org>, Brad Anders <brad.anders@knoxcounty.org>

Ms. Bryant,

Thanks for your email expressing your concerns regarding the growth being experienced by the Karns community. I will try to answer your questions and provide information to assist you as you work to ensure the continued desirability of the Karns community. Copied on this email are the MPC Commissioners, Dwight Van de Vate, Director of the Knox County Engineering and Public Works Department, and Brad Anders, your County Commission representative.

The basis for determining the number of homes that can be built per acre is the sector plan designation for the property. The sector plan designation for the property at 71721 and 7123 Ball Road for which the rezoning to permit development at a density of 5 dwelling units (homes) per acre is requested is LDR (Low Density Residential). This designation permits consideration of 1 to 5 dwelling units per acre, consistent with the request. While the sector plan designation is the first item considered by MPC staff in making a recommendation for density in response to a rezoning request, staff also considers the Growth Policy Plan, the topography of the property, the character of surrounding development, and the infrastructure serving the property. The property is located in the Planned Growth Area, which permits a density of 5 dwelling units per acre for properties designated for Low Density Residential development. The northern portion of the property has significant topographical change. MPC staff will prepare a slope analysis and use the recommendations in the Hillside and Ridgetop Protection Plan as guidelines in developing their recommendation for the density to be assigned to the property. In reviewing the zoning map for the area (<http://www.kgis.org/KGISMaps/Map.htm>), it appears that the zoning in the area permits development ranging from 1-3 dwelling units per acre to 7 dwelling units per acre. Staff will review the development pattern further to ensure the recommended density for the property is compatible with the existing development in the area. The infrastructure serving the property appears adequate to serve a residential development at the proposed density. If the rezoning is approved, a Traffic Impact analysis will be required to be submitted with development plans if the projected traffic to be generated exceeds 750 trips per day. This analysis may identify traffic system improvements needed to mitigate any traffic impacts.

The information provided by citizens can influence the recommendations of MPC staff and of the Planning Commissioners. Please send comments to commission@knoxmpc.org. Please remember that MPC staff and Commission make recommendations only; the final decision on rezonings is made by the County Commission. You may want to share comments and information with them also. Appearing at MPC and County Commission meetings with succinct and informative presentations may have more impact than emailed comments.

Please check this website <https://knoxmpc.org/agenda/> for information about the rezoning request.

I trust that this email has helped answer some of your questions. Should you desire additional information, please contact me. Again, thanks for your email and for your concern for your community.

Regards,
Gerald

Gerald Green AICP
Executive Director
Knoxville-Knox County
Metropolitan Planning Commission
[400 Main Street, Suite 403](#)
[Knoxville, TN 37902](#)
[865.215.3758](tel:865.215.3758)
gerald.green@knoxmpc.org

On Fri, May 25, 2018 at 9:58 AM, Bryant <jsbry412@gmail.com> wrote:

Good Evening,

I am a lifelong resident of Karns, and I recently received a notice (attached) in the mail regarding a planned rezoning of land near where I live. There is also some land on Bakertown Rd that is for sale that has been changed to PR and is currently for sale. I have some concerns with all the subdivisions that have been going up in our community and I was advised to email you as I am not able to attend the hearings due to having three small children at home. Although I love how Karns once was considered a rural farming community, I realize it cannot be kept that way forever and change is unavoidable, however we can be responsible with how the land is changed. Having so many homes on each acre, without addressing hardly any of the infrastructure is having a negative impact on our community. There is now flooding where there never used to be. When the subdivisions are put in, they have a designated drainage area, but where it dumps out near the roadway leads to major flooding (any one of Smithbilt's subdivisions could be cited as an example of this).

Increased traffic is a huge problem on almost every road in Karns and Hardin Valley, and in the winter, there are potholes on all the roads as well due to all the traffic. Almost every road here is a small, two lane road with double yellow lines and a speed limit of no more than 40 miles per hour (most are 30). On a daily basis, I find myself, or witness someone else, being passed by a vehicle easily going 20-30 miles over the speed limit. One example of an area that is fast becoming a problem is the intersection of Andes Rd and Ball Camp, and Byington Solway Rd and Ball Camp Rd, near the rail road tracks. It is nearly impossible to make left turns onto Ball Camp during peak traffic hours, and a traffic light is not an option due to the rail road tracks. More homes/subdivisions will only add to this problem. Additionally, in the morning and afternoons, traffic backs up for over a mile due to school and train traffic near those intersections. It is not uncommon for traffic to be backed up to Middlebrook Pike.

Are there any current rules in place that dictate how many homes can be built on an acre? What factors are taken into consideration when builders ask for the maximum amount of homes per acre? When citizens of the community protest the builder's plan, does it have any affect on the decision of the MPC? It doesn't appear that there have been proper impact studies performed to take into account the increased population from all the homes, and the burden this has put on the land, roads, traffic flow, schools, etc. if impact studies were performed, are they available as public records?

I appreciate your time,

Sarah Bryant

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This message was directed to commission@knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Worley Builders, Inc.

Date Filed: April 25, 2018 Meeting Date: JUNE 14, 2019

Application Accepted by: M. Payne / M. Reynolds

Fee Amount: 1970 % File Number: Rezoning 6-B-18-RZ

Fee Amount: X File Number: Plan Amendment X



PROPERTY INFORMATION

Address: 7121 & 7123 BALL ROAD

General Location: BALL ROAD JUST Southwest From Intersection OF BALL ROAD AND SMITHLAND LANE

Parcel ID Number(s): 091-08603, 091-087, 091-08701

Tract Size: 21.86 AC, 3.10 AC, 2.5 AC. = 27.46 AC TOTAL

Existing Land Use: Residence

Planning Sector: North West County

Growth Policy Plan: Planned Growth

Census Tract: 60.01

Traffic Zone: 213

Jurisdiction: City Council _____ District
 County Commission 6th District

Requested Change

REZONING

FROM: "I" And "A"

TO: PR-5 DU/AC.

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: N/A

PROPOSED USE OF PROPERTY

Residential SUBDIVISION

Density Proposed 5 Units/Acre

Previous Rezoning Requests: 0

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: WORLEY BUILDERS, INC., Ron Worley, JR., Pres.

Company: WORLEY BUILDERS, INC.

Address: P.O. Box 71022

City: Knoxville State: TN Zip: 37938

Telephone: 865-922-2600

Fax: 865-922-2602

E-mail: RON@WORLEYBUILDERSINC.COM

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Ron Worley, JR., Pres.

Company: WORLEY BUILDERS, INC.

Address: P.O. Box 71022

City: Knoxville State: TN Zip: 37938

Telephone: 865-922-2600

Fax: 865-922-2602

E-mail: RON@WORLEYBUILDERSINC.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: Ron N. Worley, Jr., Pres

PLEASE PRINT

Name: RON WORLEY, JR., Pres.

Company: WORLEY BUILDERS, INC.

Address: P.O. Box 71022

City: Knoxville State: TN Zip: 37938

Telephone: 865-922-2600

Fax: 865-922-2602

E-mail: RON@WORLEYBUILDERSINC.COM

