

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

► FILE #: 3-D-18-RZ AGENDA ITEM #: 24

> 3-A-18-SP AGENDA DATE: 3/8/2018

► APPLICANT: **RANDY GUIGNARD**

OWNER(S): Randy Guignard

TAX ID NUMBER: 59 002 & 00201 View map on KGIS

JURISDICTION: Commission District 2

STREET ADDRESS:

► LOCATION: Northeast side Beverly Rd., south of Oakland Dr.

▶ TRACT INFORMATION: 88.5 acres. SECTOR PLAN: North City

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

ACCESSIBILITY: Access is via Beverly Rd., a major collector street with 25' of pavement width

within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

> Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

PRESENT PLAN AG (Agricultural), SLPA (Slope Protection Area) & STPA (Stream **DESIGNATION/ZONING:**

Protection Area) / RB (General Residential), I (Industrial) and F

(Floodway)

PROPOSED PLAN LDR (Low Density Residential)), SLPA (Slope Protection Area) & STPA

(Stream Protection Area) / PR (Planned Residential) & F (Floodway)

EXISTING LAND USE: Vacant land

PROPOSED USE: Residential development

DENSITY PROPOSED: 5 du/ac EXTENSION OF PLAN No

DESIGNATION/ZONING:

DESIGNATION/ZONING:

HISTORY OF ZONING

REQUESTS:

None noted

SURROUNDING LAND USE,

PLAN DESIGNATION.

North: Railroad, Whites Creek, light industrial / LI, F / I-3 (General

Industrial) and I (Industrial)

South: Vacant land, houses / MU-SD (NC-8), SLPA / RB (General **ZONING**

Residential)

East: Vacant land / AG, SLPA / I (Industrial) and RB (General Residential)

Beverly Rd., residences / LDR, SLPA / R-1 (Low Density West:

Residential)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of residential and light industrial uses

under various zones, including RB, R-1, I and I-3.

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STAFF RECOMMENDATION:

► DENY the requested LDR (Low Density Residential), SLPA (Slope Protection), and STPA (Stream Protection) sector plan designation.

Reasonable residential development may be permitted under the current agricultural sector plan designation, which allows consideration of PR zoning at a density of 1 du/ac or less. The steep slopes and floodway characteristics of the site make it unsuitable for a density of greater than 1 du/ac, therefore the sector plan amandment is not necessary. The requested PR zoning will allow the residential units to be clustered into the more developable portions of the site, in order to protect the floodway and the steep slopes.

► RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 1 du/ac. (Applicant requested 5 du/ac.)

PR zoning at the recommended density will allow reasonable development of the site, consistent with the current sector plan proposal and surrounding development, and also consistent with the residential density guidelines of the Hillside and Ridgetop Protection Plan (HRPP). The extreme slopes of the property, with sparse and small developable areas, as well as the impact of the adjacent floodway, warrant the recommendation to a density not to exceed 1 du/ac, which would does permit consideration of up to 61 dwelling units, based on the area of the property that is outside of the floodway.

COMMENTS:

SECTOR PLAN 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 known improvements have been made recently to this section of Beverly Rd. Utilities are available in the area, but may need to be extended to serve the site. No infrastructure improvements have occurred that warrant the change to the sector plan map to LDR.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan proposes agricultural uses, with slope and stream protection, for the site, which is not consistent with the property's current I and RB zoning. This designation is appropriate for the site, because it limits residential development to no more than 1 du/ac of density. The slope and floodway limitations of the site make it unsuitable for development at a density exceeding 1 du/ac.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

Residential development is established to the west, within the City Limits of Knoxville. This area has been approved for various types of zoning and development. The current plan designation of AG will allow the applicant to get some reasonable use out of this property, which is considerably steep and will have some limitations because of the adjacent floodway.

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

Low density residential uses have long been established to the west on the opposite side of Beverly Rd. from this site. The property is suitable for limited residential density that is allowable under the current AG sector plan designation.

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, and consistent with the policies of the HRPP
- 2. With application of the residential density and land disturbance guidelines from the HRPP, the maximum density should be limited to 2.61 du/ac. The slope analysis, map and calculations are attached. However, because of the nature of the slopes and the additional impact of the floodway, staff is recommending to limit

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density to no more than 1 du/ac.

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. Sidewalks may be required on at least one side of each street within the development, and possibly along the Beverly 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. The requested PR zoning at a density of up to 5 du/ac would allow for a maximum of 307 dwelling units to be proposed for this site, which has a calculated area of 61.54 acres outside of the floodway that may be counted toward density calculations. That number of detached units, as requested, would add approximately 2909 vehicle trips per day to the street system and would add approximately 109 children under the age of 18 to the school system. The recommended PR zoning at a density of up to 1 du/ac would allow for a maximum of 61 dwelling units to be proposed for the site. That number of detached units would add approximately 658 vehicle trips per day to the street system and would add approximately 22 children under the age of 18 to the school system.
- 5. About two-thirds of the site is designated for SLPA (Slope Protection Area) on the sector plan (see attached sector plan map). Disturbance of the site (grading and removal of vegetation) for residential lot construction should be limited, to the greatest extent possible, to areas outside of the SLPA and away from the steepest portions of the site, as identified by the staff slope analysis. Best management practices, as identified in the HRPP, should be utilized to minimize the amount of clearing and grading that will be required for the development.

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 current North City Sector Plan proposes agricultural uses, slope and stream protection for the site. The staff recommended zoning and density are consistent with current sector plan designation for the property. The current I and RB zoning on the property are not consistent with the sector plan.
- 2. 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: 2909 (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.

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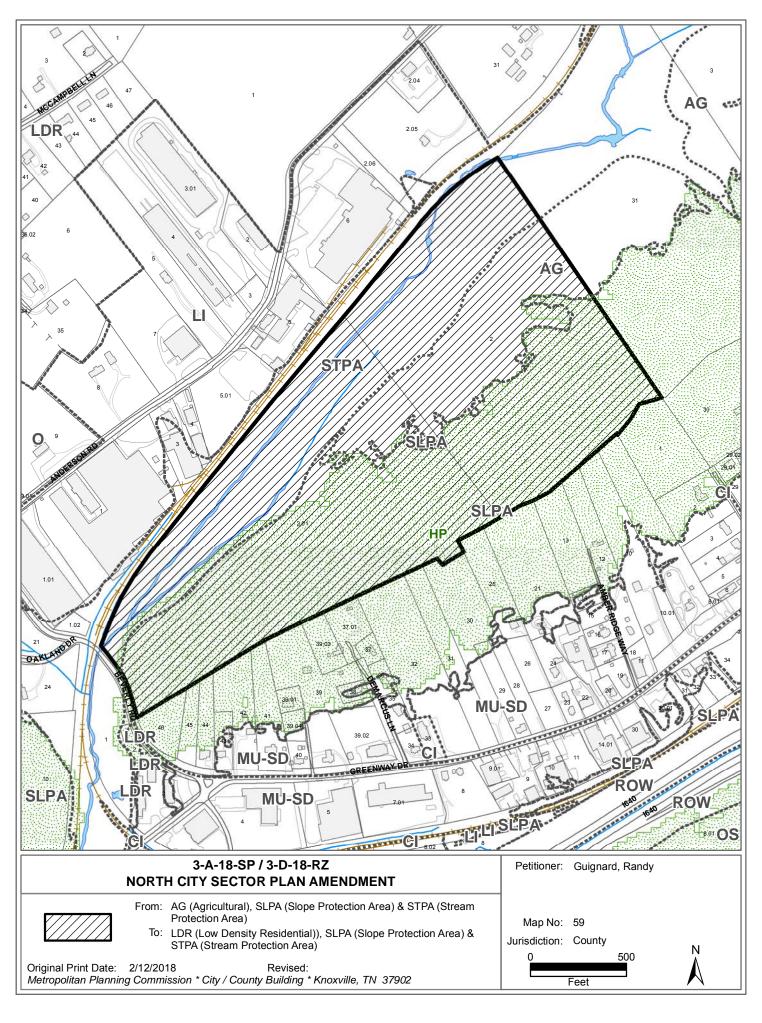
ESTIMATED STUDENT YIELD: 109 (public school children, ages 5-18 years)

Schools affected by this proposal: Shannondale Elementary, Gresham Middle, and Central High.

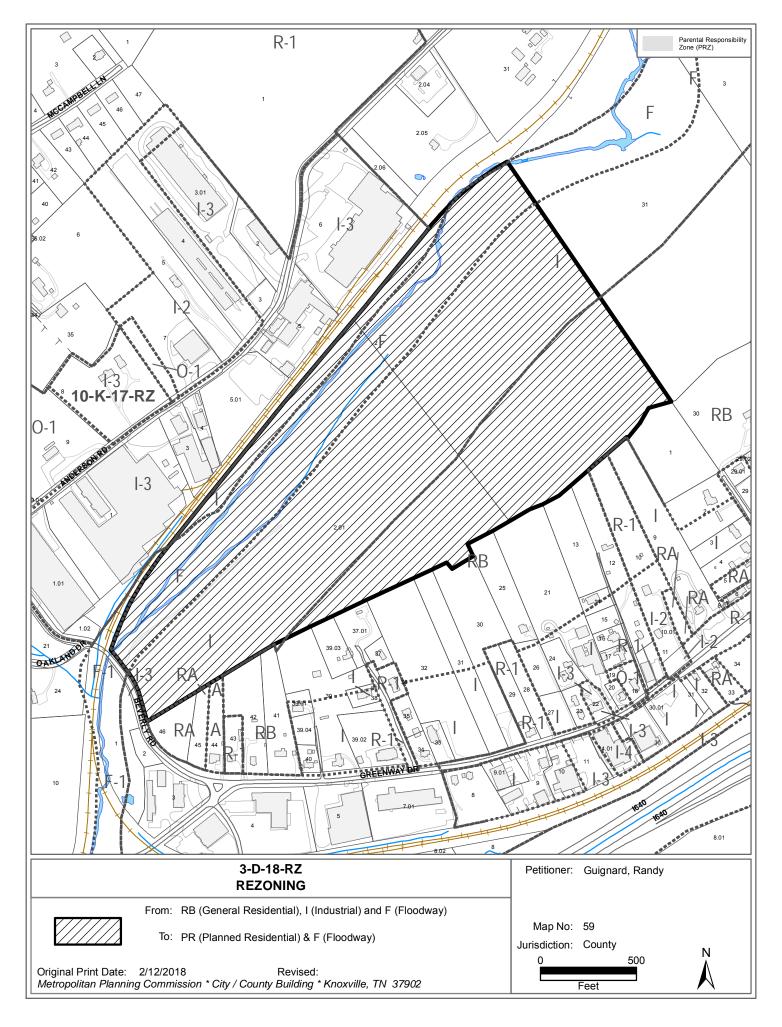
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. 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 4/23/2018. 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.

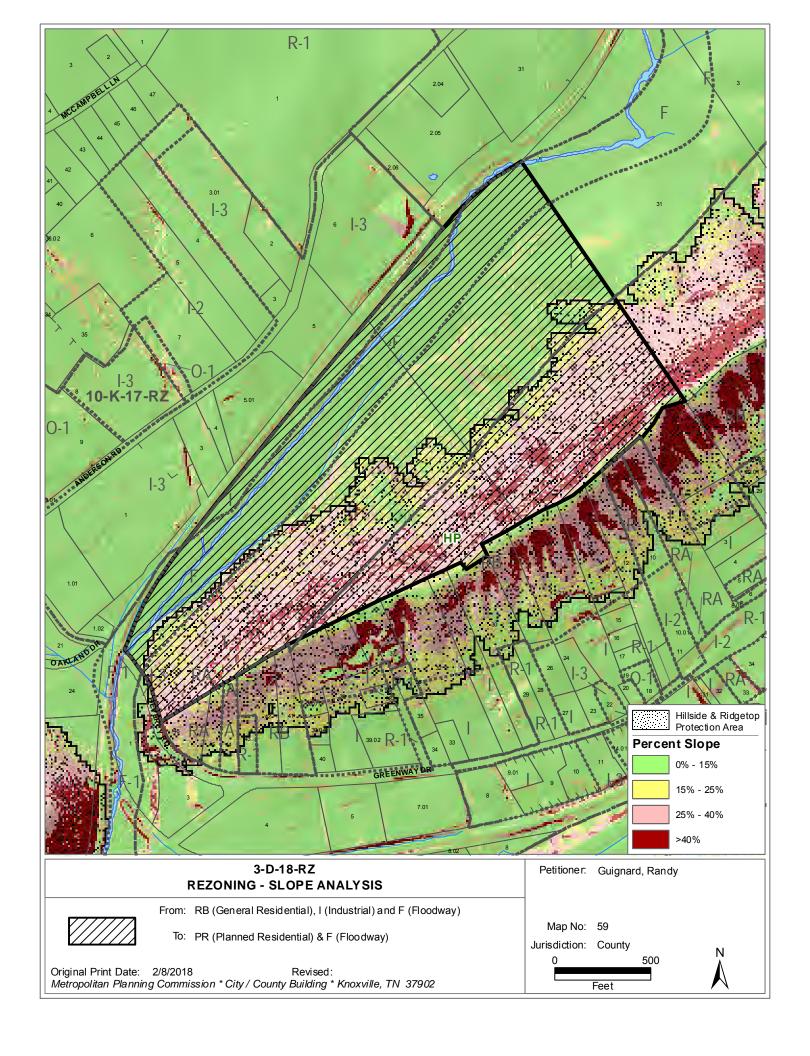
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3-D-18-RZ Slope Analysis

			Acreage
Non-Hillsic	le Portions		21.96
Hillside an	d Ridgetop Protecti	ion Area	
Value	Percent Slope	Count	Acres
1	0%-15%	4458	2.56
2	15%-25%	15041	8.63
3	25%-40%	38721	22.22
4	>40%	10750	6.17
			39.58
Ridgetop A	Area		0
Floodway A	Area		18.85
(not count	ed towards overall P	'R density)	
		Site Total	80.39
	Area counted to	wards density	61.54

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MPC STAFF - SLOPE / DENSITY ANALYSIS 3-D-18-RZ - Randy Guignard - RB & I to PR

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	21.96	5.00	109.8
0-15% Slope	2.56	5.00	12.8
15-25% Slope	8.63	2.00	17.3
25-40% Slope	22.22	0.50	11.1
Greater than 40% Slope	6.17	0.20	1.2
Ridgetops	0	5.00	0.0
Subtotal: Sloped Land	39.58		42.4
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	61.54	2.47	152.2
Proposed Density (Applicant)	61.54	5.00	307.7

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

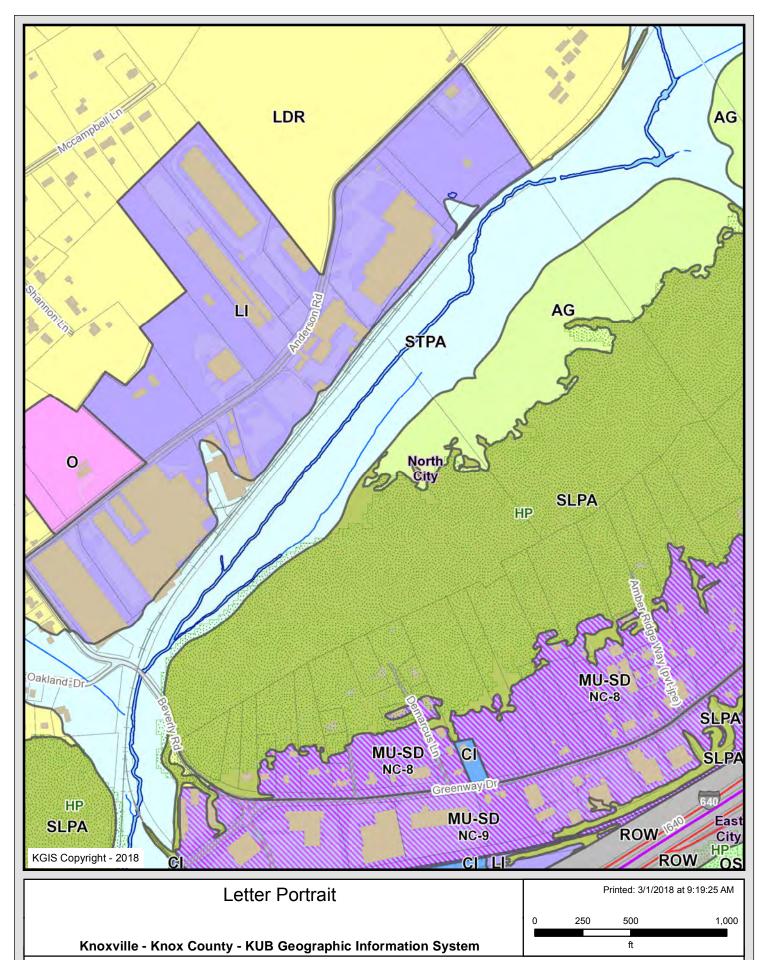
Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

dua: 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 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



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KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION A RESOLUTION AMENDING THE NORTH CITY 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 North City 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, Randy Guignard has submitted an application to amend the Sector Plan from Agricultural, Slope Protection and Stream Protection to Low Density Residential, Slope Protection and Stream Protection, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the North City 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 March 8, 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 North City Sector Plan, with its accompanying staff report and map, file #3-A-18-SP.

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

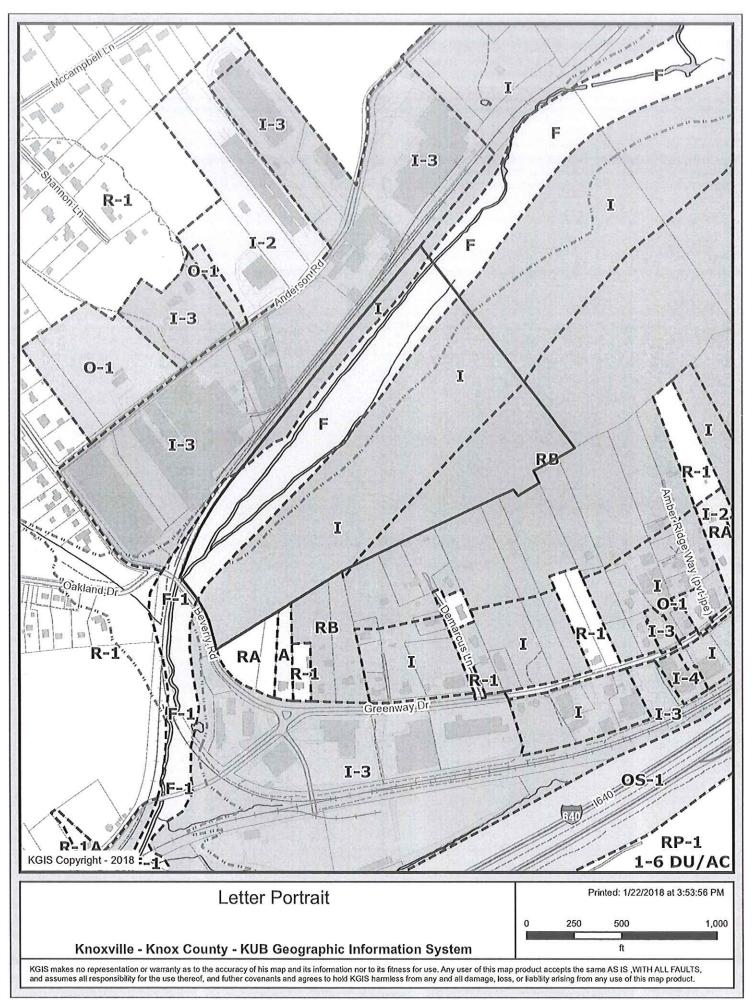
SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

_	Date		
 Chairman		Secretary	

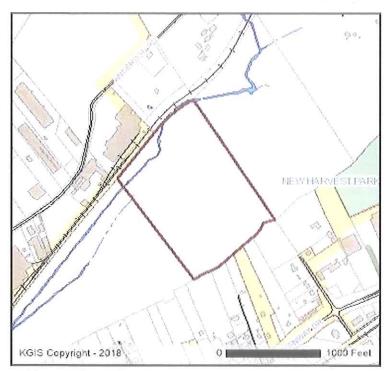
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Parcel 059 002 - Property Map and Details Report



Property Information

O NEW BEVERLY Location Address: BAPTIST CHURCH RD

> 2 059 002

59 CLT Map:

Insert: Group:

Condo Letter:

Parcel:

Parcel ID:

Parcel Type:

District: N7

Ward: City Block: Subdivision:

Rec. Acreage: 0 Calc. Acreage: 44.90

Recorded Plat:

20080714 - 0003032

Recorded Deed: Deed Type:

Legal Document:

Deed Date:

7/14/2008

Address Information

Site Address:

0 NEW BEVERLY BAPTIST CHURCH

KNOXVILLE - 37918

Address Type:

UNUSED LAND

Site Name:

Owner Information

JENKINS RAY HAL & WORKMAN LEE ANN JENKINS &

HATCHER LINDA MIRIAM 9114 BROWNLOW NEWMAN RD

KNOXVILLE, TN 37914

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: 43

Planning Sector: North City

Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct:

74

6

2

Voting Location:

Shannondale Elementary

School

5316 SHANNONDALE RD

TN State House:

Bill Dunn 16

TN State Senate:

Becky Duncan Massey

County Commission:

Michele Carringer **Bob Thomas**

Ed Brantley

City Council:

School Board:

2 Jennifer Owen

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

School Zones

Elementary: SHANNONDALE ELEMENTARY

Intermediate:

Middle (2017-2018): GRESHAM MIDDLE Middle (2018-2019): GRESHAM MIDDLE High (2017-2018): CENTRAL HIGH

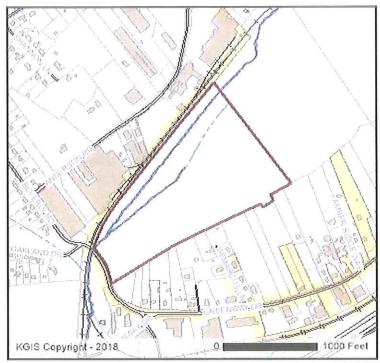
High (2018-2019): CENTRAL HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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Parcel 059 00201 - Property Map and Details Report



Property Information

0 BEVERLY RD Location Address:

CLT Map:

59

Insert:

Group:

Condo Letter:

Parcel:

2.01

Parcel ID:

059 00201

Parcel Type:

District:

N7

Ward: City Block: Subdivision: Rec. Acreage:

Calc. Acreage:

43.60

Recorded Plat:

Recorded Deed: Deed Type:

20080313 - 0068549 Legal Document:

Deed Date:

3/13/2008

Address Information

Site Address:

0 BEVERLY RD

Address Type:

UNUSED LAND

KNOXVILLE - 37918

Site Name:

Owner Information

JENKINS RAY HAL & LEE ANN WORKMAN & LINDA MIRIAM HATCHER

9114 BROWNLOW NEWMAN RD

KNOXVILLE, TN 37914

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:

43

North City Planning Sector:

Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

Political Districts

Voting Precinct:

74

Voting Location:

Shannondale Elementary

School

5316 SHANNONDALE RD

TN State House:

16 Bill Dunn

TN State Senate: 6

County Commission: 2 Becky Duncan Massey Michele Carringer

Bob Thomas

Ed Brantley

City Council:

School Board:

2 Jennifer Owen

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

School Zones

Elementary:

SHANNONDALE ELEMENTARY

Intermediate:

Middle (2017-2018): GRESHAM MIDDLE Middle (2018-2019): GRESHAM MIDDLE

High (2017-2018):

CENTRAL HIGH

High (2018-2019):

CENTRAL HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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				PROPERT			KNOX COUNTY. TENNESSEE WNERSHIP CARD	Source: KGIS
ACTIVE	NOR	MAL						01/20/2018
District N7	Map 59	Insert	Group	Parcel 2	Ward		Property Location 0 NEW BEVERLY BAPTIST CH	JRCH RD
	Subdivis	sion		Block	Lot	Plat	Dimensions (shown in ft.)	Acreage
				÷	-	=		0.00 - A.C. Deeded 44.90 - A.C. Calculated
No.	Owner			Sale Date	Book	Page	Sale Price Maili	ng Address
JENKINS E RAY L JEN		NELL H	%	4/13/1943	654	126	508 #UNIT 402 UNION AV	E KNOXVILLE, TN 37902
				4/6/1951	858	177		
JENKINS F LEE ANN J LINDA MIR	IENKINS 8		2012-0011-001-011-	3/3/2008	20080313	0068549	9114 BROWNLOW NEWN 37914	MAN RD KNOXVILLE, TN
				7/9/2008	20080714	0003032		

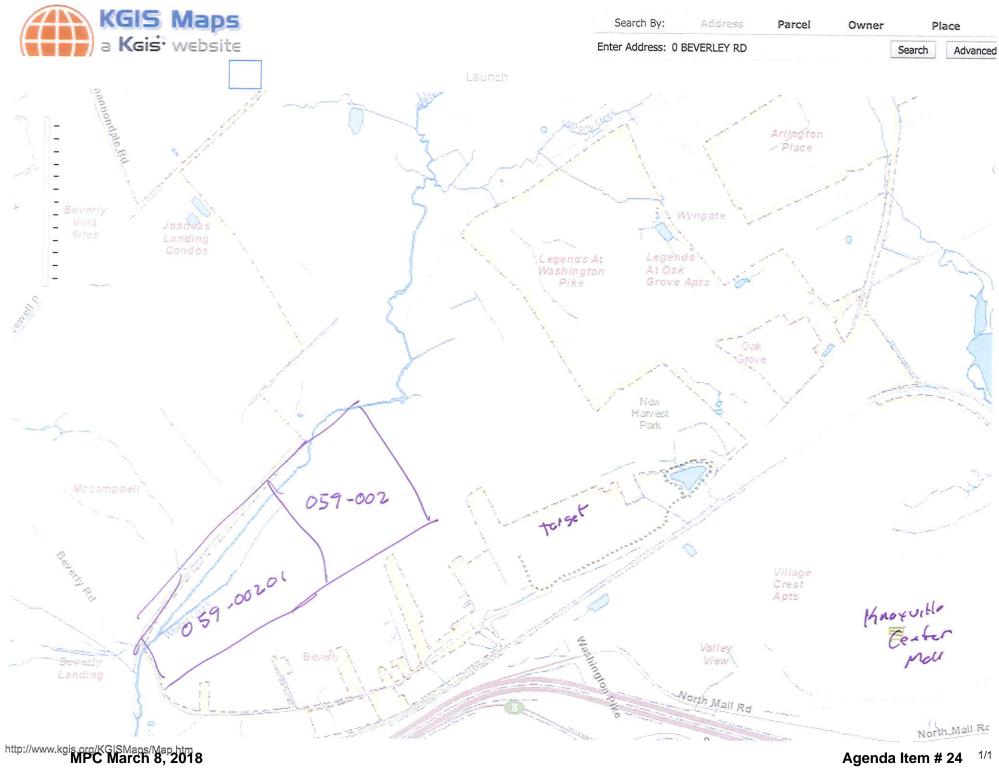
		Remarks	
./A			4
	Parent Parcel		Parent Instrument Number
	Previous Parcel (Split From)		Next Parcel (Merged Into)

ACTIVE	NOE	RMAL		PROPERT			KNOX COUNTY. TENNESSEE WNERSHIP CARD	Source: KGIS
District	Map		Group	Parcel	Ward			01/20/2018
N7	59	msert	Group	2.01	vvard		Property Location 0 BEVERLY RD	
	Subdivi	sion		Block	Lot	Plat	Dimensions (shown in ft.)	Acreage
				•	. 7	-		- A.C. Deeded
								43.60 - A.C. Calculated
	Owne	r		Sale Date	Book	Page	Sale Price Mailing	Address
JENKINS E RAY L JEN		NELL H	%	4/13/1943	654	126	508 #UNIT 402 UNION AVE I	KNOXVILLE, TN 37902
				4/6/1951	858	177		
JENKINS R WORKMAN HATCHER			2020202	3/3/2008	20080313	0068549	9114 BROWNLOW NEWMAN 37914	RD KNOXVILLE, TN

Parent Instrument Number
Next Parcel (Merged Into)

1/20/2018 KGIS Maps KGIS Maps Search By: Address Parcel Owner Place a Kgis website Enter Address: 0 BEVERLEY RD Search Advanced 059-002 Owner: JENKINS RAY HAL & LEE 059-06201 ANN WORKMAN & LINDA MIRIAM HATCHER Address: 0 BEVERLY RD Parcel ID: 059 00201 059.002 http://www.kgis.org/KGISMaps/Map.htm

1/20/2018 KGIS Maps



Search By: Address Parcel Owner Place
Enter Address: 0 BEVERLEY RD

Search

RB

I-3

I-2

F

RB

RB

RB

RB

RB

I-3

I-3

RB

R-1