

▶ **FILE #:** 10-A-18-RZ

AGENDA ITEM #: 37

AGENDA DATE: 10/11/2018

▶ **APPLICANT:** SCOTT DAVIS

OWNER(S): Scott Davis

TAX ID NUMBER: 28 24601 & 24602

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 4701 Gray Rd

▶ **LOCATION:** Northwest side Gray Rd., northeast of McCloud Rd.

▶ **APPX. SIZE OF TRACT:** 11.62 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Accessed via Gray Road, a local road with 17' of pavement width within a 50' right of way. Gray Road connects McCloud Road, a minor collector and Maynardville Pike, a major arterial.

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:** Vacant land

▶ **PROPOSED USE:** Detached residential development

DENSITY PROPOSED: 5 du/ac

EXTENSION OF ZONE: Yes - Extension of Planned Growth

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agricultural/Vacant/Low Density Residential (A and RA Zoning)

South: Agricultural/Vacant/Low Density Residential (A, RA, and RB Zoning)

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

West: Agricultural/Vacant/Low Density Residential (A and RA Zoning)

NEIGHBORHOOD CONTEXT: Mixture of agricultural, vacant land, and low density residential developments.

STAFF RECOMMENDATION:

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

This site is located in the Rural Area of the Growth Policy Plan which limits the density permitted to 2 du/ac. However, the plan permits extensions of low density residential up to 3 du/ac. when urban services (roads, sewer, and water) become available. This site has urban services available, therefore staff is recommending 3 du/ac for this site.

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. This site is accessed from Gray Rd., which is the separating street for two Growth Policy Plan areas, south is the Planned Growth Area which permits densities up to 5 du/ac. and the Rural Area which permits densities up to 2 du/ac. An extension of the Planned Growth Area can be granted, provided urban services become available. Since the adoption of the Growth Policy Plan, more urban services have become available to this site including road, sewer, and water infrastructure improvements.
2. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The request is a logical extension of surrounding low density residential zoning, including RB, RA, and PR.
4. 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. Public water and sanitary sewer utilities are available to serve the site.
2. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

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 Southwest County Sector Plan proposes low density residential uses for this property, consistent with PR zoning at up to 3 du/ac.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans. The applicant's proposed PR at 5 du/ac does present a conflict with the Knoxville-Knox County-Farragut Growth Policy Plan.

State law regarding amendments of the general plan (which include 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.

ESTIMATED TRAFFIC IMPACT: 143 (average daily vehicle trips)

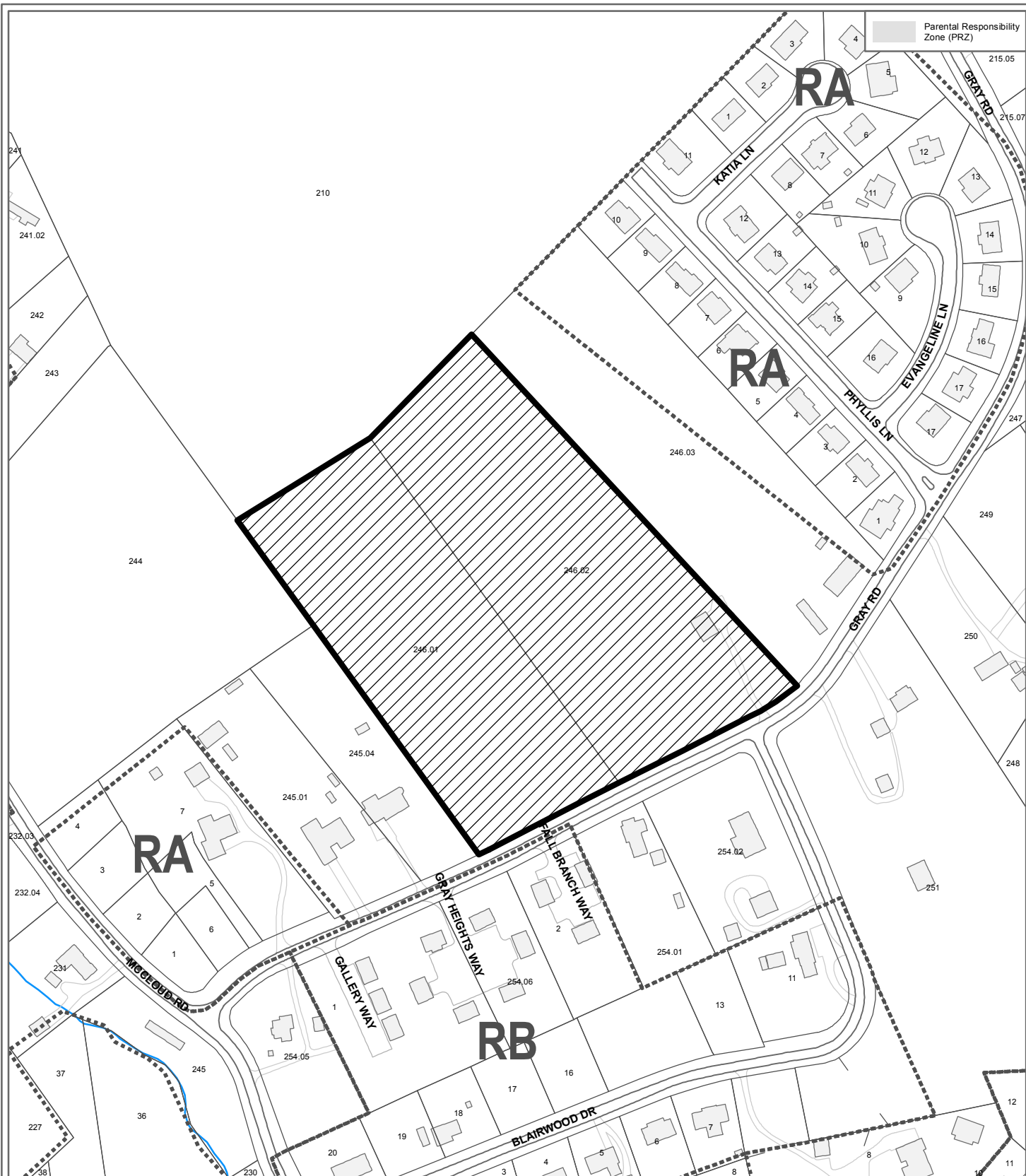
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 24 (public school children, ages 5-18 years)

Schools affected by this proposal: Halls Elementary, Halls Middle, and Halls 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.

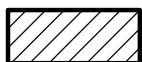
If approved, this item will be forwarded to Knox County Commission for action on 11/19/2018. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**10-A-18-RZ
REZONING**

From: A (Agricultural)

To: PR (Planned Residential)



Petitioner: Davis, Scott

Map No: 28

Jurisdiction: County



Original Print Date: 9/17/2018 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

REZONING

PLAN AMENDMENT

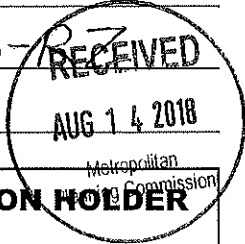
Name of Applicant: Scott Davis

Date Filed: 8-14-18 Meeting Date: Oct 11, 2018

Application Accepted by: Sherry Michienzi

Fee Amount: \$1181.00 File Number: Rezoning 10-A-18-107

Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION

Address: 4615 + 4701 Gray Rd.
General Location: N/S Gray Rd
East of McCloud Rd

Parcel ID Number(s): ChT Map 28
Parcels 246.01 + 246.02

Tract Size: 11.62

Existing Land Use: Vacant

Planning Sector: North County

Growth Policy Plan: _____

Census Tract: 63.02

Traffic Zone: 190

Jurisdiction: City Council _____ District
 County Commission 8 District

Requested Change REZONING

FROM: A

TO: PR 1-5

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Single Family
Residential

Density Proposed 5 Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT
Name: Mesana Investments, LLC

Company: _____

Address: PO Box 11315

City: Knoxville State: TN Zip: 37939

Telephone: 865-806-8008

Fax: _____

E-mail: SWD444@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Scott Davis

Company: Mesana Investments, LLC

Address: PO Box 11315

City: Knoxville State: TN Zip: 37939

Telephone: _____

Fax: _____

E-mail: _____

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: Scott Davis

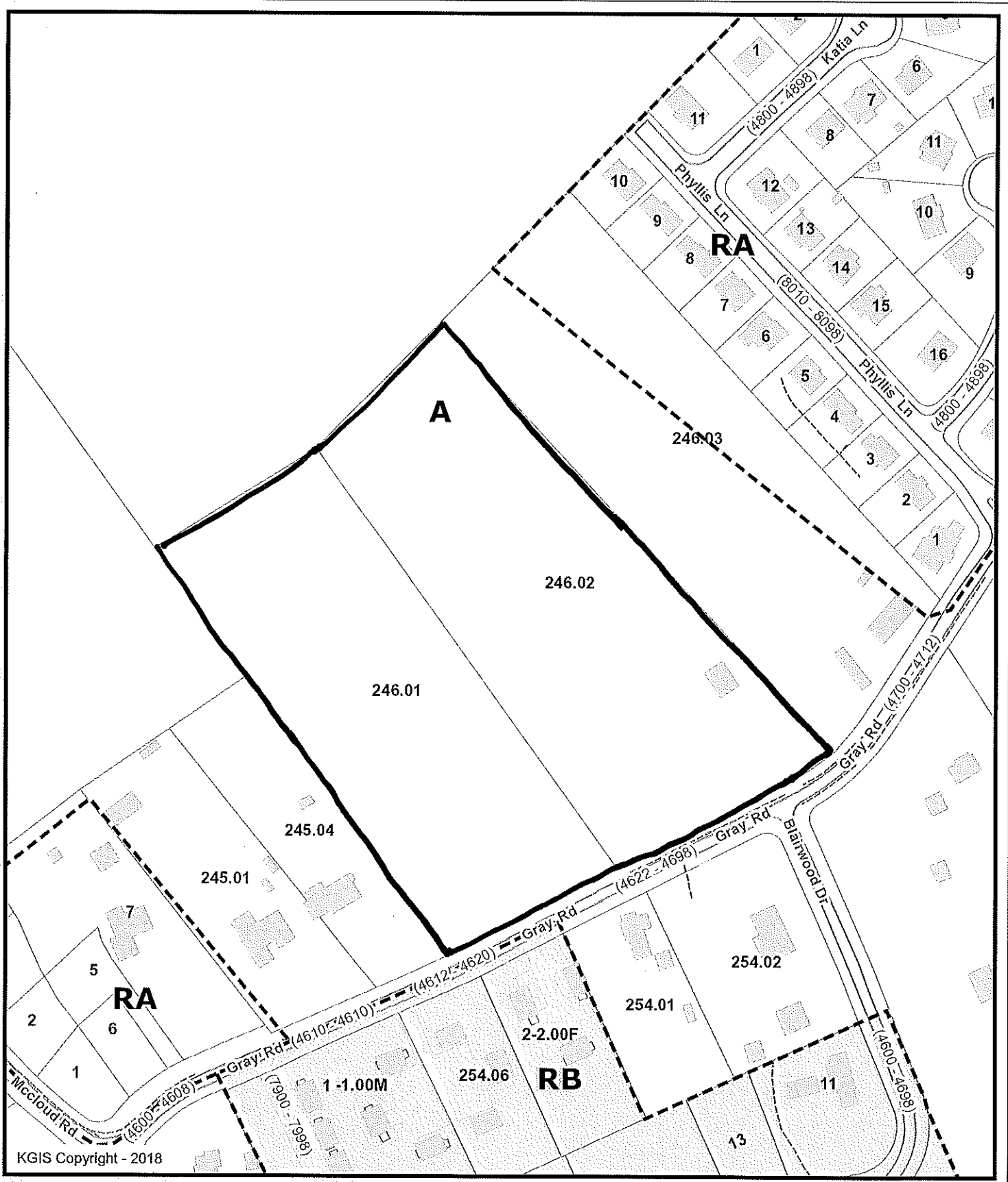
Company: _____

Address: PO Box 11315 / KVC

City: Knoxville State: TN Zip: 37939

Telephone: 865-806-8008

E-mail: SWD444@gmail.com



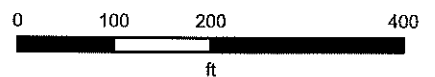
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 8/14/2018 at 11:41:53 AM



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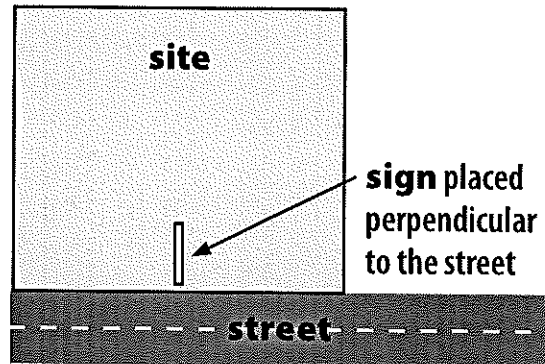
REQUIRED SIGN POSTING AGREEMENT

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:

September 26th and October 12th
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: _____

Printed Name: Scott Davis

Phone: _____ Email: _____

Date: 8-14-18

MPC File Number: 10-A-18-RZ