

REZONING REPORT

▶ **FILE #:** 8-O-19-RZ

AGENDA ITEM #: 41

AGENDA DATE: 8/8/2019

▶ **APPLICANT:** CARTER MCCALL / FULGHUM MACINDOE & ASSOCIATES

OWNER(S): Hardin Valley Land Partners

TAX ID NUMBER: 117 027

[View map on KGIS](#)

JURISDICTION: City Commission District 6

STREET ADDRESS: 0 Hardin Valley Road

▶ **LOCATION:** South side of Hardin Valley Road at Steele Road

▶ **APPX. SIZE OF TRACT:** 30.5 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hardin Valley Road, a minor arterial street with 3 lanes, including a center turn lane, with 57' of pavement width within 85' of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

▶ **PRESENT ZONING:** PR (Planned Residential) < 3 du/ac and CA (General Business)

▶ **ZONING REQUESTED:** PR (Planned Residential) 4.8 du/ac

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Residential

DENSITY PROPOSED: 4.8

EXTENSION OF ZONE: No.

HISTORY OF ZONING: 10-X-05-RZ (A to PR); 6-G-17-RZ (PR 1-2du/ac to PR <3du/ac)

SURROUNDING LAND USE AND ZONING: North: Commercial and Hardin Valley Elementary School / CA and I

South: Vacant land / A

East: Vacant land / A

West: Single family residential and vacant land / A

NEIGHBORHOOD CONTEXT: This area is primarily developed with agricultural and rural to low density residential uses, under A and PR zoning. Hardin Valley Elementary School is to the north, zoned I. A commercial development is to the northwest, zoned CA.

STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) up to 3 du/ac, subject to 3 conditions. (Applicant requested PR up to 4.8 du/ac).**

The residential portion of the site has been cleared and graded without prior approval from Knox County Engineering. In the previous 2017 rezoning, the slope analysis noted that 28.32 acres of the site were within the Hillside and Ridgetop Protection area, and over 70 percent of the site had slopes in excess of 15 percent.

The staff recommendation for rezoning at that time was PR up to 2.12 du/ac because of the steep topography (See Exhibit A). A use on review/concept plan was approved in May of 2019 demonstrating 2.98 du/acre, however, a subsequent design plan was submitted to Knox County Engineering, but has yet to be approved by the time of publication of this staff report.

Staff recommends approval of PR (Planned Residential) up to 3 du/ac, subject to the following conditions:

- 1) No additional land disturbing activities until a revised use-on-review and concept plan application is approved by the Knoxville-Knox County Planning Commission and proper permits are obtained from Knox County Engineering reflective of an updated plan with the increased density demonstrated on the development plan.
- 2) An updated traffic study must be submitted to reflect the increased density requested by the rezoning with the forthcoming use-on-review / concept plan application.
- 3) Sidewalks must be provided on both sides of the internal street network, as the property is directly across the street from Hardin Valley Schools.

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 addition of new schools in the area is causing an increase in residential demand within close proximity to Hardin Valley Elementary, Hardin Valley Middle and Hardin Valley Academy.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The proposed amendment to 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. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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. Since the property has been denuded without prior approval from Knox County Engineering, no additional clearing and grading activities are recommended until proper permits have been obtained.
2. The required provision of sidewalks will lessen the impact of school related traffic by providing safe, pedestrian access for the residential neighborhood across adjacent to the schools.

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 property is located in the Rural Area of the Growth Policy Plan. However, a plan amendment for low-density residential has already been approved for the site.
2. The proximity to the Hardin Valley schools, commercial node at Steele Road, and access to utilities, as well as the overall increased demand for a variety of housing types makes the site suitable for this density of development.

ESTIMATED TRAFFIC IMPACT: 1341 (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: 11 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and 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 9/23/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.