



PLAN AMENDMENT REPORT

▶ **FILE #:** 5-A-19-SP

AGENDA ITEM #: 30

AGENDA DATE: 5/9/2019

▶ **APPLICANT:** DUKE DEVELOPMENT COMPANY, LLC
OWNER(S): Kalpesh D. & Jagruti Parikh

TAX ID NUMBER: 21 01002

[View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 0 Tazewell Pike

▶ **LOCATION:** West side of Tazewell Pike, North of Fairview Road

▶ **APPX. SIZE OF TRACT:** 9.89 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Taxewell Pike, a minor arterial, with a pavement width of 21' feet within a right-of-way width of 88' feet.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / PR (Planned Residential)

▶ **PROPOSED PLAN DESIGNATION:** MDR (Medium Density Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Residential development

EXTENSION OF PLAN DESIGNATION:

HISTORY OF REQUESTS:

SURROUNDING LAND USE AND PLAN DESIGNATION:
North: Single family residential- LDR (Low Density Residential)
South: Agriculture/forestry/vacant - LDR (Low Density Residential) & SP (Stream Protection Area)
East: Commercial - MU-SD (Mixed Use Special District)
West: Single family residential - LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT The area is adjacent to the commercial node at Harbison Crossroads surrounding the intersection of Tazewell Pike and E Emory Road. The adjacent area is largely low density , single family residential.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #5-A-19-SP, amending the Northeast County Sector Plan to MDR (Medium Density Residential) and recommend that County Commission also adopt the sector plan amendment**

(see attached resolution, Exhibit A.)

This site is located within the Planned Growth Area of the Growth Policy Plan, it is located between a commercial shopping center and single family residential neighborhoods. Staff recommends approval of the MDR (Medium Density Residential) sector plan designation, which will accommodate the existing PR (Planned Residential) zone district.

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Gibbs Middle School has been constructed since the sector plan was last updated in 2016, contributing to the growing interest in new residential development in the Northeast County Sector.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. The addition of traffic lights and turning lanes at the intersection of Tazewell Pike and E Emory Road in 2017 make additional residential development in the area more feasible.

2. Development of the site will be subject to TDOT access guidelines for Tazewell Pike. Side by side access is controlled by TDOT and will be subject to their policies. Staff recommends combined access with this development and the adjacent commercial development.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The Northeast County Sector Plan should have recognized the existing zoning of PR (Planned Residential) up to 9 du/ac on this parcel and designated it for MDR (Medium Density Residential).

2. The plan should have also recognized this large vacant parcel behind a commercial center as a transition area for MDR (Medium Density Residential) between the Mixed-Use Special District (MU-SD) and the adjacent single family residential neighborhoods (see attached Exhibit B).

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

1. The Northeast County Sector continues to grow and with the establishment of new schools is projected to continue growing.

2. The establishment of new schools in the area contributes to the increased interest in new residential development.

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 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: 934 (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: 30 (public school children, grades K-12)

Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs High.

- 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 6/24/2019. 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 County.