

REZONING REPORT

▶ **FILE #:** 11-I-19-RZ

AGENDA ITEM #: 18

AGENDA DATE: 11/14/2019

▶ **APPLICANT:** RYAN HICKEY / BALL HOMES, LLC

OWNER(S): Roy and Betty Byrd

TAX ID NUMBER: 105 025 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 1617 Andes Road

▶ **LOCATION:** **West side of Andes Road north of Middlebrook Pike and southwest of Andes Road**

▶ **APPX. SIZE OF TRACT:** 17 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Old Andes Road, a local street with a pavement width of 13 feet and a right of way width of 26 feet.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** PR (Planned Residential) 4.5 du/ac

▶ **EXISTING LAND USE:** Vacant parcel

▶ **PROPOSED USE:** Residential subdivision

DENSITY PROPOSED: 4.5 du/ac

EXTENSION OF ZONE: Yes, PR at 1 to 3 du/ac is adjacent to the west

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant - A

South: Church, rural residential, single family residential - A and RA

East: Single family residential, rural residential - A

West: Single family residential - PR (1 to 3 du/ac) - build out 1.7 du/ac and 1.92 du/ac

NEIGHBORHOOD CONTEXT: The surrounding area is comprised of a mix of single family residential properties at a density of less than 2 du/ac, as well as large tracts of slope constrained land within the HP (Hillside Protection) area of the sector plan.

STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) up to 2.68 du/ac. (Applicant requested 4.5 du/ac).**

Staff recommends approval of PR (Planned Residential) up to 2.68 du/ac is consistent with the sector plan designation of LDR for this property and follows the recommendation for density based on the slope analysis, as well as being consistent with the adjacent zoning and build out in the surrounding area.

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. PR zoning up to 2.68 du/ac zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area. (see Exhibit A).
2. PR zoning up to 2.68 du/ac is consistent with the Northwest County Sector Plan proposal for the site.
3. PR zoning up to 2.68 du/ac is consistent with the slope analysis for the property.

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

1. PR zoning up to 2.68 du/ac provides for residential areas with low population densities. This zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas should 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. Based on the above description, this site is appropriate for PR zoning up to 2.68 du/acre.
3. Developments which subdivide and transfer property with the sale of individual units but which do not provide common open space controlled and maintained by a public body or a duly established homeowners association shall provide lot areas which are not less than three thousand (3,000) square feet in size and which shall average four thousand (4,000) square feet per lot for the entire development. Developments which subdivide and transfer property with the sale of individual units and which provide common open space controlled and maintained by a duly established home owners association in accordance with state law shall be permitted to create lots less than three thousand (3,000) square feet in size subject to planning commission approval of a site plan, consistent with the intent as stated in the general description of this section.

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. The applicant requests a PR zone density of up to 4.5 du/ac, however, staff is recommending a density of 2.68 du/ac. Under the current A (Agricultural) zoning, which requires a minimum lot size of one acre, 16 lots could be accommodated. PR zoning up to 2.68 du/ac will allow this 16.8 acre site to be subdivided into a maximum of 45 lots, however with the PR zone lot sizes may vary in size to allow for creative development of the property and open space and amenity areas to be provided.
2. Access to this landlocked property will be required as part of the use on review process through the adjacent recently rezoned property to the south for case 9-F-19-RZ. It was noted in the adjacent case 9-F-19-RZ, that the 750 trip threshold would be met with the staff recommended 2.5 du/ac. Knox County Commission approved 4 du/ac on 10/28/2019. The staff recommended 2.68 du/ac on this proposed 16.8 acre site could potentially add almost 500 daily trips to the existing additional trips generated by the adjacent rezoning (9-F-19-RZ). With the approved rezoning of the adjacent site (4 du/ac) and the proposed site (2.68 du/ac), this would be a total of 1,729 trips if these two properties were platted together. If a plat is submitted to subdivide the property, connectivity and access improvements, including widening of the right-of-way and pavement of Old Andes Road, may be required (See Exhibit B) per Knox County requirements.
3. The staff recommended zoning density of PR up to 2.68 du/ac is compatible with surrounding development, and there should be minimal impact to the surrounding area.
4. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.
5. No other area of the County will be impacted by this rezoning request.

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 proposes low density residential use for the site, consistent with the recommended PR zoning up to 2.68 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for PR zoning on surrounding properties zoned Agricultural, which is consistent with the sector plan proposal for low density residential uses in the area.
4. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 805 (average daily vehicle trips)

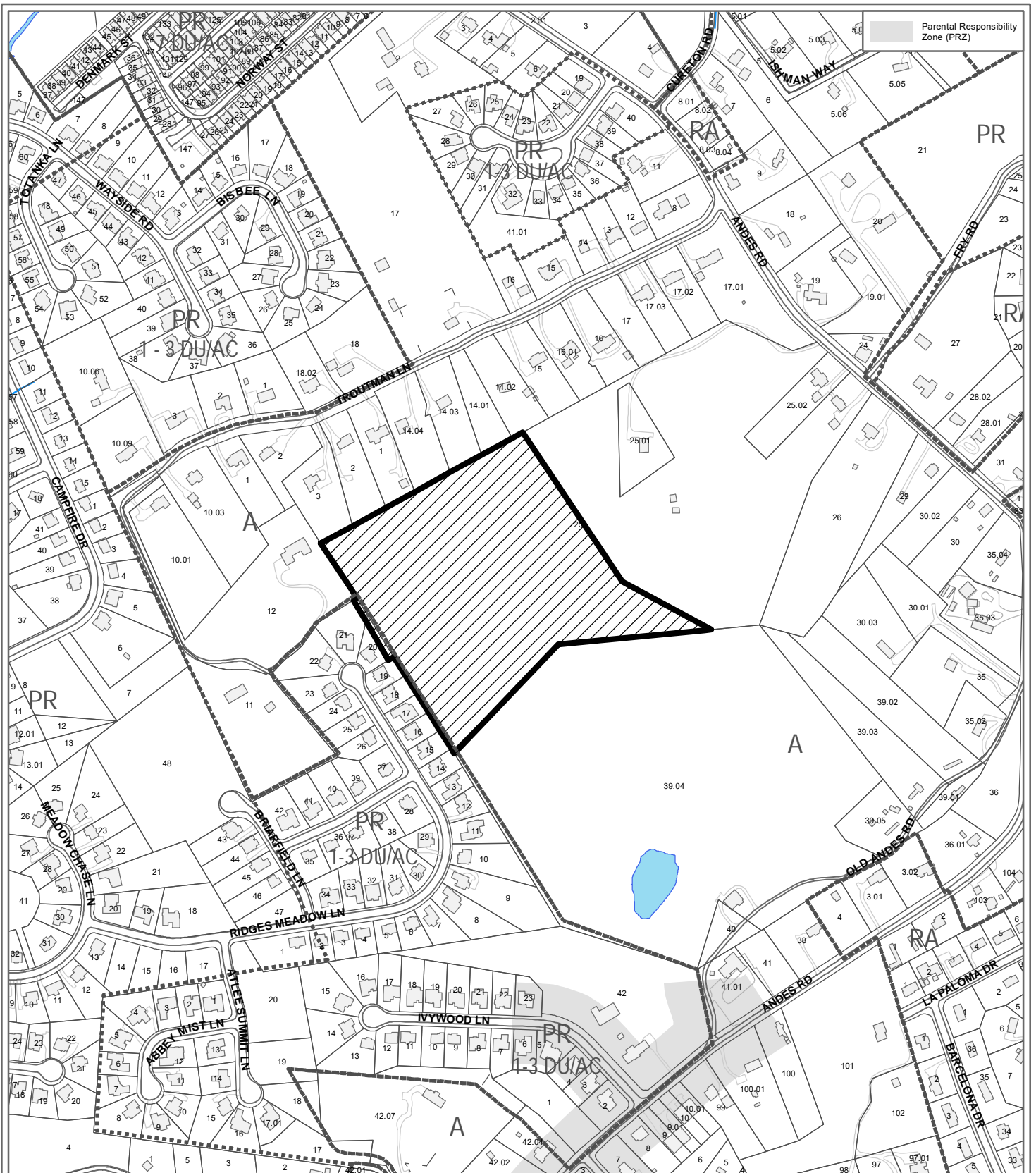
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 31 (public school children, grades K-12)

Schools affected by this proposal: Cedar Bluff Elementary, Cedar Bluff 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 12/16/2019. 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.



**11-I-19-RZ
REZONING**

From: A (Agricultural)
To: PR (Planned Residential) 4.5 du/ac

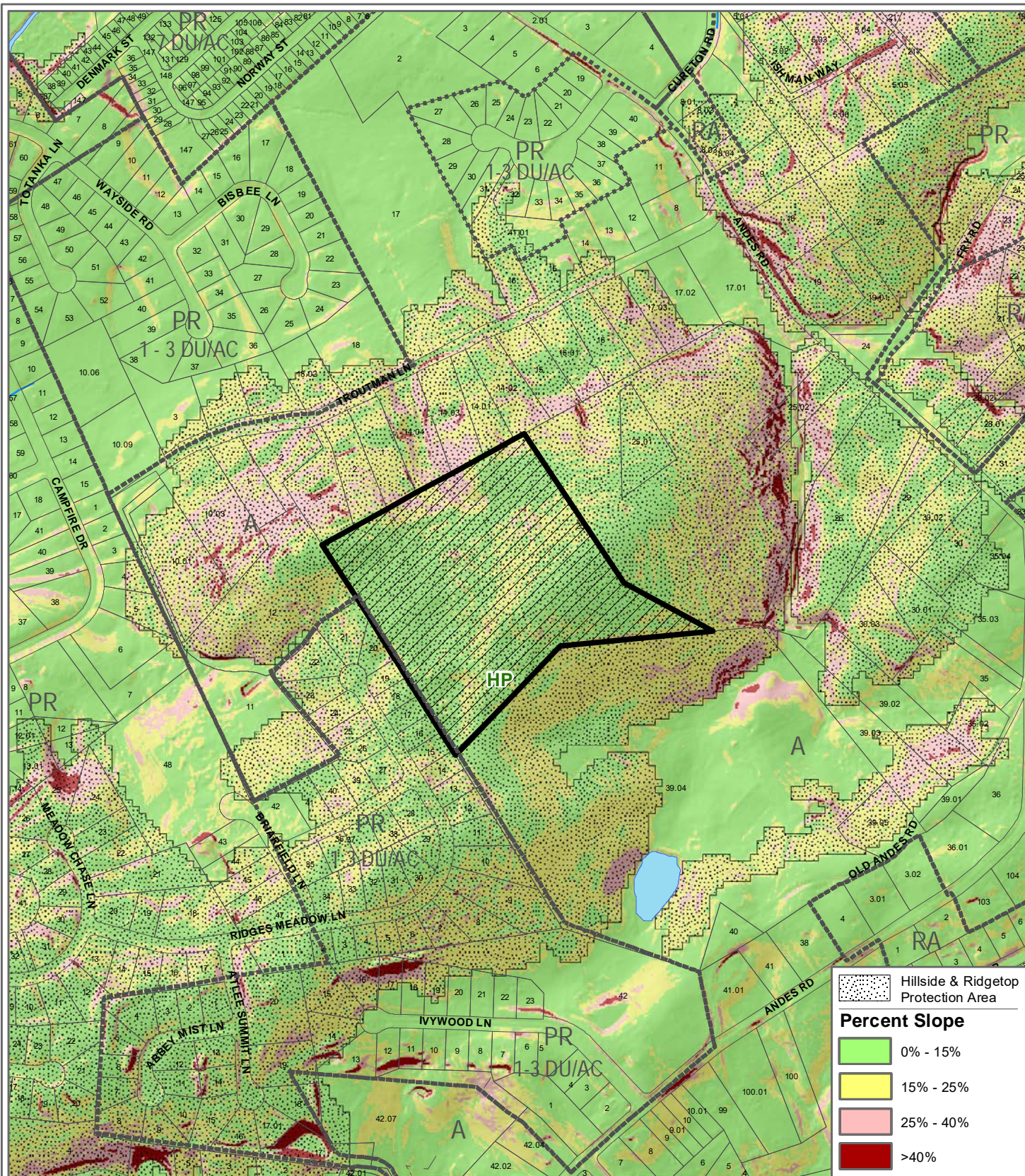


Petitioner: Hickey / Ball Homes, LLC, Ryan

Map No: 105
Jurisdiction: County



Original Print Date: 10/15/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**11-I-19-RZ
REZONING - SLOPE ANALYSIS**

From: A (Agricultural)
To: PR (Planned Residential) 4.5 du/ac



Original Print Date: 10/21/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Hickey / Ball Homes, LLC, Ryan

Map No: 105
Jurisdiction: County



11-I-19-RZ Slope Analysis

			Acres
Non-Hillside Portions			0
Hillside and Ridgetop Protection Area			
Value	Percent Slope	Count	Acres
1	0%-15%	21528	12.36
2	15%-25%	6808	3.91
3	25%-40%	980	0.56
4	>40%	4	0.00
			16.83
Ridgetop Area			0
Site Total			16.83

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0	3.00	0.0
0-15% Slope	12.36	3.00	37.1
15-25% Slope	3.91	2.00	7.8
25-40% Slope	0.56	0.50	0.3
Greater than 40% Slope	0	0.20	0.0
Ridgetops	0	2.00	0.0
Subtotal: Sloped Land	16.83		45.2
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	16.83	2.68	45.2
Proposed Density (Applicant)	16.83	4.50	75.7

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 du/a City of Knoxville: 6 du/a	100%
15 - 25	2 du/a	50%
25 - 40	0.5 du/a	20%
40 or more	0.2 du/a	10%
Ridgetops***	***	***

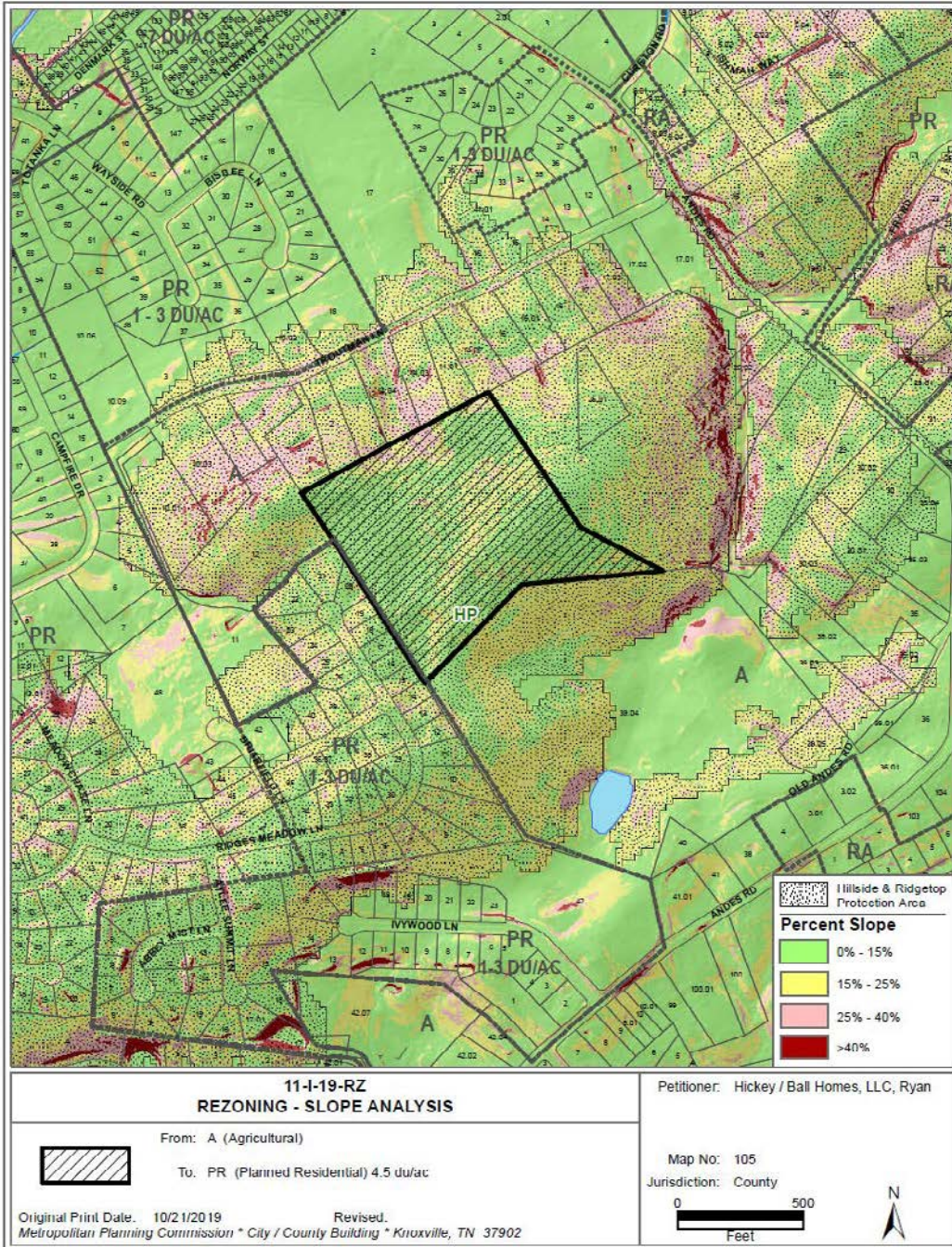
du/a: dwelling units per acre

* 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.

The Knoxville Knox County Hillside and Ridgetop Protection Plan — 33



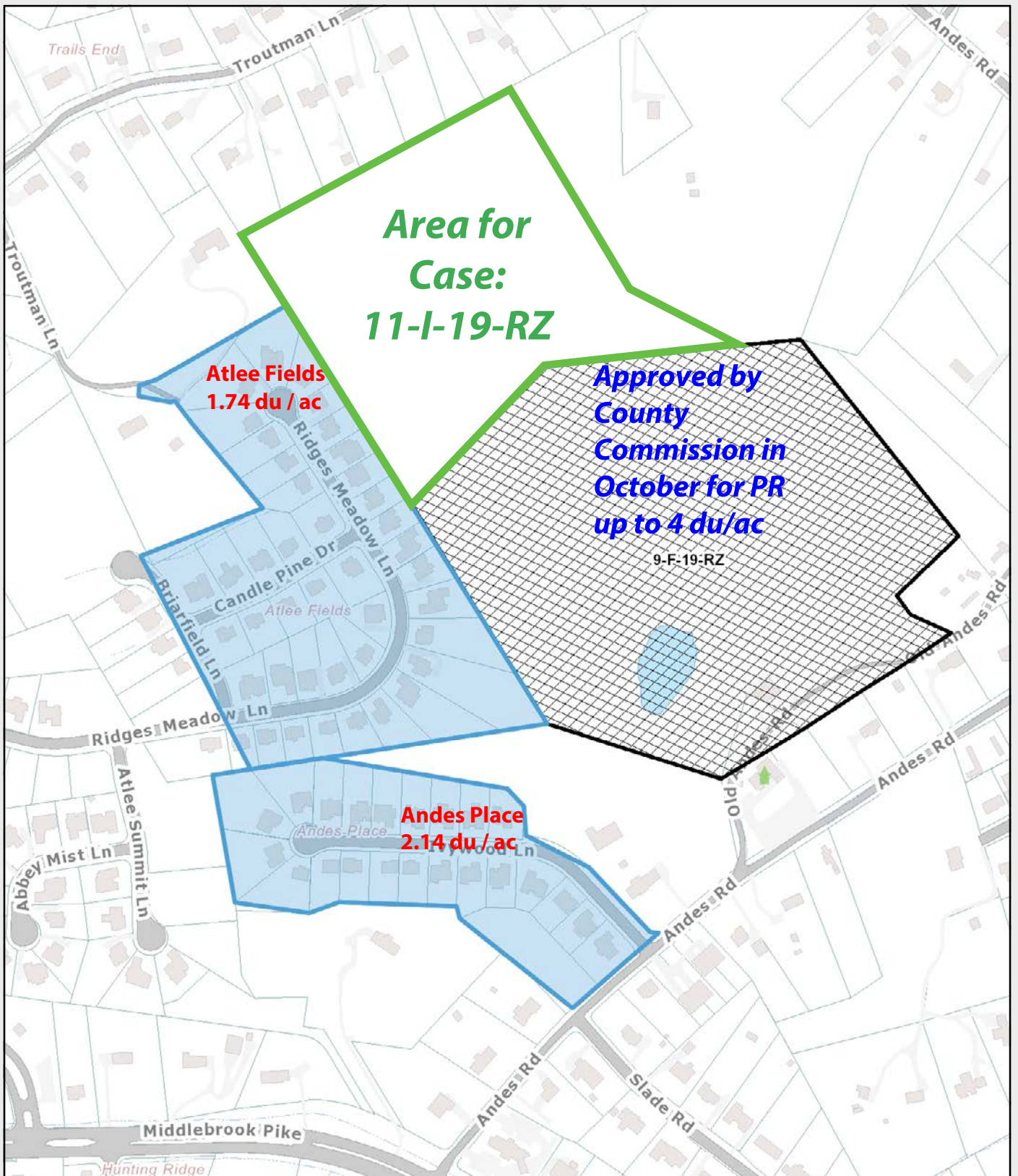


Exhibit A. Surrounding Density

Re: 11-I-19-RZ

Built out density shown in red

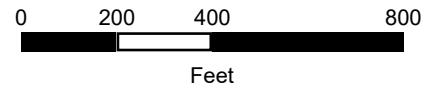


Exhibit B - Agenda Item #15: 11-I-19-RZ - BALL HOMES, LLC

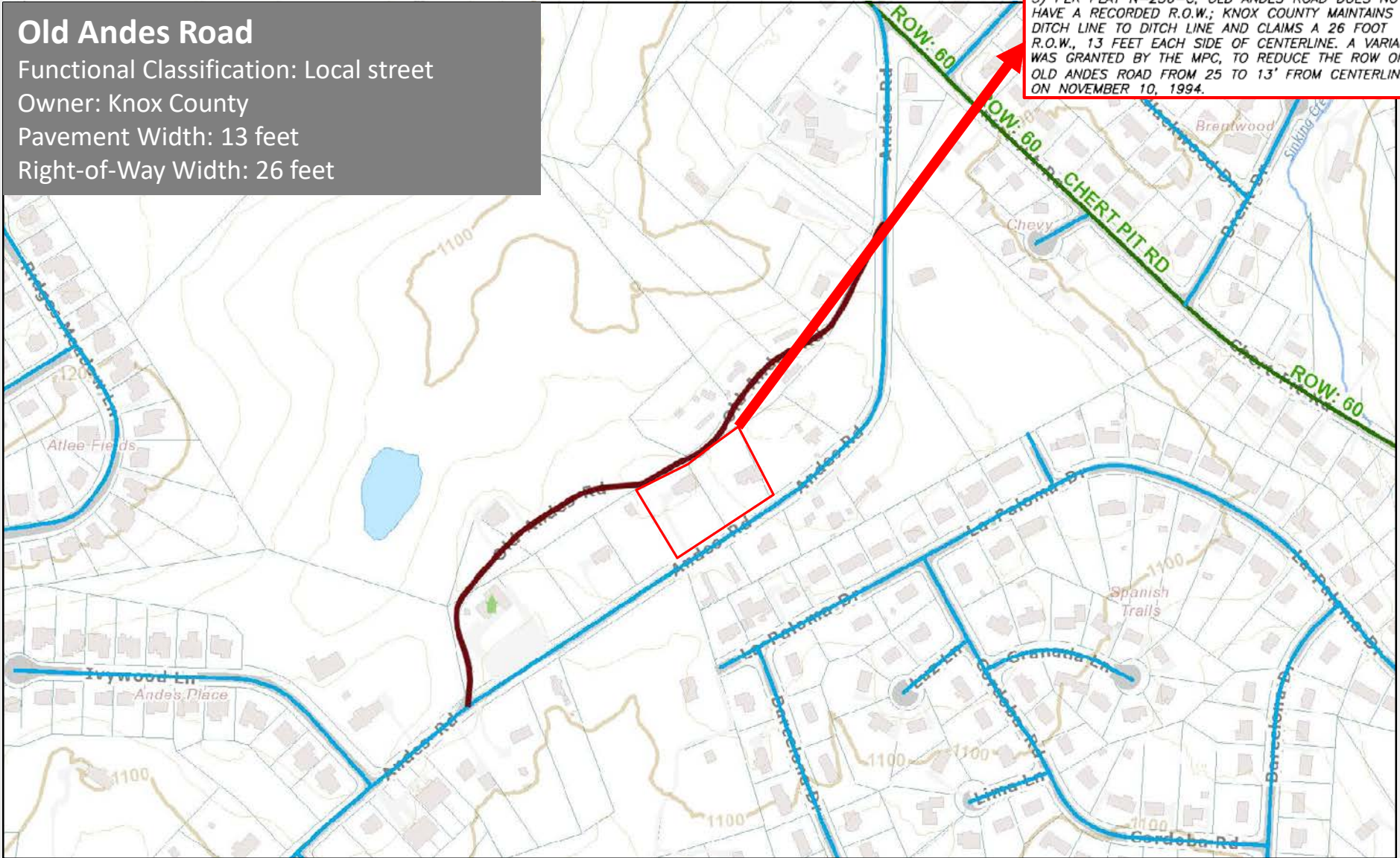
Old Andes Road

Functional Classification: Local street

Owner: Knox County

Pavement Width: 13 feet

Right-of-Way Width: 26 feet



5) PER PLAT N-256-C, OLD ANDES ROAD DOES NOT HAVE A RECORDED R.O.W.; KNOX COUNTY MAINTAINS DITCH LINE TO DITCH LINE AND CLAIMS A 26 FOOT R.O.W., 13 FEET EACH SIDE OF CENTERLINE. A VARIANCE WAS GRANTED BY THE MPC, TO REDUCE THE ROW ON OLD ANDES ROAD FROM 25 TO 13' FROM CENTERLINE, ON NOVEMBER 10, 1994.



11-I-19-RZ and 9-F-19-RZ

Ball Homes, LLC

Old Andes Road

0 200 400 800



Feet

KGIS makes no representation or warranty as to the accuracy of this map and its information, nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

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Old Andes Road

Description of Access, as per County Road List (KGIS)

Note from Plat: [20108030007045](#)

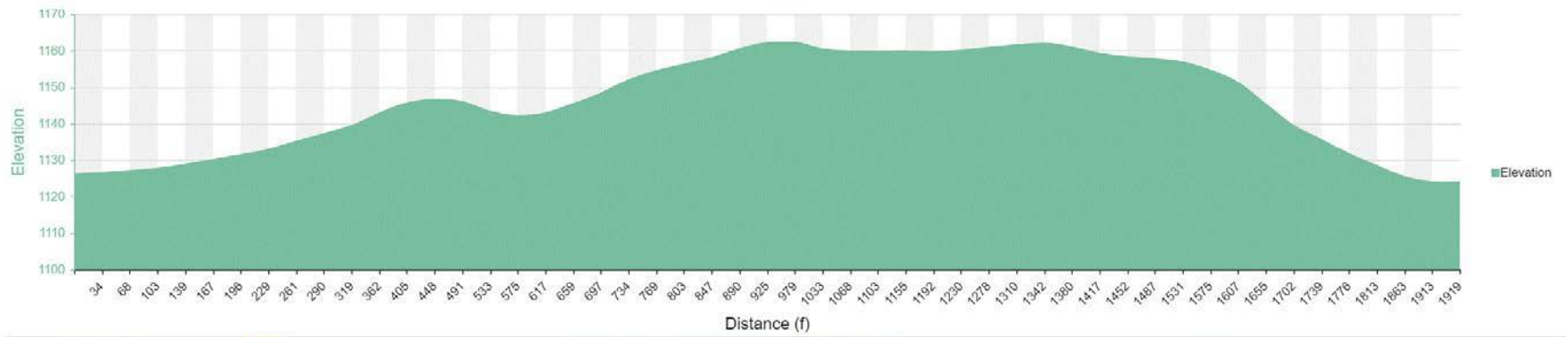
General Location	Street Name	Functional Class	Owner	ROW Width (feet)	Pavement Width (feet)
Southwest connection	Andes Road	Local	Knox County	50	15.9
Access	Old Andes Road	Local	Knox County	26*	13
Northeast connection	Andes Road	Local	Knox County	50	18

5) PER PLAT N-256-C, OLD ANDES ROAD DOES NOT HAVE A RECORDED R.O.W.; KNOX COUNTY MAINTAINS DITCH LINE TO DITCH LINE AND CLAIMS A 26 FOOT R.O.W., 13 FEET EACH SIDE OF CENTERLINE. A VARIANCE WAS GRANTED BY THE MPC, TO REDUCE THE ROW ON OLD ANDES ROAD FROM 25 TO 13' FROM CENTERLINE, ON NOVEMBER 10, 1994.

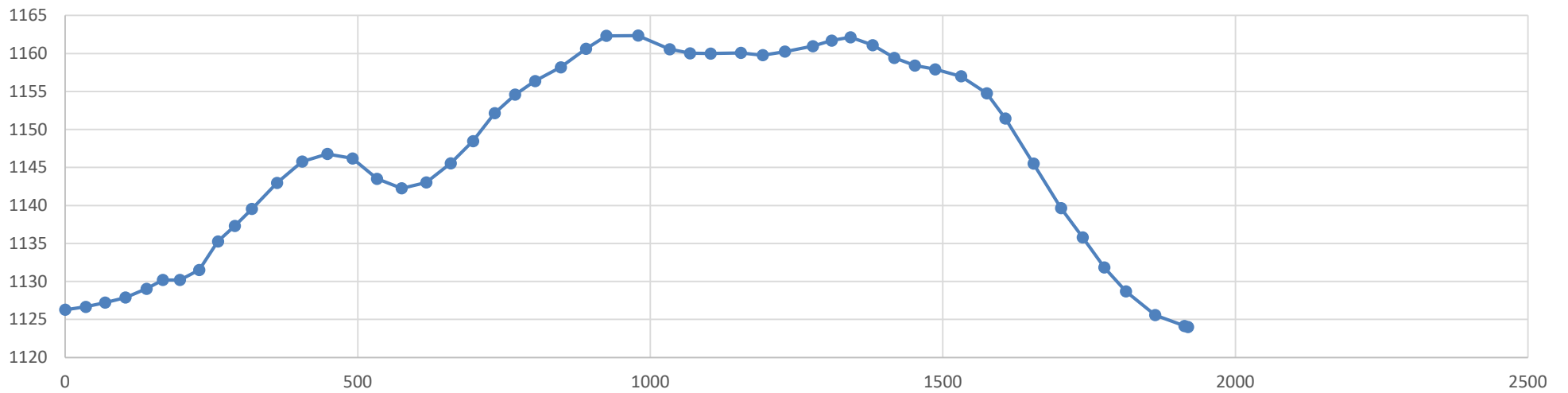


Select Charts

Profile



Elevation (feet) / Distance (feet)





Pavement Width: 13 feet
ROW: 26 feet



Pavement Width: 13 feet
ROW: 26 feet



Pavement Width: 13 feet
ROW: 26 feet





Pavement Width: 13 feet
ROW: 26 feet



Looking east on Old Andes Road from near adjacent subject property (1609 Old Andes Road)



Looking east on Old Andes Road near northeast intersection with Andes Road



Looking east on Old Andes Road, north of adjacent subject property (1609 Old Andes Road)



DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

BALL HOMES LLC.

Applicant

10/7/2019

Date Filed

11/14/19

Meeting Date (if applicable)

19-I-19-RZ

File Numbers(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

RYAN M. HICKEY

Name

BALL HOMES LLC.

Company

1914 PINNACLE POINTE WAY.

Address

KNOXVILLE

City

TN

State

37922

Zip

865-862-4774

Phone

rhickey@ballhomes.com

Email

CURRENT PROPERTY INFO

ROY C & BETTY BYRD

Owner Name (if different)

1813 ROBINSON RD.

Owner Address

Owner Phone

1617 ANDES RD.

Property Address

PORTION OF 105 025

Parcel ID

NORTH OF MIDDLEBROOK PIKE, SOUTHWEST OF ANDES RD. +/- 17 ACRES

General Location

Tract Size

NW County

Jurisdiction (specify district above)

- City
- County

A

Zoning District

LDR

Planning Sector

Sector Plan Land Use Classification

PLANNED GROWTH

Growth Policy Plan Designation

VACANT

Existing Land Use

N

Septic (Y/N)

WKUD

Sewer Provider

WKUD

Water Provider



400 Main Street, Suite 403
 Knoxville, Tennessee 37502
 865-215-2500
 www.knoxplanning.org

GENERAL REZONING

Date Filed: 10/8/2019

Name of Applicant: RYAN HICKEY / BALL HOMES, LLC

Meeting Date: 11/14/2019

Application Accepted By: Lindsay Crockett

Rezoning File Number: 11-I-19-RZ

Plan Amendment File Number:

<p style="text-align: center;">PROPERTY INFORMATION</p> <p>Street Address: 1617 Andes Road</p> <p>General Location: West side of Andes Road north of Middlebrook Pike and southwest of Andes Road</p> <p>Tract Size: 17 acres Parcel ID: 105 025 (PART OF)</p> <p>Existing Land Use: Vacant parcel</p> <p>Planning Sector: Northwest County Growth Plan: Planned Growth Area Census Tract(s): 46.06 Traffic Zone(s): Jurisdiction: County Commission District 6</p>	<p style="text-align: center;">PROPERTY OWNER/OPTION HOLDER</p> <p>Roy and Betty Byrd 1813 Robinson Road Knoxville, TN 37923 Telephone: _____ Fax: _____ Email: _____</p>
<p style="text-align: center;">APPROVAL REQUESTED</p> <p style="text-align: center;">Rezoning</p> <p>FROM: A (Agricultural)</p> <p>TO: PR (Planned Residential) 4.5 du/ac</p> <p style="text-align: center;">Plan Amendment</p>	<p style="text-align: center;">APPLICATION CORRESPONDENCE</p> <p><i>All correspondence relating to this application should be sent to:</i> Ryan M. Hickey / Ball Homes, LLC 1914 Pinnacle Pointe Way Knoxville, TN 37922 Telephone: 865-862-4774 Fax: _____ Email: rhipkey@ballhomes.com</p>
<p style="text-align: center;">PROPOSED USE OF PROPERTY</p> <p>Residential subdivision</p> <p>Density Proposed: 4.5 du/ac</p> <p>Previous Rezoning Requests: None for this property, but the property to the south was rezoned to PR at 3.5 du/ac (#9-F-19-RZ).</p>	<p style="text-align: center;">APPLICATION AUTHORIZATION</p> <p><i>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.</i></p> <p>Signature: _____</p> <p>Ryan M. Hickey / Ball Homes, LLC 1914 Pinnacle Pointe Way Knoxville, TN 37922 Telephone: 865-862-4774 Fax: _____ Email: rhipkey@ballhomes.com</p>

REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential		
	<input type="checkbox"/> Home Occupation (specify): _____		
	<input type="checkbox"/> Other (specify): _____		
	<hr/>		
SUBDIVISION	<input type="checkbox"/> Proposed Subdivision Name _____ Unit / Phase Number _____		
	<input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____		
	<input type="checkbox"/> Other (specify): _____		
	<input type="checkbox"/> Attachments / Additional Requirements		
ZONING	<input checked="" type="checkbox"/> Zoning Change: <u>PR</u> <u>4.50 D/AC</u> Proposed Zoning _____		
	<input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____		
	<input type="checkbox"/> Proposed Property Use (specify) _____	Proposed Density (units/acre)	Previous Rezoning Requests
	<input type="checkbox"/> Other (specify): _____		
	<hr/>		

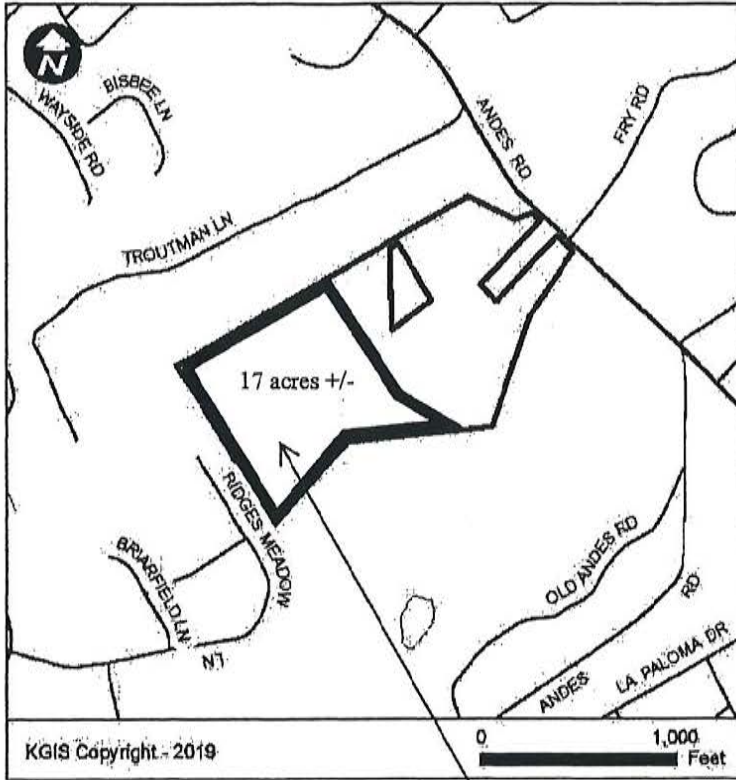
STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1: 0325 3550.00		TOTAL: 3550.00
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:		
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <input type="checkbox"/> Traffic Impact Study	FEE 3:		

AUTHORIZATION

<p>Staff Signature</p>	<p style="font-size: 1.2em;">Michelle Portier</p> <p>Please Print</p>	<p style="font-size: 1.2em;">10/7/2019</p> <p>Date</p>
<p>Applicant Signature</p>	<p style="font-size: 1.2em;">RYAN W. HUCKEY</p> <p>Please Print</p>	<p style="font-size: 1.2em;">10/7/2019</p> <p>Date</p>

Exhibit "A"

Parcel 105 025 - Property Map and Details Report



Property Information

Parcel ID:	105 025
Location Address:	1617 ANDES RD
CLT Map:	105
Insert:	
Group:	
Condo Letter:	
Parcel:	25
Parcel Type:	
District:	W6
Ward:	
City Block:	
Subdivision:	ROLL BACK TAXES EFFECTIVE APPLICATION # A-532
Rec. Acreage:	0
Calc. Acreage:	35
Recorded Plat:	103L - 39
Recorded Deed:	1409 - 900
Deed Type:	Deed:Special Wa
Deed Date:	7/3/1969

Address Information

Site Address: 1617 ANDES RD
KNOXVILLE - 37931

Address Type: RESIDENTIAL

Site Name:

Owner Information

BYRD ROY C & BETTY K
1813 ROBINSON RD
KNOXVILLE, TN 37923

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

MPC Information

The "Property"

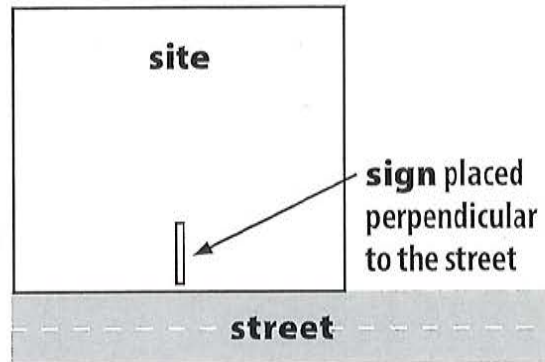
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. Planning 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 Planning Commission 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 Planning Commission 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:

Oct. 30, 2019 and Nov. 15, 2019
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: 

Printed Name: Ryan M. Hickey

Phone: 865-985-6785 Email: rhickey@ballframes.com

Date: 10/7/2019

File Number: 11-I-19-RZ