



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 1-G-21-RZ **AGENDA ITEM #:** 8
 1-G-21-SP **AGENDA DATE:** 2/11/2021

POSTPONEMENT(S): 1/14/2021

▶ **APPLICANT:** S & E PROPERTIES
 OWNER(S): William E, III & Courtney Manrod

TAX ID NUMBER: 116 06704 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 12041 Hardin Valley Rd.

▶ **LOCATION:** North side of Hardin Valley Rd., west of Mission Hill Ln.

▶ **TRACT INFORMATION:** 6.98 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hardin Valley Road, a minor arterial with a pavement width of 20.5 feet within a right-of-way width of 60 feet.

UTILITIES: Water Source: West Knox Utility District
 Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** RR (Rural Residential) / HP (Hillside Protection) & SP (Stream Protection) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / HP (Hillside Protection) & SP (Stream Protection) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Rural residential

▶ **DENSITY PROPOSED:** 4 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Agriculture/forestry/vacant - RR (Rural Residential) / HP (Hillside Protection) / SP (Stream Protection)

South: Agriculture/forestry/vacant - RR (Rural Residential) / HP (Hillside Protection) / SP (Stream Protection)

East: Agriculture/forestry/vacant - RR (Rural Residential) / HP (Hillside Protection)

West: Agriculture/forestry/vacant - RR (Rural Residential) / HP (Hillside Protection) / SP (Stream Protection)

NEIGHBORHOOD CONTEXT: This area is transitioning from large, agricultural lots to single family residential. Steep slopes and stream protection areas are also in the vicinity.

STAFF RECOMMENDATION:

- ▶ **Deny LDR (Low Density Residential) because it is not in compliance with the Rural Area of the Knoxville-Knox County Growth Policy Plan and the surrounding development is consistent with the existing RR (Rural Residential) / HP (Hillside Protection) / SP (Stream Protection) land use designation.**

- ▶ **Approve PR (Planned Residential) up to 2 du/ac because it is consistent with the surrounding development and the adjacent residential densities, as well as the slope analysis.**

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. This area has been trending towards PR zoning since the 2000s. A new housing development across Hardin Valley Road to the south was rezoned to PR with up to 2 du/ac in 2016 (Case # 7-J-16-RZ / 7-E-16-SP). Another PR development with up to 2.8 du/ac was approved in 2019 (Case # 10-H-19-RZ / 10-E-19-SP).

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

1. There have been no new road improvements in this area.
2. There has been a recently completed expansion of wastewater capacity in this area by the West Knox Utility District and a new middle school built for the Hardin Valley community by Knox County Schools. A study for forthcoming electrical line improvements by the West Knox Utility District and TVA is also underway.
3. While utility infrastructure does support additional residential growth in the area, the adopted Growth Policy Plan does not support residential densities greater than 2 du/ac, thus the existing Rural Residential is the maximum residential land use classification that staff can support at this location.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no obvious or significant errors or omissions in the plan regarding these parcels. The 2016 update of the Northwest County Sector Plan took into consideration that this area is within the Rural Area of the Growth Policy Plan, which is intended to remain rural through limiting residential density growth and development of commercial and industrial land uses.
2. Residential densities in the general area are approximately 2 du/ac, which the existing Rural Residential land use classification recommends.
3. The slope analysis yields a recommended density of 1.92 du/ac, the RR (Rural Residential) land use classification is consistent with the maximum recommended residential density in the Hillside Protection (HP) Overlay land use classification.

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

1. The existing Rural Residential land use classification allows consideration of additional residential density at this location up to 2 dwelling units per acre and the majority of the surrounding residential densities are within that range as well.
2. The slope analysis for the property also recommends a reduced density.
3. The floodplain for Connor Creek extends into this property as well.

OTHER CONSIDERATIONS:

1. This property lies within the Rural Area of the Growth Policy Plan. The requested LDR (Low Density Residential) land use is not one of the recommended land use designations inside the County's Rural Area.
2. The Rural Area limits the intensity of residential density and commercial and industrial development. Consideration of LDR results in zoning districts for residential densities greater than 2 du/ac, which is not recommended for the Rural Area.
3. Low density development designations (1-3 du/ac) are limited to PR zoning when sanitary sewer and public water is provided, collectors and arterials connect the development to the Planned Growth Area or Urban Growth Boundary, and when a traffic impact analysis demonstrates that the proposed development will not unreasonably impair traffic flow along the arterial roads through the adjacent Planned Growth Area (Growth Plan Section 1, Policies, Subsection 3.5). A traffic impact letter has been submitted providing an

analysis of the road conditions in the area, thus meeting Section 1, subsection 3.5 of the Growth Plan.

4. The HP (Hillside Protection) and SP (Stream Protection) overlay designations will remain on the property.

State law regarding amendments of the general plan (which includes 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:

- 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.
- 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.

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 COUNTY GENERALLY:

1. Infrastructure improvements have occurred in this area since the 2016 Northwest County Sector Plan update, including the expansion of wastewater capacity and a new middle school.
2. Electrical line improvements are currently being planned for the larger Hardin Valley area by West Knox Utility District and TVA.

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 CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed amendment to PR (Planned Residential) up to 2 du/ac is consistent with the surrounding development and expected to create minimal impacts if built out at the maximum density of approximately 14 additional dwelling units.
2. The development plan review during the subsequent, required, use on review process will provide for an opportunity to address potential conflicts with adjacent and surrounding development.
3. The slope analysis yields a reduced density of 1.92 du/ac due to the topographical constraints of the site and staff is recommending up to 2 du/ac.
4. The floodplain of Connor Creek is also delineated on the site and shown in Exhibit A, a greenway is proposed for this area by the 2020 adopted Knox County Greenway Corridor Study, see Exhibit B.

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 PR (Planned Residential) zone up to 2 du/ac is consistent with the RR (Rural Residential) and HP (Hillside Protection) overlay designations of the sector plan. The recommended density is also consistent with the Rural Area of the Growth Policy Plan.
2. However, density can be increased to 3 du/ac if certain criteria are met. The Growth Plan Section 1, Policies, Subsection 3.5 states, "Low density development designations (1-3 du/ac) are limited to PR zoning when sanitary sewer and public water is provided, collectors and arterials connect the development to the Planned Growth Area or Urban Growth Boundary, and when a traffic impact analysis demonstrates that the proposed development will not unreasonably impair traffic flow along the arterial roads through the adjacent Planned Growth Area." A traffic impact letter has been submitted providing an analysis of the road conditions in the area, thus meeting Section 1, subsection 3.5 of the Growth Plan.
3. The Knox County Greenways Corridor Study was adopted by Knox County Commission in January 2020 and recommended a preferred alignment for the Beaver Creek West Greenway connecting Brighton Farms

Boulevard to Melton Hill Park through this area, adjacent to Connor Creek (See Exhibit B). The applicant and Knox County Parks and Recreation staff have been connected regarding this preferred greenway alignment. The PR zone district will also require site plan review by the Knoxville-Knox County Planning Commission through the use on review process to address site concerns related to floodplain and steep slopes, as well as compatibility with surrounding and adjacent development.

ESTIMATED TRAFFIC IMPACT: 322 (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 3/24/2020. 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.