FILE #: 3-I-20-UR
AGENDA ITEM #: 29
AGENDA DATE: 3/12/2020

APPLICANT: VERTEX DEVELOPMENT TN, LLC
OWNER(S): Kirkland Financial, LLC

TAX ID NUMBER: 103 108.04
JURISDICTION: County Commission District 6
STREET ADDRESS: 11103 Hardin Valley Rd.

LOCATION: Northwest side of Hardin Valley Road, southwest of Bryant Lane.

APPROX. SIZE OF TRACT: 20.72 acres
SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with a 3 lane street section within an 88' required right-of-way.
UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District
WATERSHED: Conner Creek

ZONING: PR (Planned Residential)
EXISTING LAND USE: Residential subdivision under construction
PROPOSED USE: Reduction of peripheral setback

HISTORY OF ZONING: This property was rezoned to PR (Planned Residential) at a density of up to 4 du/ac by Knox County Commission on January 23, 2017.

SURROUNDING LAND USE AND ZONING:
North: Residences and vacant land - PR (Planned Residential)
South: Residences - PR (Planned Residential) and A (Agricultural)
East: Residences - PR (Planned Residential) / TO (Technology Overlay)
West: Residences - PR (Planned Residential)

NEIGHBORHOOD CONTEXT: The site is located in an area along Hardin Valley Road that has developed as low density residential use under RA and PR zoning.

STAFF RECOMMENDATION:
APPROVE the requested reduction of the peripheral setback to 25' along the northeast subdivision boundary line that adjoins Conners Creek subdivision, subject to 2 conditions.

1. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
2. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the PR zone and the other criteria for approval of a Use on Review.
COMMENTS:

The applicant had obtained a concept plan and use on review approval (1-SE-17-C / 1-I-17-UR) from the Planning Commission for this subdivision on January 12, 2017 for a total of 56 detached residential lots on 20.72 acres at a density of 2.7 du/ac. A final plat (2-SL-18-F) approval was also granted for the subdivision by the Planning Commission on May 9, 2018. However, since the final plat was not recorded within one year of the Planning Commission approval, the final plat and the concept plan approvals expired. The applicant received a new concept plan approval (8-SD-19-C) from the Planning Commission on August 8, 2019.

The applicant is now requesting a reduction of the peripheral setback from 35’ to 25’ along the northeast subdivision boundary line that adjoins Conners Creek Subdivision. When the initial concept plan was approved for this subdivision, the applicant had requested a reduction of the peripheral setback from 35’ to 25’ along all subdivision boundaries except for the northeast boundary that adjoins Conners Creek Subdivision. Due to site constraints include a stream and sinkholes, the street layout created shallower lots along the Conners Creek Subdivision. Because the developers building design worked with the 35’ setback, a peripheral setback reduction was not requested. The new developer that is proposing to move forward with this Subdivision has a unit design that will need the reduction of the peripheral setback to 25’. The Planning Commission can approve a peripheral setback reduction down to 15’ when the subdivision adjoins specific residential zoning districts.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposed detached residential subdivision will have minimal impact on local services since utilities are available to serve this site.
2. The proposed low density residential development at a density of 2.7 du/ac is compatible with the scale and intensity of development that has occurred in this area.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the recommended conditions, the proposed subdivision is consistent with all relevant requirements of the PR zoning, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use in is harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development has access to a minor arterial street.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The Northwest County Sector Plan proposes medium density residential uses for this site. The proposed subdivision at a density of 2.7 du/ac is consistent with the sector plan.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 23 (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.
The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.
HC RAMP (SEE DETAIL)
## Development Request

**DEVELOPMENT**
- [ ] Development Plan
- [ ] Planned Development
- [x] Use on Review / Special Use

**SUBDIVISION**
- [ ] Concept Plan
- [ ] Final Plat

**ZONING**
- [ ] Plan Amendment
- [ ] Rezoning

**Applicant Name**
Vertex Development TN, LLC

**Date Filed**
1/27/2020

**Meeting Date (if applicable)**
3/12/2020

**File Numbers(s)**
3-I-20-UR

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

- [ ] Applicant
- [ ] Owner
- [ ] Option Holder
- [ ] Project Surveyor
- [x] Engineer
- [ ] Architect/Landscape Architect

**Name**
daavid harbin

**Company**
Batson, Himes, Norvell, & Poe

**Address**
4334 Papermill Drive

**City**
Knoxville

**State**
TN

**Zip**
37909

**Phone**
865-588-0472

**Email**
harbin@bhn-p.com

## CURRENT PROPERTY INFO

**Owner Name (if different)**
Kirkland Financial LLC

**Owner Address**
121 Anchor Drive
Andersonville, TN 37705

**Property Address**
1103 Hardin Valley Rd

**Parcel ID**
map 103 parcel 108.04

**General Location**
N side of Hardin Valley Rd, SW of Bryant Lane

**Jurisdiction (specify district above)**

- [ ] City
- [x] County

**PR**
Zoning District

**Planning Sector**
Northwest

**Sector Plan Land Use Classification**
MDR

**Growth Policy Plan Designation**
planned growth

**Existing Land Use**
vacant

**Septic (Y/N)**

- [ ] Y
- [x] N

**Sewer Provider**
West Knox

**Water Provider**
West Knox
REQUEST

☐ Development Plan ☑ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify):

☑ Other (specify): Reduction of the Peripheral Setback

☐ Proposed Subdivision Name

Unit / Phase Number

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created:

☐ Other (specify):

☐ Attachments / Additional Requirements

☐ Zoning Change:

Proposed Zoning

☐ Plan Amendment Change:

Proposed Plan Designation(s)

☐ Proposed Property Use (specify) Proposed Density (units/acre) Previous Rezoning Requests

☐ Other (specify):

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only) ☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

STAFF USE ONLY

FEE 1: $1,200.00 TOTAL: $1,200.00

FEE 2:

FEE 3:

AUTHORIZATION  By signing below, I certify I am the property owner, applicant, or the owners authorized representative.

Applicant Signature

David Haben

Please Print

865-588-6472

harbin@john-p.com

Date

Email

Staff Signature

Thomas Brechko

Please Print

1/27/2020

Date
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:

Feb 26, 2020 and March 13, 2020
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: [Signature]
Printed Name: [Printed Name]
Phone: [Phone] Email: [Email]
Date: [Date]
File Number: [File Number]

REVISED MARCH 2019