

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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w w w • k n o x m p c • o r g

**File Number:** 1-C-13-RZ                      **Related File Number:** 1-A-13-SP  
**Application Filed:** 11/26/2012                      **Date of Revision:**  
**Applicant:** DAVID CAMPBELL

## PROPERTY INFORMATION

**General Location:** Southeast side Hickory Creek Rd., southwest of Hardin Valley Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 129 038    **Jurisdiction:** County  
**Size of Tract:** 49.09 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant/agriculture  
**Surrounding Land Use:**  
**Proposed Use:** Detached residential dwellings    **Density:** 3 du/ac  
**Sector Plan:** Northwest County                      **Sector Plan Designation:** Ag/RR  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:**

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area)  
**Requested Plan Category:** LDR (Low Density Residential) & SLPA (Slope Protection Area)

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:                      No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

**Planner In Charge:** Michael Brusseau

**Staff Recomm. (Abbr.):** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of 1.8 du/ac. (Applicant requested 3 du/ac.)

**Staff Recomm. (Full):** PR zoning at the recommended density is consistent with the recommended LDR sector plan designation as well as with the policies of the Growth Policy Plan, which limits the density to no more than 2 du/ac in the Rural Area. The recommended lesser density of 1.8 du/ac is based on the recommended slope protection policies for residential densities from the Hillside and Ridgetop Protection Plan, based on the attached slope analysis of the site. Staff would recommend the maximum allowable 2 du/ac if a conservation easement is placed on an undisturbed steep hillside or ridgetop portion of a parcel, which would likely be the steepest areas of this site along its southern boundary. This density bonus provision is recommended in the Hillside and Ridgetop Protection Plan (HRPP), stating that the planning commission may approve a density bonus of up to 10% of the total units allowed in the base density when a conservation easement is dedicated on the site.

**Comments:** Staff would recommend the maximum allowable density of 2 du/ac if a condition is attached that states the following: "A conservation easement must be placed on an undisturbed steep hillside or ridgetop portion within the southern portion of the site, most specifically the southeastern corner, subject to MPC approval, as part of the development plan review."

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 is the most appropriate residential zone that can be considered for this site, which is located within the Rural Area designation on the Growth Policy Plan, limiting residential zoning to PR at certain densities. PR zoning allows clustering of development onto the less slope-constrained portions of the site.
2. With the site's frontage and sole access to Hickory Creek Rd., which is classified as a minor arterial street, PR zoning at a limited density is appropriate.
3. Limiting the density to 1.8 du/ac is recommended for compliance with the residential density and land disturbance guidelines of the Hillside and Ridgetop Protection Plan. (See attached slope map, analysis and calculations, as well as applicable portions of the HRPP .)

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

1. 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. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that PR is the most appropriate zone for this proposed development.

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. PR zoning at the recommended density will allow reasonable use of the property for residential development, while maintaining compliance with the Growth Policy Plan, sector plan and slope protection policies.
2. The recommended PR zoning at a density of up to 1.8 du/ac would allow for a maximum of 88

dwelling units to be proposed for the site. That number of detached units, would add approximately 922 vehicle trips per day to the street system and would add approximately 47 children under the age of 18 to the school system. The requested density of 3 du/ac would allow for a maximum of 147 dwelling units to be proposed for the site. That number of detached units, would add approximately 1478 vehicle trips per day to the street system and would add approximately 78 children under the age of 18 to the school system.

3. A traffic impact study will be required if more than 75 lots are proposed as part of the overall development. Adequate sight distance from proposed access points will need to be certified on the development plans.

3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

4. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could be extended, if necessary, to serve this site.

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. With the recommended plan amendment to LDR, a PR zoning density of up to 5 du/ac may be considered.

2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. With an approved sector plan amendment to LDR, the proposal meets all Growth Policy Plan requirements for approval of PR zoning at up to 2 du/ac. The Growth Policy Plan policies in the Rural Area limit the allowable density to a maximum of 2 du/ac. The requested 3 du/ac may only be considered in the Rural Area if the site abuts the Planned or Urban Growth Area, which this site does not.

3. This request may lead to future requests for PR zoning in the future on large lot, agricultural properties in the area, especially with the extension of sewer to this site.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

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 now 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.

**Action:** Approved as Modified **Meeting Date:** 1/10/2013

**Details of Action:** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of 2.8 dwelling units per acre with the condition that a conservation easement is placed on an undisturbed steep hillside or ridgetop portion of the parcel which would likely be the steepest areas of that site and along its southern boundary..

**Summary of Action:** APPROVE PR (Planned Residential) (K) zoning at a density of 2.8 dwelling units per acre, subject to 1 condition: 1) A conservation easement must be placed on an undisturbed steep hillside or ridgetop portion of the parcel along the southern boundary of the site,

**Date of Approval:** 1/10/2013 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

## LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 2/25/2013

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**