

CASE SUMMARY

APPLICATION TYPE: REZONING

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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File Number: 1-C-18-RZ **Related File Number:**
Application Filed: 11/27/2017 **Date of Revision:**
Applicant: ALEKSANDR BOTEZAT

PROPERTY INFORMATION

General Location: North side Cain Rd., northeast of Amherst Rd.
Other Parcel Info.:
Tax ID Number: 92 102 **Jurisdiction:** County
Size of Tract: 16.44 acres
Accessibility: Access is via Cain Rd., a local street with 17' of pavement width within 45' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Dwelling and vacant land
Surrounding Land Use:
Proposed Use: Detached residential **Density:** 5 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** LDR w/HP
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This area is developed with agricultural and rural to low density residential uses under A, A-1, RA, R-1, PR and RP-1 zoning.

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

Street: 5101 Cain Rd
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: No
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

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 up to 3.5 du/ac. (Applicant requested 5 du/ac.)

Staff Recomm. (Full): PR zoning at the recommended density will allow reasonable development of the site, consistent with the sector plan proposal and surrounding development, and also consistent with the residential density guidelines of the Hillside and Ridgetop Protection Plan (HRPP).

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. The recommended zoning and density for the subject property are appropriate to allow reasonable use of the site, while remaining compatible with surrounding development and zoning, and consistent with the policies of the HRPP.
2. With application of the residential density and land disturbance guidelines from the HRPP, the maximum density should be limited to 3.5 du/ac. The slope analysis, map and calculations are attached.
3. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

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 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. Staff's recommended zoning and density will be compatible with the scale and intensity of the surrounding development and zoning pattern.
2. Sidewalks will be required on at least one side of each street within the development, and possibly along the Cain Rd. frontage.
3. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
4. The requested PR zoning at a density of up to 5 du/ac would allow for a maximum of 82 dwelling units to be proposed for this site, which has a calculated area of 16.3 acres. That number of detached units, as requested, would add approximately 864 vehicle trips per day to the street system and would add approximately 33 children under the age of 18 to the school system. The recommended PR zoning at a density of up to 3.5 du/ac would allow for a maximum of 57 dwelling units to be proposed for the site. That number of detached units would add approximately 618 vehicle trips per day to the street system and would add approximately 23 children under the age of 18 to the school system.
5. A significant portion of the site, especially within the northwest half of the site, is designated for Hillside Protection on the sector plan. Disturbance of the site (grading and removal of vegetation) for

residential lot construction should be limited to the 13 acres (not more than 8.7 acres within the designated Hillside Protection Area and the 4.52 acres not subject to the provisions of the Hillside Protection Plan) as identified by the staff slope analysis. Best management practices, as identified in the HRPP, should be utilized to minimize the amount of clearing and grading that will be required for the development.

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 uses and hillside protection for the site, the recommended PR zoning at up to 3.5 du/ac is consistent with the provisions of the plan.
2. Approval of this request could lead to future requests for PR zoning in this area.
3. The recommended zoning and density do not present any apparent conflicts with any other adopted plans.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping 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.

Action: Approved **Meeting Date:** 1/11/2018

Details of Action:

Summary of Action: Recommend the Knox County Commission approve PR (Planned Residential) zoning at a density up to 3.5 dwelling units per acre.

Date of Approval: 1/11/2018 **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: 2/26/2018

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: