

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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File Number: 1-D-12-RZ **Related File Number:** 1-A-12-SP
Application Filed: 11/28/2011 **Date of Revision:**
Applicant: SAGEBRUSH CAPITAL

PROPERTY INFORMATION

General Location: Southwest side Middlebrook Pike, southeast of Bob Kirby Rd.
Other Parcel Info.:
Tax ID Number: 104 21103 **Jurisdiction:** County
Size of Tract: 10 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Walden Legacy Apartment Community, Phase II **Density:** 19 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** Low Density Residential and Slope Protection
Growth Policy Plan: Planned Growth 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: LDR (Low Density Residential) & SLPA (Slope Protection Area)
Requested Plan Category: HDR (High 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 up to 5 du/ac, subject to 1 condition. (Applicant requested 19 du/ac)

1. No clearing or grading of the site prior to use on review plan approval by MPC.

Staff Recomm. (Full):

The recommended PR zoning and density with a condition takes into account the topographic constraints of the site, while allowing reasonable use of the property. The condition is intended to prevent major alterations to the site prior to MPC having the opportunity to review a development plan. PR zoning is an appropriate zone for development of this site, because it allows clustering of units in the less-constrained portions of the site and requires use on review plan approval by MPC prior to construction.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. 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, layout, recreational amenities, clearing, grading, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
2. The surrounding area is developed primarily with low density residential uses, with some medium density residential and commercial. PR zoning, at the recommended density, is more compatible with the scale and intensity of the surrounding residential development and zoning pattern than the requested density of 19 du/ac. The adjacent apartment development to the southeast, Walden Legacy, Phase 1, was developed in 2005 and has 236 dwelling units, which maximizes its current PR zoning density of up to 12 du/ac. The need for grading of that site was minimal at that time, because there was already a large, relatively flat, upper section of the site where a large greenhouse was located. (See attached topo map from 1998-2001, Exhibit B). Development of this site at any more than the recommended density of 5 du/ac will likely require substantial grading of the site, along with the clearing of a large stand of trees that currently contributes to the stabilization of the steep sloped area toward the front of the site along Middlebrook Pike. (See attached aerial photo, Exhibit C.)
3. Based on the attached slope analysis for the site (Exhibit D), about 21% of the site has slopes of greater than 25%, which should be protected. Using the slope analysis, staff applied development policy 7.6 of the Knoxville-Knox County General Plan 2032, which addresses housing densities on sloped areas in making the recommendation for reduced density. In applying that policy to the subject property using the slope analysis, the site should be limited to a density of no more than 5 du/ac, in order to maintain the slopes on the site, as shown on the attached sector plan (Exhibit E) and current topography map (Exhibit F). Staff acknowledges that, if not for the topography of the site, it would be appropriate for MDR (Medium Density Residential) development, as indicated with the recommended approval of MDR on the sector plan. Within the unrestricted area of 0-15% slope grades, staff applied the maximum density allowed in the MDR area (12 du/ac), which produced a total of 44 units for the site (4.45 du/ac). Staff rounded up to 5 du/ac for the recommended density. If the calculations were based on the current LDR designation, the total number of units would be 25 units or about 2.5 du/ac. If the recommended density is approved, staff would expect that the proposed units would be located within the portions of the site that are less topographically constrained. A current topography map is attached (Exhibit F).

CONSISTENCY WITH INTENT AND PURPOSE OF THE 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 into 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 EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. At the recommended density of up to 5 du/ac on the 10 acres reported, up to 50 dwelling units could be proposed for the site. Developed with multi-dwelling residential units, this would add approximately 512 trips to the street system and about 12 children to the school system. At the requested density of up to 19 du/ac, up to 190 dwelling units could be proposed for the site. Developed with multi-dwelling residential units, this would add approximately 1699 trips to the street system and about 44 children to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. The approval of PR zoning will allow the applicant to submit a development plan for MPC's consideration as a use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan currently proposes slope protection for the majority of the site and low density residential uses for the remainder of the property, consistent with the recommended PR zoning at up to 5 du/ac. Staff has recommended that the non-slope protected area of the site be changed to MDR, allowing clustering of units in the less slope constrained areas of the site. Staff's reduced overall density recommendation is based on the fact that the slope protection area should be acknowledged and maintained.
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 could lead to future requests for medium or high density residential plan designations and PR zoning on other properties in the area.

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.

Action: Approved as Modified **Meeting Date:** 1/12/2012

Details of Action: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 12 du/ac, subject to 1 condition.
1. No clearing or grading of the site prior to use on review plan approval by MPC.

Summary of Action: RECOMMEND the Knox County Commission APPROVE PR (k) (Planned Residential) zoning at a density up to 12 dwelling units per acre, subject to the condition that there will be no clearing or grading of the site prior to use on review plan approval by MPC.

Date of Approval: 1/12/2012 **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: 2/27/2012 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**