

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-F-14-RZ **Related File Number:**
Application Filed: 11/25/2013 **Date of Revision:**
Applicant: H.E. CHRISTENBERRY

PROPERTY INFORMATION

General Location: South side Kingston Pike, east of Kingston Ct.
Other Parcel Info.:
Tax ID Number: 108 H C 004 **Jurisdiction:** City
Size of Tract: 4.8 acres
Accessibility: Access is via Kingston Pike, a 4-lane, major arterial street with 37' of pavement width within 60' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Detached dwelling
Surrounding Land Use:
Proposed Use: Residential development **Density:** 5.99 du/ac
Sector Plan: West City **Sector Plan Designation:** LDR and HP
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This section of Kingston Pike through Sequoyah Hills is developed with low density residential uses and churches under R-1 and RP-1 zoning.

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

Street: 3222 Kingston Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density Residential)
Former Zoning:
Requested Zoning: RP-1 (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 City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 4 du/ac, subject to one condition. (Applicant requested 5.99 du/ac.)

Staff Recomm. (Full):

1. No clearing, grading or demolition shall occur on the site prior to use on review plan approval by MPC.

RP-1 zoning at the recommended density is consistent with both the One Year Plan and sector plan proposals for the property and takes into account the steep slopes on about 35% of the site. RP-1 zoning will require use on review approval of a development plan by MPC prior to construction. The recommended condition will ensure that a plan for development is considered prior to any disturbance of the existing site.

Comments:

The Christenberry House located on the subject property is not within the Kingston Pike National Register Historic District due to the fact that a non-historic church building stands between it and the historic district boundary; however, the property is eligible to be included based on its age and degree of architectural integrity.

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 proposed RP-1 zoning and density is compatible with the scale and intensity of the surrounding development and zoning pattern. There are other spots of RP-1 zoning in the area.
2. The site has slope constraints. Staff has recommended a lower density than requested, based on the results of the attached slope analysis and map, by applying the recommended residential density and land disturbance guidelines from the Knoxville-Knox County Hillside and Ridgetop Protection Plan. Applying the guidelines strictly would result in a recommended density of 3.09 du/ac. However, because the site is in the City, with all utilities in place, along a major arterial street, staff has recommended up to 4 du/ac for appropriate infill development. The required use on review will insure that the structures are clustered within the less steep portions of the site. The rear (southern) portion of the site leading down to the river is the steepest part. Staff would expect that no structures are proposed to be built within that area.
3. The sector plan and the One Year Plan both propose low density residential uses for the property, consistent with the requested RP-1 zoning and density. The requested density of 5.99 du/ac is the maximum allowable under the low density residential plan designation. Staff's recommended density of up to 4 du/ac is still within the low density range and allows the applicant reasonable use of the site, while addressing the slope concerns on the site.

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

1. RP-1 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 RP-1 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. RP-1 zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The approval of the requested density will allow the applicant to submit a development plan with up to 28 dwelling units for MPC's consideration, which, if developed with attached residential units, would add about 2 students to the school system and add about 304 trips to the street system. At the staff's recommended density, the applicant could submit a development plan with up to 18 dwelling units for MPC's consideration, which, if developed with attached residential units, would add about 1 student to the school system and add about 204 trips to the street system
3. Public water and sewer utilities are available to serve the site, and the proposal is consistent with other zoning and density in the immediate area.

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 West City Sector Plan and the Knoxville One Year Plan propose low density residential uses for this property, consistent with the proposed RP-1 zoning at up to 5.99 du/ac.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does 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 Knoxville Engineering and MPC staff.

Action: Approved **Meeting Date:** 4/10/2014

Details of Action: RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 5.6 du/ac, subject to one condition.

1. No clearing, grading or demolition shall occur on the site prior to use on review plan approval by MPC.

Summary of Action: RP-1 (Planned Residential) zoning at a density of up to 5.6 du/ac, subject to one condition

Date of Approval: 4/10/2014 **Date of Denial:** **Postponements:** 1/9/2014-3/13/2014

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council	Date of Legislative Action: 5/13/2014	Date of Legislative Action, Second Reading: 6/10/2014
Ordinance Number:	Disposition of Case: Postponed	Other Ordinance Number References:
If "Other": Postponed 5/13 to 6-10	Disposition of Case, Second Reading: Denied without prejudice	If "Other":
Amendments:	Amendments:	
		Defeated
Date of Legislative Appeal:	Effective Date of Ordinance:	