

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-A-18-RZ

Related File Number:

Application Filed: 8/14/2018

Date of Revision:

Applicant: SCOTT DAVIS

PROPERTY INFORMATION

General Location: Northwest side Gray Rd., northeast of McCloud Rd.

Other Parcel Info.:

Tax ID Number: 28 24601 & 24602

Jurisdiction: County

Size of Tract: 11.62 acres

Accessibility: Accessed via Gray Road, a local road with 17' of pavement width within a 50' right of way. Gray Road connects McCloud Road, a minor collector and Maynardville Pike, a major arterial.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use:

Proposed Use: Detached residential development

Density: 5 du/ac

Sector Plan: North County

Sector Plan Designation: LDR w/ HP

Growth Policy Plan: Rural Area

Neighborhood Context: Mixture of agricultural, vacant land, and low density residential developments.

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

Street: 4701 Gray 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: Yes - Extension of Planned Growth

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Jeff Archer

Staff Recomm. (Abbr.):

RECOMMEND County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac (Applicant requested 5 du/ac).

Staff Recomm. (Full):

This site is located in the Rural Area of the Growth Policy Plan which limits the density permitted to 2 du/ac. However, the plan permits extensions of low density residential up to 3 du/ac. when urban services (roads, sewer, and water) become available. This site has urban services available, therefore staff is recommending 3 du/ac for this site.

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. This site is accessed from Gray Rd., which is the separating street for two Growth Policy Plan areas, south is the Planned Growth Area which permits densities up to 5 du/ac. and the Rural Area which permits densities up to 2 du/ac. An extension of the Planned Growth Area can be granted, provided urban services become available. Since the adoption of the Growth Policy Plan, more urban services have become available to this site including road, sewer, and water infrastructure improvements.
2. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The request is a logical extension of surrounding low density residential zoning, including RB, RA, and PR.
4. 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. Public water and sanitary sewer utilities are available to serve the site.

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

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 Southwest County Sector Plan proposes low density residential uses for this property, consistent with PR zoning at up to 3 du/ac.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans. The applicant's proposed PR at 5 du/ac does present a conflict with the Knoxville-Knox County-Farragut Growth Policy Plan.

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 **Meeting Date:** 10/11/2018

Details of Action:

Summary of Action: RECOMMEND County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac (Applicant requested 5 du/ac).

Date of Approval: 10/11/2018 **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: 11/19/2018

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: