

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2068  
www.knoxmpc.org

**File Number:** 10-I-13-RZ                      **Related File Number:**  
**Application Filed:** 9/3/2013                      **Date of Revision:**  
**Applicant:** S & E PROPERTIES LLC

### PROPERTY INFORMATION

**General Location:** Southeast side Creekhead Dr., west side Helmbolt Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 106 B A 027                      **Jurisdiction:** City  
**Size of Tract:** 9.85 acres  
**Accessibility:** Access is via Helmbolt Rd. a minor arterial street with 18-19' of pavement width within 50' of right-of-way, or Creekhead Dr., a local street with 18' of pavement width within 45' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Residential development                      **Density:** 5.9 du/ac  
**Sector Plan:** Northwest County                      **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed primarily with low density residential uses under RP-1 and R-1 zoning. There are also some larger parcels with residences in the surrounding area, zoned A-1.

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

**Street:** 1701 Helmbolt Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** A-1 (General Agricultural)  
**Former Zoning:**  
**Requested Zoning:** RP-1 (Planned Residential)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes, extension of RP-1 from the north.  
**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. (Applicant requested 5.9 du/ac.), subject to one condition.

**Staff Recomm. (Full):** 1. No grading, or other site disturbance, including the removal of vegetation, shall be allowed prior to the review and approval of a development plan by MPC.

RP-1 zoning is an extension of zoning from the north, is consistent with the sector plan and One Year Plan proposals, and will allow uses compatible with the surrounding land uses and zoning pattern. The recommended reduction in density is intended to keep the proposed development more consistent with surrounding developments.

**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, which is accessed from either Helmbolt Rd. or Creekhead Dr., is in the vicinity of other properties that are zoned RP-1, including a condominium development to the northwest on Piney Grove Church Rd., zoned RP-1 at a density of 5.9 du/ac, with a developed density of over 5 du/ac. The large RP-1 zoned subdivision to the north, accessed from Creekhead Dr. and Piney Grove Church Rd., is developed at a density of about 3.25 du/ac. The recommended density of up to 4 du/ac is compatible with surrounding zoning and development.
2. The site is heavily wooded currently (see attached aerial photo). Staff recommends the condition with the intent to preserve as many trees as possible as the site develops, especially within the required 25 foot peripheral setback areas. The applicant is advised to preserve a tree line along Creekhead Dr. and along the west side of the property to buffer between this low density residential use and less intense A-1 uses. This will also reduce the visual impact along Creekhead Dr.
3. The property is located in the City Limits of Knoxville on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the proposed and recommended zoning and density.
4. RP-1 is a logical extension of zoning from the north and will allow development comparable to other residential development in the area.
5. RP-1 zoning requires site plan approval by MPC as a use on review prior to development. As part of this review, MPC and City Engineering staff can address issues such as landscape screening, traffic circulation, access, slope and stream protection, drainage and other potential development concerns. It will also give the opportunity for public comment at a public hearing. There is an expectation that the developer of the property will consider connections to both Helmbolt Rd. and Creekhead Dr.

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 is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. Approval of RP-1 zoning at the recommended density will allow the applicant to submit a development plan with up to 39 dwelling units for MPC's consideration. If developed with detached residential uses, this would add approximately 436 vehicle trips per day to the street system and would add approximately 21 children under the age of 18 to the school system. The recommended density will allow the applicant to submit a development plan with up to 58 dwelling units for MPC's consideration. If developed with detached residential uses, this would add approximately 628 vehicle trips per day to the street system and would add approximately 31 children under the age of 18 to the school 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 Northwest County Sector Plan proposes low density residential uses for this property, consistent with RP-1 zoning at up to 5.9 du/ac. Staff recommends limiting the density to no more than 4 du/ac for better compatibility with surrounding development.
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:** 10/10/2013

**Details of Action:** 1. No grading, or other site disturbance, including the removal of vegetation, shall be allowed prior to the review and approval of a development plan by MPC.

**Summary of Action:** RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 4 du/ac. (Applicant requested 5.9 du/ac.), subject to one condition.

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

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

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 11/12/2013 **Date of Legislative Action, Second Reading:** 11/26/2013

**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:**