

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: 11-A-09-RZ **Related File Number:**
Application Filed: 9/23/2009 **Date of Revision:**
Applicant: S & E PROPERTIES

PROPERTY INFORMATION

General Location: Northwest side Dogwood Dr., southwest of Merriwood Dr.
Other Parcel Info.:
Tax ID Number: 134 H E 012 **Jurisdiction:** County
Size of Tract: 11 acres
Accessibility: Access is via Dogwood Dr., a local street with 17' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residential neighborhood
Surrounding Land Use:
Proposed Use: Residential neighborhood **Density:** 4 du/ac
Sector Plan: Southwest County **Sector Plan Designation:** LDR & SLPA
Growth Policy Plan: Rural Area
Neighborhood Context: This area is developed with agricultural/rural residential and low density residential uses under A, RA, RB and PR zoning.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) @ 1-3 du/ac
Former Zoning:
Requested Zoning: PR (Planned Residential) @ up to 4 du/ac
Previous Requests: Property was rezoned PR in 2004 (8-A-04-SP/8-J-04-RZ).
Extension of Zone: Yes, adjacent to PR zoning at a density of up to 4 du/ac to the northwest.
History of Zoning: MPC approved LDR and PR zoning at the current density on 8/12/2004 (8-A-04-SP/8-J-04-RZ).

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 DENY the request for a PR density increase to up to 4 du/ac.

Staff Recomm. (Full):

The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan. The property's current density of up to 3 du/ac is the highest density allowable under the applicable policies of the plan regarding rezoning within the Rural Area (see attached page from the Growth Policy Plan.)

Comments:

A sector plan amendment to LDR and a rezoning to PR at the current density of 1-3 du/ac was approved for the subject property in 2004 (8-A-04-SP/8-J-04-RZ). A concept plan/use on review was subsequently approved to allow the property to be subdivided into 22 lots for detached dwellings (9-SF-04-C/9-J-04-UR). In 2008, after the concept plan had expired (2 years from original approval), a new concept plan was approved, allowing the same 22 lots (8-SD-08-C). A final plat was also approved later that year officially subdividing the property into the 22 lots (8-SV-08-F). This plat has not been recorded as of the date of this report, so the 22 approved lots do not show up. Currently the property is cleared and graded, the public road is constructed and water and sewer utilities are in place. The property is approved for development. If the number of lots is increased, a new concept plan, use on review and final plat will need to be approved. The current density of 1-3 du/ac would allow consideration of up to 33 lots, which is 11 more than the number of already approved lots.

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

1. No significant changes have occurred in the surrounding area that warrant the requested change in zoning.
2. This property was rezoned to PR at the current density of 3 du/ac in 2004. That was the maximum allowable density at that time based on the policies of the Growth Policy Plan within the Rural Area. The Growth Policy Plan has not been amended since that time.
3. The surrounding area is developed with primarily agricultural and rural to low density residential uses, under A, PR and RB zoning. The current density is more compatible with surrounding development than the requested density.
4. The applicant has reasonable use of the property under the current density, which would allow up to 50% more units than what would be permitted under the already approved development plans.

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 with the total project by unified architectural and open space treatment.
2. Based on the above description and intent of PR zoning, this property is appropriate for PR zoning, but not at the increased density requested.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve this site.
2. If the density is increased to 4 du/ac on the 11 acres reported, up to 44 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 113 additional trips to the street system and about 7 additional children to the school system, above what could be generated at the current density.
3. Residential development at the current density would be more compatible with surrounding development than the proposed density of up to 4 du/ac.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Southwest County Sector Plan proposes low density residential uses for this site, which is

consistent with both the existing and proposed densities.

2. This site is located within the Rural Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map. It is, however, adjacent to the Urban Growth Area of Knoxville on two sides. Within the Rural Area, even if adjacent to Planned or Urban Growth Areas, development density under PR zoning is limited to no more than 3 du/ac. The proposed density of 4 du/ac is not consistent with the policies of the Growth Policy Plan within the Rural Area.

3. Allowing the proposed density increase on the subject property would violate the policies of the Growth Policy Plan.

Action: Denied (Withdrawn)

Meeting Date: 11/12/2009

Details of Action:

Summary of Action:

Date of Approval:

Date of Denial:

Postponements:

Date of Withdrawal: 11/6/2009

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 12/21/2009

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: