

# 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:** 11-B-08-RZ                      **Related File Number:**  
**Application Filed:** 9/8/2008                      **Date of Revision:**  
**Applicant:** JOHN KING

### PROPERTY INFORMATION

**General Location:** Southwest side Edington Rd., northeast side Wells Rd., northwest side Willoughby Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 122 E A 003,003.01, 009, OTHER: 009.01,025,025.01,026,    **Jurisdiction:** County  
**Size of Tract:** 21.8 acres  
**Accessibility:** Access is via Edington Rd., a two-lane, minor collector street with 20' of pavement within a 50' right-of-way and Willoughby, Greeley Ford and Wells Rds., all two-lane, local streets with 40' rights-of-way .

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residences and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Residential development    **Density:** 5 du/ac  
**Sector Plan:** South County                      **Sector Plan Designation:** LDR & SLPA  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** These properties are part of an older residential neighborhood that has seen recent, more intensive residential and commercial development under RA, PR, RP-1, CA, CB, and C-3 zones.

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

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

### ZONING INFORMATION (where applicable)

**Current Zoning:** RA (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes  
**History of Zoning:** None noted for this property, but adjacent property to the north was rezoned to PR in 2006. (5-H-06-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:

Ken Pruitt

Staff Recomm. (Abbr.):

RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at density up to 3 du/ac. (Applicant is in agreement with this recommendation.)

Staff Recomm. (Full):

1. No clearing/grading of the site shall occur prior to use on review/concept plan approval by MPC.
2. Areas of the site with slopes of greater than 25% (as shown on attached slope analysis map) that are required to be disturbed during the construction process, shall be protected from erosion and loss of natural ground cover.

The applicant submitted the attached revised site plan in support of development of the site in a manner generally consistent with the MPC adopted plan policies for development densities on steep sloped property at the maximum density of up to 3 du/ac. A strict application of the formula would allow a maximum of 57 units. The PR zone will require use on review consideration prior to construction on the site where additional refinement of the site plan can occur with public involvement.

Comments:

REZONING REQUIREMENTS:

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

1. The subject property is surrounded by RA zoning, which allows residential development with 10,000 sq. ft. minimum lot sizes. The PR zone at the recommended density allows more flexible development of the site at a density consistent with the surrounding area, the topographic constraints, and the sector plan.
2. The PR zone requires use on review approval of a development plan by MPC prior to issuance of permits for site preparation and construction. Since this proposal is for student housing, a PR development plan review will provide the opportunity for staff and public comment on the plan and address slope and grading issues, as well as the following:
  - A. Maximum density in relation to both units per acre and number of bedrooms.
  - B. Limited development on slopes of 25% or greater.
3. The PR zone is the most appropriate zone for any type of large scale residential development in the County.
4. The site has some steep slope characteristics that will limit development. PR zoning will allow development to be clustered on the less constrained portions of the site, but this may lead to the appearance of a density greater than 3 du/ac.
5. The site is within the urban area of Knoxville, conveniently located to the UT Knoxville campus and has transit service available.

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 and recreational amenities 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 such as the attached preliminary site plan submitted by the applicant. Staff maintains that the preliminary site plan supports the recommended density up to 3 du/ac. This is an appropriate site for PR zoning and development.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer are available to serve the site.
2. The applicant has submitted a revised site plan showing 65 dwelling units proposed for the site.
3. This slope constrained site is in the midst of residential and undeveloped land where a low density residential land use proposal at up to 3 dwellings per acre will appear in character with most of the

established or proposed residential development pattern.

4. PR zoning at up to 3 du/ac will allow the applicant the opportunity to submit a plan for up to 65 dwelling units, which could be clustered on the more level portions of the site.

5. The development of the property will impact the area's road network to the extent that the applicant may have to participate in making improvements to existing roads. The use-on -review process will help clarify such improvements.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The requested rezoning is consistent with the sector plan LDR (Low Density Residential) designation for this site.

2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map.

**MPC Action:** Approved

**MPC Meeting Date:** 1/8/2009

**Details of MPC action:**

**Summary of MPC action:** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at density up to 3 dwelling units per acre

**Date of MPC Approval:** 1/8/2009

**Date of Denial:**

**Postponements:** 11/13/2008,12/11/08

**Date of Withdrawal:**

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

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 2/23/2009

**Date of Legislative Action, Second Reading:** 4/27/2009

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Postponed

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

**If "Other":** Postponed 2/23/2009 - 3/23/2009

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**