

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

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-17-RZ      **Related File Number:** 11-D-17-SP  
**Application Filed:** 9/22/2017      **Date of Revision:**  
**Applicant:** KATHY PINKSTON

## PROPERTY INFORMATION

**General Location:** Northwest side Hickory Creek Rd., southwest of Graybeal Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 129 04706,04707&04709      **Jurisdiction:** County  
**Size of Tract:** 40.66 acres  
**Accessibility:** Access is via Hickory Creek Rd., a minor arterial street with 21' of pavement width within 50' of right-of-way, or Nora Mae Ln., a private easement with varied pavement widths.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land and house  
**Surrounding Land Use:**  
**Proposed Use:** Residential development      **Density:** 5 du/ac  
**Sector Plan:** Northwest County      **Sector Plan Designation:** Agricultural  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:** This area is developed with agricultural and rural residential uses under Agricultural zoning.

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

**Street:** 2127 Nora Mae Ln  
**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:** No, surrounded by AG plan designation and A zoning  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:** AG (Agricultural)  
**Requested Plan Category:** LDR (Low Density Residential)

**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 APPROVE PR (Planned Residential) zoning at a density of up to 2 du/ac. (Applicant requested up to 5 du/ac.)

Staff Recomm. (Full): PR zoning at the recommended density is consistent with the sector plan recommendation and the Growth Policy Plan and is compatible with surrounding development and zoning. Under PR zoning, a development plan would be have to be reviewed and approved by MPC as a use on review and concept plan. The requested density of up to 5 du/ac is not consistent with the policies of the Growth Policy Plan. The recommended density of up to 2 du/ac is also more compatible with the scale of the surrounding development in the area.

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. The property is located in the Rural Area on the Growth Policy Plan and is not adjacent to the existing Planned Growth Area. The maximum density allowed by the Growth Plan in this particular situation is 2 du/ac. Staff is recommending approval of the associated sector plan amendment to LDR, which allows the recommended PR zoning and density.  
3. Staff has conducted a slope analysis for the property. With application of the residential density guidelines of the Hillside and Ridgetop Protection Plan, using the maximum density of 2 du/ac allowed by the Growth Policy Plan, the recommended density is 1.93 du/ac, consistent with the density recommendation. The slope analysis, map and calculations are attached.  
4. The recommended PR zoning up to 2 du/ac allows the property to be developed with up to 81 dwelling units, which is consistent with the policies of the Growth Policy Plan. The current agricultural zoning would require minimum lot sizes of 1 acre and likely yield less than 40 lots, once legal access to the lots is established.  
5. 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. PR zoning is required by the Growth Policy Plan in the Rural Area if the density is greater than 1 du/ac and 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. In order to allow consideration of densities of up to 3 du/ac in the Rural Area of the Growth Policy Plan, the property must be zoned PR, sewer and water services must be available and the frontage road must connect to a collector or arterial. All of these conditions are met but the property is not adjacent to the Planned Growth Area 3.5 miles east or 1 mile southwest, so the recommended zoning and density are consistent with the policies of the Growth Policy Plan.
- 2. With the recommended sector plan amendment to LDR, the recommended PR zoning and density are consistent with the sector plan.

3. Sidewalks will be required on at least one side of each street within the development, and possibly along the Hickory Creek Rd. frontage.
4. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
5. The proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 203 dwelling units to be proposed for the site. That number of detached units would add approximately 1980 vehicle trips per day to the street system and would add approximately 83 children under the age of 18 to the school system. At the staff recommended density of up to 2 du/ac, a maximum of 81 dwelling units may be proposed for the site. That number of detached units would add approximately 854 vehicle trips per day to the street system and would add approximately 33 children under the age of 18 to the school system.

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. Staff is recommending approval of an amendment to the Northwest County Sector Plan map to LDR, within which the recommended zoning and density are compatible. The applicant's requested density of up to 5 du/ac is not consistent with the policies of the Growth Policy Plan.
2. Approval of this request could lead to future requests for PR zoning in this area.
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 Knox County Engineering and MPC staff.

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 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:** 11/9/2017

**Details of Action:** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 2.5 du/ac

**Summary of Action:** Recommend the Knox County Commission approve PR (Planned Residential) zoning at a density of up to 2.5 dwelling units per acre.

**Date of Approval:** 11/9/2017 **Date of Denial:** **Postponements:**

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

### LEGISLATIVE ACTION AND DISPOSITION

<b>Legislative Body:</b>	Knox County Commission	
<b>Date of Legislative Action:</b>	12/18/2017	<b>Date of Legislative Action, Second Reading:</b>
<b>Ordinance Number:</b>		<b>Other Ordinance Number References:</b>
<b>Disposition of Case:</b>	Approved	<b>Disposition of Case, Second Reading:</b>
<b>If "Other":</b>		<b>If "Other":</b>
<b>Amendments:</b>		<b>Amendments:</b>
<b>Date of Legislative Appeal:</b>		<b>Effective Date of Ordinance:</b>