

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 12-B-15-RZ **Related File Number:** 12-B-15-SP
Application Filed: 10/22/2015 **Date of Revision:**
Applicant: CHAMPION CONSTRUCTION, LLC

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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PROPERTY INFORMATION

General Location: Northeast side Solway Rd., southeast of George Light Rd.
Other Parcel Info.:
Tax ID Number: 89 121 **Jurisdiction:** County
Size of Tract: 15.49 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Detached residential subdivision **Density:** 4 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** ROW & MU-SD (NW-Co-7)
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 3004 Solway Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: BP (Business and Technology) / TO (Technology Overlay) and F (Floodway) / TO
Former Zoning:
Requested Zoning: PR (Planned Residential) / TO (Technology Overlay) and F (Floodway) / TO
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: ROW (Right-of-Way) & MU-SD (Mixed Use Special District) - (NW-Co-7)
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.): DENY PR (Planned Residential) zoning.

Staff Recomm. (Full): In keeping with the intent and mission of the Technology Corridor, the areas zoned BP/TO should be maintained. This is especially important on properties that front on and have exposure from Pellissippi Parkway, as is the case with this property. The proposed PR zoning at this location would compromise the potential for future business and technology park uses on this and surrounding BP/TO-zoned sites. TTCDA denied a Certificate of Appropriateness for rezoning from BP/TO to PR/TO at 5 du/ac on 5/5/14 (5-B-14-TOR). MPC has not considered rezoning of this property in the past. If approved, future residential property owners may oppose appropriate business and technology park uses on the other nearby BP/TO zoned properties, which would require use on review plan approval at a public meeting.

Comments: REZONING COMMENTS
Staff is recommending denial of the rezoning request to PR for the reasons above and below. However, since the majority of the site is shown as hillside protection on the sector plan, a slope analysis was produced in order to determine appropriate density if the site were to be rezoned to PR. The slope map, analysis and calculations are attached. With application of the recommended guidelines of the Hillside and Ridgetop Protection Plan, the residential density should not exceed 3.66 du/ac. If MPC or County Commission is inclined to approve the requested PR zoning, this recommended density should be considered.

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. No significant changes have occurred in the area that warrant the requested change in zoning. This site has been zoned BP/TO since the 1980's as part of the Technology Corridor.
2. The property is located in close proximity to Pellissippi Parkway within the Technology Corridor and is adjacent to a business to the south, zoned BP/TO. Establishment of PR zoning at this location would compromise the potential for future business and technology park uses on this and other surrounding properties, that are appropriately designated for business and technology park uses.
3. Staff recognizes the existence of residential zoning and development to the north and west, but those areas are further away from Pellissippi Parkway, and most are outside of the Technology Corridor.

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 not compatible with surrounding land uses and zoning.
3. Future development may be subject to review and approval of a site plan by the TTCDA, since it is located within the TO overlay. MPC would also review a development plan as a use on review within either the current BP/TO or the proposed PR/TO zoning.

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. Establishment of PR zoning at this location could compromise the potential for future business and technology park uses on this and BP/TO-zoned sites between Solway Rd. and Pellissippi Parkway.
2. PR zoning is not consistent with the surrounding zoning and development pattern within the Technology Overlay.
3. The requested density of 4 du/ac would allow for a maximum of 61 dwelling units to be proposed for the site. That number of detached units, would add approximately 658 vehicle trips per day to the street system and would add approximately 32 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. With the requested plan amendment to the low density residential land use classification, PR zoning at up to 5 du/ac would be consistent with the Northwest County Sector Plan. However, staff is recommending that the current sector plan designation and zoning be maintained.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future rezoning and plan amendment requests for residential development on other properties within the proposed Technology Corridor, that surrounds the site.
4. Because of the property's location within the TO (Technology Overlay), the TTCDA will need to approve a Certificate of Appropriateness for this rezoning. This request is scheduled to be considered by TTCDA on Mon., December 7, 2015 (12-A-15-TOR).

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:** 12/10/2015

Details of Action: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3.66 du/ac.

Summary of Action: Recommend the Knox County Commission approve PR (Planned Residential)/ TO (Technology Overlay) and F (Floodway)/ TO (Technology Overlay) zoning at a density up to 3.66 dwelling units per acre

Date of Approval: 12/10/2015 **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, Second Reading:
Date of Legislative Action:	1/25/2016	Other Ordinance Number References:
Ordinance Number:		Disposition of Case, Second Reading:
Disposition of Case:	Approved	If "Other":
If "Other":		Amendments:
Amendments:		Effective Date of Ordinance:
Date of Legislative Appeal:		