

CASE SUMMARY

APPLICATION TYPE: ANNEXATION 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: 12-H-13-RZ **Related File Number:** 12-C-13-SP
Application Filed: 10/28/2013 **Date of Revision:**
Applicant: MESANA INVESTMENTS, LLC

PROPERTY INFORMATION

General Location: South side Coward Mill Rd., northeast of Pellissippi Pkwy.
Other Parcel Info.:
Tax ID Number: 103 093 **Jurisdiction:** County
Size of Tract: 8.69 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Detached residential **Density:** 5 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** TP
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 10528 Coward Mill Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

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

PLAN INFORMATION (where applicable)

Current Plan Category: TP (Technology Park)
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): PR zoning at this location would compromise the potential for future business and technology park uses on this and surrounding BP-zoned sites, especially once access to the area is improved with a parallel access road to Pellissippi Parkway. If approved, future residential property owners may oppose appropriate business and technology park uses on the abutting BP/TO zoned properties. The required use on review for development in the BP zone would require approval by MPC at a public hearing.

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. 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 surrounded on three sides by BP/TO zoning. 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 east, but those areas are further away from Pellissippi Parkway, 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 will 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 surrounding BP-zoned sites.
2. PR zoning is not consistent with the surrounding zoning and development pattern within the Technology Overlay.
3. The requested density of 5 du/ac would allow for a maximum of 43 dwelling units to be proposed for the site. That number of detached units, would add approximately 477 vehicle trips per day to the street system and would add approximately 23 children under the age of 18 to the school system.
4. Sight distance along Coward Mill Rd. is questionable. If PR zoning is approved, the applicant will need to certify that adequate sight distance is available on Coward Mill Rd. from the proposed development entrance. The required sight distance will be 300 feet, based on the posted speed limit of 30 mph on Coward Mill Rd. Also, Coward Mill Rd. is very narrow at about 15 feet of pavement width. Improvements, including widening of the only access road, may also be required at the time of development plan review.

5. There is an individual parcel (103-09302) that is surrounded by the subject parcel, which would make residential development more difficult. The development site would be more appropriate if that parcel was also included in the rezoning.

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 9, 2013 (12-A-13-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: Denied **Meeting Date:** 12/12/2013

Details of Action:

Summary of Action: DENY PR (Planned Residential)/ TO (Technology Overlay) zoning.

Date of Approval: **Date of Denial:** 12/12/2013 **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 1/13/2014

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 2/24/2014

Date of Legislative Action, Second Reading: 5/27/2014

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Other

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Appeal held waiting on 4-E-14-SP Sector Plan amendment by County Commission

Appeal approved. PR/TO approved at 3 du/ac

Date of Legislative Appeal:

Effective Date of Ordinance: