

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 2-A-13-RZ **Related File Number:**
Application Filed: 11/13/2012 **Date of Revision:**
Applicant: CYNTHIA R. BAIRD

PROPERTY INFORMATION

General Location: Northeast side Bob Kirby Rd., north side Chesney Hills Ln.
Other Parcel Info.:
Tax ID Number: 104 206 **Jurisdiction:** County
Size of Tract: 8.02 acres
Accessibility: Access is via Bob Kirby Rd., a minor collector street with 17-18' of pavement width within 50' of right-of-way, or Chesney Hills Ln., a local street with 27' of pavement width within 50-70' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: One dwelling and vacant land
Surrounding Land Use:
Proposed Use: Residential development **Density:** 4 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** LDR & SLPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is developed with agricultural and low density residential uses under A, RA and PR zoning.

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

Street: 1324 Bob Kirby Rd
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: 9-K-07-RZ
Extension of Zone: Yes, extension of PR from the north, south and east
History of Zoning: An application for PR zoning at 4 du/ac (9-K-07-RZ) was withdrawn by the applicant on 10/8/07.

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 APPROVE PR (Planned Residential) zoning at a density of up to 2.5 du/ac, subject to one condition. (Applicant requested 4 du/ac.)

Staff Recomm. (Full):

1. No clearing or grading of the site shall be permitted until a development plan is approved by MPC as a use on review.

PR zoning at the recommended lower density takes into account that over 85% of the site has slopes of greater than 15%. The recommended density would allow up to 20 dwelling units, which should be clustered in less steep portions of the site. With the recommended condition, a development plan will be have to be reviewed and approved by MPC as a use on review prior to any site disturbance.

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. This site is accessed from Bob Kirby Rd, a minor collector street, and is in the vicinity of other residential developments that are zoned PR and RA. At the recommended density, the development would be consistent with the slope protection policies of the Hillside and Ridgetop Protection Plan (HRPP), as well as be compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the recommended and proposed density
3. Limiting the density to 2.5 du/ac, as recommended, meets the slope protection policies of the HRPP. This will allow reasonable development of the property with up to 20 dwelling units. The dwelling units need to be clustered on the less slope constrained portions of the site.
4. 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. 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. At the recommended density of up to 2.5 du/ac on the 8.02 acres reported, up to 20 dwelling units could be proposed for the site. Developed with the proposed detached residential units, this would add approximately 236 trips to the street system and about 11 children to the school system. At the requested density of up to 4 du/ac, up to 32 dwelling units could be proposed for the site. Developed with the proposed detached residential units, this would add approximately 363 trips to the street system and about 17 children to the school system.
2. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. Public water and sanitary sewer utilities are available to serve the site.

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. The Northwest County Sector Plan proposes low density residential uses for this property, which allows consideration of a density of up to 5 du/ac.
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 could lead to future requests for PR zoning, consistent with the sector plan's low density residential proposal for the area.

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.

Action: Approved **Meeting Date:** 2/14/2013

Details of Action: 1. No clearing or grading of the site shall be permitted until a development plan is approved by MPC as a use on review.

Summary of Action: RECOMMEND the Knox County Commission approve PR (Planned Residential) zoning at a density up to 2.5 dwelling units per acre subject to the condition that no clearing or grading of the site shall be permitted until a development plan is approved by MPC as a use on review.

Date of Approval: 2/14/2013 **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: 3/25/2013 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

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

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**