

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**NORTH 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:** 2-B-15-RZ                      **Related File Number:** 2-B-15-SP  
**Application Filed:** 12/4/2014                      **Date of Revision:** 1/21/2015  
**Applicant:** TDK CONSTRUCTION COMPANY

## PROPERTY INFORMATION

**General Location:** Southeast side W. Emory Rd., southwest of Central Avenue Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 57 002,00301&00302    **OTHER:** 056-125                      **Jurisdiction:** County  
**Size of Tract:** 14.6 acres  
**Accessibility:** Access is via W Emory Rd., a major arterial with 60' of pavement width within 60' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** House and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Luxury apartments (up to 250 units)                      **Density:** 19 du/ac  
**Sector Plan:** North County                      **Sector Plan Designation:** MU-SD (NCO-4)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is approximately .75 miles west of the Emory Rd./I-75 interchange, .2 miles east of the Powell Branch Library, and Beaver Creek is along the southeast property boundary. The Emory Road area, primarily east of this site, is developing into a community commercial node.

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

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

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC (Planned Commercial)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:** Rezoned PC in 2012 (8-H-12-RZ)  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** MU-SD (NCO-4) (Mixed Use - Special District - North County)

Requested Plan Category: HDR (High 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:** Mike Reynolds

**Staff Recomm. (Abbr.):** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 19 du/ac, as requested.

**Staff Recomm. (Full):** The recommended PR zoning is compatible with surrounding development and zoning, is consistent with the NCO-4 mixed used district plan designation (if amended as recommended), and will allow up to 19 dwelling units per acre as proposed for the site. PR zoning is a preferable zone for this site because it allows clustering of units in the less-constrained portions of the site and requires development plan approval by MPC prior to construction.

**Comments:** REZONING REQUIRMENTS FROM ZONING ORDINANCE (must meet all of these):

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

- 1) The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity to review the plan and address issues such as traffic circulation, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
- 2) The site is within a mixed use land classification that allows commercial, office, hotel and MDR residential uses.
- 3) The site has direct access to W. Emory Rd., which is classified as a major arterial street.
- 4) The site does have flood constraints (floodway and 500-year floodplain) on the southern portion of the property along Beaver Creek. The property covered by the FEMA floodway will not count toward the useable (unconstrained) acreage when calculating allowed density.

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 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.

THE EFFECTS OF THIS PROPOSAL

- 1) Public water and sewer utilities are available in the area.
- 2) At the recommended density of up to 19 du/ac on the unconstrained 13.2 acres (outside the FEMA floodway), up to 250 dwelling units could be proposed for the site. Developed with the proposed apartment units, this would add approximately 2175 trips to the street system and about 66 children to the school system. The 'gross density' of the proposed development is 14.6 du/ac (assuming 250 dwelling units on 17.1 acres), which includes the acreage zoned F [Floodway] and/or designated as FEMA floodway (3.9 acres).
- 3) PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1) The North County Sector Plan (if amended as recommended) proposes medium density residential uses for this property, consistent with PR zoning at 19 du/ac.
- 2) The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved

**Meeting Date:** 2/12/2015

**Details of Action:**

**Summary of Action:** RECOMMEND the Knox County Commission APPROVE PR (Planned Residential) zoning at a density up to 19 dwelling units per acre

**Date of Approval:** 2/12/2015

**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:** 3/23/2015

**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:**