

# CASE SUMMARY

## APPLICATION TYPE: REZONING

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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
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F A X • 215 • 2068  
w w w • k n o x m p c • o r g

**File Number:** 3-G-07-RZ  
**Application Filed:** 2/6/2007  
**Applicant:** VICTOR JERNIGAN

**Related File Number:**  
**Date of Revision:**

### PROPERTY INFORMATION

**General Location:** Northwest side of McCloud Rd., northeast of Hill Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 28 210 & 211 **Jurisdiction:** County  
**Size of Tract:** 20 acres  
**Accessibility:** Access is via McCloud Rd., a minor collector street, with 19' of pavement within a 40' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Residential subdivision **Density:** 4 du/ac  
**Sector Plan:** North County **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is within a residential portion of the Halls community that has developed under A, RA, and PR zones.

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

**Street:** 4213 McCloud 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:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted for this site, but other property in the area has been rezoned to PR and RA in the last several years.

### 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:** Kelley Schlitz

**Staff Recomm. (Abbr.):** APPROVE PR (Planned Residential) zoning.  
APPROVE a density up to 3 dwellings per acre (Applicant requested up to 4 du/ac).

**Staff Recomm. (Full):** PR zoning at up to 3 dwellings per acre is consistent with the surrounding development pattern and topographic constraints noted on this site. The sector plan proposes low density residential use for this site. Staff is recommending against the applicants request for 4 du/ac due to the presence of two large depressions located on this site.

**Comments:** NEED AND JUSTIFICATION FOR THE PROPOSAL

1. PR zoning at up to 3 du/ac is compatible with the scale and intensity of the existing and proposed residential development pattern along McCloud Rd.
2. The recommended density takes into account the two large depressions located on the site. The applicant will be required meet all applicable requirements of the Knox County Sinkhole Policy which generally requires that all structures to be setback from the last closed contour of the depression.
3. PR zoning will require MPC use on review approval of site plans prior to any development of the property. During this review, potential issues such as traffic, drainage, access, topography, lot layout and other development concerns can be addressed.

### THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.
2. At the staff's recommended density, up to 60 dwelling units could be proposed on the subject property. This density would add approximately 600 vehicle trips per day to the street system and about 40 school aged children to area schools. The requested 4 du/ac would allow approximately 80 units on this site, would generate 800 vehicle trips per day and would add approximately 53 school aged children to area schools.
3. Since the recommended PR zoning would allow the applicant the opportunity to utilize the unbuildable areas located within the on-site depressions in their density calculations and transfer those densities elsewhere on the property, staff is recommending a reduced density of up to 3 du/ac.
4. Upon field review, sight distance appeared to be a potential issue regarding access to the site. This will have to be certified when the development plan is submitted to MPC.
5. The recommended zoning and density are compatible with the surrounding zoning, and the impact on adjacent properties will be minimized during the use on review/concept plan process.

### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan proposes low density residential uses and slope protection for the site.
2. The developer of the property should understand that the existing topographic constraints may not allow development of the property at the approved density.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This request may generate similar requests for PR zoning in this area in the future on properties which are proposed for low density residential uses by the sector plan.

Upon final approval of the rezoning, the developer will be required to submit a use on review (concept plan if proposed detached units) development plan prior to the property's development. The plan will show the property's proposed lot pattern and street network and will also identify the types of residential units that may be constructed. Grading and drainage plans will also be required at this stage, if deemed necessary of Knox County Engineering and MPC staff.

**MPC Action:** Approved

**MPC Meeting Date:** 3/8/2007

**Details of MPC action:**

**Summary of MPC action:** APPROVE PR (Planned Residential) at a density up to 3 dwelling units per acre

**Date of MPC Approval:** 3/8/2007

**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:** 4/16/2007

**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:**