

CASE SUMMARY

APPLICATION TYPE: 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: 4-C-11-RZ **Related File Number:** 4-B-11-SP
Application Filed: 2/22/2011 **Date of Revision:**
Applicant: MARSHA SNEED / TEDDY L. DEATON

PROPERTY INFORMATION

General Location: Southeast side Hickory Creek Rd., southwest of Graybeal Rd.
Other Parcel Info.:
Tax ID Number: 129 062 **Jurisdiction:** County
Size of Tract: 11.955 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Two houses and an outbuilding
Surrounding Land Use:
Proposed Use: Residential development **Density:** 3 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** Ag/RR and SLPA
Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street: 12624 Hickory Creek 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:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area)
Requested Plan Category: LDR (Low Density Residential) & SLPA (Slope Protection Area)

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 1 du/ac, subject to 1 condition. (Applicant requested 3 du/ac.)

Staff Recomm. (Full):

1. No clearing or grading of the site prior to use on review plan approval by MPC.

Comments:

REZONING REQUIREMENTS:

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 for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, slope protection, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
2. The surrounding area is developed with agricultural and rural residential uses. PR zoning, at the recommended density, is more compatible with the scale and intensity of the surrounding residential development and zoning pattern than the requested density of 3 du/ac. Restricting the density to no more than 1 du/ac also keeps the zoning consistent with the current sector plan proposal.
3. Based on the attached slope analysis for the site, over 40% of the site has slopes of greater than 25%, which should be protected, mostly in the southern portion of the site. Using the slope analysis, staff applied development policy 7.6 of the Knoxville-Knox County General Plan 2032, which addresses housing densities on sloped areas. If the recommended density is approved, staff would expect that the 12 proposed units would be proposed within the northern portion of the site, which is less topographically constrained. The recommended condition is included to further protect the steeper areas of the site from disturbance prior to a development plan review.
4. PR zoning is the most appropriate zone for development of this property as it allows reasonable use of the site and allows the development to be clustered on the more suitable portions of the site. Under the current A zoning, 12 lots could be proposed, but a minimum lot size of 1 acre would be required, so the steep portions of the site would likely be disturbed to provide infrastructure and sufficient building footprints for residential lots.

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. Staff maintains that PR is the most appropriate zone for this development.

THE EFFECTS OF THIS PROPOSAL

1. Public water is available to serve the site. Sanitary sewer would have to be extended to serve the site.
2. At the recommended density of up to 1 du/ac on the approximately 12 acres reported, up to 12 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 147 trips to the street system and about 6 children to the school system. At the requested density of up to 3 du/ac, up to 36 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 405 trips to the street system and about 19 children to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. The approval of these requests will allow the applicant to submit a development plan for MPC's consideration.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. Staff recommends maintaining the Northwest County Sector Plan proposal for agricultural and rural residential uses, as well as slope protection, for this property, consistent with the recommended PR zoning at up to 1 du/ac. The sector plan would have to be amended to low density residential in order to approve a density of greater than 1 du/ac.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. Within the Rural Area, if the site is not contiguous with the Planned or Urban Growth areas, as is the case here, the Plan restricts residential density to no more than 2 du/ac, based on the site's environmental characteristics and Health Department determination of septic system capability. Staff maintains that this site's environmental characteristics are not appropriate to allow a density of 2 du/ac. The closest Planned Growth Area is about a half-mile to the south along Buttermilk Rd. All properties on Hickory Creek Rd. are in the Rural Area. The Planned Growth Area to the east is about 3.5 miles east down Hickory Creek Rd. and Hardin Valley Rd., almost to Steele Rd.
3. Approval of these requests could lead to future requests for low density residential plan designations and PR zoning anywhere along Hickory Creek Rd., which would not be consistent with the sector plan or Growth Plan proposals for this area.

Upon final approval of the rezoning, the developer will be required to submit for MPC's consideration of a concept plan/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 may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

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. New law 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 (Withdrawn) **Meeting Date:** 4/14/2011

Details of Action:

Summary of Action: Withdraw as requested by applicant at the MPC meeting.

Date of Approval: **Date of Denial:** **Postponements:**

Date of Withdrawal: 4/14/2011 **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

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

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

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

Amendments: **Amendments:**

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