

# CASE SUMMARY

## APPLICATION TYPE: REZONING



**File Number:** 4-C-14-RZ **Related File Number:**  
**Application Filed:** 2/10/2014 **Date of Revision:**  
**Applicant:** RUFUS SMITH & COMPANY

### PROPERTY INFORMATION

**General Location:** Southwest side Dry Gap Pike, northwest side E. Beaver Creek Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 47 154 **Jurisdiction:** County  
**Size of Tract:** 25.15 acres  
**Accessibility:** Access is via E. Beaver Creek Dr., a major collector street with 18' of pavement width within 40' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Detached residential **Density:** 5 du/ac  
**Sector Plan:** North County **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is located adjacent to an established commercial node at the intersection of E. Beaver Creek Dr. and Dry Gap Pike, zoned CA and CB. To the west, along E. Beaver Creek Dr., is residential development, zoned A, RB, RA and PR.

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

**Street:** 1731 Dry Gap Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural) & F (Floodway)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential) & F (Floodway)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes, extension of PR from the east  
**History of Zoning:** None noted

### 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 5 du/ac.

**Staff Recomm. (Full):** PR is an appropriate zone for residential development of this site and is consistent with the sector plan recommendation for the property, which is within the Planned Growth Area on the Growth Policy Plan. The site is located adjacent to a commercial node located at the intersection of two major collector streets. Similar residential densities are developed in the immediate vicinity of the site. Higher density residential uses are located to the north, along Dry Gap Pike. The site is relatively flat, so it is appropriate for development at the upper density limit of 5 du/ac allowed within LDR designated areas on the sector plan.

**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. PR is the most appropriate residential zone that can be considered for this site, because of its flexibility in lot sizes, and the ability to cluster development in the more suitable areas of the site. Beaver Creek traverses through the northern portion of the site with F (Floodway) zoning. No development will be permitted within the F-zoned area and there will be restrictions on how the larger floodplain area within the site may be developed.
2. PR zoning is an extension of zoning from the east and the density requested is consistent with the sector plan proposal for the property. There are several PR zoned developments in the surrounding area with similar or higher densities.
3. 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 proposed development of this site.

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. PR zoning at the recommended density will allow the property to be developed, but will require use on review development plan approval by MPC prior to construction.
2. Based on the approximately 18 acres of land not within the Floodway zoned area, which may not be counted toward density, the proposed PR zoning at a density of up to 5 du/ac would allow for a maximum of 90 dwelling units to be proposed for the site. That number of detached units would add approximately 941 vehicle trips per day to the street system and would add approximately 45 children under the age of 18 to the school system.

3. If the proposed development generates more than 750 trips per day, which is likely, then a traffic impact study will be required to be submitted and reviewed along with the development plan. Any recommended road improvements, resulting from the review of the development and traffic study will need to be addressed prior to the issuance of any occupancy permits for the project.
4. PR zoning at the recommended density is compatible with the scale and intensity of the surrounding development and zoning pattern.
5. Public water and sanitary sewer utilities are available in the area, but may need to be extended 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 North County Sector Plan designates this site for low density residential uses, consistent with the proposed PR zoning and density.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future requests for PR zoning in the future on other A-zoned properties in the area, consistent with the sector plan proposal for the area.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review 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.

**Action:** Approved **Meeting Date:** 4/10/2014

**Details of Action:**

**Summary of Action:** RECOMMEND the Knox County Commission APPROVE PR (Planned Residential) zoning at a density up to 5 dwelling units per acre

**Date of Approval:** 4/10/2014 **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:** 5/27/2014 **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:**