CASE SUMMARY

APPLICATION TYPE: REZONING



File Number:	4-J-14-RZ	Related File Number:	
Application Filed:	2/18/2014	Date of Revision:	5/7/2014
Applicant:	TANASI GIRL SCOUT COUNCIL, INC.		

PROPERTY INFOR	MATION		
General Location:	Southeast side Merchant Dr., east of Wilkerson Rd.		
Other Parcel Info.:			
Tax ID Number:	80 J B 021,023 & 024	Jurisdiction: City	
Size of Tract:	39.3 acres		
Accessibility:	Access is via Merchant Dr., a minor arterial street with 2 lanes and a center turning lane and 33' of pavement width within 65' of right-of-way.		
GENERAL LAND U	SE INFORMATION		
Existing Land Use:	Vacant land		
Surrounding Land Use			
Proposed Use:	Residential development	Density: 5.99 du/ac	

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Sector Plan:	Northwest City	Sector Plan Designation: LDR
Growth Policy Plan:	Urban Growth Area (Inside City Limits)	
Neighborhood Context:	This stretch of Merchant Dr. between Clinton Hwy. and Pleasant Ridge Rd. is developed primarily with residential uses. There are commercial nodes at the two ends of Merchant Dr. at the intersections with	

the above streets.

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

Street:

2400 Merchant Dr

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning:A-1 (General Agricultural) & C-1 (Neighborhood Commercial)Former Zoning:Requested Zoning:RP-1 (Planned Residential)Previous Requests:None notedExtension of Zone:NoHistory of Zoning:None noted

PLAN INFORMATION (where applicable)

Current 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.:

	PLANNING COMMISSION ACTION AND DISPOSITION
Planner In Charge:	Michael Brusseau
Staff Recomm. (Abbr.):	RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 4 du/ac, subject to one condition. (Applicant requested 5.99 du/ac.)
Staff Recomm. (Full):	1. No clearing or grading shall occur on the site prior to use on review plan approval by MPC.
	RP-1 zoning at the recommended density is consistent with both the One Year Plan and sector plan proposals for the property and takes into account the steep slopes on about 35% of the site. RP-1 zoning will require use on review approval of a development plan by MPC prior to construction. The recommended condition will ensure that a plan for development is considered prior to any disturbance of the existing site.
Comments:	This item was postponed at the April 10, 2014 and May 8, 2014 MPC meetings, at the request of the applicant. Then, MPC recommended approval of RP-1 zoning at up to 4 du/ac at the June 12, 2014 meeting. On September 2, 2014, after several postponements, City Council referred the application back to MPC for reconsideration. After being tabled by MPC at the October 9, 2014 meeting, it was then untabled at the November 13, 2014 meeting and then postponed twice until being placed on this agenda for reconsideration by MPC. The applicant has now requested that the request be tabled once again. Staff's recommendation, that was approved by MPC on June 12, 2014, has not changed.
	The original application was first revised to include the current C-1 zoned portion of the site, which is the flattest portion of the site along Merchant Dr. This revision added about 7 additional acres to the rezoning request, and since the additional acreage does not have slope constraints, the result was that staff could recommend a higher density than the previously recommended 3 du/ac. The second revision added two more parcels (14.4 acres), making the total area for rezoning 39.3 acres. This additional property has similar slope constraints as the original parcel, and therefore does not result in any change in the recommended density.
	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. The proposed RP-1 zoning and density is compatible with the scale and intensity of the surrounding development and zoning pattern. There are other spots of RP-1 zoning in the area, as well several
	 large R-1 subdivisions. The site has slope constraints. Staff has recommended a lower density than requested, based on the results of the attached slope analysis and map, by applying the recommended residential density and land disturbance guidelines from the Knoxville-Knox County Hillside and Ridgetop Protection Plan. Applying the guidelines strictly would result in a recommended density of 3.4 du/ac. However, because the site is in the City, with all utilities in place, along a minor arterial street and in the vicinity of other residential development at similar densities, staff has recommended up to 4 du/ac for appropriate infill development. The required use on review will allow staff to recommend that the structures are clustered within the less steep portions of the site. About 35% of the site has slopes at or greater than 25%. Staff would expect that no structures are proposed to be built within those areas, which are mainly within the southern portion (rear) of the site. The sector plan and the One Year Plan both propose low density residential uses for the property, consistent with the requested RP-1 zoning and density. The requested density of 5.99 du/ac is the maximum allowable under the low density residential plan designation. Staff's recommended density of up to 4 du/ac is still within the low density range and allows the applicant reasonable use of the site, while addressing the slope concerns on the site.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. RP-1 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 RP-1 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. RP-1 zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

2. The approval of the requested density will allow the applicant to submit a development plan with up to 235 dwelling units for MPC's consideration, which, if developed with detached residential units, would add about 97 students to the school system and add about 2275 trips to the street system. At the staff's recommended density, the applicant could submit a development plan with up to 157 dwelling units for MPC's consideration, which, if developed with detached residential units, would add about 65 students to the school system and add about 1570 trips to the street system.

3. This site is located within the Parental Responsibility Zone (PRZ) for schools. Sidewalks will be required within the development, and may also be required along Merchant Dr. Sidewalks will need to meet specifications of the City of Knoxville Engineering Department and ADA guidelines. There is a sidewalk located on the north side of Merchant Dr. that connects to Norwood Elementary northeast of the site.

4. Public water and sewer utilities are available to serve the site, and the proposal is consistent with other zoning and density in the immediate area.

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 City Sector Plan and the Knoxville One Year Plan both designate this site for low density residential uses, consistent with the proposed RP-1 zoning at up to 5.99 du/ac. The sector plan designates the a significant portion of the site for slope protection, which is the reason for the lower density recommended by staff. (See attached sector plan map.)

2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

3. This proposal does not present any apparent conflicts with any other adopted plans.

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 Knoxville Engineering and MPC staff.

Action:	Withdrawn		Meeting Date:	5/10/2018
Details of Action:				
Summary of Action:	Withdraw			
Date of Approval:		Date of Denial:	Postponements:	2/12/15
Date of Withdrawal:	5/10/2018	Withdrawn prior to publication?:	Action Appealed?:	

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:	Knoxville City Council	
Date of Legislative Action:	9/2/2014	Date of Legislative Action, Second Reading:
Ordinance Number:		Other Ordinance Number References:
Disposition of Case:	Other	Disposition of Case, Second Reading:
If "Other": PP to 8-19-2014. pp to 9-2-14, 9-2 Referred back to MPC to reconsider		If "Other":
Amendments:		Amendments: