

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

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File Number: 4-L-07-RZ **Related File Number:**
Application Filed: 3/5/2007 **Date of Revision:**
Applicant: TERRA VISTA
Owner:

PROPERTY INFORMATION

General Location: Southeast side Higdon Dr., south of Oak Ridge Hwy.
Other Parcel Info.:
Tax ID Number: 90 063.01 (NE OF RR ONLY) OTHER: 090-05801 **Jurisdiction:** County
Size of Tract: 45 acres
Accessibility: Proposed access is via Higdon Rd., a local street with 18' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land and dwellings
Surrounding Land Use:
Proposed Use: Condominiums **Density:** 3 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** LDR and SLPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area has been developed with rural and low density residential uses under A, RA, RB and PR zoning. There is substantial Industrial zoning to the southeast and northwest and a few spot commercial zones in the area.

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

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

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) at 1-2 du/ac
Former Zoning:
Requested Zoning: PR (Planned Residential) at up to 3 du/ac
Previous Requests: Property zoned PR in 2006 (5-D-06-RZ).
Extension of Zone: Yes, site already zoned PR
History of Zoning: MPC approved PR at current density on 5/11/06 (5-D-06-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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.): DENY the proposed density increase to 3 du/ac.

Staff Recomm. (Full): The site has severe slope constraints that reduce the developable area of the site, which would lead to incompatible development that has the appearance of a much higher density. The recommendation is consistent with staff's previous recommendation on an expanded area which had less overall slope. The applicant agreed to this previous recommendation.

Comments: The applicant has submitted a revised plan proposal for the site (attached), which includes 108 attached units, clustered toward the northern portion of the site. A site plan was previously approved by MPC for 90 units on 3/8/07 (2-SJ-07-C/2-L-07-UR). However, because of uncertainty about the actual acreage of the site (less acreage than previously determined) and the desire to build 18 more units, the applicant has filed this application to increase the zoning density to accommodate the revised plan.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. Maintaining the current density is more compatible with the scale and intensity of the surrounding residential development and zoning pattern and is consistent with the sector plan proposal for the site.
2. The recommendation reduces the impact on surrounding land uses and takes into account the steep slopes on portions of the site, allowing for a more compatible development and preservation of the steep slope areas.
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.
4. Staff had recommended a density of 2 du/ac in May 2006 on a larger site, which has now been reduced. But, the portion of the site included in this application includes the steepest terrain, which means that the overall slope calculations do not warrant an increase in density. In fact, if this reduced area were reviewed initially, staff may not have recommended the 2 du/ac which has already been approved.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available in the area, but may have to be extended to serve this site.
2. The applicant estimates the area to be around 39 acres. Under the current density and acreage, up to 78 dwelling units could be proposed. The development of single family detached dwellings would add approximately 780 vehicle trips per day to the street system and about 55 children under the age of 18 to the school system. At the applicant's requested density and acreage, up to 117 dwelling units could be proposed. The development of single family detached dwellings would add approximately 1,170 vehicle trips per day to the street system and about 83 children under the age of 18 to the school system.
3. Based on the attached slope analysis, about 43.37% of the recommended site has slopes of 25% or greater. In these areas, the applicant will be expected to meet all requirements of the hillside regulations in the Knoxville-Knox County Minimum Subdivision Regulations, as well as abide by other applicable slope protection requirements in approved MPC plans. Because of the severe slopes, it is possible that the site may not be developable at the maximum approved density. Preservation of these steep areas may be required.
4. The recommended zoning and density is 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 Northwest County Sector Plan proposes low density residential uses and slope protection for the site, consistent with the proposal.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may generate similar requests for residential zoning in this area in the future, consistent with the low density residential sector plan proposal.

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.

MPC Action: Denied

MPC Meeting Date: 4/12/2007

Details of MPC action:

Summary of MPC action: DENY the proposed density increase to 3 du/ac.

Date of MPC Approval:

Date of Denial: 4/12/2007

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

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: