

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: 5-D-06-RZ **Related File Number:**
Application Filed: 3/15/2006 **Date of Revision:**
Applicant: ACCURATE DEVELOPMENT CORP
Owner:

PROPERTY INFORMATION

General Location: Southwest side Byington-Solway Rd., southeast side Higdon Dr., south of Oak Ridge Hwy.
Other Parcel Info.:
Tax ID Number: 90 58.01,63.01,63.02,63.05 OTHER: 63.07,63.16,53,54,2 **Jurisdiction:** County
Size of Tract: 62 acres
Accessibility: Access is via Byington-Solway Rd., a minor collector street with 20' of pavement width within 50' of right of way, or Higdon Rd., a local street with 18' of pavement width within 50' of right of way.

GENERAL LAND USE INFORMATION

Existing Land Use: Dwelling and vacant land
Surrounding Land Use:
Proposed Use: Single family detached residential **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: A (Agricultural) & RA (Low Density Residential)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: No
History of Zoning: None noted

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.): APPROVE PR (Planned Residential) zoning on parcels 53, 54, 58.01, 63.01 (northeast of the railroad ROW only), 232 and 234.
APPROVE a density of up to 2 du/ac. (Req.-3 du/ac)
DENY PR (Planned Residential) zoning on parcels 63.02, 63.05, 63.07 and 63.16.

Staff Recomm. (Full): PR zoning at the recommended density on the reduced acreage is compatible with surrounding development, is consistent with the sector plan and is appropriate considering the slope characteristics of the site. A map of the staff's recommendation is included to show the recommended reduced area to be rezoned.

Comments: There is a parcel (63.03) that is not controlled by the applicant and not included in the application that splits the subject parcels and creates two distinct proposed areas for development. In speaking with the applicant's engineer, the intent is to access the development from Higdon Rd., not Byington-Solway Rd. Therefore staff has recommended that the four parcels east of parcel 63.03 be excluded from this rezoning. Additionally, staff has recommended that the portion of parcel 63.01 southwest of the railroad right of way be excluded from the rezoning. These excluded parts of the site are physically separated from the bulk of the site by property that is not controlled by the applicant and therefore not appropriate to be included in this rezoning at this time.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. PR zoning at the recommended lesser 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 recommended lesser density 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.

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. With the recommended omission of some of the parcels, staff estimates the reduced area to be around 43 acres. At the staff's recommended density and acreage, up to 86 dwelling units could be proposed. The development of single family detached dwellings would add approximately 860 vehicle trips per day to the street system and about 60 children under the age of 18 to the school system. At the applicant's requested density and acreage, up to 186 dwelling units could be proposed. The development of single family detached dwellings would add approximately 1,860 vehicle trips per day to the street system and about 131 children under the age of 18 to the school system.
3. Based on the attached slope analysis, about 36.35% of the recommended site has slopes of 25% or greater. With the staff's recommended reduced acreage, the percentage of steep slopes is even greater at 44%, because most of the steep slopes are on parcel 63.01. 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.
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: Approved **MPC Meeting Date:** 5/11/2006

Details of MPC action:

Summary of MPC action: APPROVE PR (Planned Residential) up to 2 dwelling units per acre on reduced site area

Date of MPC Approval: 5/11/2006 **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: 6/26/2006 **Date of Legislative Action, Second Reading:** 7/24/2006

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

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

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

Amendments: **Amendments:**

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