

# 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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w w w • k n o x m p c • o r g

**File Number:** 5-D-13-RZ                      **Related File Number:** 5-A-13-SP  
**Application Filed:** 3/20/2013                      **Date of Revision:**  
**Applicant:** RUFUS H. SMITH JR. & COMPANY

## **PROPERTY INFORMATION**

**General Location:** Southeast side Ball Camp Pike, southwest side Andes Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 91 12301                      **Jurisdiction:** County  
**Size of Tract:** 1.74 acres  
**Accessibility:**

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Attached residential development                      **Density:** 12  
**Sector Plan:** Northwest County                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:**

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

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

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** CA (General Business) & PR (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

## **PLAN INFORMATION (where applicable)**

**Current Plan Category:** LDR (Low Density Residential)  
**Requested Plan Category:** MDR (Medium Density Residential)

## **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 8 du/ac. (Applicant requested 12 du/ac.)

**Staff Recomm. (Full):** PR is an appropriate zone for residential development of this site. It is a less intense and more appropriate zone than the current CA zoning on most of the site. This is a poor location for the existing CA zoning, which is not consistent with the sector plan proposal for the site. Staff recommends the reduced density of up to 8 du/ac, rather than the requested 12 du/ac for better compatibility with surrounding development.

**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. The recommended density is compatible with the surrounding development and zoning pattern.
2. The site has frontage on two collector streets, making it more appropriate for increased residential density than if it were located along a local, neighborhood street.
3. Limiting the density to 8 du/ac is recommended for better compatibility with surrounding land uses and zoning, which includes attached residential development to the south and west, zoned PR at a density of 1-8 du/ac.

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 reasonable use of the property for residential development, while maintaining compatibility with surrounding development and zoning. The requested 12 du/ac is considerably more intense than the prevailing densities in the area.
2. The recommended PR zoning at a density of up to 8 du/ac would allow for a maximum of 13 dwelling units to be proposed for the site. That number of attached units, as proposed, would add approximately 152 vehicle trips per day to the street system and would add approximately 7 children under the age of 18 to the school system. The requested density of 12 du/ac would allow for a maximum of 20 dwelling units to be proposed for the site. That number of attached units, would add approximately 225 vehicle trips per day to the street system and would add approximately 11 children under the age of 18 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. Public water and sanitary sewer utilities are available 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. With the recommended plan amendment to MDR, a PR zoning density of up to 12 du/ac may be considered. The current sector plan does not recognize the medium density residential development to the south and west of the site. The recommended sector plan change is a spot amendment, but it is consistent with the adjacent zoning and development pattern.
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 MDR plan designations and PR zoning in the future other properties in 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.

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. The law now 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:** 5/9/2013

**Details of Action:**

**Summary of Action:** Withdrawn at the request of the applicant at the meeting.

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

**Date of Withdrawal:** 5/9/2013 **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 6/11/2013 **Date of Legislative Action, Second Reading:** 6/25/2013

**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:**