

# 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-V-02-RZ                      **Related File Number:**  
**Application Filed:** 4/22/2002              **Date of Revision:** 5/17/2002  
**Applicant:** EAGLE BEND REALTY, INC.  
**Owner:**

### PROPERTY INFORMATION

**General Location:** Southeast side of S. Northshore Dr., northeast of Knightsbridge Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 145 16, 17, 18                      **Jurisdiction:** County  
**Size of Tract:** 13.41 acres  
**Accessibility:** Access is via S. Northshore Dr., a major arterial street with 20' of pavement within a 50' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Single family detached dwellings                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is surrounded by residential development that has occurred within A, RA and PR zoning districts.

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

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

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** RA (Low Density Residential)  
**Previous Requests:** PR denied recently  
**Extension of Zone:** No  
**History of Zoning:** Property was denied PR in 1996 (12-P-96-RZ ) and withdrawn from MPC's March 2002 agenda for PR zoning consideration.

### 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:

Ken Pruitt

Staff Recomm. (Abbr.):

APPROVE PR (Planned Residential) zoning. Applicant requested RA (Low Density Residential) zoning. APPROVE a density of 1 to 2 du/ac.

Staff Recomm. (Full):

PR zoning is better suited for this site than the requested RA zoning because of the site's constraints that include sinkholes and a power line easement across the property. The Southwest County Sector Plan proposes low density residential use for this site which supports either RA or PR zoning.

Comments:

This request was postponed at the May 9, 2002 meeting at the request of the applicant. Since then, the applicant has revised the application, adding parcel 18 to the request.

This property was denied PR zoning at 1 to 4 dwellings per acre in 1997 by County Commission because of environmental constraints and neighborhood opposition. An application for PR zoning was withdrawn by a different applicant from MPC's March agenda. Under MPC Administrative Rules and Procedures a PR request cannot be filed for one year from the date of denial by County Commission.

The applicant filed for RA zoning to develop a single family subdivision on the property. The request was made based primarily on the support from neighboring property owners for the RA zone. (See attached letter from Paul Ambrose and John Acker, dated May 31, 2002.) The applicant and his engineer met with staff to discuss their request and why it is appropriate for the site, based on the adopted sector plan. Either PR or RA zoning would comply with the Sector Plan recommendation of low density residential development for this property.

Staff continues to recommend PR rather than RA zoning because of the site's development constraints. Sinkholes are located on the eastern portion of this site and adjoining properties, which have experienced flooding in the past. A TVA power line easement extends from north to south across the site. Both of these constraints limit the development of the property. PR zoning allows the developer to cluster the residential development on the less restrained portions of the site and leave the remainder in open space. PR zoning also requires Planning Commission approval of a site plan prior to any development, where neighboring property owners may be involved and comment on drainage and development issues that may impact them. The placement of residential structures and the electricity, water, sewer and gas lines and roads to support them will be especially important to ensure that the area's drainage pattern is not adversely impacted. An attachment shows the location of the sinkholes and the power line easement on the property. Based on the size of the property, a maximum of 26 dwelling units could be placed on the property consistent with the staff recommendation of 1 - 2 dwellings per acre.

Under RA zoning, the planning commission would have the opportunity to review a concept plan prior to the property's development. The RA zone, however, does not have as much flexibility as PR in allowing the developer to locate structures on the developable portions of the site, away from the sinkholes and power line easement. Approximately 1 acre of the site is identified within the sinkholes, with an additional 4 acres subject to periodic flooding. A TVA power line easement covers an additional 1.2 acres. If RA zoning is approved, development in these areas should be avoided. The minimum lot size for lots under RA, when served by sanitary sewer, is 10,000 sq. ft. Taking into account that as much as 40% of the site may be unsuitable for development and that 25 % of the developable land will be used for public right-of-way, the developer could expect to be able to build approximately 26 units on the site, which would be a net density of approximately 1.9 per acre.

MPC Action:

Approved

MPC Meeting Date: 6/13/2002

Details of MPC action:

**Summary of MPC action:** APPROVE PR (Planned Residential) at a density of 1 to 2 dwelling units per acre

**Date of MPC Approval:** 6/13/2002

**Date of Denial:**

**Postponements:** 5/9/2002

**Date of Withdrawal:**

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

## ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** County Commission

**Date of Legislative Action:** 7/22/2002

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved as Modified

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

Approved RA Low Density Residential

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**