

# 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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w w w • k n o x m p c • o r g

**File Number:** 6-B-09-RZ

**Related File Number:**

**Application Filed:** 4/27/2009

**Date of Revision:**

**Applicant:** TODD KENNEDY

### PROPERTY INFORMATION

**General Location:** South side Cherokee Trl., northwest of Edington Rd.

**Other Parcel Info.:**

**Tax ID Number:** 108 006

**Jurisdiction:** County

**Size of Tract:** 6.3 acres

**Accessibility:** Access is via Cherokee Trail, a two lane, minor collector street with 20' of pavement within a 50' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land

**Surrounding Land Use:**

**Proposed Use:** Condominiums for university students.

**Density:** 7.5 du/ac

**Sector Plan:** South County

**Sector Plan Designation:** MDR and SLPA

**Growth Policy Plan:** Urban Growth Area (Outside City Limits)

**Neighborhood Context:** This developing residential area has seen a recent influx of UT student housing occur under RP and RP-1 zoning.

### 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:** PR (Planned Residential)

**Previous Requests:** None noted

**Extension of Zone:** Yes

**History of Zoning:** None noted for this site, but adjacent property was rezoned to PR at up to 7.5 du/ac. in 2000. (7-H-00-RZ)

### PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested 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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Ken Pruitt

Staff Recomm. (Abbr.): RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3.2 du/ac. subject to the condition that no disturbance of the site, including vegetation clearance, shall occur prior to MPC approval of the site plan.

Staff Recomm. (Full): This sloping wooded site is better suited for development under PR than the existing Agricultural zone due to severe slopes over much of the site. Applying the staff 's steep slope protection development policy and the county's MDR designation at 12 du/ac. for the portion of the site with less than 15% slope a density up to 3.2 du/ac. would be allowed (20 units) . The applicant is requesting an overall density of 6.5 du/ac. and has submitted the attached preliminary site plan for 39 units with only the north, more level, portion of the site being proposed to be disturbed by development.

Comments: NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:  
1. The PR zone requires use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as steep topographic constraints of the site, traffic issues, development layout, recreational amenities, drainage, and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting. The PR zone is the most appropriate zone for residential development of environmentally constrained property in the County.  
2. The surrounding area is developed with residential uses of various densities and zones. PR zoning at the recommended, or requested, density, is compatible with the scale and intensity of the surrounding development and zoning pattern.

CONSISTENCY WITH INTENT AND PURPOSE OF THE 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 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 this proposed development.

THE EFFECTS OF THIS PROPOSAL  
1. Public water and sewer utilities are available to serve the site.  
2. At the requested density of 6.5 du/ac, up to 39 dwelling units could be proposed for the site. If developed with attached multi-dwelling residential units, this would add approximately 409 trips to the street system. The staff recommended density of 3.2 du/ac up would allow 20 units and generate 225 trips per day.  
3. PR zoning at either 3.2 or 6.5 du/ac will allow consideration of more flexible development alternatives with an overall density that respects the surrounding development pattern. The recommendation gives the applicant the opportunity to pursue approval of a development plan for 20 to 39 dwelling units clustered on the northern portion of the site as shown on the attached preliminary site plan. It should be noted that any development plan will need to appropriately address the physical constraints of the site. More detailed analysis may indicate that development at the approved density is not appropriate on the site.  
4. No disturbance of the site, including mature vegetation, shall be allowed until the approval of a site plan by MPC.  
5. The developer of the site should consider establishing a conservation easement on the site's steeper portions.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The South County Sector Plan proposes medium density residential uses and slope protection for the site, consistent with the recommended zoning and density.
- 2. The site is located within the Planned Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 3. Approval of this request is not expected to lead to future rezoning requests for low to medium density residential development in the immediate area. The sector plan proposes slope protection, low density residential and medium density residential uses for most of the surrounding 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.

**Action:** Approved **Meeting Date:** 6/11/2009

**Details of Action:** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 4.5 dwelling units per acre subject to the condition that no disturbance of the site, including vegetation clearance, shall occur prior to MPC approval of the site plan.

**Summary of Action:** RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 4.5 dwelling units per acre subject to the condition that no disturbance of the site, including vegetation clearance, shall occur prior to MPC approval of the site plan.

**Date of Approval:** 6/11/2009 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

<b>Legislative Body:</b>	Knox County Commission	<b>Date of Legislative Action, Second Reading:</b>
<b>Date of Legislative Action:</b>	7/27/2009	<b>Other Ordinance Number References:</b>
<b>Ordinance Number:</b>		<b>Disposition of Case, Second Reading:</b>
<b>Disposition of Case:</b>	Approved as Modified	<b>If "Other":</b>
<b>If "Other":</b>		<b>Amendments:</b>
<b>Amendments:</b>	Approved PR at up to 6 dwelling units per acre with condition	<b>Effective Date of Ordinance:</b>
<b>Date of Legislative Appeal:</b>		