

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 6-G-17-RZ **Related File Number:** 9-B-17-SP
Application Filed: 5/1/2017 **Date of Revision:**
Applicant: H.E. BITTLE III

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

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

PROPERTY INFORMATION

General Location: Southeast side Hardin Valley Rd., southeast of Steele Rd.
Other Parcel Info.:
Tax ID Number: 117 PART OF 027 OTHER: PORTION ZONED PR ONLY **Jurisdiction:** County
Size of Tract: 30.48 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Residential development **Density:** 5 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** RR
Growth Policy Plan: Rural 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: PR (Planned Residential) at 1-2 du/ac
Former Zoning:
Requested Zoning: PR (Planned Residential) at up to 5 du/ac
Previous Requests: 10-X-05-RZ
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: RR (Rural Residential)
Requested Plan Category: LDR (Low 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.): DENY the requested increase in PR density, consistent with the denial recommendation on the associated sector plan amendment.

Staff Recomm. (Full): The subject property has significant slopes throughout. The attached slope analysis and calculations reveal that the current density is appropriate for the site, based on the density and land disturbance guidelines of the Hillside and Ridgetop Protection Plan (HRPP). The requested density would allow consideration of up to 144 units on the property, compared to the 62 units that may now be considered.

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. The current zoning and density are appropriate for this site, considering the slope characteristics. The requested density of up to 5 du/ac would allow consideration of up to 144 dwelling units, which is 82 more than the maximum number of units recommended with application of the HRPP density and land disturbance guidelines.
2. The existing PR zoning allows reasonable use of the property for residential development up to a density of 2 du/ac, which would allow consideration of up to 62 dwelling units.
3. The Growth Policy Plan map shows the subject property with the Rural Area. This designation means that the maximum density that could be recommended would be up to 3 du/ac, because the site is adjacent to the Planned Growth Area and meets other criteria for consideration of that PR density. However, the slope characteristics of the site warrant limiting the density to the current 2 du/ac in place.
4. 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 traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

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 the current PR is the most appropriate zone for the development. Of the site, but the density must be limited because of the slope characteristics of the 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. The requested increase in PR zoning density from 2 to 5 du/ac would exceed the maximum density guideline of the HRPP. See the attached slope analysis, map and calculations. The calculations reveal that the current density of 2 du/ac is the maximum that should be recommended for the site.
2. Approval of the requested density is likely to lead to extensive clearing and grading of the entire site to accommodate the 144 dwelling units that could be considered, which is not consistent with the density and land disturbance guidelines of the HRPP.
3. Public water and sewer utilities are available in the area, but may need to be extended 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 approval of the requested Northwest County Sector Plan amendment to LDR, the requested PR zoning at up to 5 du/ac would be consistent with the sector plan.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The current zoning does not present any apparent conflicts with any adopted plans, and should be maintained.

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 **Meeting Date:** 9/14/2017

Details of Action:

Summary of Action: DENY the requested increase in PR density, consistent with the denial recommendation on the associated sector plan amendment.

Date of Approval: **Date of Denial:** 9/14/2017 **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 6/14/2017

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 10/23/2017

Date of Legislative Action, Second Reading: 11/20/2017

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Approved PR at density up to 3 du/ac

Date of Legislative Appeal:

Effective Date of Ordinance: