

# 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:** 6-N-07-RZ                      **Related File Number:**  
**Application Filed:** 5/7/2007              **Date of Revision:**  
**Applicant:** RDM DEVELOPMENT, LLC.

### PROPERTY INFORMATION

**General Location:** Southwest side of Fairview Rd., southeast of E. Emory Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 21 46 & 46.01                      **Jurisdiction:** County  
**Size of Tract:** 184.41 acres  
**Accessibility:** Access is via Fairview Rd., a minor arterial with a 19' pavement width in a 60' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence  
**Surrounding Land Use:**  
**Proposed Use:** Residential subdivision                      **Density:**  
**Sector Plan:** Northeast County              **Sector Plan Designation:** LDR, STPA & SLPA  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area has been developed with residential uses under A, RA and PR 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, property to the north, west and south have been rezoned to PR in recent years.  
**History of Zoning:** None noted

### 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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE PR (Planned Residential) zoning.  
APPROVE a density of up to 1 dwellings per acre (Applicant requested up to 3 du/ac).

Staff Recomm. (Full):

PR zoning at up to 1 dwellings per acre is consistent with the surrounding development pattern and the stream protection and slope protection constraints noted on this site. The sector plan proposes low density residential use, stream protection and slope protection for this site. In addition to the steep slopes and the two streams located on the site, staff is recommending against the applicants request for 3 du/ac due to limited access to the site.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. Other properties in the immediate area are developed with residential uses under PR, RA and A zoning.
2. PR zoning at up to 1 du/ac is compatible with the scale and intensity of the existing and proposed residential development and zoning pattern along E. Emory Rd. and Tazewell Pike. The adjoining property to the north is currently being developed for a residential subdivision under PR zoning.
3. The property is bisected by the Thompson School Tributary and the main branch of the Beaver Creek Watershed. Approximately 7.25% (13.67 acres) of the property is located in the floodway and approximately 6.18% (11.66 acres) is located in the flood fringe (see attached slope analysis). According to the Knox County Engineering Department, the developer of this property will not be allowed to develop any structures in the floodway and will be allowed to fill approximately 50% of the designated flood fringe area. Structures proposed within the 500 year floodway will be required to be built at least 1' above the MFE (minimum floor elevation). These waterways will significantly limit the developer's ability to develop the entire property.
4. In addition to the stream, there are significant slopes located on the site that will limit the developer's ability to develop the entire property.
5. Upon field review of the site, due to limited access onto Fairview Rd., concern was raised regarding the developer's ability to obtain adequate sight distance to this property. Adequate sight distance will have to be certified upon approval of a site plan.
6. 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 to serve the site.
2. At the staff's recommended density, up to 184 units could be proposed on the subject property. This density would add approximately 1,840 vehicle trips per day to the street system and about 83 school aged children to area school. The requested 3 du/ac density would allow approximately 553 units on this site, would generate 5,530 vehicle trips per day and would add approximately 249 school aged children to the area school system. The developer of the property should be aware that if more than 150 lots are proposed on a subdivision site plan, staff will recommend that the development provide at least two points of access onto the property. This may require that the developer acquire more property to access either Beeler Rd. or Tazewell Pike.
3. Based on the attached slope analysis, about (35%) 66 acres of the site has slopes of 25% or greater. 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. The recommended density of 1 du/ac is consistent with the site's slope constraints and will help to preserve these areas. If development of 184 units is located on the 60 acres of land with less than 15% slope, it will have the economy and appearance of a development at 3 du/ac.
4. The proposal is compatible with the surrounding zoning, and the impact on adjacent properties will be minimized during the use on review/final plat process.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

- 1. The Northeast County Sector Plan proposes low density residential uses, stream protection, and slope protection for the site.
- 2. Development in the 100 year and 500 year floodway designations will be governed by the subdivision regulations as well as the Knox County Engineering Department and regulations set forth by FEMA. The developer of the property should understand that such constraints may not allow development of the property at the approved density.
- 2. In addition to the stream protection area located through the center of the property, the site contains significant slopes. The developer should also be aware that these issues may not allow development of the property at the approved density.
- 3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 4. This request may generate similar requests in the future for PR zoning in this area on properties which are proposed for low density residential uses by the sector plan.

Upon final approval of the rezoning, the developer will be required to submit a use on review (concept plan if proposed detached units) 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 will also be required at this stage, if deemed necessary of Knox County Engineering and MPC staff.

**MPC Action:** Approved as Modified **MPC Meeting Date:** 6/14/2007

**Details of MPC action:** APPROVE PR (Planned Residential) zoning.  
APPROVE a density of up to 2 dwellings per acre (Applicant requested up to 3 du/ac).

**Summary of MPC action:** APPROVE PR (Planned Residential) at a density of up to 2 dwellings per acre

**Date of MPC Approval:** 6/14/2007 **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:** 7/23/2007 **Date of Legislative Action, Second Reading:**

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

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

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

**Amendments:** **Amendments:**

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