

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: 7-B-09-RZ

Related File Number: 7-A-09-SP

Application Filed: 5/13/2009

Date of Revision:

Applicant: KALEA DERRY

PROPERTY INFORMATION

General Location: South side Andersonville Pike, west of Eiffel Ln.

Other Parcel Info.:

Tax ID Number: 19 040

Jurisdiction: County

Size of Tract: 2.98 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence

Surrounding Land Use:

Proposed Use: Six residential lots

Density:

Sector Plan: North County

Sector Plan Designation: Ag / RR

Growth Policy Plan: Rural Area

Neighborhood Context:

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

Street: 8441 Andersonville Pike

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: None noted

Extension of Zone:

History of Zoning:

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: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 2 du/ac. (Applicant requested RA zoning)

Staff Recomm. (Full): RA zoning is not permitted within the Rural Area on the Growth Policy Plan map. The recommended PR zoning and density is the maximum that can be accommodated under the policies of the Growth Policy Plan for Rural Areas. The recommendation is compatible with surrounding development and zoning and allows consideration of up to 5 dwelling units on the site.

Comments: REZONING REQUIREMENTS:
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 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.
2. The surrounding area is developed with rural to low density residential uses. PR zoning, at the recommended density, is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. The applicant requested RA zoning in order to subdivide this parcel into 6 lots. Although it exists to the north and east of the site, RA zoning is not permitted in the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan.
4. PR zoning at the recommended density, which is acceptable in the Rural Area, based on the reported acreage, will accommodate up to five lots, while allowing the flexibility to cluster the lots toward the northern portion of the site. There are some steep slopes along the southern property line that should be preserved.

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 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 this proposed development.

THE EFFECTS OF THIS PROPOSAL
1. Public water and sewer utilities are available to serve the site.
2. At the recommended density of up to 2 du/ac on the 2.98 acres reported, up to 5 dwelling units could be proposed for the site. If developed with detached residential units, this would add approximately 66 trips to the street system and about 2 children to the school system.
3. Adequate sight distance appears to be available on Andersonville Pike for access to the development, but this will need to be certified on the development plan.
4. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS
1. With the recommended amendment to LDR, the PR zoning at the recommended density is consistent with the North County Sector Plan. The larger subdivisions to the north and east are already designated as LDR.
2. The site is located within the Rural Area of Knoxville on the Knoxville-Knox County-Farragut Growth

Policy Plan map. RA zoning is not permitted within the Rural Area. Since the property is not contiguous with the Planned Growth Area, the maximum density that can be considered is 2 du/ac. This site meets all of the Growth Policy Plan criteria for approval at the recommended density. 3. Approval of this request may lead to future rezoning and plan amendment requests for low density residential development in the immediate area, on A zoned properties. The current sector plan proposes agricultural and rural residential uses for all of the surrounding property except the two established subdivisions to the north and east, which are shown as low density residential.

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. New law 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: Approved **Meeting Date:** 7/9/2009

Details of Action:

Summary of Action: RECOMMEND that Knox County Commission APPROVE PR (Planned Residential) zoning at a density of up to 2 dwelling units per acre

Date of Approval: 7/9/2009 **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: 8/24/2009 **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:**