

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-F-06-RZ **Related File Number:**
Application Filed: 5/25/2006 **Date of Revision:**
Applicant: KEAR INVESTMENT PROPERTIES, LLC
Owner:

PROPERTY INFORMATION

General Location: Southwest side Fairview Rd., south of E. Emory Rd.
Other Parcel Info.:
Tax ID Number: 21 043-045 **Jurisdiction:** County
Size of Tract: 6.7 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: Condominiums **Density:** 5 du/ac
Sector Plan: Northeast County **Sector Plan Designation:** LDR and STPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The character of the property in this area is low density residential under the A (Agricultural) and RA (Low Density Residential) zoning designations.

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: No
History of Zoning: None noted

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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE PR (Planned Residential) zoning.
APPROVE a density of up to 5 dwellings per acre.

Staff Recomm. (Full): PR zoning at up to 5 dwellings per acre is consistent with the sector plan which proposes low density residential use and stream protection for this site.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL

1. Other properties in the immediate area are developed with residential uses under RA and A zoning.
2. PR zoning at up to 5 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.
3. According to the Knox County Engineering Department, the western portion of the property is located within the Beaver Creek Floodway. The developer of this property will be required to remain approximately 80' off the rear property line because this area is designated as a 'no-fill' area. In addition to that 80', approximately 60' from that no-fill boundary line is within the 500 year floodway. Structures proposed within this area will be required to be built at least 1' above the MFE (minimum floor elevation).
4. In addition to the stream, an old cemetery is located on the site. The developer of this site will not be allowed to disturb the graves and will have to establish adequate setbacks and provide fencing around the cemetery.
5. Upon field review of the site, concern was raised regarding the developer's ability to achieve 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. (See attached letter for Northeast Knox Utility District)
2. The requested 5 du/ac density would allow approximately 33 units on this site, would generate 330 vehicle trips per day and would add approximately 8 school aged children to the area school system.
3. 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 and stream protection for the site. 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 along the rear property line, the site contains a cemetery and may be constrained by site distance issues. 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 for PR zoning in this area in the future 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

MPC Meeting Date: 7/13/2006

Details of MPC action:

Summary of MPC action: APPROVE PR (Planned Residential) at a density of up to 5 dwelling units per acre.

Date of MPC Approval: 7/13/2006

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: 8/28/2006

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: