

CASE SUMMARY

APPLICATION TYPE: REZONING

SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 7-F-15-RZ **Related File Number:** 7-C-15-SP
Application Filed: 5/26/2015 **Date of Revision:**
Applicant: HUBER PROPERTIES, LLC

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
400 Main Street
Knoxville, Tennessee 37902
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www.knoxmpc.org

PROPERTY INFORMATION

General Location: North side Choto Rd., southeast of S. Northshore Dr.
Other Parcel Info.:
Tax ID Number: 162 066 OTHER: PARTS OF 162MB00113 AND 162MB0 **Jurisdiction:** County
Size of Tract: 4.2 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Residential **Density:** 5 du/ac
Sector Plan: Southwest County **Sector Plan Designation:** NC and LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 1718 Choto Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) and CN (Neighborhood Commercial)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests: Rezoned CN in 2009
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: NC (Neighborhood Commercial)
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.): RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac. (Applicant requested 5 du/ac.)

Staff Recomm. (Full): PR is an appropriate zone for residential development of this site and is consistent with the sector plan proposal for the property. Staff recommends a reduced density of up to 3 du/ac, rather than the requested 5 du/ac, for better compatibility with surrounding development.

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. PR is the most appropriate residential zone that can be considered for this site. The recommended density is compatible with the surrounding development and zoning pattern.
2. PR zoning at either the proposed or recommended density would be consistent with the recommended LDR sector plan proposal for the site.
3. Limiting the density to 3 du/ac is recommended for better compatibility with surrounding residential land uses and zoning. The surrounding zoning density allows for no more than 3 du/ac in the surrounding area. The adjacent subdivision to the south, across Choto Rd., is developed at an actual density of 3 du/ac (18 lots on 6 acres).

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 PR is the most appropriate zone for proposed development of this 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. PR zoning at the recommended density will allow reasonable use of the property for residential development, while maintaining compatibility with surrounding development and zoning. The requested 5 du/ac is more intense than the prevailing densities in the area.
2. Based on the reported acreage of 4 acres, the recommended PR zoning at a density of up to 3 du/ac would allow for a maximum of 12 dwelling units to be proposed for the site. That number of detached units would add approximately 147 vehicle trips per day to the street system and would add approximately 8 children under the age of 18 to the school system. The requested density of 5 du/ac would allow for a maximum of 20 dwelling units to be proposed for the site. That number of detached units would add approximately 236 vehicle trips per day to the street system and would add approximately 13 children under the age of 18 to the school system. The reported acreage is approximated at this time. When the property is surveyed, the exact resulting acreage will be used to calculate the number of units that may be proposed, based on the density that is approved. This may result in slight variations to the above reported figures.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. Public water and sanitary 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. The Southwest County Sector Plan designates this site for low density residential uses, consistent with PR zoning at up to 5 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future requests for PR zoning in the future on other A-zoned properties in the area, consistent with the sector plan proposal.

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. 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: Approved **Meeting Date:** 7/9/2015
Details of Action: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 5 du/ac.
Summary of Action: RECOMMEND the Knox County Commission approve PR (Planned Residential) zoning at a density up to 5 dwelling units per acre
Date of Approval: 7/9/2015 **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: 8/24/2015 **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:**