

CASE SUMMARY

APPLICATION TYPE: REZONING

SOUTHWEST COUNTY SECTOR PLAN AMENDMENT



File Number: 7-G-17-RZ Related File Number: 7-C-17-SP
Application Filed: 5/25/2017 Date of Revision:
Applicant: VICTOR JERNIGAN

PROPERTY INFORMATION

General Location: North side Canton Hollow Rd., east of Woody Dr.
Other Parcel Info.:
Tax ID Number: 143 K A 008,009&010 Jurisdiction: County
Size of Tract: 3.7 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Dwellings
Surrounding Land Use:
Proposed Use: Residential development Density: 8 du/ac
Sector Plan: Southwest County Sector Plan Designation: LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 826 Canton Hollow Rd
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:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)
Requested Plan Category: MDR (Medium 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.:

PLANNING COMMISSION 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 5 du/ac. (Applicant requested 8 du/ac.)

Staff Recomm. (Full):

The requested PR zoning and density are not consistent with the current sector plan designation for the property and not compatible with the majority of the surrounding zoning and development pattern.

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 zoning at the recommended density for the subject property will allow reasonable development of the site for attached or detached residential uses, consistent with other detached residential developments along this section of Canton Hollow Rd.
2. The recommended zoning and density are consistent with the current sector plan proposal for the property.
3. The majority of the surrounding development consists of low density residential uses and zoning, consistent with the recommended zoning and density.

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 this development, if limited to a density of 5 du/ac or less.

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 is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The recommended PR zoning at a density of up to 5 du/ac would allow for a maximum of 18 dwelling units to be proposed for the site. That number of attached units, would add approximately 204 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system. The applicant's requested PR zoning at a density of up to 8 du/ac would allow for a maximum of 29 dwelling units to be proposed for the site. That number of attached units, would add approximately 314 vehicle trips per day to the street system and would add approximately 2 children under the age of 18 to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
5. The approval of the recommended density of 5 du/ac will allow the applicant to submit a development plan with up to 18 dwelling units for MPC's consideration, compared to the 29 units that could be proposed at the applicant's requested density of up to 8 du/ac.
6. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
7. Public water and sewer utilities are available to serve the site, and the recommended density is consistent with other zoning and density in the immediate area.

8. Sidewalks will be required on at least one side of new subdivision roads and possibly along Canton Hollow Rd.

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 appropriately proposes low density residential uses for the site, consistent with the recommended PR zoning at a density of up to 5 du/ac. If the applicant's proposed density of up to 8 du/ac is to be considered, the sector plan must be amended to MDR, as requested by the applicant.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended zoning and density do not present any apparent conflicts with any other adopted plans.

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:** 7/13/2017

Details of Action: RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 8 du/ac.

Summary of Action: Recommend the Knox County Commission approve PR (Planned Residential) zoning at a density up to 8 dwelling units per acre

Date of Approval: 7/13/2017 **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: 8/28/2017 **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:**