

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-H-18-RZ **Related File Number:**
Application Filed: 5/29/2018 **Date of Revision:**
Applicant: LAND DEVELOPMENT SOLUTIONS

PROPERTY INFORMATION

General Location: North side Cherokee Trl., north of Edington Rd.
Other Parcel Info.:
Tax ID Number: 108 007 **Jurisdiction:** City
Size of Tract: 3.31 acres
Accessibility: Access is via Cherokee Trail, a minor collector street with 22' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Townhouses **Density:** 5.9 du/ac
Sector Plan: South County **Sector Plan Designation:** LDR w/ HP
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: Cherokee Trail in this area is developed primarily with medium density residential uses under RP-1 zoning.

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

Street: 1201 Cherokee Trl
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density Residential)
Former Zoning:
Requested Zoning: RP-1 (Planned Residential)
Previous Requests: None noted
Extension of Zone: Yes, extension of RP-1 zoning from three sides
History of Zoning: None noted for this site

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of up to 5.9 du/ac.

Staff Recomm. (Full): RP-1 zoning at the requested density is consistent with both the One Year Plan and sector plan proposals for the property and is appropriate at this location, with direct access to a minor collector street on a site adjacent to similar zoning and 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. The proposed RP-1 zoning and density is compatible with the scale and intensity of the surrounding development and zoning pattern. The proposal is a logical extension of zoning from three sides. These properties are zoned RP-1 at densities between 3.5 and 8 du/ac.
2. The location of the property along a minor collector street makes the site appropriate for the requested density in the low density range.
3. The sector plan and the One Year Plan both propose low density residential uses for the property, consistent with the requested RP-1 zoning and density. The requested density of 5.9 du/ac is the maximum allowable density under the low density residential plan designation.
4. The requested RP-1 zoning requires MPC's use on review approval of a development plan prior to development. This plan review will identify the type of residential units proposed and allow staff to address access, clearing and grading, landscaping, building orientations and other development issues. It will also provide the opportunity for public review and comment at the MPC public hearing.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. RP-1 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 RP-1 is the most appropriate zone for this development.

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. RP-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. Based on the calculated area of 3.84 acres, the approval of this request will allow the applicant to submit a development plan with up to 22 dwelling units for MPC's consideration, which, if developed with attached residential units, would add 1 student to the school system and add 245 trips to the street system.
3. Public water and sewer utilities are available to serve the site, and the proposal is consistent with other zoning and density in the immediate area.
4. Staff has concerns about providing a safe access point because of the vertical and horizontal curves on Cherokee Trail. The applicant has provided a conceptual plan showing proposed access at the far west side of the side. The applicant will need to certify required sight distance is available at the proposed entrance from Cherokee Trail.
5. The majority of the site is shown as hillside protection on the sector plan. Staff has provided a

slope analysis, map and calculations for the site. With strict application of the residential density guidelines from the Hillside and Ridgetop Protection Plan (HRPP), the recommended density would be 2.65 du/ac. However, because the site's slope characteristics are similar to other sites in the area which are zoned and developed at higher densities, staff is recommending approval of the requested density of 5.9 du/ac, which is consistent with the adopted plan designations for the site. However, the applicant will be expected to preserve the existing steep slopes to the greatest extent possible when proposing a development plan.

6. There is a residence on parcel 7.01 to the east that currently has access through the subject property. The applicant will be expected to provide access to parcel 7.01 through the proposed development.

7. The RP-1 zoning district has a stipulation that at least 15% of the gross development area must be set aside for permanent usable open space or recreational uses. Staff will expect this to be addressed on the proposed development plan for 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 South County Sector Plan and the Knoxville One Year Plan propose low density residential uses for this property, consistent with the proposed RP-1 zoning at up to 5.9 du/ac.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping 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 Knoxville Engineering and MPC staff.

Action: Approved **Meeting Date:** 7/12/2018

Details of Action:

Summary of Action: RP-1 (Planned Residential) zoning at a density of up to 5.9 dwelling units per acre

Date of Approval: 7/12/2018 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 8/14/2018

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: