

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 7-J-17-RZ **Related File Number:** 11-C-17-SP
Application Filed: 5/30/2017 **Date of Revision:** 9/26/2017
Applicant: H.E. BITTLE III /KNOX COUNTY COMMISSION

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
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

PROPERTY INFORMATION

General Location: Northwest side Coward Mill Rd., northeast side Pellissippi Pkwy.
Other Parcel Info.:
Tax ID Number: 103 09102 **Jurisdiction:** County
Size of Tract: 33.84 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Residential development **Density:** 5 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** TP
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: BP (Business and Technology) / TO (Technology Overlay)
Former Zoning:
Requested Zoning: PR (Planned Residential) / TO (Technology Overlay)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: TP (Technology Park)
Requested Plan Category: MDR/O (Medium Density Residential/Office)

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.):

DENY PR (Planned Residential) / TO (Technology Overlay) zoning.

Staff Recomm. (Full):

PR zoning at this location would compromise the potential for future business and technology park uses on this and surrounding BP-zoned sites, especially once access to the area is potentially improved with a parallel access road to Pellissippi Parkway. If approved, future residential property owners may oppose appropriate business and technology park uses on the abutting BP/TO zoned properties. A use on review approval by MPC at a public hearing would be required for development in either the current BP or proposed PR zones.

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. No significant changes have occurred in the area that warrant the requested change in zoning. This site has been zoned BP/TO since the 1980's as part of the Technology Corridor.
2. The property is relatively flat, and has frontage on Pellissippi Parkway within the Technology Corridor and is surrounded on three sides by BP/TO zoning. Establishment of PR/TO zoning at this location would compromise the potential for future business and technology park uses on this and other surrounding properties, that are appropriately designated for business and technology park uses.
3. Staff recognizes the existence of residential zoning and development to the east, but those areas are further away from Pellissippi Parkway and outside of the Technology Corridor and the TO overlay. Areas with good exposure to the Parkway, such as the subject property, are ideal for the development of business and technology park uses, as originally intended, and as currently zoned.

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. If approved, the PR zone would require 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.
3. Future development, depending on the type, may be subject to review and approval of a site plan by the TTCDA, since it is located within the TO overlay. MPC would also review a development plan as a use on review within either the current BP/TO or the proposed PR/TO zoning.

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. Establishment of PR/TO zoning at this location could compromise the potential for future business and technology park uses on this and surrounding BP-zoned sites.
2. PR/TO zoning is not consistent with the surrounding zoning and development pattern within the Technology Overlay and is not supported by the Northwest County Sector Plan and the TTCDA Comprehensive Development Plan.
3. There is a potential to extend Cherahala Blvd. from Hardin Valley Rd. north to Coward Mill Rd. and beyond to the church. If this development is approved, the potential to extend to the church may be lost, because the road extension would likely traverse through the subject property. With better access, staff is of the opinion that the property would be more likely to be developed with the intended

business and technology park uses, as intended and as currently zoned.

4. The requested PR zoning at a density of up to 5 du/ac would allow for a maximum of 169 dwelling units to be proposed for the site. The impact of that number of detached units, would add approximately 1680 vehicle trips per day to the street system and would add approximately 69 children under the age of 18 to the school system.

5. If PR zoning is approved, the applicant will need to certify that adequate sight distance is available on Coward Mill Rd. from the proposed development entrance. The required sight distance will be 300 feet, based on the posted speed limit of 30 mph on Coward Mill Rd. Also, Coward Mill Rd. is relatively narrow at about 16 feet of pavement width. Improvements, including widening of the only access road, may also be required at the time of development plan review. The applicant will be expected to work with MPC and Knox County Engineering to insure that this project does not compromise the viability of the future Cherahala Blvd. extension. This may include proposing an easement within the development for future right-of-way, if necessary.

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. With the requested plan amendment to the low density residential land use classification, PR/TO zoning would be consistent with the Northwest County Sector Plan. However, staff is recommending that the current sector plan designation and zoning be maintained in order to preserve the property for the proposed technology park uses.

2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

3. Approval of this request may lead to future rezoning and plan amendment requests for residential development on other properties within the proposed Technology Corridor, that surrounds the site.

4. Because of the property's location within the TO (Technology Overlay), the TTCDA was required to approve a Certificate of Appropriateness (CoA) for this rezoning. TTCDA staff had recommended denial, but on Mon., August 7, 2017, TTCDA approved a CoA for rezoning to PR, but did not specify a maximum density (7-B-17-TOR).

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: Denied **Meeting Date:** 11/9/2017

Details of Action:

Summary of Action: DENY PR (Planned Residential) / TO (Technology Overlay) zoning.

Date of Approval: **Date of Denial:** 11/9/2017 **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 7/27/2017

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 9/25/2017

Date of Legislative Action, Second Reading: 12/18/2017

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Other

Disposition of Case, Second Reading: Approved as Modified

If "Other":

If "Other":

Amendments:

Amendments:

9-25-17 Referred back to MPC to review revised request to PR and LDR sector plan

PR/TO at 3.5 du/ac condition to dedicate 30' ROW on east or west boundary to Knox Co within 4 years if requested then within 30 days of request by Co.

Date of Legislative Appeal:

Effective Date of Ordinance: