

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-C-18-RZ **Related File Number:**
Application Filed: 6/25/2018 **Date of Revision:**
Applicant: DEBRA G. DAUHERTY

PROPERTY INFORMATION

General Location: Southeast side Lovell Rd., northeast of Cape Brittany Rd.
Other Parcel Info.:
Tax ID Number: 104 12601 OTHER: 104OI005 (PART ZONED PR AT 5 D **Jurisdiction:** County
Size of Tract: 1.6 acres
Accessibility: Access is via Lovell Rd., a minor arterial street with 24' of pavement width within 100' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: House
Surrounding Land Use:
Proposed Use: Residential development **Density:** 12 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** MDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This section of Lovell Rd. is developed with low to medium density residential uses under A, RA and PR zoning.

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

Street: 1714 Lovell Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) / TO (Technology Overlay) and PR (Planned Residential) / TO at up to 5 du/ac
Former Zoning:
Requested Zoning: PR (Planned Residential) / TO (Technology Overlay) at up to 12 du/ac
Previous Requests: None noted
Extension of Zone: Yes, extension of PR/TO zoning from the north and west
History of Zoning: None noted

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 County Commission APPROVE PR (Planned Residential) / TO (Technology Overlay) zoning at a density of up to 7 du/ac. (Applicant requested 12 du/ac.)

Staff Recomm. (Full): PR zoning at the requested density is consistent with the sector plan designation. It is a logical extension of the zoning and density from the north and east. However, since the proposal is a stand-alone project, not to be combined with adjacent developments, staff is recommending that the density be limited to 7 du/ac, which is more consistent with the actual developed densities in the surrounding area. With the small size of the site, less units will allow reasonable development of about 11 units, and there will be more area to include some open space, allow more flexibility as to where the access drive may be placed, and reduce the possibility for variances that may be necessary with 19 units, especially in regard to the 35 foot peripheral setback requirement of the PR zoning district. Landscape screening will be required within the peripheral areas and it would be preferable if the full 35 foot setback area is established.

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 rezoning and density is an extension of zoning from the northeast. However, this site is not proposed to be combined in with that development. The intent of this proposal is to develop 19 residential units on the subject property as a stand-alone project.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for medium density residential uses on the sector plan, consistent with the proposal.
3. The recommended PR zoning and density is compatible with the scale and intensity of the surrounding development. The adjacent property to the north east is zoned PR at up to the same 12 du/ac as requested on the subject property, so the proposal is an extension of that zoning and density. However, that development has been approved for only 94 units on 37 acres for a density of only 2.54 du/ac. The property to the west is zoned PR at up to 10 du/ac and has been built out to a density of about 7.3 du/ac (80 units on 11 acres).
4. The PR zone requires 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.

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.

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 will have a minimal impact on adjacent properties.
2. The approval of this request, as proposed by the applicant, will allow the applicant to submit a development plan with up to 19 dwelling units for MPC's consideration. Staff's recommended density

will allow consideration of up to 11 units.

3. Based on the site area of 1.6 acres for the site, the proposed PR zoning at a density of up to 12 du/ac would allow for a maximum of 19 dwelling units to be considered for the site. That number of attached units would add approximately 214 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system. The recommended PR zoning at a density of up to 7 du/ac would allow for a maximum of 11 dwelling units to be proposed for the site. That number of attached units would add approximately 131 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system.

4. Public water and sanitary sewer utilities are available to serve the site.

5. Staff has concerns with the proposed direct access to Lovell Rd., because of the nearby intersecting streets in both directions along Lovell Rd. The applicant will be expected to propose access as far away as possible from those two streets, while certifying that adequate sight distance is available in both directions. It would be preferable if this development could be accessed through one of the adjacent subdivisions, without the need for another curbcut along this high traffic, two-lane portion of Lovell Rd.

6. With the proposed density of 12 du/ac, the number of units will not allow enough area for open space and pervious areas for landscaping and vegetation. Staff will expect that some usable open space be included as part of the site plan submitted.

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 Northwest County Sector Plan proposes medium density residential uses for this property, consistent with the PR zoning at up to 12 du/ac. However, staff is recommending a more compatible density of up to 7 du/ac, which is still within the allowable MDR density range.
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 could lead to future requests for PR zoning, consistent with the sector plan's low density residential proposal for the area.

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 Knox County Engineering and MPC staff.

Action: Approved **Meeting Date:** 8/9/2018

Details of Action:

Summary of Action: RECOMMEND that County Commission APPROVE PR (Planned Residential) / TO (Technology Overlay) zoning at a density of up to 7 dwelling units per acre.

Date of Approval: 8/9/2018 **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: 9/24/2018

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved as Modified

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Approve PR/TO up to 10 dwelling units per acre

Date of Legislative Appeal:

Effective Date of Ordinance: