

# CASE SUMMARY

## APPLICATION TYPE: REZONING

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

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**File Number:** 8-D-08-RZ                      **Related File Number:**  
**Application Filed:** 6/30/2008              **Date of Revision:**  
**Applicant:** DICK BALES

### PROPERTY INFORMATION

**General Location:** Northwest side E. Governor John Sevier Hwy., southwest of Old French Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 125 004.01 & 004.02                      **Jurisdiction:** County  
**Size of Tract:** 26.47 acres  
**Accessibility:** Access is via E. Governor John Sevier Hwy., a two lane major arterial street with 45' of pavement within a 100' right-of-way

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Residential development                      **Density:** 5 du/ac  
**Sector Plan:** South County                      **Sector Plan Designation:** LDR & SLPA  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This vacant sloping site is within an area of urban residential and rural residential development that is occurring within A, RA and PR zones.

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

**Street:**  
**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:** No  
**History of Zoning:** None noted for this site, but adjacent property has been rezoned RA and CA in recent years.

### 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.:

**MPC ACTION AND DISPOSITION**

Planner In Charge:

Ken Pruitt

Staff Recomm. (Abbr.):

RECOMMEND that County Commission approve PR (Planned Residential) zoning at up to 2 du/ac. Consistent with the sector plan.

Staff Recomm. (Full):

PR zoning at up to 2 du/ac. is appropriate based on the significant slopes found on over 50% of this site, and is compatible with the adjacent residential subdivision development and zoning pattern. The requested 5 du/ac. would be inappropriate due to the site's existing steep topography. The sector plan proposes low density residential uses and slope protection for this site.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR IN THE COUNTY GENERALLY:

1. The recommended rezoning would allow development that would be compatible with the scale and intensity of uses already found in the area, while maintaining the integrity of the property's steep slopes.
2. Area residential densities appear not to exceed 3 du/ac. The predominant zoning in the area is A (Agricultural), which allows residential development based on minimum one-acre lot sizes. There is no residential zoning in the immediate area that would allow development at up to 5 du/ac.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The PR zone is appropriate for sites that have environmental constraints, such as steep topography, where building sites can be located on the level portions of the property. The zone will require site plan review, where slope protection, as well as traffic, drainage, building and parking layout, and other development concerns, can be addressed.

EFFECTS OF THE PROPOSAL:

1. The request for PR zoning, at 5 du/ac, would allow development that would be too intense for the property's steep topography and out of character with the surrounding development pattern. Two dwellings per acre would be more in keeping with the surrounding development pattern.
2. Public water and sewer are available in the area, but would have to be extended to serve this site.
3. The requested density of up to 5 du/ac would result in the addition of 50 school-age children to area schools and 1338 average daily trips to area streets. The recommended density would generate 20 school age children and 578 average daily trips.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. Development of the property at either 5 du/ac or 2 du/ac would be consistent with the low density residential designation of the property. Development at no greater than 2 du/ac, however, would be consistent with the plan's slope protection designation.
2. The site is located with the Planned Growth Area of the Growth Policy Plan, where low density residential development is appropriate.

MPC Action:

Approved

MPC Meeting Date: 9/11/2008

Details of MPC action:

Summary of MPC action:

APPROVE PR (Planned Residential) at a density up to 2 dwelling units per acre consistent with the sector plan.

Date of MPC Approval:

9/13/2007

Date of Denial:

Postponements: 8/14/2008

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 10/27/2008

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**