

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 8-D-18-RZ                      **Related File Number:**  
**Application Filed:** 6/21/2018              **Date of Revision:**  
**Applicant:** STEPHEN R. KOTZ

## PROPERTY INFORMATION

**General Location:** Southwest side Brown Gap Rd., southeast of E. Emory Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 29 065-067                      **Jurisdiction:** County  
**Size of Tract:** 6.75 acres  
**Accessibility:** Access is via Brown Gap Rd., a minor collector with 20' of pavement width within 40-50' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Two dwellings and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Residential development                      **Density:** 5 du/ac  
**Sector Plan:** North County                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with agricultural and rural to low density residential uses under A, RA and PR zoning.

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

**Street:** 5729 Brown Gap 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:** Yes, extension of PR zoning at same density from the south.  
**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) zoning at a density of up to 5 du/ac.

Staff Recomm. (Full):

PR zoning at the requested density is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern. The site is not shown within the hillside protection area on the sector plan, and has direct access to Brown Gap Rd., a minor collector street with 20 feet of pavement width, so is appropriate for development at the maximum density allowed under the LDR sector plan designation.

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. This site is accessed from Brown Gap Rd., a minor collector street, and is adjacent to another residential development that is zoned PR at the requested density.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the proposal.
3. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern.
4. The site is appropriate to be developed under PR zoning at the maximum permissible density in the LDR category. The site does not have significant slope or other environmental constraints, and has access to a minor collector street.
5. 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. At the requested density of up to 5 du/ac on the 6.75 acres reported, up to 33 dwelling units could be proposed for the site. If developed with the detached residential units, this would add approximately 374 trips to the street system and about 14 children to the school system.
2. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. The approval of this request will allow the applicant to submit a development plan with up to 33 dwelling units for MPC's consideration.
4. 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.
- 5.. Public water and sanitary sewer utilities are available in the area, but may need to be extended to

serve 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 North County Sector Plan proposes low density residential uses for this property, consistent with the requested PR zoning at up to 5 du/ac.
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) zoning at a density of up to 5 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 **Disposition of Case, Second Reading:**

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**