

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-G-13-RZ **Related File Number:**
Application Filed: 7/1/2013 **Date of Revision:**
Applicant: HARLEY E. BITTLE

PROPERTY INFORMATION

General Location: North side W. Gallaher Ferry Rd., north of Hickory Creek Rd.
Other Parcel Info.:
Tax ID Number: 116 I A 009 **Jurisdiction:** County
Size of Tract: 7.01 acres
Accessibility: Access is via West Gallaher Ferry Rd., a local street with 19-20' of pavement width within 40-55' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: One residence and vacant land
Surrounding Land Use:
Proposed Use: Residential development **Density:** 1 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** Ag/RR and SLPA
Growth Policy Plan: Rural Area
Neighborhood Context: This area is developed with agricultural and rural residential uses under A zoning.

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

Street: 2732 W Gallaher Ferry 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: No
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.:

MPC 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, subject to one condition.

Staff Recomm. (Full):

1. No clearing or grading of the site shall be permitted until a development plan is approved by MPC as a use on review.

PR zoning at the recommended lower density takes into account that over 69% of the site has slopes of greater than 15% (see attached slope map and analysis). The majority of the less steep portion is within the access strip to the property. There is one existing dwelling located on flattest portion of the site outside of the access strip. The recommended density would allow up to 3 additional dwelling units on the site for a total of 4, which, if detached units, is all that realistically can be accommodated within the less steep portions of the site. If developed with attached units, more units could possibly be accommodated, but that would not be compatible with surrounding development and may not be supported by staff. With the recommended condition, a development plan would have to be reviewed and approved by MPC as a use on review prior to any site disturbance.

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. At the recommended density, the development would be consistent with the slope protection policies of the Hillside and Ridgetop Protection Plan (HRPP), as well as be compatible with the scale and intensity of the surrounding development and zoning pattern. See the attached slope analysis with calculations that were used to determine the recommended density based on the policies of the Hillside and Ridgetop Protection Plan.
2. The property is located in the Rural Area on the Growth Policy Plan and is proposed for agricultural/rural residential uses and slope protection on the sector plan, consistent with the recommended density.
3. Limiting the density to 0.6 du/ac, as recommended, meets the slope protection policies of the HRPP. This will allow reasonable development of the property with up to 4 dwelling units. The dwelling units need to be clustered on the less slope constrained portions of the site. Other than the access strip leading back to the site, which is not wide enough for placement of structures, the majority of the site is very steep. There is a 120 foot drop in elevation from the flatter portion at the top, where an existing house is located, down to the northern property boundary at the river's edge. At the time of plan review, staff would expect that this steep area be undisturbed.
4. It should be noted that the eight properties to the south and west of this site appear to be developed at a density lower than what is being recommended for this 7-acre tract.
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 recommended density of up to 0.6 du/ac on the 7.01 acres reported, up to 4 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 54 trips to the street system and about 2 children to the school system. At the requested density of up to 1 du/ac, up to 7 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 90 trips to the street system and about 4 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. Public water is available to serve the site. Sanitary sewer is not available. It would have to be extended, if needed, to serve the development.

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 agricultural/rural residential uses and slope protection for this property, which allows consideration of a density of up to 1 du/ac, which is what the applicant is requesting. However, because of the slope constraints on the property, staff is recommending limiting the density to 0.6 du/ac.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. Within the Rural Area, PR zoning density is limited to a maximum density 1 du/ac.
3. Approval of this request could lead to future requests for PR zoning in this 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:** 8/8/2013

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission APPROVE PR (Planned Residential) zoning at a density up to 0.6 dwelling units per acre, subject to the condition of no clearing or grading of the site shall be permitted until a development plan is approved by MPC as a use on review.

Date of Approval: 8/8/2013 **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: 10/28/2013

Date of Legislative Action, Second Reading: 11/18/2013

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading: Approved as Modified

If "Other": Postponed 9/23, 10/28,

If "Other":

Amendments:

Amendments:

Approved PR at a density up to 0.8 du/ac subject to 1 condition

Date of Legislative Appeal:

Effective Date of Ordinance: