

# 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 8-O-06-RZ                      **Related File Number:**  
**Application Filed:** 7/10/2006              **Date of Revision:**  
**Applicant:** MOLLENHOUR INVESTMENT GROUP, CO.  
**Owner:**

### PROPERTY INFORMATION

**General Location:** North side Magazine Rd., west of Maple Loop Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 123 K H 020                      **Jurisdiction:** City  
**Size of Tract:** 14.31 acres  
**Accessibility:** Access is via Magazine Rd., a minor collector street with 19' of pavement width within 45' of right of way, Sarvis Dr., a local street with 17' of pavement width within 40' of right of way or Anna Dr., a local street with 16' of pavement width within 30' of right of way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Attached and detached residential                      **Density:** 5.5 du/ac  
**Sector Plan:** South City                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** This area is developed with single family residences under R-1 zoning. There is a church west of the site, also zoned R-1.

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

**Street:** 5902 Magazine Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** R-1 (Low Density Residential)  
**Former Zoning:**  
**Requested Zoning:** RP-1 (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:

Surveyor:

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.): APPROVE RP-1 (Planned Residential) zoning.  
APPROVE a density of up to 4 du/ac. (Applicant requested 5.5 du/ac.)

Staff Recomm. (Full): RP-1 zoning at the recommended lesser density is more compatible with surrounding development, takes into account the numerous sinkholes on the site and is consistent with both the sector plan and One Year Plan proposals for the site.

Comments: NEED AND JUSTIFICATION FOR THE PROPOSAL

1. RP-1 zoning at up to 4 du/ac is compatible with the scale and intensity of the surrounding development and zoning pattern, and is consistent with the One Year and sector plans.
2. The developed density in the adjacent single family neighborhoods ranges from 2 to 4 du/ac. The lot sizes average between a quarter to a half an acre. These neighborhoods were developed in the mid 1900's on larger lots than are required under current R-1 zoning, which requires a minimum lot size on 7,500 sq. ft. This is equivalent to an approximate developed density of about 4.5 du/ac. The recommended density for this proposal takes into account the lower developed density of the surrounding neighborhoods, but recognizes that the site can be developed under the current R-1 zoning with single family units at an approximate density of 4.5 du/ac. The requested RP-1 zoning allows consideration of the proposed attached units, whereas R-1 only permits single family detached units.
3. The site has several sinkholes located on it, as shown on the attached sinkhole analysis. If a 50' buffer is maintained around each sinkhole, the developable area of the site is reduced from 14.31 to about 8.28 acres. This is another reason for the recommendation for a reduced density, so that the perceived density in the developable area is reduced. In discussions with the applicant and the City Engineering Department, it is likely that the developer will seek to fill some or all of the sinkholes to build in those areas. Any filling and/or construction within sinkhole areas will require approval from the Knoxville Department of Engineering and the Tennessee Department of Environment and Conservation (TDEC).
4. RP-1 zoning will require MPC use on review approval of site plans prior to any development of the property. During this review, potential issues such as traffic, drainage, access, topography, lot layout and other development concerns can be addressed.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve this site.
2. At the recommended density, up to 57 dwelling units could be proposed for the overall development. The development of single family attached dwellings would add approximately 513 vehicle trips per day to the street system and about 25 children under the age of 18 to the school system. At the applicant's requested density, up to 78 dwelling units could be proposed for the overall development. The development of single family attached dwellings would add approximately 702 vehicle trips per day to the street system and about 36 children under the age of 18 to the school system.
3. The site has access to Magazine Rd., which is a minor collector street. Sight distance appears to be attainable with some minor improvements, but will need to be certified on the development plans. The site also has access to two local streets, Anna Dr. and Sarvis Dr., which may require some improvements and widening, if they are to be used for access to the development. The applicant will be expected to work with City Engineering and MPC staff in making any necessary road improvements. If more than 75 units are proposed on the development plan, a traffic impact study will be required to be submitted as part of the concept plan / use on review process.
4. The proposal is compatible with the surrounding zoning, and the impact on adjacent properties will be minimized during the use on review/concept plan process. The RP-1 zone requires a 25 foot

peripheral building setback, which will apply along the entire periphery of the site. Staff may require a landscape buffer be installed or existing vegetation preserved within this periphery boundary, depending on the development plan layout and type of units proposed.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The South City Sector Plan proposes low density residential use for this site. The proposed density of 5.5 du/ac is slightly higher than what is permitted under the LDR sector plan designation.
2. The Knoxville One Year Plan proposes low density residential uses for the site, consistent with the proposal.
3. This request may generate similar requests for RP-1 zoning in this area in the future, consistent with the low density residential sector plan and One Year Plan proposals.

Upon final approval of the rezoning, the developer will be required to submit a concept plan/use on review development plan prior to the property's development. The plan will show the property's proposed lot pattern 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 the City of Knoxville Engineering Department and MPC staff.

**MPC Action:** Approved **MPC Meeting Date:** 8/10/2006  
**Details of MPC action:** APPROVE RP-1 (Planned Residential) zoning.  
APPROVE a density of up to 3.5 du/ac.  
**Summary of MPC action:** RP-1 (Planned Residential) at a density up to 3.5 dwelling units per acre  
**Date of MPC Approval:** 8/10/2006 **Date of Denial:** **Postponements:**  
**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council  
**Date of Legislative Action:** 12/5/2006 **Date of Legislative Action, Second Reading:**  
**Ordinance Number:** **Other Ordinance Number References:**  
**Disposition of Case:** Denied (Withdrawn) **Disposition of Case, Second Reading:**  
**If "Other":** Postponed 9/12, 11/2 **If "Other":**  
**Amendments:** **Amendments:**  
Withdrawn  
**Date of Legislative Appeal:** **Effective Date of Ordinance:**