

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-O-19-RZ **Related File Number:**
Application Filed: 6/28/2019 **Date of Revision:**
Applicant: CARTER MCCALL / FULGHUM MACINDOE & ASSOCIATES

PROPERTY INFORMATION

General Location: South side of Hardin Valley Road at Steele Road
Other Parcel Info.:
Tax ID Number: 117 027 **Jurisdiction:** City
Size of Tract: 30.5 acres
Accessibility: Access is via Hardin Valley Road, a minor arterial street with 3 lanes, including a center turn lane, with 57' of pavement width within 85' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: Residential **Density:** 4.8
Sector Plan: Northwest County **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Rural Area
Neighborhood Context: This area is primarily developed with agricultural and rural to low density residential uses, under A and PR zoning. Hardin Valley Elementary School is to the north, zoned I. A commercial development is to the northwest, zoned CA.

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

Street: 0 Hardin Valley Road
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) < 3 du/ac and CA (General Business)
Former Zoning:
Requested Zoning: PR (Planned Residential) 4.8 du/ac
Previous Requests: 6-G-17-RZ, 10-X-10-RZ, 12-FF-83-RZ
Extension of Zone: No.
History of Zoning: 10-X-05-RZ (A to PR); 6-G-17-RZ (PR 1-2du/ac to PR <3du/ac)

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: Liz Albertson

Staff Recomm. (Abbr.): Approve PR (Planned Residential) up to 3 du/ac, subject to 3 conditions. (Applicant requested PR up to 4.8 du/ac).

Staff Recomm. (Full): The residential portion of the site has been cleared and graded without prior approval from Knox County Engineering. In the previous 2017 rezoning, the slope analysis noted that 28.32 acres of the site were within the Hillside and Ridgetop Protection area, and over 70 percent of the site had slopes in excess of 15 percent. The staff recommendation for rezoning at that time was PR up to 2.12 du/ac because of the steep topography (See Exhibit A). A use on review/concept plan was approved in May of 2019 demonstrating 2.98 du/acre, however, a subsequent design plan was submitted to Knox County Engineering, but has yet to be approved by the time of publication of this staff report.

Staff recommends approval of PR (Planned Residential) up to 3 du/ac, subject to the following conditions:

- 1) No additional land disturbing activities until a revised use-on-review and concept plan application is approved by the Knoxville-Knox County Planning Commission and proper permits are obtained from Knox County Engineering reflective of an updated plan with the increased density demonstrated on the development plan.
- 2) An updated traffic study must be submitted to reflect the increased density requested by the rezoning with the forthcoming use-on-review / concept plan application.
- 3) Sidewalks must be provided on both sides of the internal street network, as the property is directly across the street from Hardin Valley Schools.

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 Northwest County Sector is the most rapidly growing sector in Knox County.
2. The addition of new schools in the area is causing an increase in residential demand within close proximity to Hardin Valley Elementary, Hardin Valley Middle and Hardin Valley Academy.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The proposed amendment to 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. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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. Since the property has been denuded without prior approval from Knox County Engineering, no additional clearing and grading activities are recommended until proper permits have been obtained.
2. The required provision of sidewalks will lessen the impact of school related traffic by providing safe, pedestrian access for the residential neighborhood across adjacent to the schools.

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 property is located in the Rural Area of the Growth Policy Plan. However, a plan amendment for low-density residential has already been approved for the site.
2. The proximity to the Hardin Valley schools, commercial node at Steele Road, and access to utilities, as well as the overall increased demand for a variety of housing types makes the site suitable for this density of development.

Action: Denied **Meeting Date:** 8/8/2019

Details of Action: Planning Commission recommends denial of PR (Planned Residential) up to 4.8 du/ac.

Summary of Action: Planning Commission recommends denial of PR (Planned Residential) up to 4.8 du/ac.

Date of Approval: **Date of Denial:** 8/8/2019 **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 8/13/2019

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 9/23/2019

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:

Approved on appeal for PR (Planned Residential) at up to 4.4 du/ac.

Date of Legislative Appeal:

Effective Date of Ordinance: