

# 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:** 9-D-09-RZ                      **Related File Number:** 9-B-09-SP  
**Application Filed:** 7/24/2009              **Date of Revision:**  
**Applicant:** ROCKY HILL LAND PARTNERS, LLC

### PROPERTY INFORMATION

**General Location:** Southeast side S. Northshore Dr. , southwest of Whitower Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 133 E C 007    OTHER: PORTION ZONED OB                      **Jurisdiction:** County  
**Size of Tract:** 8.65 acres  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Attached residential development  
**Surrounding Land Use:**  
**Proposed Use:** Attached residential subdivision on individual lots                      **Density:** 4 du/ac  
**Sector Plan:** Southwest County              **Sector Plan Designation:** O, Ag/RR and SLPA  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:**

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

**Street:**  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** OB (Office, Medical, and Related Services)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:** 3-G-99-RZ  
**Extension of Zone:**  
**History of Zoning:**

### 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 4 du/ac.

Staff Recomm. (Full):

The recommended PR zoning and density recommendation is compatible with surrounding development and zoning, is consistent with the LDR designation, and would allow the 32 approved units on site to be placed on individual lots.

Comments:

REZONING REQUIREMENTS:

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

1. 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.
2. The surrounding area is developed with low density residential and commercial uses. PR zoning, at the recommended density, is compatible with the scale and intensity of the surrounding development and zoning pattern.
3. PR zoning at the recommended density, based on the reported acreage, will accommodate up to 34 units, while allowing the opportunity to place each unit on an individual lot, subject to concept plan/use on review approval by MPC. The applicant has made application for MPC consideration of a concept plan/use on review on October 8, 2009. The plan shows 32 units, which is a density of 3.7 du/ac. As part of this review, the applicant will be expected to provide a detailed landscaping plan, which includes any existing landscaping and any proposed new landscaping. The applicant will be expected to install as many large canopy/evergreen trees as possible in the sloped, common areas of the site to replace some of the hillside trees that were removed during the clearing and grading of the site. The site was once a heavily wooded sloped site, which has now been completely stripped of all trees. Significant reforestation of the slopes will be expected. These stipulations are recommended based on the fact that the majority of the site is proposed for slope protection on the sector plan, as well as the proposed policies of the joint City/County Task Force on Ridge, Slope and Hillside Development and Protection. A slope map, slope analysis and aerial photo are attached to demonstrate current, as well as previous conditions. The sector plan proposal for slope protection can be seen on the agenda map for 9-B-09-SP.
4. Staff has also attached some slope images that show a comparison of the site between 2003 (before grading) and 2007 (post grading). The slope map and analysis that is included reflects the topographic conditions prior to the clearing and grading of the site, so is not really applicable currently. Had this site been in its previous natural state at the time of this request, based on the attached slope analysis, staff would have recommended a density somewhere in the vicinity of 2.5 du/ac.

CONSISTENCY WITH INTENT AND PURPOSE OF THE 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 EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. At the recommended density of up to 4 du/ac on the 8.65 acres reported, up to 34 dwelling units could be proposed for the site. Developed with attached residential units, this would add approximately

362 trips to the street system and about 4 children to the school system.

3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.

4. The approval of these requests will allow the applicant to submit plan for MPC's consideration to place each unit on an individual lot.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. With the recommended amendment to LDR, the PR zoning at the recommended density is consistent with the Southwest County Sector Plan.

2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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 Knox County Engineering and MPC staff.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. New law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

**Action:** Approved **Meeting Date:** 9/10/2009

**Details of Action:**

**Summary of Action:** RECOMMEND that Knox County Commission APPROVE PR (Planned Residential) zoning at a density up to 4 dwelling units per acre

**Date of Approval:** 9/10/2009 **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:** 10/26/2009

**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:**