

▶ **FILE #:** 12-I-06-RZ

AGENDA ITEM #: 70

AGENDA DATE: 12/14/2006

▶ **APPLICANT:** GARY KOONTZ
 OWNER(S): ASHWOOD PROPERTIES LLC
 W CONARD LLC

TAX ID NUMBER: 92 M B 012, 012.02, 012.03

JURISDICTION: City Council District 3

▶ **LOCATION:** East side Jackson Rd., south of Windtree Ln., north of railroad tracks

▶ **APPX. SIZE OF TRACT:** 11.05 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Jackson Rd., a minor collector street with 18' of pavement width within 40' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board

▶ **PRESENT ZONING:** RP-1 (Planned Residential) at 1 to 4 du/ac

▶ **ZONING REQUESTED:** RP-1 (Planned Residential) at up to 8 du/ac

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Condominiums

DENSITY PROPOSED: 8 du/ac

EXTENSION OF ZONE: Yes, extension of RP-1 from the north.

HISTORY OF ZONING: Property was rezoned RP-1 @ 1-4 du/ac in 2004 (6-P-04-RZ).

SURROUNDING LAND USE AND ZONING: North: Detached dwellings / RP-1 (Planned Residential)
 South: Detached dwellings / R-1 (Low Density Residential)

East: Warehousing / I-3 (General Industrial)

West: Jackson Rd. - Vacant land / C-6 (General Commercial Park)

NEIGHBORHOOD CONTEXT: Properties north of this site have been developed with residential uses under RP-1 and R-1 zoning. To the south, east and west are warehouses and other industrial businesses developed under I-2 and I-3 zoning.

STAFF RECOMMENDATION:

▶ **APPROVE RP-1 (Planned Residential) zoning.
 APPROVE a density of up to 8 du/ac.**

RP-1 zoning at the requested density is consistent with the One Year Plan proposal for the property and is appropriate for this area, which contains a mix of residential, commercial and industrial uses.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposal is compatible with the scale and intensity of the adjacent development and zoning pattern.
2. 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.

3. RP-1 zoning at up to 8 du/ac is consistent with the One Year Plan designation for the site, which proposes low or medium density residential uses.

THE EFFECTS OF THE PROPOSAL

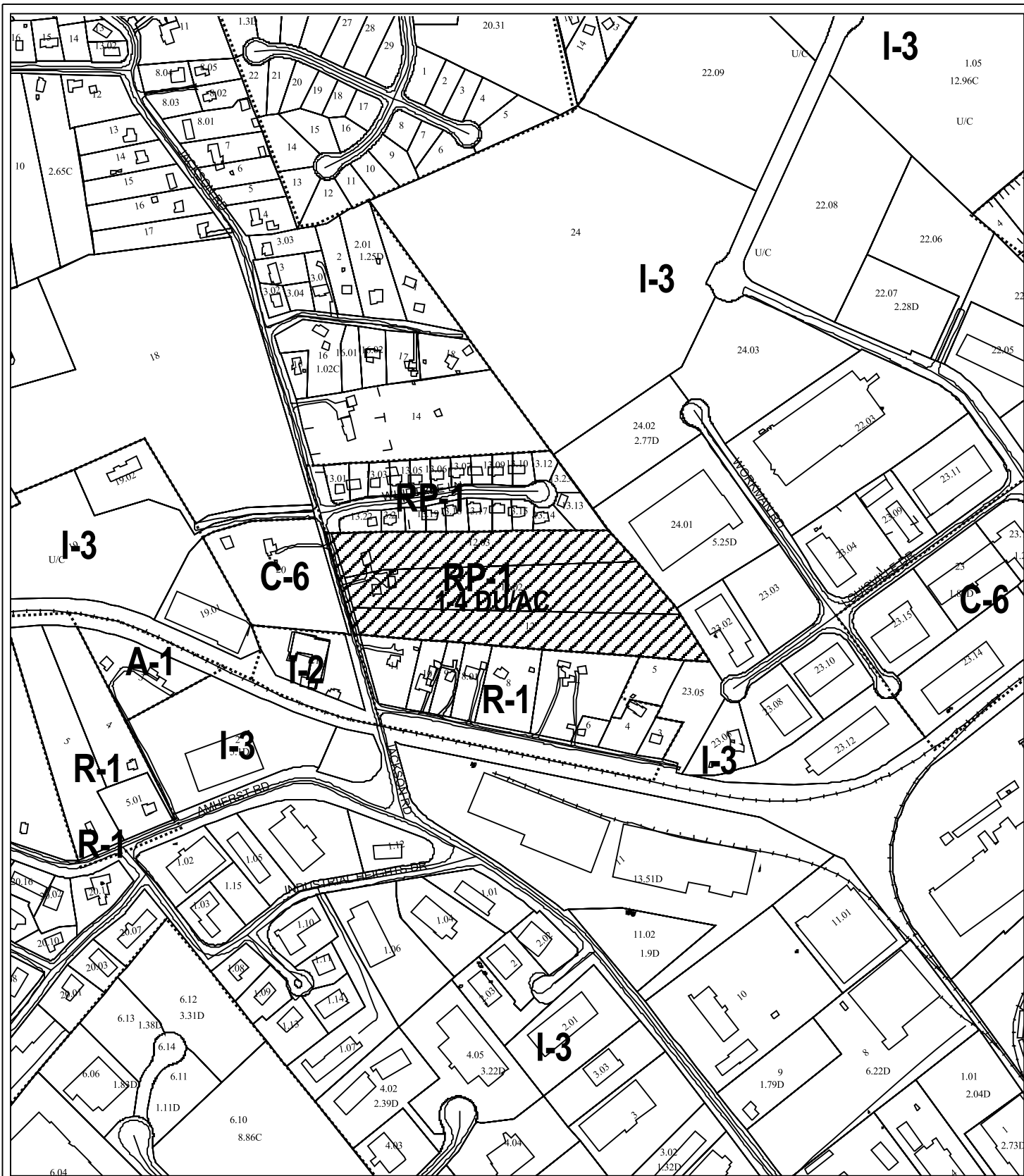
1. Public water and sewer utilities are in place to serve the site.
2. At the recommended density, up to 88 dwelling units could be proposed on the subject property. If developed with attached dwellings, this would add approximately 792 vehicle trips per day to the street system and about 12 children under the age of 18 to the school system.
3. The site has sole access to Jackson Rd., which is a minor collector street. Sight distance appears to be sufficient, but will need to be certified on the final plat. There is a raised railroad crossing about 400' south of the site on Jackson Rd., which could be problematic.
4. The RP-1 zone requires a 25 foot periphery building setback. A landscaping buffer will be likely be required to be installed along the north, south and east sides, to screen and separate the development from the less intense residential uses and the more intense industrial uses which about the subject site.
5. This proposal is compatible with the adjacent development and zoning and the impact on adjacent properties will be minimized through the use on review process.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan proposes mixed uses, including low and medium density residential, for this site, consistent with this proposal.
2. The Northwest City Sector Plan proposes low density residential uses for the site, consistent with the current zoning of the site.
3. This request may generate similar requests for residential development in this area in the future, consistent with the sector plan and One Year Plan designations in the area.

Upon final approval of the rezoning, the developer will be required to submit a concept plan and/or 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 City of Knoxville Engineering and MPC staff.

If approved, this item will be forwarded to Knoxville City Council for action on 1/16/2007 and 1/30/2007. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**12-I-06-RZ
REZONING**

Petitioner: Gary Koontz

Map No: 92

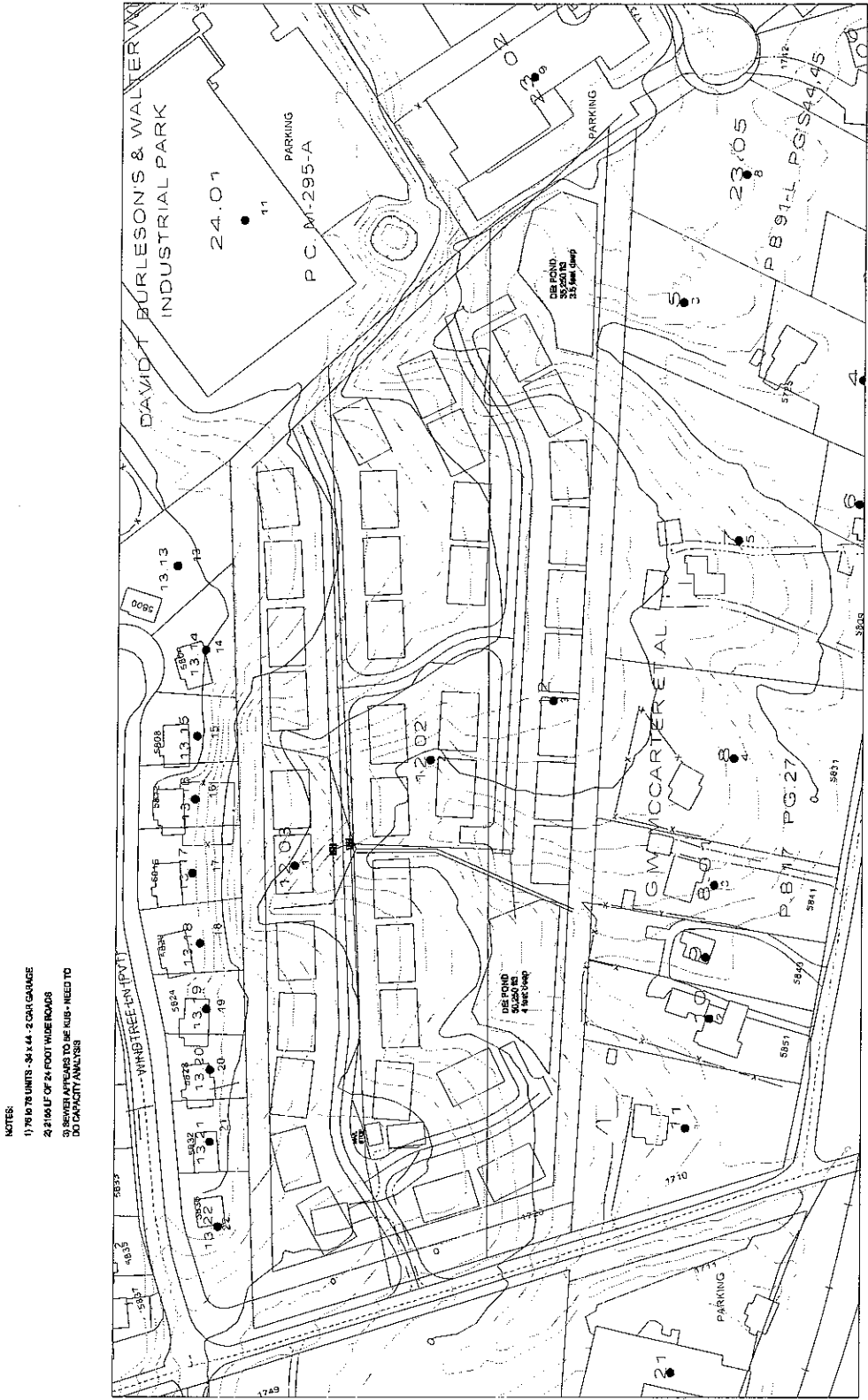
Jurisdiction: City



From: RP-1 (Planned Residential) at 1 to 4 du/ac
To: RP-1 (Planned Residential) at up to 8 du/ac

Original Print Date: 11/20/06 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

12-I-06-RZ



- NOTES:
- 1) 78 IN 78 UNITS - 36 x 44 - 2 CAR GARAGE
 - 2) 2' W/4' OF 24' FOOT WIDE ROADS
 - 3) SEWER APPEARS TO BE A/S - NEED TO DO CAPACITY ANALYSIS

NO.	DATE	BY	CHKD.	DESCRIPTION	REVISIONS

ROBERT G. CAMPBELL & ASSOC., L.P.
CONSULTING ENGINEERS
BIRMINGHAM, TENNESSEE

CONCEPT PLAN

JACKSON ROAD

SCALE: 1" = 50' PLECE

DATE: 12/14/06

DESIGNED BY: [Blank]

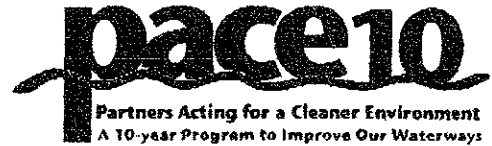
DRAWN BY: [Blank]

CHECKED BY: [Blank]

APPROVED BY: [Blank]



Knoxville Utilities Board



Partners Acting for a Cleaner Environment
A 10-year Program to Improve Our Waterways

October 26, 2006

12-I-06-RZ

Gary Koontz
2900 Tazwell Pike, Suite F
Knoxville, TN 37918

Dear Mr. Koontz:

Thank you for your recent inquiry about wastewater service availability for the undeveloped property at Jackson Road. Under the Capacity Assurance Program mandated by federal regulators, KUB must review all new wastewater service requests to ensure that our system can adequately serve existing and future customers without contributing to chronic sewer overflows

KUB reviewed our wastewater system from the property through the treatment plant under strict federal guidelines. The review considered many factors to determine the development's potential impact on our system, existing customers, and the environment. **Based on current conditions in that area, KUB is pleased to inform you that we can provide service to the property.**

You have 60 days from the date of this letter [until December 26, 2006] to sign a Capacity Reservation Agreement and submit a deposit for a one-year reservation. For multi-unit residential developments, the deposit is \$600 (cash, letter of credit, or surety bond) per unit. For commercial/industrial/governmental developments, the deposit is \$4 per gallon of projected daily flow. Your deposit for the proposed development would be **\$52,800 (\$600/unit X 88 units)**

A reservation ensures that you will be able to connect your completed project to the wastewater system. KUB will set aside capacity for your reservation when reviewing future requests in the same area. In other words, another requested development -- even one built and in service before yours -- won't stop yours from connecting to the system.

Enclosed are a Capacity Reservation Agreement and a sample letter of credit. Please come in at your earliest convenience to sign the agreement and submit your deposit. We also have CRP brochures available in our office or on the Web site at www.kub.org, in case you need one.

KUB is committed to serving our community's growth, improving our wastewater system, and helping clean up area streams under the Clean Water Act. We appreciate the opportunity to serve you and your new development. If you have any questions, please call me at the number below.

Sincerely,

Jennifer Bailey
New Service Representative
558-2539

Enclosures: Capacity Reservation Agreement
Sample Letter of Credit

P.O. Box 59017 • Knoxville, TN 37950-9017 • 1-800-228-4194 [to record a comment] • <http://PACE10.kub.org>

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