

▶ **FILE #:** 9-M-06-RZ

**AGENDA ITEM #:** 87

**AGENDA DATE:** 9/14/2006

▶ **APPLICANT:** BENCHMARK ASSOCIATES

OWNER(S): JACK & SHIRLEY BUTTURINI

TAX ID NUMBER: 144 8.01, 8.08, 8.11

JURISDICTION: County Commission District 5

▶ **LOCATION:** Southeast side George Williams Rd., southwest of Hidden Glen Ln.

▶ **APPX. SIZE OF TRACT:** 10.93 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via George Williams Rd., a major collector street with 19' of pavement within a 60' right of way and Hidden Glen Ln., a local street with 26' of pavement within a 50' right of way.

UTILITIES: Water Source: First Knox Utility District  
 Sewer Source: First Knox Utility District

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Residences

▶ **PROPOSED USE:** Detached dwellings

**DENSITY PROPOSED:** 5 du/ac

EXTENSION OF ZONE: Yes, properties to the north, east, and west are zoned PR.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential / A (Agriculture) & PR (Planned Residential)  
 South: Residential / A (Agriculture) & PR (Planned Residential)

East: Residential / PR (Planned Residential)

West: Residential & Parkway / RA (Low Density Residential) & OS-1 (Open Space)

NEIGHBORHOOD CONTEXT: The property is located in an area that has a mix of rural and low density residential uses.

**STAFF RECOMMENDATION:**

▶ **APPROVE PR (Planned Residential) zoning.**

**APPROVE a density of up to 3 dwellings per acre (Applicant requested up to 5 du/ac).**

PR zoning at up to 3 dwellings per acre is consistent with the surrounding development pattern and slope constraints noted on this site. The sector plan proposes low density residential use and slope protection for this site. Staff is recommending against the applicants request for 5 du/ac due to the steep slopes, the two telecommunication towers, and the 3 existing detached dwellings located on this site.

**COMMENTS:**

**NEED AND JUSTIFICATION FOR THE PROPOSAL**

1. Other properties in the immediate area are developed with residential uses under RA, PR and A zoning.
2. PR zoning at up to 3 du/ac is compatible with the scale and intensity of the existing and proposed residential

development pattern along George Williams Rd. and Fox Rd. The adjoining subdivision to the northeast, Hidden Glen, was approved at 4 du/ac, but has been developed at 2.8 du/ac due to slope constraints.

3. The recommended density lessens the impact on surrounding land uses and takes into account the steep slopes on portions of the site, allowing for a more compatible development and preservation of the steep slope areas.

4. There are 2 existing telecommunication towers located on the subject property (160' & 190') along with 3 existing detached dwellings, all of which are planned to remain on the property. The developer of this site will have to provide adequate setbacks around these structures.

5. PR 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 EFFECT OF THE PROPOSAL

1. Public water and sewer utilities are available in the area to serve the site.

2. At the staff's recommended density, up to 33 dwelling units could be proposed on the subject property. This density would add approximately 330 vehicle trips per day to the street system and about 9 school aged children to area schools. The requested 5 du/ac would allow approximately 54 units on this site, would generate 540 vehicle trips per day and would add approximately 14 school aged children to area schools.

3. Based on the attached slope analysis, about 11.55% of the site has slopes of 25% or greater. In these, areas, the applicant will be expected to meet all requirements of the hillside regulations in the Knoxville-Knox County Minimum Subdivision Regulations, as well as abide by other applicable slope protection requirements in approved MPC plans.

4. The applicant will be required to build around 2 existing telecommunication towers and 3 existing detached dwellings. According to the Knoxville Zoning Ordinance, all telecommunication towers shall be setback from any dwelling unit located on properties zoned PR a minimum distance equal to 110% of the height of the tower. As a result of these setback requirements, approximately 210' around the base of the towers will be unusable for development, unless a variance is granted by the Knoxville Board of Zoning Appeals. Since the recommended PR zoning would allow the applicant the opportunity to use these unbuildable areas in their density calculations and transfer those densities elsewhere on the property, staff is recommending a reduced density of up to 3 du/ac.

5. The recommended zoning and density are compatible with the surrounding zoning, and the impact on adjacent properties will be minimized during the use on review/final plat process.

#### CONFORMITY OF THE PROPOSAL ON ADOPTED PLANS

1. The Southwest County Sector Plan proposes low density residential uses and slope protection for the site.

2. The developer of the property should understand that the existing slope constraints may not allow development of the property at the approved density.

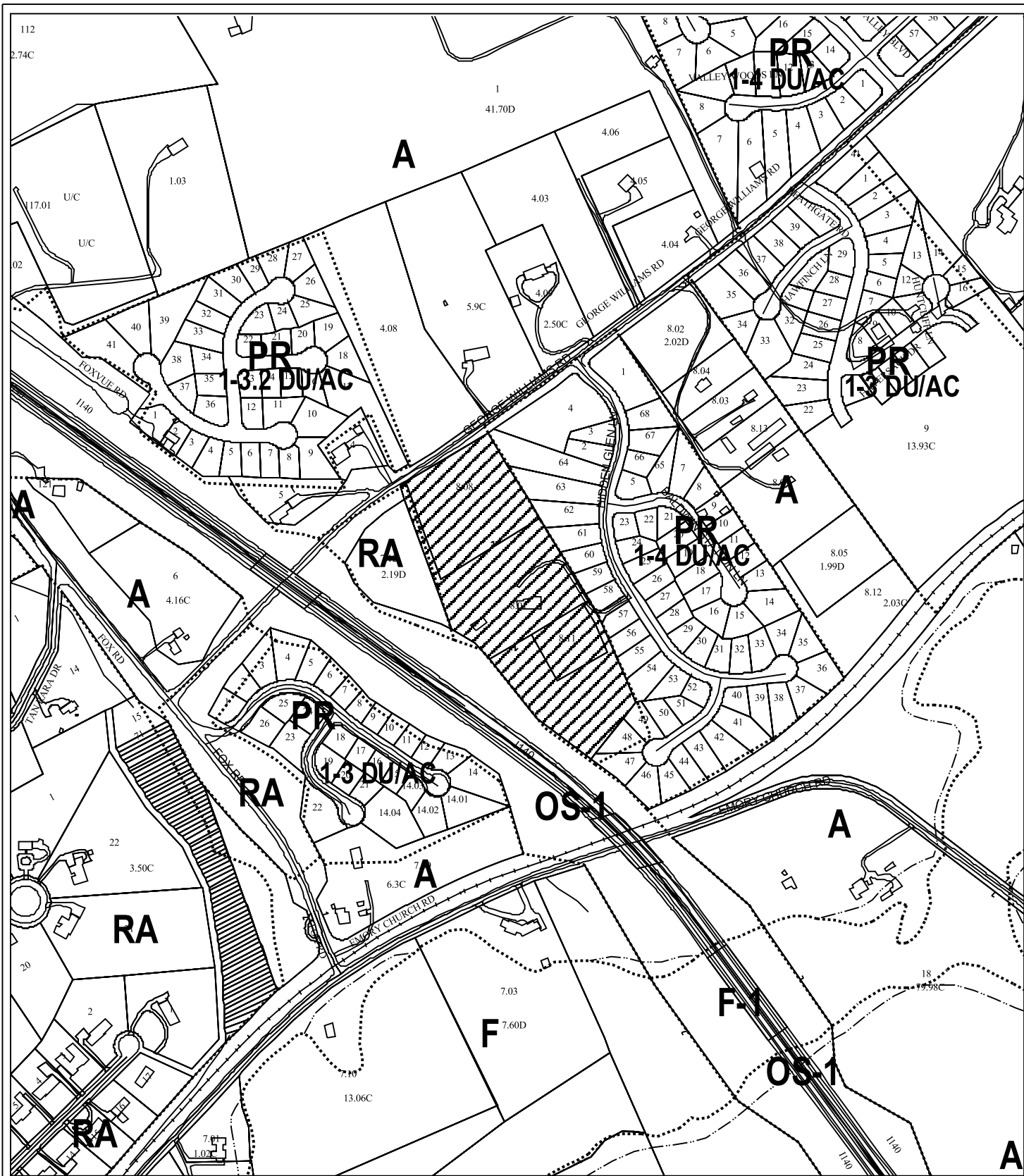
3. In addition to the slope constraints, the developer will be required to be setback approximately 210' off the two existing telecommunication towers located in the center of the property. The developer should also be aware that these issues may not allow the development of the property at the approved density.

4. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

5. This request may generate similar requests for PR zoning in this area in the future on properties which are proposed for low density residential uses by the sector plan.

Upon final approval of the rezoning, the developer will be required to submit a use on review (concept plan if proposed detached units) 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 will also be required at this stage, if deemed necessary of Knoxville County Engineering and MPC staff.

If approved, this item will be forwarded to Knoxville County Commission for action on 10/23/2006 and 11/20/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.




9-M-06-RZ  
REZONING

Petitioner: Benchmark Associates

Map No: 144

Jurisdiction: County

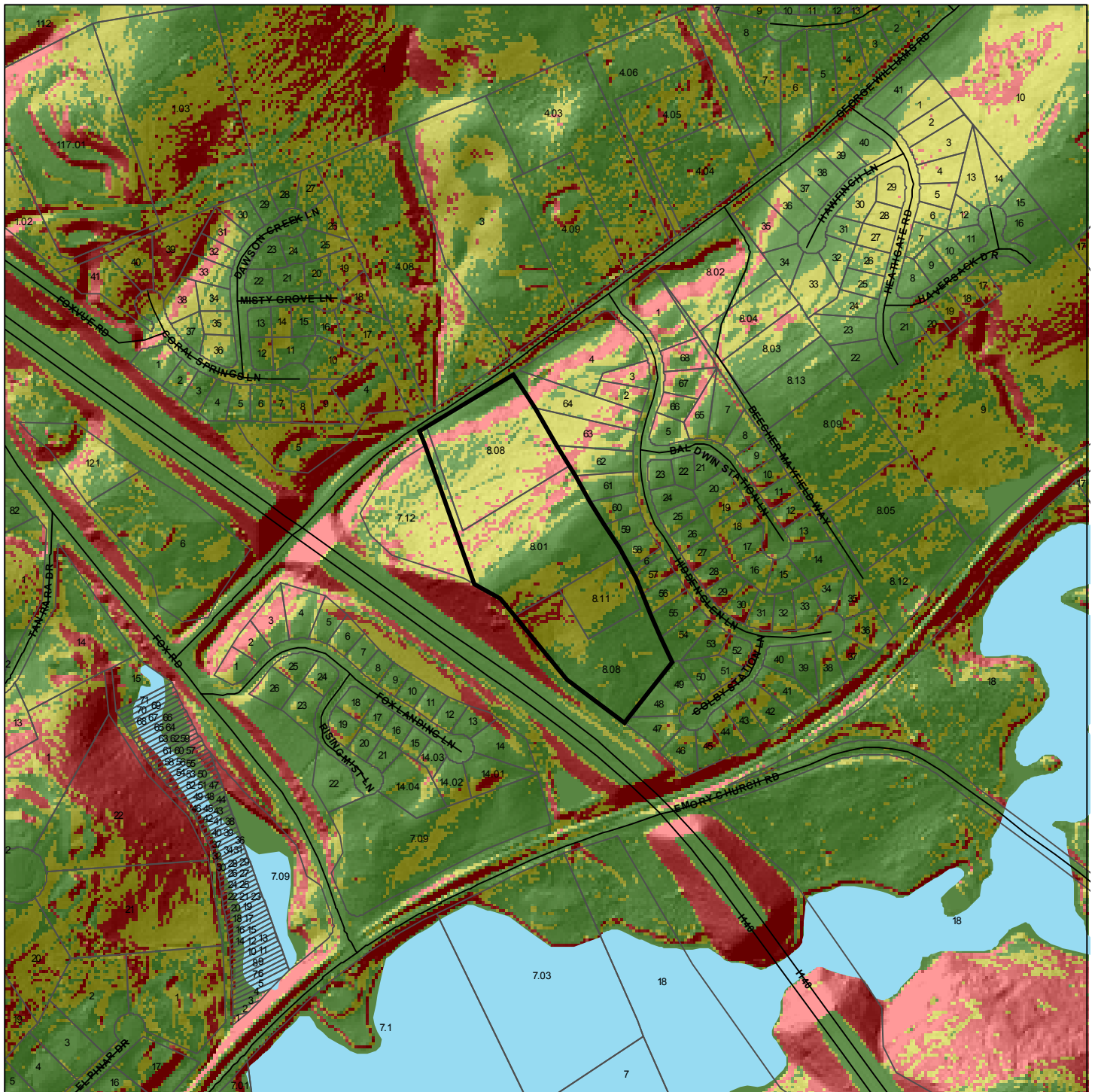
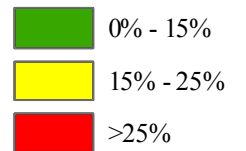
 From: A (Agricultural)  
To: PR (Planned Residential)

Original Print Date: 08/23/06 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



# 9-M-06-RZ Slope Analysis

## Percent Slope



### 9-M-06-RZ REZONING

From: A (Agricultural)  
To: PR (Planned Residential)

Original Print Date: 7/31/2006 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Benchmark  
Associates

Map No: 144

Jurisdiction: County



9-M-06-RZ Slope Analysis

Slope	Gridcode	Cells	Sum_Acres	Percentage
0%-15%	1	8969	5.1475	46.13%
15%-25%	2	8228	4.7222	42.32%
> 25%	3	2246	1.2890	11.55%
Total Acres			11.1587	100.00%

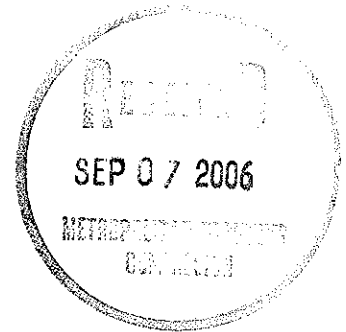
# Tan Rara Oeste Homeowners Association

9-M-06-RZ

Making Tan Rara a Special Place to Live [www.tanrara.org](http://www.tanrara.org)

September 5, 2006

Mr. Mark Donaldson  
Executive Director  
Metropolitan Planning Commission  
Suite 403 City / County Building  
400 Main Street  
Knoxville, TN 37902



RE: 9-M-06-RZ Benchmark Associates - Jack R. Butturini

Dear Mr. Donaldson:

The Executive Board of the Tan Rara Homeowners Association is very concerned about a proposed development on George Williams Road. We agree that this tract should be developed into detached single family homes.

We are **opposed** to the request by the applicant for a density of five (5) dwelling units per acre for this 11 acre tract of land. There are **no residential developments** with a density as high as 5 units per acre anywhere in the Fox Road / George Williams Road area of West Knox County.

Therefore, due to the two cellular towers that are located on the property and extensive land slope, we ask that you recommend to the MPC Commissioners that this tract be rezoned to PR (Planned Residential) and set the density at 1 to 2 units per acre.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Birt".

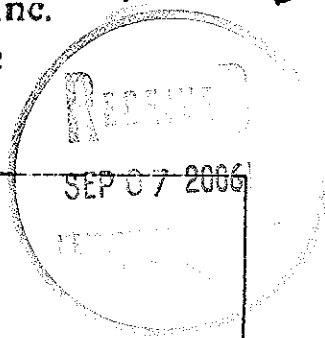
Laurie Birt  
President

10128 El Pinar Drive  
Knoxville, TN 37922

9-M-06-RZ

**Council of West Knox County Homeowners, Inc.**

Representing over 75 homeowner associations with 17,500 homeowners since 1972  
 c/o 10044 Tan Rara Drive • Knoxville, TN • 37922-4139



- Andover Court
- Arbor Creek
- Ashley Oaks
- Augusta Hills
- Autumn Ridge
- Belmont West
- Benington
- Bexhill
- Bluff Point
- Bunker Hill
- Cambridge Wood
- Carrollwood
- Cedar Grove
- Charles Town Ltd
- Chestnut Grove
- Cheto Estates
- Colonies
- Crest Haven
- Crestline
- Crestwood Hills
- Dunbarton Oaks
- Dutchtown Marbo
- Eagle Glen
- Echo Valley
- Edgewater
- Farmington
- Farrington
- Forest Mill
- Foxboro
- Foxfire
- Gettysvue
- Greywood Cluster
- Gulf Park Civic
- Gulfwood
- Hans Ridge
- Heritage Woods
- Highgate
- Hunting Ridge
- Kams Community
- Kensington I
- Kincer Farms
- Kingston Woods
- Lakeridge
- Lakewood Community
- Lennox Place
- Lovell Hills
- Lovell Road
- Lovell Woods
- Lyons Crossing HOA
- Lyons Crossing Nf
- Madison Ridge
- Morgan Place
- New Kensington
- Northshore Hills
- Northshore Landing
- Plantation Springs
- Rudder Lane
- Seven Oaks East
- Sevenoaks West
- Sherman Oaks
- States View
- Suburban Hills
- Tan Rara Oeste
- Tierra Verde
- Tooles Bend
- Trails End
- Twin Springs
- View Harbour
- Villas at Lyons Cross
- Waterford
- Westhampton
- Westbrooke
- Westland - West
- Westshore
- Wheaton Place
- Windermere
- Wrights Ferry

September 6, 2006

Mr. Mark Donaldson  
 Executive Director  
 Metropolitan Planning Commission  
 Suite 403 City / County Building  
 400 Main Street  
 Knoxville, TN 37902

RE: 9-M-06-RZ Jack R. Butturini - Benchmark Associates

Dear Mr. Donaldson:

The Council of West Knox County Homeowners passed a unanimous resolution requesting the MPC Staff propose a maximum density of two (2) units per acre for this development on George Williams Road. We agree that this tract should be rezoned from agricultural into detached single family homes.

The Council is opposed to a density of five (5) dwelling units per acre for this tract of land. The adjoining residential developments do not have a density as high as 5 units per acre. We cannot recall any development within one square mile of this acreage with a density this intense.

Therefore, we ask that you recommend to the MPC Commissioners that this tract be rezoned to PR (Planned Residential) and request the density be set at no more than 2 units per acre.

Regards,

John R. Schoonmaker  
 President

President John Schoonmaker 675 - 6625  
 Vice President Sue Mauer 690 - 0269  
 Secretary Chuck Fleischer 769 - 1356  
 Treasurer Jacki Cash 671 - 6797  
 Parliamentarian Don Caldwell 693 - 2216

Board Members (in addition to officers):  
 Linda Gildner 675 - 5341  
 Edward Langston 539 - 1796  
 Debra VanMeter 690 - 1414  
 John Von Weisenstein 690 - 3944

**From:** <EddieSanford@aol.com>  
**To:** <mark.donaldson@knoxmpc.org>  
**Date:** 9/7/2006 10:56:10 PM  
**Subject:** RE: 9-M-06-RZ Benchmark Associates, Jack Butturini

actual letter mailed 9-8-06

September 7, 2006

Mr. Mark Donaldson

Executive Director, Metropolitan Planning Commission

Suite 403 City / County Building

400 Main Street

Knoxville, TN 37902

RE: 9-M-06-RZ Benchmark Associates – Jack R. Butturini

Dear Mr. Donaldson,

Our 20 acre farm is across from the Woods at West Valley with approximately 119 homes planned on 48 acres or 2.4 density. Developer Scott Smith requested up to 5 (while he was also about to sell it to the County for a new high school) and your agency approved him with language that seem to set a precedent density in this general area of something closer to 2 units per acre. Scott Smith has displayed poor judgment with his development.

Next door is now the new West Arden by Saddlebrook Development with it's plan of approximately 73 homes on 28 acres or 2.6 density on some difficult slope. They have shown respect to this area.

Sixth Tenths of a mile east on George Williams is the new Emerald Woods apartments by developer Steve Williams who also requested a much higher density and your agency listened to the Statesview Community and encouraged the developer to a much nicer development that shows more respect to our community. There is a pattern of developers seeking unsafe density on our road. Mr. Butturini who is three tenths of a mile west of us now shows similar behavior. I appreciate your agency's more conservative language that came out as a result of recent requests.

My request is that Mr. Butturini be held to a density of 1 to 2 single family homes per acre for the following reasons:

- 1 front slope and terrain maybe the worst on George Williams
  - 2 the two towers he allowed on his property require further set backs
  - 3 two lane George Williams maybe over developed as is  
(I now have to set out orange cones monthly in the street to mow and clean county easement on the front of my property)
  - 4 there are no other residential properties at 5 units per acre on George Williams Road or Fox Road
  - 5 it appears Mr. Butturini plans to keep his existing homes
- Thank you for your consideration of my request.

Sincerely,

George E. Sanford

9628 George Williams Road

Knoxville, TN 37922 Home 691-6501

Cell 805-5714