

▶ **FILE #:** 6-L-07-RZ

AGENDA ITEM #: 87

AGENDA DATE: 6/14/2007

▶ **APPLICANT:** ALEX PULSIPHER

OWNER(S): PULSIPHER ALEXANDER & ALLISON &

TAX ID NUMBER: 99 031.10, 031.11, 031.12 031.13 & 031.14

JURISDICTION: County Commission District 8

▶ **LOCATION:** East side Bales Rd., south of Curtis Rd., north of Kodak Rd.

▶ **APPX. SIZE OF TRACT:** 70 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Bales Rd., a local street with 17-18' of pavement width within 50-60' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: N/A

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

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

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential

DENSITY PROPOSED: 1 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Dwellings and vacant land / A (Agricultural)
South: Dwellings, vacant land and Tuckahoe Creek / A (Agricultural)
East: Dwellings, vacant land and Tuckahoe Creek / A (Agricultural)
West: Bales Rd. - Dwellings and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: Agricultural and rural residential uses are located in this area, under Agricultural zoning.

ESTIMATED STUDENT YIELD: 27 (public and private school children, ages 5-18 years)

STAFF RECOMMENDATION:

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

APPROVE a density of up to 1 du/ac.

SUBJECT TO THE FOLLOWING 5 CONDITIONS:

1. Steep slopes (over 25%) shall be left as open space or developed with residential densities not to exceed 1 dwelling unit per 2 acres.
2. A minimum of 100 feet of undisturbed open space (in view of the steep slopes) shall be set aside along Tuckahoe Creek (a State Scenic River/Stream). A path may be provided within that open space.
3. A letter of approval shall be provided for the proposed on-site waste water treatment facility by the Knox County Health Department, TDEC and/or KUB prior to MPC acceptance of a final plat.
4. A provision for the conservation of the forested, stream corridor and other open space assets of the site shall be provided with the development plan, including the amount of permitted clearing on the lots and a

provision for third party control of the conservation easements that are to be set aside.

5. No common/open space areas are to be penetrated by paved driveways (this provision does not pertain to the road access provided by JPE's, which may or may not be paved).

COMMENTS:

The applicant is proposing what MPC would deem to be a conservation subdivision. The conditions on this rezoning are recommended to serve in place of conservation subdivision standards, which are being prepared, but have yet to be approved. The conditions are intended to serve as intermediate requirements. There are some unique issues on this case that the applicant needs to be prepared to address.

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The site has some slope constraints and stream protections areas, so the rural residential density of 1 du/ac proposed is appropriate for the site, to allow clustering of dwelling units in more developable areas of the site.
2. The recommended zoning and density of 1 du/ac is consistent with the current sector plan and meets Growth Policy Plan requirements for development in the Rural Area.
3. PR zoning requires use on review development approval from MPC, which is preferable to the current A zoning, which requires no such approval.

THE EFFECTS OF THE PROPOSAL

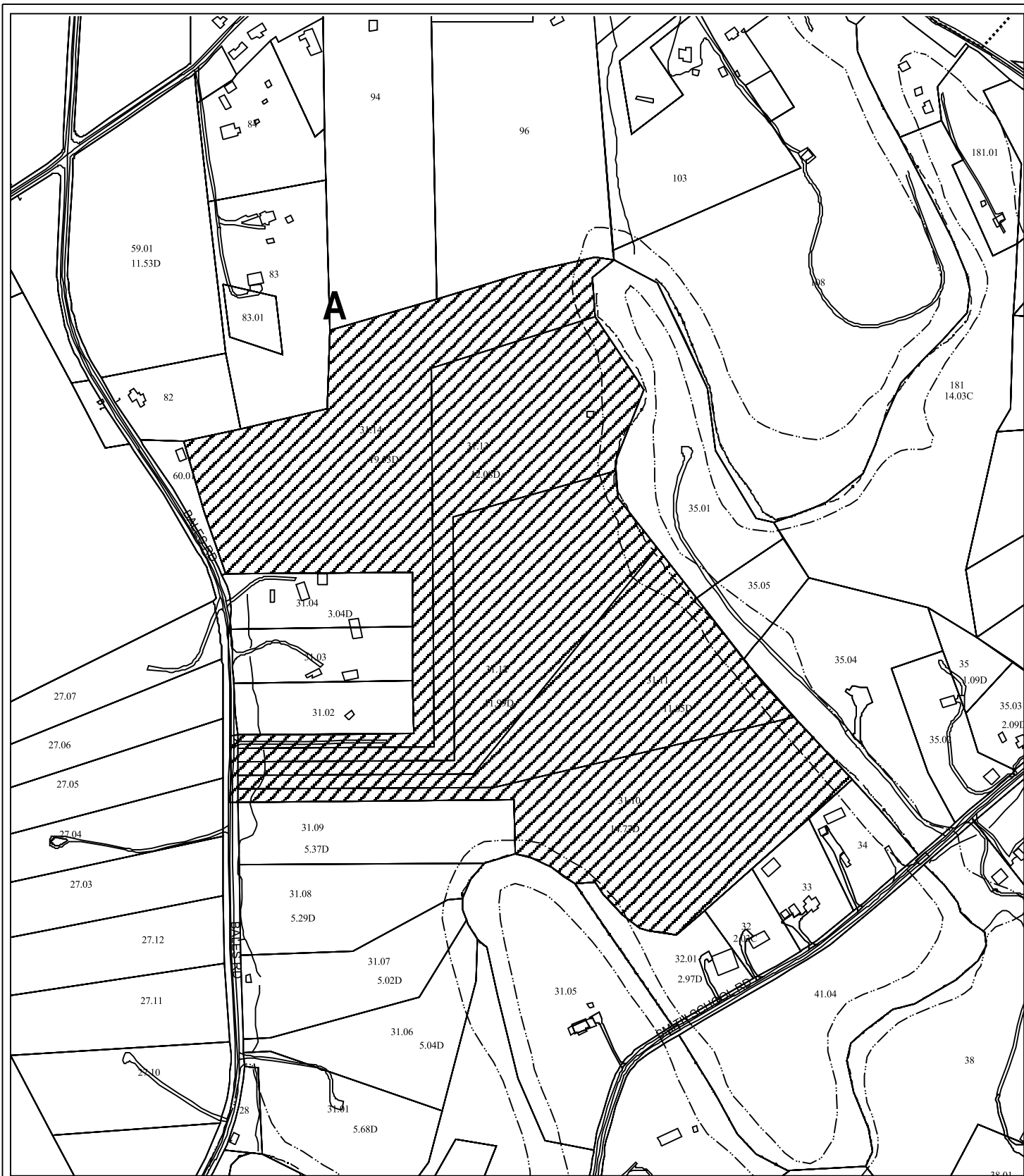
1. No water or sewer utilities are currently available on this currently vacant site. KUB provides water to adjacent residences in the area and would be the closest sewer provider to connect to. However, this applicant is seeking approval of alternative private utility systems, which will require approval from TDEC and/or the Knox County Health Department.
2. The requested density of 3 du/ac would allow for a maximum of 70 dwelling units to be proposed for the site. That number of single family detached units, would add approximately 700 vehicle trips per day to the street system and would add approximately 27 new school age children to the school system.
3. Adequate sight distance appears to be available on Bales Rd. but will need to be certified on the development plans. Bales Rd., at 17-18' of pavement width, may require improvements, including widening, depending on the number of units proposed and subject to Knox County Engineering requirements.
4. Staff may be willing to consider the keeping of horses or equestrian facilities in the PR zone on the site as part of the development plan consideration. However, the horses or facilities are not to be for any commercial purpose and should be for use by the residents of the development only. The number of horses to be kept be no greater than the carrying capacity of that site for grazing (as documented by an agricultural resource professional). If other farm animals are proposed to be kept on site, the applicant will need to seek rezoning back to Agricultural for those specified areas.
5. The recommendation is compatible with the surrounding zoning, and the impact on adjacent properties will be minimized during the use on review/concept plan process.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East County Sector Plan proposes agricultural and rural residential uses, stream and slope protection for the site, consistent with the recommended density of 1 du/ac.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map. The request meets all Growth Policy Plan requirements for approval in the Rural Area.
3. This request may lead to future requests for PR zoning at up to 1 du/ac in the future on large lot, agricultural properties in the area, consistent with the Ag/RR proposal on other properties in the area.

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.

If approved, this item will be forwarded to Knox County Commission for action on 7/23/2007. If denied, MPC's action is final, unless the action to deny is appealed to Knox 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.



**6-L-07-RZ
REZONING**

Petitioner: Alex Pulsipher

Map No: 99

Jurisdiction: County



From: A (Agricultural)

To: PR (Planned Residential)

Original Print Date: 05/30/07

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

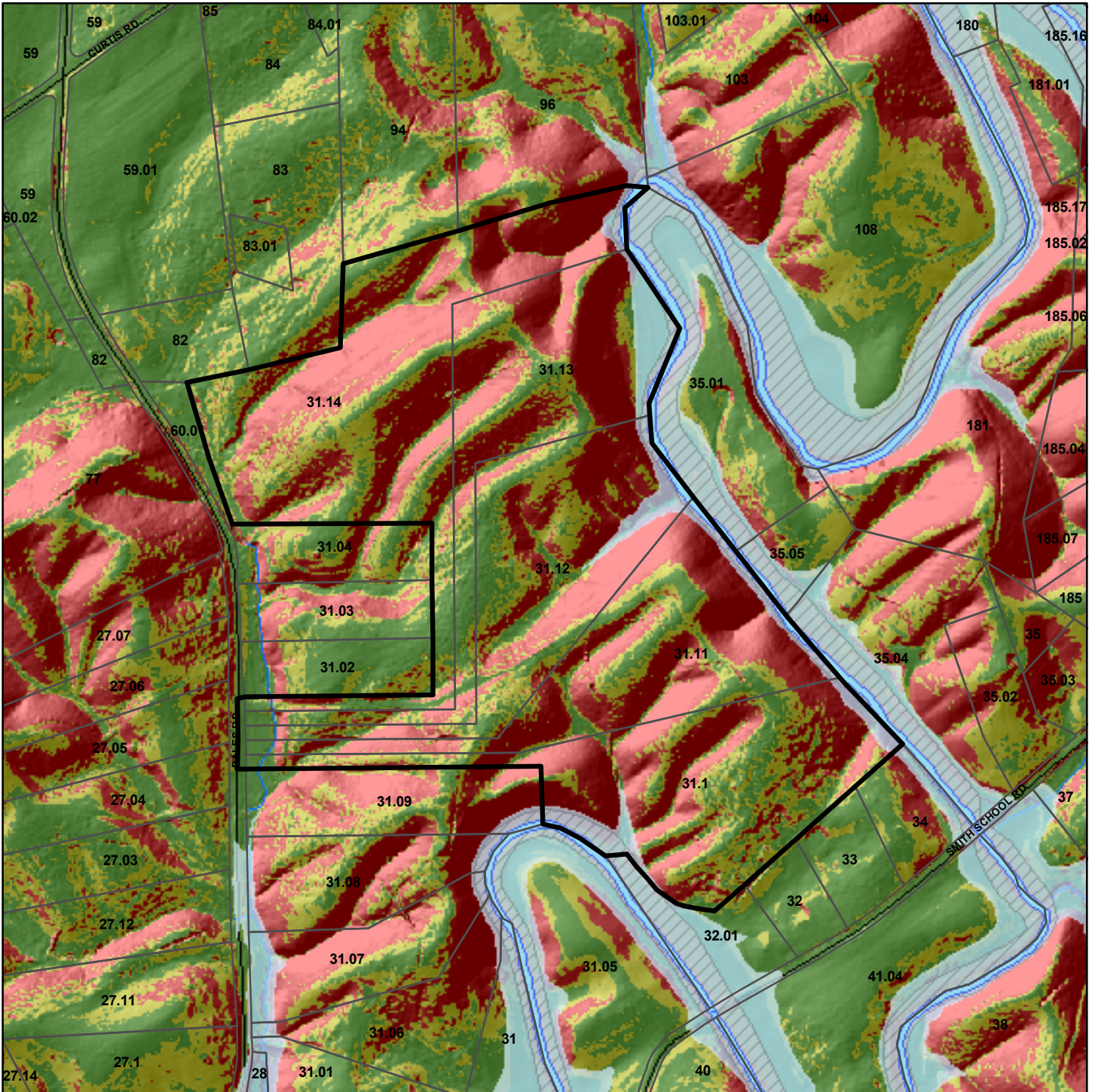
Agenda Item # 87

6-L-07-RZ

Slope & Flood Analysis

Legend

- 0%-15%
- 15%-25%
- > 25%
- Floodway
- 100 Year Flood Plain
- 500 Year Flood Plain



6-L-07-RZ
REZONING

Petitioner: Alex Pulsipher

Map No: 99

Jurisdiction: County

From: A (Agricultural) & F (Flood)

To: PR (Planned Residential) & F (Flood)

Original Print Date: 6/6/2007 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

0

500'




Agenda Item # 87

6-L-07-RZ Slope Analysis

| Slope | Gridcode | Cells | Sum_Acres | Percentage |
|-------------|----------|-------|-----------|------------|
| Floodway | | | 1.8493 | 2.66% |
| Floodfringe | | | 2.3655 | 3.41% |
| 0%-15% | 1 | 22186 | 12.7330 | 18.34% |
| 15%-25% | 2 | 28820 | 16.5404 | 23.83% |
| > 25% | 3 | 62613 | 35.9349 | 51.76% |
| Total Acres | | | 69.4231 | 100.00% |