

▶ **FILE #:** 6-M-07-RZ

AGENDA ITEM #: 88

AGENDA DATE: 6/14/2007

▶ **APPLICANT:** D. PRESTON AND DANA SMITH

OWNER(S): SMITH D PRESTON & DANA

TAX ID NUMBER: 120 M A 012

JURISDICTION: City Council District 2

▶ **LOCATION:** **Northeast side Lawford Rd., southeast side railroad ROW, northwest of Scotswood Cir.**

▶ **APPX. SIZE OF TRACT:** 13.27 acres

SECTOR PLAN: West City

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

ACCESSIBILITY: Access is via Lawford Rd., a local street with 25' of pavement width within 50' of right of way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

▶ **PRESENT ZONING:** R-1 (Low Density Residential) and F-1 (Floodway)

▶ **ZONING REQUESTED:** OS-1 (Open Space Preservation) and F-1 (Floodway)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Residence, vacant land and possibly horse(s).

EXTENSION OF ZONE: Yes, extension of OS-1 and F-1 from the southwest.

HISTORY OF ZONING: MPC denied a one year plan amendment to GC and C-6 zoning in 2000 for the portion of this site north of the floodway (7-L-00-RZ/7-E-00-PA). The site to the southwest, on the opposite side of Lawford Rd. was rezoned OS-1 and F-1 in 2006 (10-Q-06-RZ).

SURROUNDING LAND USE AND ZONING: North: Railroad ROW and a community center / R-1 (Low Density Residential)

South: Dwellings / R-1 (Low Density Residential)

East: Business park / C-6 (General Commercial Park)

West: Lawford Rd. - Dwellings and floodway / R-1 (Low Density Residential), OS-1 (Open Space Preservation) and F-1 (Floodway)

NEIGHBORHOOD CONTEXT: The Westmoreland Estates neighborhood is developed with low density residential development, zoned R-1.

ESTIMATED STUDENT YIELD: 0 (public and private school children, ages 5-18 years)

STAFF RECOMMENDATION:

▶ **APPROVE OS-1 (Open Space Preservation) and F-1 (Floodway) zoning.**

OS-1 and F-1 zoning is appropriate for this vacant site containing a tributary of Fourth Creek, which is not part of any residential lots.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. OS-1 zoning is compatible with the scale and intensity of the surrounding land uses and zoning pattern.

2. A creek tributary traverses through the subject property. OS-1 zoning is appropriate for this site to minimize development impacts on the floodway. The current R-1 zoning would allow creation of individual 7500 square foot lots for residential development.
3. The proposed OS-1 zoning is compatible with surrounding development and is consistent with the One Year and Sector Plans.
4. A concept plan for 22 lots was approved by MPC under R-1 zoning in 2004, but it was denied on appeal to City Council on 5/11/04 (1-SB-04-C).

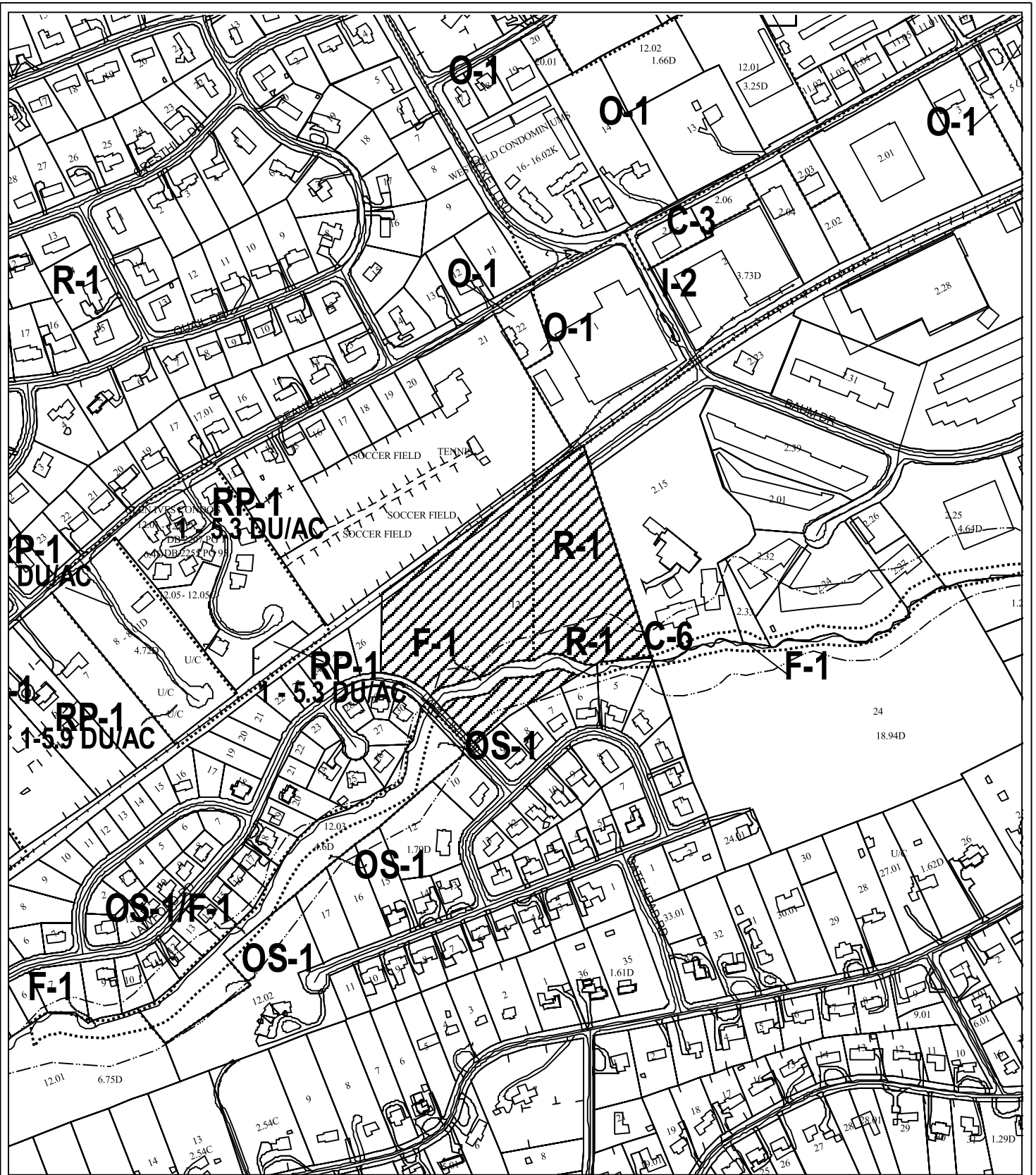
THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. This proposal will have no impact on schools or the street system.
3. The proposal is compatible with the surrounding zoning and will have minimal impact on surrounding properties.
4. The OS-1 zone allows residences on the site, but the minimum lot size is 3 acres, with a minimum of 200 feet at the front building line. A maximum 5% of the total area may be comprised of manmade structures. The OS-1 zone also allows some agricultural uses, park and recreation uses and conservation areas. The applicant does propose to possibly keep a horse on site in the future, subject to meeting any applicable City Codes for location of animals. OS-1 zoning also allows consideration of multi-family dwellings as a use on review, but staff would be unlikely to support a request for this type of use at this location.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The West City Sector Plan proposes stream protection and low density residential uses for the site, consistent with this proposal.
2. The City of Knoxville One Year Plan proposes low density residential uses for the site. OS-1 is listed as a permissible zone within the LDR designation.
3. This request is not likely to lead to future OS-1 requests in the immediate area, as the surrounding properties are developed under R-1 and C-6 zoning.

If approved, this item will be forwarded to Knoxville City Council for action on 7/17/2007 and 7/31/2007. 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.




**6-M-07-RZ
REZONING**

Petitioner: D. Preston and Dana Smith

Map No: 120

Jurisdiction: City

 From: R-1 (Low Density Residential) and F-1 (Floodway)
To: OS-1 (Open Space Preservation) and F-1 (Floodway)

Original Print Date: 05/30/07 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



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