

▶ **FILE #:** 9-E-10-RZ (REVISED) **AGENDA ITEM #** 24

POSTPONEMENT(S): 9/9/10 **AGENDA DATE:** 10/14/2010

▶ **APPLICANT:** TN VALLEY SURVEYING, INC.

OWNER(S): MARTIN FRANCES G KINDER

TAX ID NUMBER: 61 N A 035

JURISDICTION: County Commission District 8

▶ **LOCATION:** East side Branch Ln., north of N. Ruggles Ferry Pike

▶ **APPX. SIZE OF TRACT:** 16.5 acres

SECTOR PLAN: East County

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

ACCESSIBILITY: Access is via Branch Ln., a local street with 13-15' of pavement width within 30-50' of right-of-way.

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

WATERSHED: Sinking East Creek

▶ **PRESENT ZONING:** A (Agricultural) and RA (Low Density Residential)

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

▶ **EXISTING LAND USE:** Residential/vacant land

▶ **PROPOSED USE:** Residential

DENSITY PROPOSED: 3 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: House and vacant land / RA (Low Density Residential)

South: Houses and vacant land / RA (Low Density Residential)

East: Houses and vacant land / A (Agricultural)

West: Houses / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural, rural residential and low density residential uses under A and RA zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 3 du/ac, subject to 1 condition.**

1. No clearing or grading of the site prior to use on review plan approval by MPC.

The recommended PR zoning and density recommendation with a condition is compatible with surrounding development and zoning, is consistent with the LDR sector plan designation, and will allow up to 49 dwelling units to be proposed for the site. PR zoning is a preferable zone to RA for development of this site, because it allows clustering of units in the less-constrained portions of the site, does not require a minimum lot size and allows for more open space to be incorporated into the development. It also requires use on review plan approval by MPC prior to construction.

COMMENTS:

The application has been revised to request PR zoning at a density of up to 3 du/ac on the entire site, which is about 16.5 acres. The original request was for RA zoning on the portion currently zoned A, which is about 10 acres. Last month's postponement allowed the necessary time for the request to be readvertised for the October 14 meeting, as the requested zone and site size had been revised.

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 agricultural uses. PR zoning, at the recommended density, is compatible with the scale and intensity of the surrounding residential development and zoning pattern.
3. Based on the attached slope analysis for the site, about 6% of the site has slopes of greater than 25%, which should be protected. About 41% of the site has slope of greater than 15%, leaving a considerable portion (59%, 9.17 acres) of the site suitable for low density residential development, as requested. Additionally, the northeastern most portion of the site has a blue-line stream which will likely be required to be buffered. Using the slope analysis, staff applied development policy 7.6 of the Knoxville-Knox County General Plan 2032, which addresses housing densities on sloped areas and along streams and rivers in making the recommendation for density, which supported the density requested. The PR zone also requires a 35 foot periphery building setback along all property lines.

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 requested density of up to 3 du/ac on the 16.5 acres reported, up to 49 dwelling units could be proposed for the site. Developed with detached residential units, this would add approximately 538 trips to the street system and about 19 children to the school system.
3. The pavement width of Branch Lane was measured at about 13-15 feet. This width is not acceptable for sole access to the proposed subdivision. The applicant will be expected to work with Knox County Engineering and MPC staffs in making necessary improvements to Branch Lane prior to development of the site. This would include the widening of the pavement. Without either obtaining an alternative access to N. Ruggles Ferry Pike or making significant improvements to Branch Ln., staff may not recommend development at up to the approved 3 du/ac. A lesser density or no development may be recommended, without access improvements.
4. The applicant will also be expected to submit a clearing and grading plan that minimizes the impact to steeper slopes and the blue-line stream to the northeast. Staff has included a condition on the rezoning that no clearing and grading shall occur on the site prior to approval of a use on review development plan by MPC.
5. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
6. The approval of these requests will allow the applicant to submit a development plan for MPC's consideration as a use on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East County Sector Plan proposes low density residential uses for this property, consistent with PR zoning at the requested density.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request could lead to future requests for PR zoning at densities of 5 du/ac or less, in the surrounding area, on properties currently zoned A or RA, consistent with sector plan and growth plan proposals for 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.

ESTIMATED TRAFFIC IMPACT 538 (average daily vehicle trips)

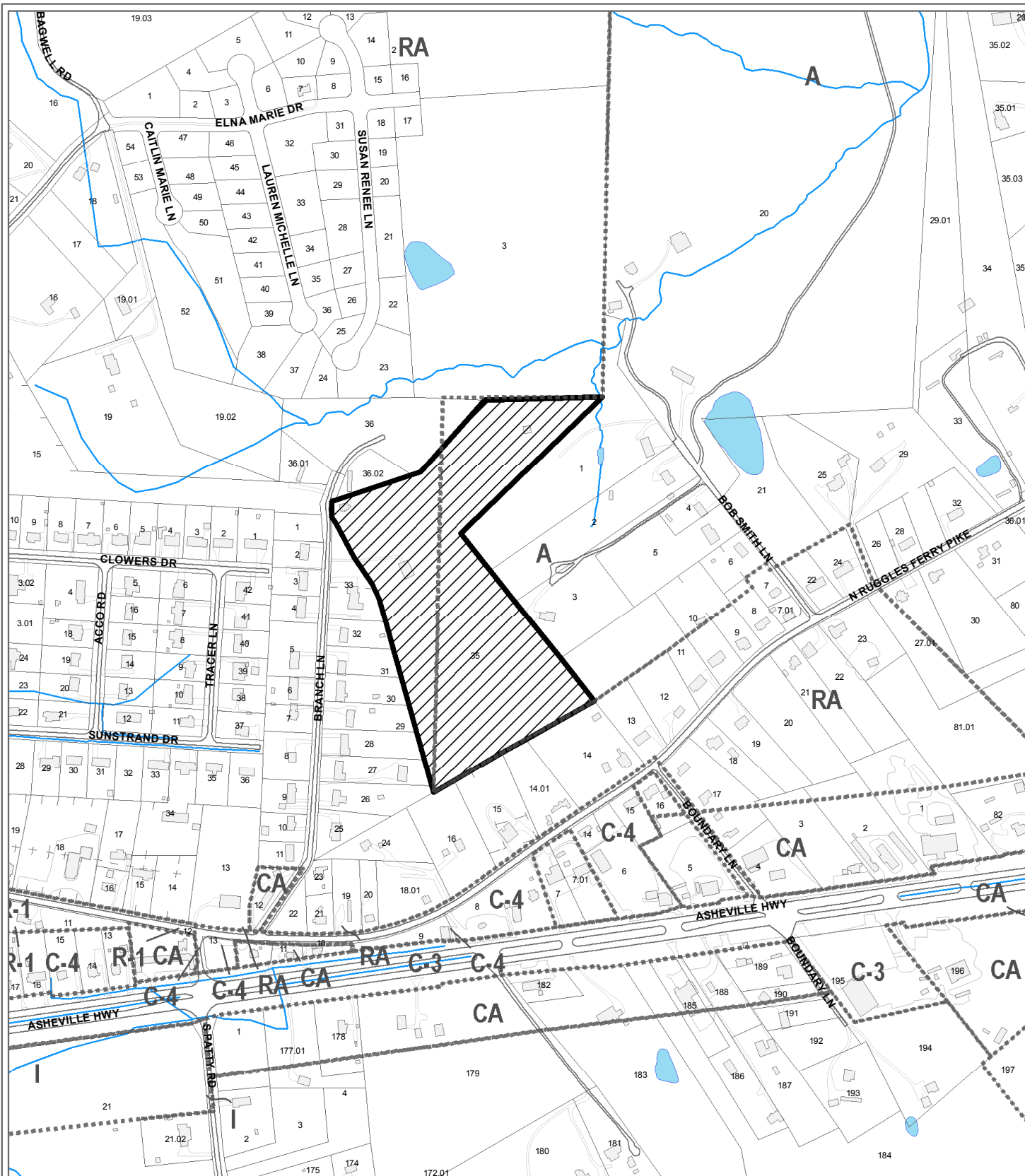
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 19 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Sunnyview Pr/Chilhowee Int, Carter Middle, and Carter High.

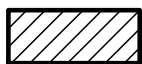
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- While most children will attend public schools, the estimate includes population that may be home-schooled, attend private schools at various stages of enrollment, or drop out of the public system.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.
- School capacities are subject to change by Knox County Schools through building additions, curriculum or scheduling changes, or amendments to attendance zone boundaries.

If approved, this item will be forwarded to Knox County Commission for action on 11/15/2010. 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.



**9-E-10-RZ
REZONING**

From: A (Agricultural) and RA (Low Density Residential)
To: PR (Planned Residential)



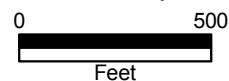
Original Print Date: 8/23/2010
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

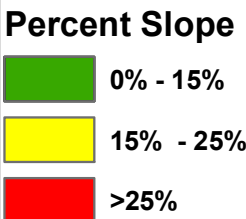
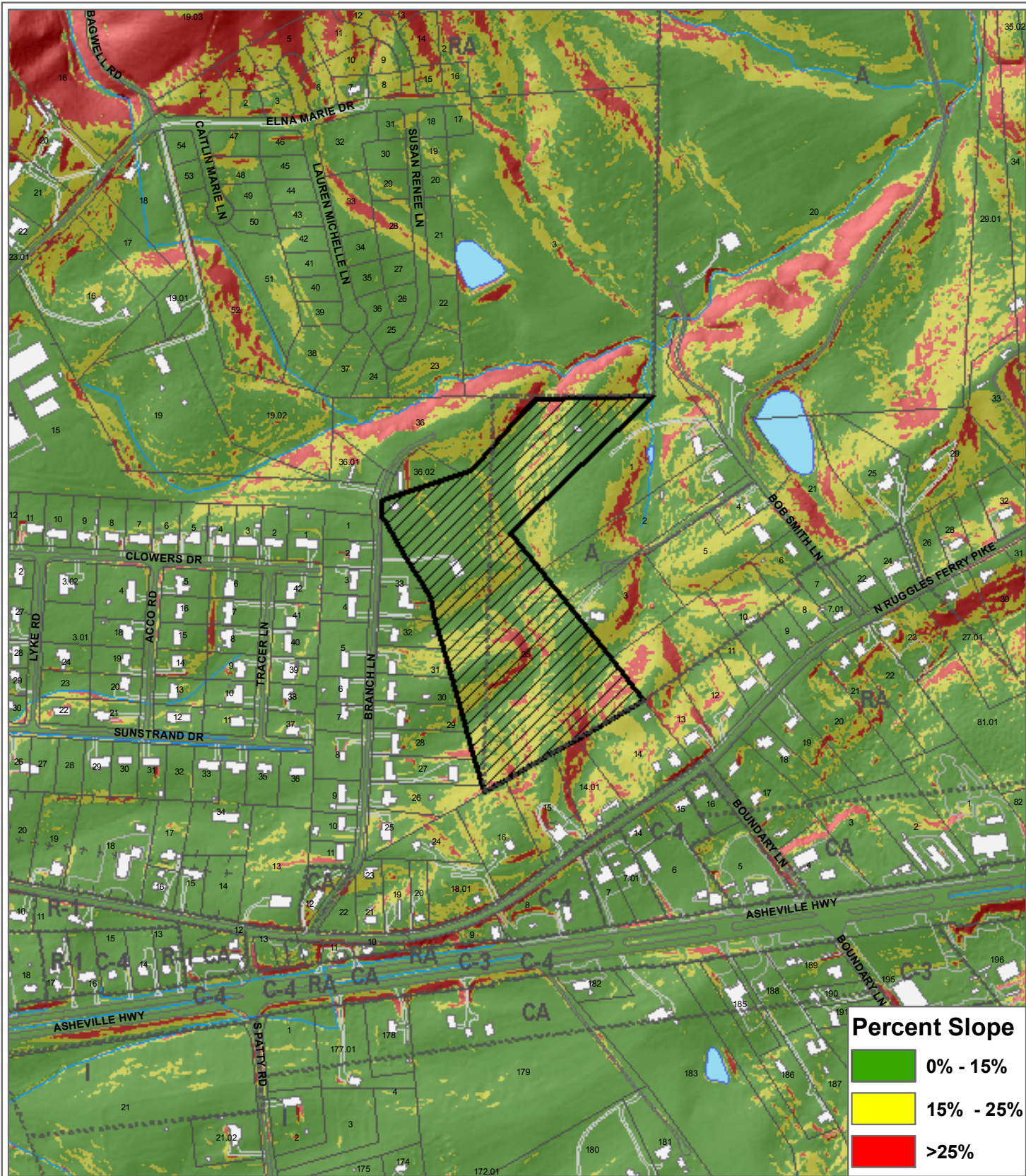
Revised:

Petitioner: TN Valley Surveying, Inc.

Map No: 61

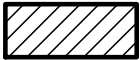
Jurisdiction: County





**9-E-10-RZ
REZONING - SLOPE ANALYSIS**

From: A (Agricultural) and RA (Low Density Residential)
To: PR (Planned Residential)



Petitioner: TN Valley Surveying, Inc.

Map No: 61
Jurisdiction: County



Original Print Date: 9/27/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

9-E-10-RZ Slope Analysis

Slope	GridCode	COUNT	Sum_Acres	Percentage
0-15%	1	15976	9 1690	59.21%
15-25%	2	9311	5.3438	34.51%
>25%	3	1693	0.9716	6.28%
Total Acres			15 4844	100.00%