

▶ **FILE #:** 5-A-12-RZ

AGENDA ITEM #: 29

AGENDA DATE: 5/10/2012

▶ **APPLICANT:** JOE STAPLETON AND MARY STAPLETON

OWNER(S): Joe Stapleton

TAX ID NUMBER: 29 04402

JURISDICTION: County Commission District 7

▶ **LOCATION:** Northwest side E. Emory Rd., northeast of Palmyra Dr.

▶ **APPX. SIZE OF TRACT:** 3.6 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E. Emory Rd., a major arterial street with 21' of pavement width within 60-70' of right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District
Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

▶ **EXISTING LAND USE:** Vacant residence

▶ **PROPOSED USE:** Rental property, duplexes or apartments

DENSITY PROPOSED: 5 du/ac

EXTENSION OF ZONE: Yes, extension PR from the northeast

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Houses and vacant land / A (Agricultural)

South: E. Emory Rd. - Houses / RB (General Residential) and A (Agricultural)

East: Houses / PR (Planned Residential) @ 1-3 du/ac

West: House and vacant land / A (Agricultural)

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

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 5 du/ac.**

PR zoning at the recommended density is consistent with the sector plan designation and will allow uses compatible with the surrounding land uses and zoning pattern.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY

GENERALLY:

1. This site, which is accessed from E. Emory Rd., is in the vicinity of other properties that are zoned PR at equal densities, as well as RA and RB zoned sites.
2. The property is located in the Planned Growth Area on the Growth Policy Plan and is proposed for low density residential uses on the sector plan, consistent with the proposal.
3. The proposed low density residential zoning and development is compatible with the scale and intensity of the surrounding development and zoning pattern, which includes attached residential development to the east, zoned PR at up to 5 du/ac.
4. The site is appropriate to be developed under PR zoning at the maximum permissible density in the LDR category. The site does not have significant slope or other environmental constraints.
5. 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.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE 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 PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Public water and sanitary sewer utilities are available to serve the site.
2. At the requested density of up to 5 du/ac on the 3.6 acres reported, up to 18 dwelling units could be proposed for the site. Developed with the proposed attached residential units, this would add approximately 204 trips to the street system and about 2 children to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
4. The approval of this request will allow the applicant to submit a development plan with up to 18 dwelling units for MPC's consideration.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The North County Sector Plan proposes low density residential uses for this property, consistent with PR zoning at up to 5 du/ac.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request could lead to future requests for PR zoning, consistent with the sector plan's low density residential proposal for the area.

Upon final approval of the rezoning, the developer will be required to submit a development plan for MPC consideration of use on review approval prior to the property's development. The plan will show the property's proposed development, landscaping 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 204 (average daily vehicle trips)

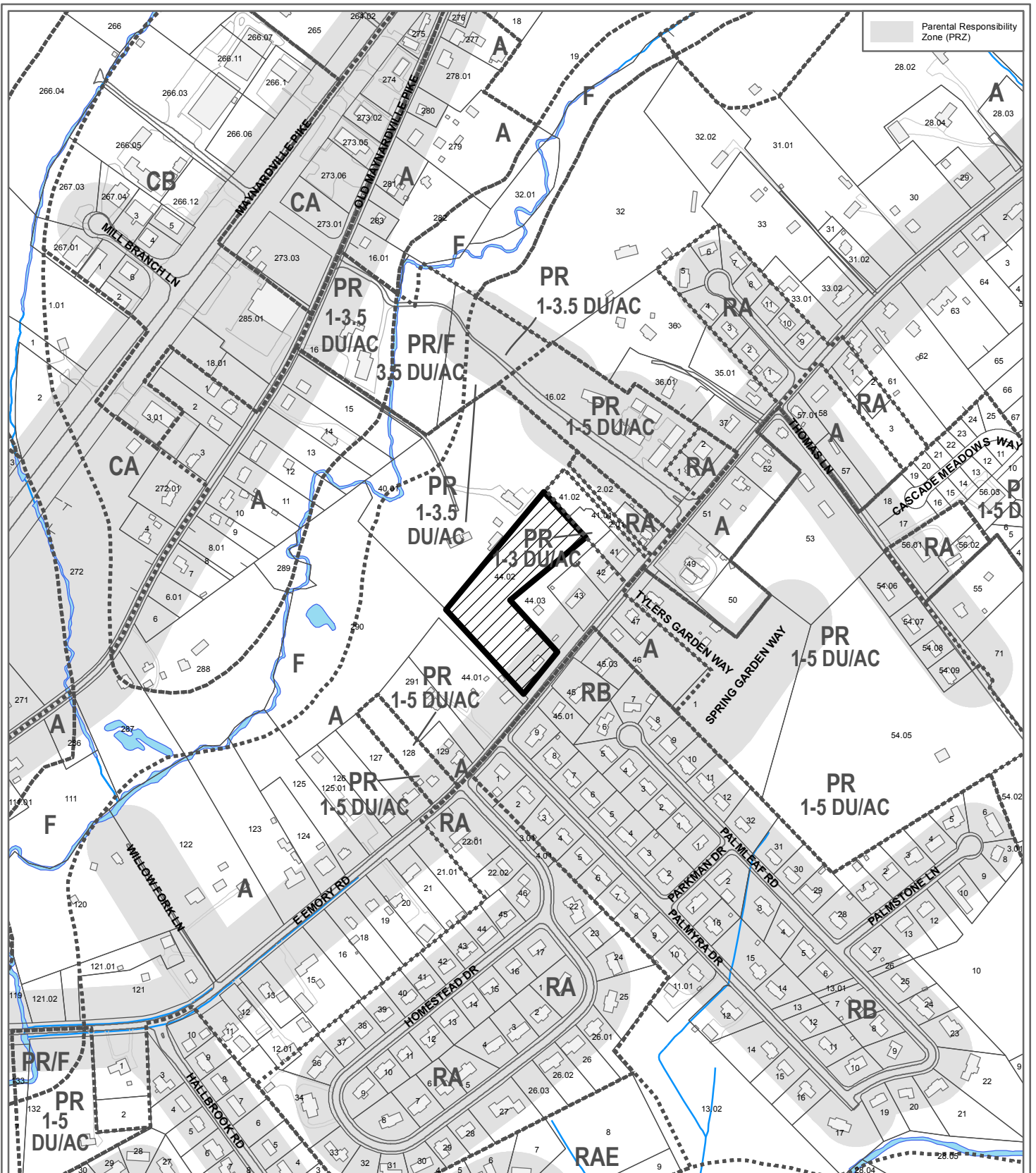
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 2 (public and private school children, ages 5-18 years)

Schools affected by this proposal: Adrian Burnett Elementary, Halls Middle, and Halls 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 6/25/2012. 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.



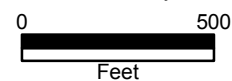
**5-A-12-RZ
REZONING**

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



Petitioner: Joe Stapleton and Mary Stapleton

Map No: 29
Jurisdiction: County



Original Print Date: 4/17/2012
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902