

▶ **FILE #:** 2-D-13-RZ

**AGENDA ITEM #:** 20

**AGENDA DATE:** 2/14/2013

▶ **APPLICANT:** BENCHMARK ASSOCIATES, INC.

OWNER(S): Alison M. and Miles Mencer

TAX ID NUMBER: 134 H A 007 & 008

JURISDICTION: City Council District 2

▶ **LOCATION:** Southeast side S. Northshore Dr., east of Bradford Ln.

▶ **APPX. SIZE OF TRACT:** 2.5 acres

SECTOR PLAN: Southwest County

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

ACCESSIBILITY: Access is via S. Northshore Dr., a major arterial street with 21' of pavement width within 50' of right-of-way.

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

WATERSHED: Fourth Creek

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

▶ **ZONING REQUESTED:** R-1A (Low Density Residential)

▶ **EXISTING LAND USE:** Residence and vacant land

▶ **PROPOSED USE:** Residential development

EXTENSION OF ZONE: Yes, extension of R-1A from the southwest

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: S. Northshore Dr. - Residences / R-1 (Low Density Residential)

South: Residences / RB (General Residential)

East: Residences / R-1 (Low Density Residential) and R-2 (General Residential)

West: Detached and attached residences / R-1 (Low Density Residential) and R-1A (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is developed with low and medium density residential uses under R-1, R-1A, R-2, RP-1 and RB zoning.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that City Council APPROVE RP-1 (Planned Residential) zoning at a density of 5.99 du/ac (Applicant requested R-1A.)**

RP-1 zoning at the recommended density is consistent with both the One Year Plan and sector plan proposals for the property and insures that MPC will have the opportunity to review a development plan and address a hillside protection designated area in the rear portion of the site. The requested R-1A zoning could allow development of duplexes without any public review of plans.

**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. The recommended RP-1 zoning and density is compatible with the scale and intensity of the surrounding development and zoning pattern. There is an apartment development to the east of the site that is zoned RP-1.
2. The location of the property along a major arterial street is appropriate for RP-1 or R-1A development.
3. The recommendation and the proposal are consistent with the one year and sector plan proposals. However, staff recommends RP-1 zoning, rather than the requested R-1A, which insures that a development plan can be considered by MPC. RP-1 zoning allows all uses that would be permitted under the requested R-1A zoning, but will require the review of a development plan by MPC as a use on review. This is necessary in order to minimize the disturbance within the rear portion of the site, which is designated on the sector plan as a slope and hillside protection area. (See attached.)
- 4 The recommended density of 5.99 du/ac is the maximum allowable under the property's low density residential plan designation.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. RP-1 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 RP-1 is the most appropriate zone for this development. It is recommended instead of R-1A to insure public review of a development plan by MPC to address slope issues.

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. RP-1 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The approval of the staff recommended zoning and density will allow the applicant to submit a development plan with up to 14 dwelling units for MPC's consideration, which, if developed with attached residential units, would add 2 students to the school system and add 163 trips to the street system.
3. Under the requested R-1A zoning, the site could potentially be developed with duplexes on 10,000 square foot minimum lot sizes. This could yield a maximum of about 8-10 dwelling units in 4-5 structures, but no development plan review would be required. R-1A zoning allows consideration of multi-dwelling structures when there is direct access to an arterial or collector street, such as the case here. Under either RP-1 or R-1A zoning, multi-dwelling structures would require use on review approval by MPC.
4. Public water and sewer utilities are available to serve the site. Either zone would be consistent with other zoning and density in the immediate area and neither zone would adversely affect any other part of the County

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 Southwest County Sector Plan and the Knoxville One Year Plan propose low density residential uses for this property, consistent with the proposed R-1A zoning or the recommended RP-1 zoning at up to 5.99 du/ac.
2. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This proposal does not present any apparent conflicts with any other adopted plans.

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 Knoxville Engineering and MPC staff.

ESTIMATED TRAFFIC IMPACT 163 (average daily vehicle trips)

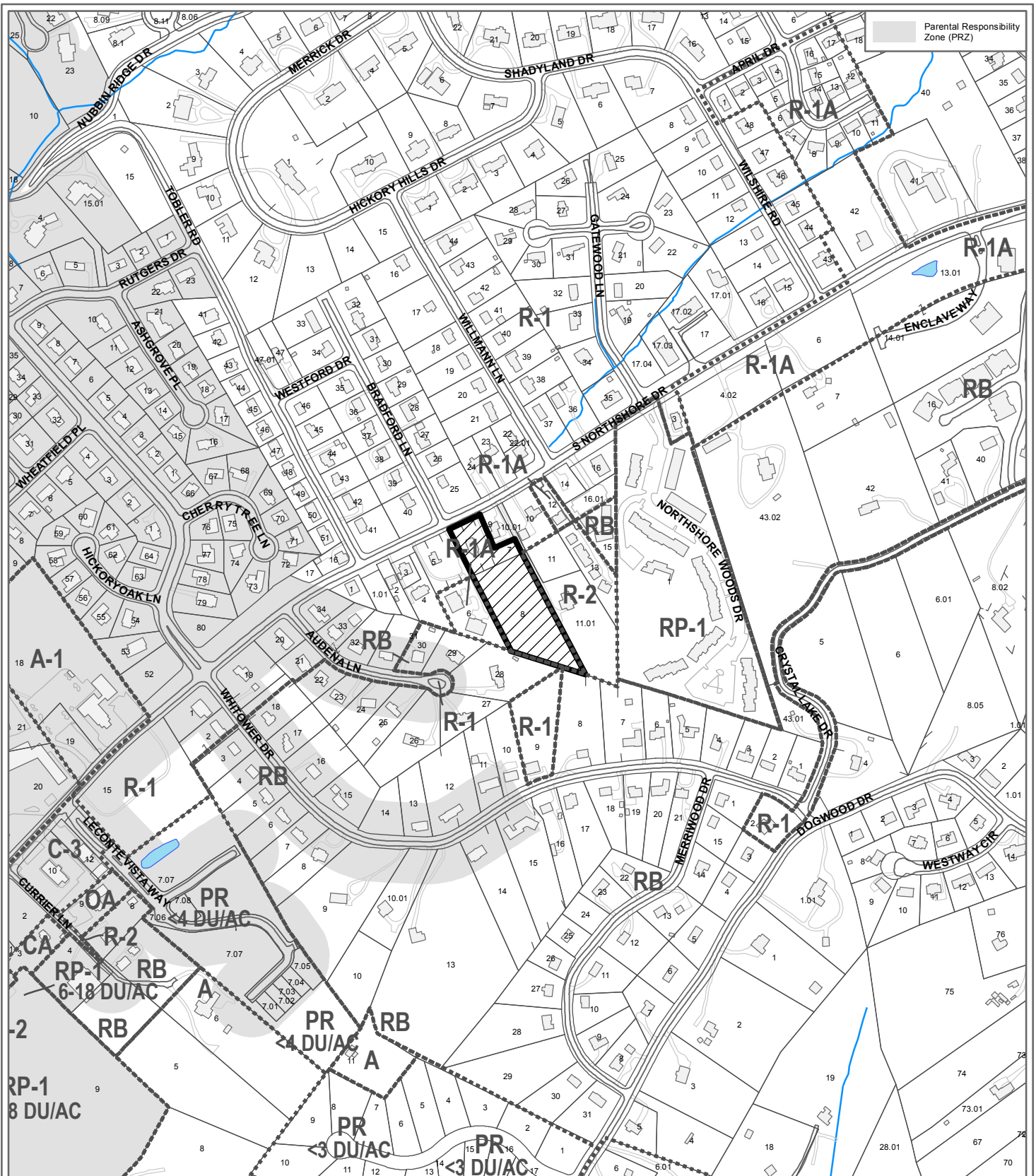
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: Bearden Elementary, Bearden Middle, and West 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 Knoxville City Council for action on 3/19/2013 and 4/2/2013. 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.



**2-D-13-RZ  
REZONING**

Petitioner: Benchmark Associates, Inc.

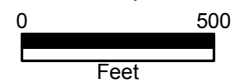


From: R-1 (Low Density Residential)

To: R-1A (Low Density Residential)

Map No: 134

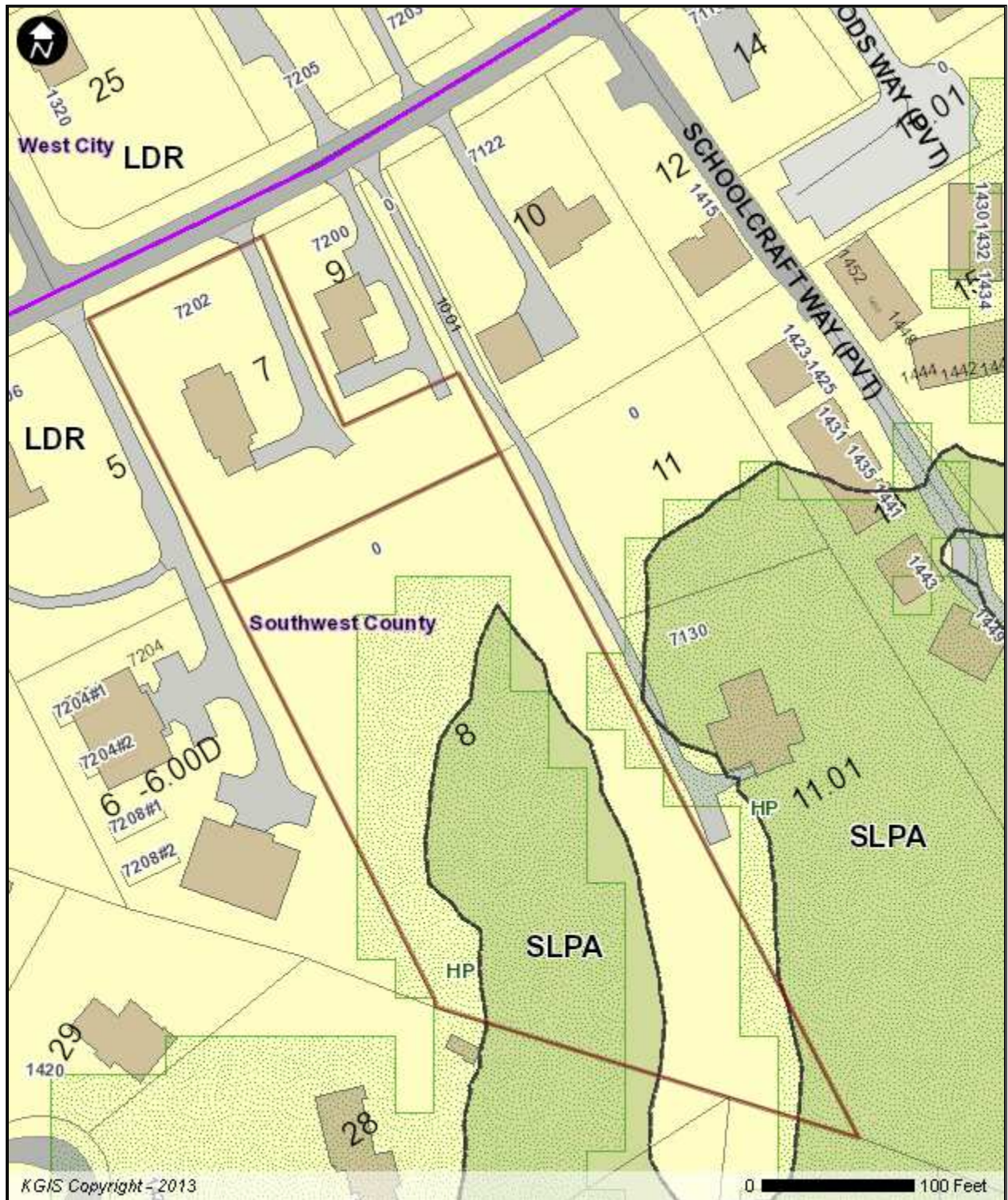
Jurisdiction: City



Original Print Date: 1/30/2013  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:





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