

REZONING REPORT

▶ **FILE #:** 6-O-19-RZ

AGENDA ITEM #: 35

AGENDA DATE: 6/13/2019

▶ **APPLICANT:** CANNON AND KUIPERS,LLC

OWNER(S): Cannon and Kuipers, LLC

TAX ID NUMBER: 47 228

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 916 E Beaver Creek Dr

▶ **LOCATION:** Southeast side of East Beaver Creek Drive, East of Ghiradella Road

▶ **APPX. SIZE OF TRACT:** 2.43 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Beaver Creek Drive, a major collector, with a pavement width of 19.1' feet within a right-of-way of 70' feet.

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:** Rural residential

▶ **PROPOSED USE:** Residential subdivision

DENSITY PROPOSED: 5 du/ac

EXTENSION OF ZONE: Yes, PR zoning is to the north.

HISTORY OF ZONING: 8-K-07-RZ: Ag to PR (up to 6 du/ac)

SURROUNDING LAND USE AND ZONING: North: Single family residential - PR (Planned Residential) up to 4 du/ac

South: Single family residential - A (Agricultural)

East: Rural residential - A (Agricultural)

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The area is a mix of single family residential with some large lot rural residential still remaining.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning up to 4 du/ac. (Applicant requested 5 du/ac)**

Staff recommends approval of the requested PR (Planned Residential) zoning up to 4 du/ac, which is inline with the sector plan land use classification of LDR (Low Density Residential) for this property. (Applicant requested 5 du/ac)

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 property is located within the Planned Growth Area of the Growth Policy Plan.
2. The larger remaining rural residential and agricultural tracts in the area have been transitioning to planned residential subdivisions.

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

1. The PR zone 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. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL AND DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. PR zoning is compatible with the existing LDR (Low Density Residential) sector plan designation.
2. PR zoning with densities up to 4 du/ac is in the immediate surrounding area, thus the staff recommendation is for PR at 4 du/ac, rather than the 5 du/ac the applicant requested.

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 request is consistent with and not in conflict with all other adopted plans.

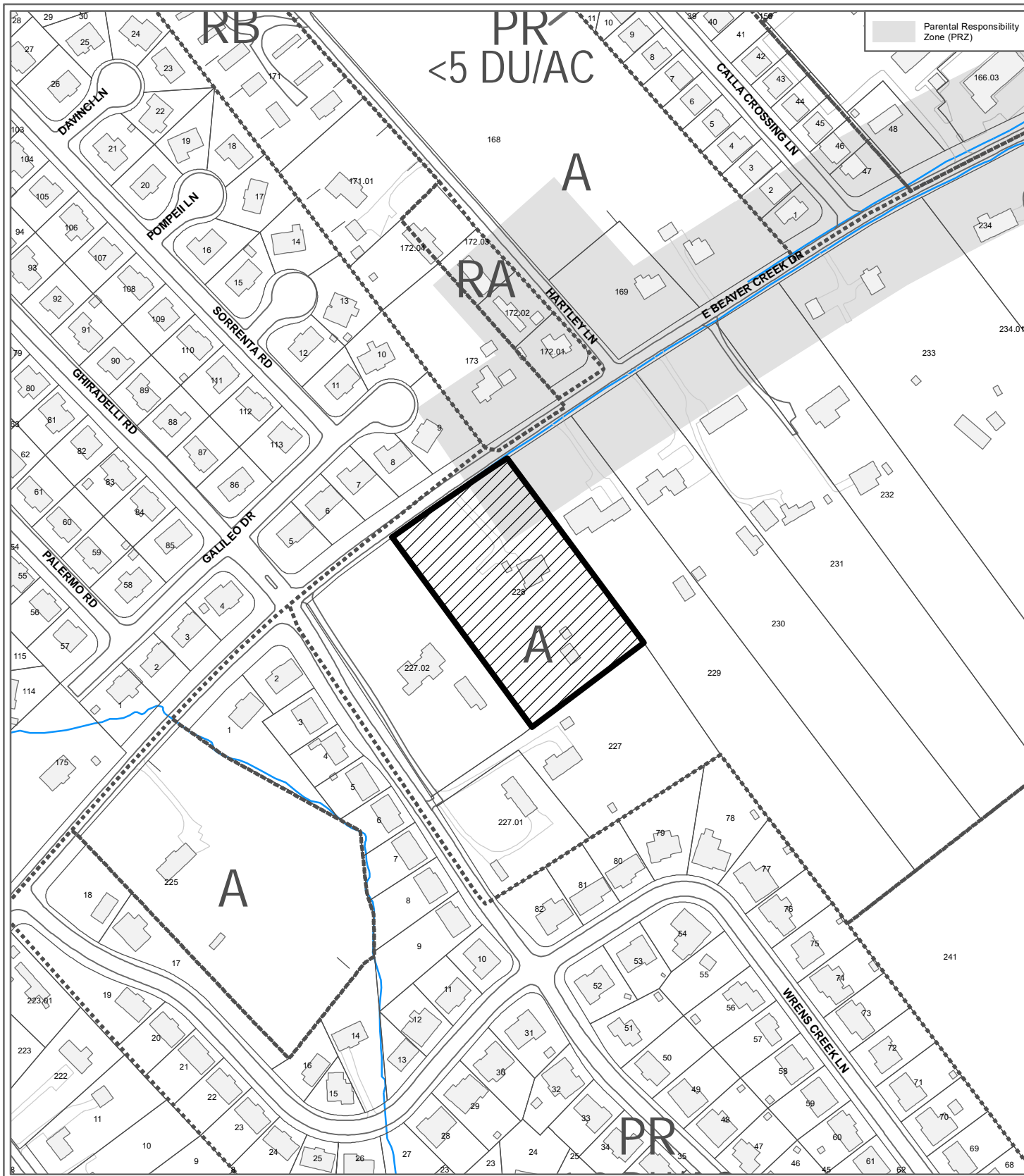
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: Brickey-McCloud Elementary, Powell Middle, and Central High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and 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.

If approved, this item will be forwarded to Knox County Commission for action on 7/22/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the County.



**6-O-19-RZ
REZONING**

From: A (Agricultural)

To: PR (Planned Residential)



Original Print Date: 5/16/2019
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Cannon and Kuipers, LLC

Map No: 47

Jurisdiction: County



M P C METROPOLITAN P L A N N I N G C O M M I S S I O N T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
www.knoxmpc.org

REZONING PLAN AMENDMENT

Name of Applicant: CANNON AND KUIPERS, LLC

Date Filed: 4/29/19 Meeting Date: 6/13/19

Application Accepted by: Jama Reel

Fee Amount: \$600 File Number: Rezoning 6-0-19-R2

Fee Amount: _____ File Number: Plan Amendment _____

PROPERTY INFORMATION

Address: 916 E BEAVER CREEK DR

General Location: SOUTH SIDE OF E BEAVER CREEK DR
EAST OF GHIRADELLI RD
Ghiradelli

Parcel ID Number(s): CLT 047
Parcel 228

Tract Size: 2.43 Acres

Existing Land Use: Residential

Planning Sector: North County

Growth Policy Plan: Planned Growth

Census Tract: 62.07

Traffic Zone: 247

Jurisdiction: City Council _____ District
 County Commission 7th District

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: CHAD ROBERTS

Company: CANNON AND KUIPERS, LLC

Address: 517 CALLAHAN DR, SUITE 101

City: KNOXVILLE State: TN Zip: 37912

Telephone: (865) 237-4404

Fax: _____

E-mail: laurelandchad@comcast.net

Requested Change

REZONING

FROM: A

TO: PR

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Garrett M. Tucker

Company: Robert Campbell & Associates

Address: 7523 Taggart Lane

City: Knoxville State: TN Zip: 37938

Telephone: (865) 947-5996

Fax: (865) 947-7556

E-mail: gtucker@rgc-a.com

PROPOSED USE OF PROPERTY

Residential Subdivision

Density Proposed 5 Units/Acre

Previous Rezoning Requests: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT

Name: CHAD ROBERTS

Company: CANNON AND KUIPERS, LLC

Address: SAME AS ABOVE

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____

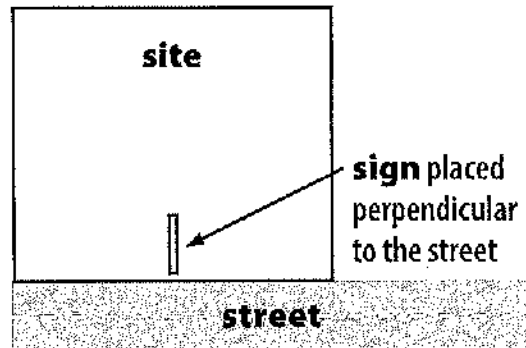
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

May 29 and June 14
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Jane F. Campbell

Printed Name: Jane F. Campbell

Phone: 865-947-5996 Email: _____

Date: 4/29/19

File Number: 6-0-19-RZ