

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 1-G-25-RZ
Application Filed: 11/25/2024
Applicant: STEFAN CLAAR

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Northwest side of Millertown Pike, east of Ellistown Rd
Other Parcel Info.:
Tax ID Number: 51 016 (PART OF) **Jurisdiction:** County
Size of Tract: 21.67 acres
Accessibility: Access would be off of Millertown Pike, a minor arterial with a pavement width which varies between 18 and 19.5 ft within a public right-of-way with a width which varies between 53 and 62 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** up to 2 du/ac
Planning Sector: Northeast County **Plan Designation** RC (Rural Conservation), RCC (Rural Crossroads Commer
Growth Policy Plan: Rural Area
Neighborhood Context: This area is developed with single family dwelling units primarily on large rural lots, with some subdivisions containing smaller lots off of side streets. small node of commercial zoning located at the intersection of Millertown Pike and Ellistown Road.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 8007 MILLERTOWN PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: No, this is not an extension.
History of Zoning: None noted.

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Whitney Warner

Staff Recomm. (Abbr.): Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development, subject to one condition.

Staff Recomm. (Full): 1. Residential subdivisions shall preserve 50 percent or more of the site as open space, in compliance with the Rural Conservation place type.

Comments: 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 to the rear, Chestnut Ridge subdivision, was rezoned to PR in 2001. There's a large subdivision, Ely Park, across the street on Millertown Pike, which started building in 2013. The Dollar General at the intersection of Millertown Pike and Ellistown Road was built in the last 5 years.

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

1. The PR zone is intended to encourage more imaginative solutions to environmental design problems by enabling concentrated development in less environmentally sensitive areas of a property. The property has a ridge within the Hillside Protection Area at the rear. The flexibility of the PR zone makes it an appropriate zone to consider.

2. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses.

3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. This 21.67 acre area at 2 du/ac could yield 43 dwelling units, which does not meet the threshold for a required traffic study and is not expected to create substantial traffic problems.

2. This property has steep slopes within the Hillside Protection Area that runs through the rear of the property. The Hillside Protection area includes 12.5 acres on this 21.67-acre site. The recommended land disturbance area within the HP area is 2.9 acres.

3. The PR zone requires development plans to be submitted for Planning Commission review. At that time, issues such as access, surrounding character, and community input may be provided regarding the proposed development plan.

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

1. The PR zone up to 2 du/ac is consistent with the subject property's location in the Rural area of the Growth Policy Plan, which considers rezonings up to 2 du/ac if sewer is available and the road is a classified collector/arterial street with at least 18 feet of pavement width. Sewer is available and Millertown Pike is a minor arterial street with 20 ft pavement width.

2. Under the Comprehensive Plan, the subject property is designated with the RC (Rural Conservation) place type. Rural Conservation areas are intended to conserve forested areas, ridges, wetlands, and other significant natural areas by clustering development and minimizing land disturbance. Generally, these areas conserve between 50-70 percent of a site as natural open space. In rural areas, these places are appropriate for residential development in a conservation pattern with lots that are smaller than typical rural lots and are clustered to leave natural areas undeveloped.

3. Planned Residential up to 2 du/ac is considered partially related to the RC place type, which requires additional criteria to be met. The PR zone is consistent with the secondary uses of RC place

type, attached houses in a conservation pattern because it allows attached houses by right and clustering development to minimize land disturbance.

4. The requested PR zone has flexible development standards that allow clustering development to the least constrained portions of a property, which aligns with policy 7.2 to encourage conservation subdivisions.

Action: Approved with Conditions

Meeting Date: 1/9/2025

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development, subject to one condition.

Date of Approval: 1/9/2025

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 2/19/2025

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: