

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-M-24-RZ

Related File Number:

Application Filed: 8/20/2024

Date of Revision:

Applicant: RYAN S. LYNCH

PROPERTY INFORMATION

General Location: South side of E Beaver Creek Dr, west of Dry Gap Pike

Other Parcel Info.:

Tax ID Number: 47 234, 23401, 23403

Jurisdiction: County

Size of Tract: 4.95 acres

Accessibility: Access is via E Beaver Creek Dr, a major collector street with a pavement width of 18 ft within a right-of-way of 55-60 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential, Agriculture/Forestry/Vacant Land, Single Family Residential

Surrounding Land Use:

Proposed Use:

Density: up to 5 du/ac

Planning Sector: North County

Plan Designation: SR (Suburban Residential)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: The surrounding neighborhood has some rural characteristics and it is close to a small commercial intersection. E Emory Road is located across Beaver Creek and features more intensive commercial and residential development. It is 0.9 miles from Brickey-McCloud Elementary School within the School Parental Zone.

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

Street: 0 E BEAVER CREEK DR

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: Yes, this is an extension of the PR (Planned Residential) zone.

History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: N/A

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 up to 5 du/ac because it is consistent with Knox County Comprehensive Plan and surrounding area, subject to 1 condition.

Staff Recomm. (Full): 1. Installing a sidewalk along the property's frontage per the Knox County Sidewalk ordinance.

Comments: PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 area surrounding the subject property has experienced a transition from the A (Agricultural) zone to the PR (Planned Residential) zone with density ranging from 3 to 4.5 du/ac since the early 1990s.

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

1. The PR zone is intended to provide flexibility for different types of residential development and encourage more imaginative solutions to environmental design problems. A blue line stream runs along the front of the property, making the PR zone an appropriate zone to consider since it allows clustering of lots.
2. Houses, duplexes, multi-dwelling structures, and developments are permitted in the PR zone.
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. The property is adjacent to a commercial node at Beaver Creek Drive and Dry Gap Pike, and Brickey-McCloud Elementary School is approximately 0.5 miles north on Dry Gap Pike. Because there are sidewalks from this intersection to the school, the applicant would need to add a sidewalk along the front of the property per the sidewalk ordinance.
2. As mentioned previously, a blue line stream runs along the northeast side of the property. Water quality buffers would be maintained, and any development must comply with Knox County stormwater management requirements.
3. E Beaver Creek Drive is a two-lane major collector street that intersects with Dry Gap Pike, a median-divided road with sidewalks. Additional traffic at this location would not substantially affect the area.
4. PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as topography, surrounding character, and access are evaluated, and community input may be provided regarding the proposed development plan.

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 property is within the SR (Suburban Residential) place type. When the district is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district is compatible with the current zoning of adjacent sites. The proposed PR zoning with up to 5 du/ac is compatible with the current PR zoning of the adjoining site to the west, which was approved for single

family residences. The CB zone to the east has a condition for a 20-ft vegetated buffer along the shared property line, and the A zone to the south is single family residences on less than 1 acre lots.

2. The SR (Suburban Residential) place type calls for primarily single family residential development with lots smaller than one acre and attached residential such as duplexes, multiplexes, and townhomes that are similar in scale to single family homes. The PR zoning allows these housing types by right.

3. The proposed rezoning is consistent with Knox County Comprehensive Plan Implementation Policy 5, which creates neighborhoods with various housing types and amenities nearby. The PR zone at this location allows a mix of housing types, all within walking distance of a commercial node and school. Additionally, the school will be the site of a proposed trailhead for the East Beaver Creek Greenway and Water Trail (Exhibit A). The rezoning is also consistent with Policy 11, which promotes connectivity with new development. The Knox County Sidewalk ordinance would require sidewalks along the frontage, connecting with the residential development to the west and the commercial property to the east

Action: Approved with Conditions **Meeting Date:** 10/3/2024

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone up to 5 du/ac because it is consistent with Knox County Comprehensive Plan and surrounding area, subject to 1 condition.

Date of Approval: 10/3/2024 **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: 11/12/2024 **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:**