

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-N-24-RZ

Related File Number:

Application Filed: 8/20/2024

Date of Revision:

Applicant: JOSH HAUN

PROPERTY INFORMATION

General Location: East side of W Martin Mill Pike, south of Hialeah Dr

Other Parcel Info.:

Tax ID Number: 123 H F 020

Jurisdiction: City

Size of Tract: 5.22 acres

Accessibility: Access is via W Martin Mill Pike, a minor arterial street with a pavement width of 22 ft within a right-of-way that varies from 35 ft to 44 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density:

Planning Sector: South City

Plan Designation: LDR (Low Density Residential), HP (Hillside Ridgetop Prote

Growth Policy Plan: N/A (Within City Limits)

Neighborhood Context: This area southwest of the Chapman Highway has a mix of single-family residential on lots that vary greatly in size and multi-family residential developments.

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

Street: 4720 W MARTIN MILL PIKE

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Former Zoning:

Requested Zoning: RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Previous Requests:

Extension of Zone: No, this would not be an extension.

History of Zoning: In 1984, the Planning Commission requested a downzoning from R-2 to R-1A, but the request was later withdrawn (7-N-84-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Ridgetop Protection)

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:

Samiul Haque

Staff Recomm. (Abbr.):

Deny the RN-2 (Single-Family Residential Neighborhood) district because it does not meet the criteria for a rezoning.

Staff Recomm. (Full):

Comments:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. There have been no substantial changes in the area in recent times that warrant the proposed rezoning. While Mooreland Heights Elementary School was expanded in 2015, the immediate vicinity on the south side of Vestal neighborhood has remained unchanged.

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

1. The requested RN-2 district is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks compared to the RN-1 district.

2. The RN-2 district permits all the same uses as the RN-1 district but there are considerable differences in the dimensional standards including a reduction of the minimum lot size requirement from 10,000 to 5,000 sq ft for a single-family home. The surrounding properties along this winding portion of Martin Mill Pike are zoned RN-1 and the acreage varies from 10,000 sq ft to several acres. The current RN-1 zoning is consistent with the surrounding development and appropriate for the road has sight distance issues at this section. The more intensive zoning in this broader area has safer access off of side streets.

3. With the RN-1 lot size standards, the 5.22-acres parcel permits consideration of up to 22 single-family units. This would be doubled to 45 units in the RN-2 zone. The feasibility of this number of units would be limited by road layout, the HP Overlay district's disturbance budget, and other dimensional standards. However, this dramatic increase in residential intensity is worth noting since the dimensional standards are the primary distinction between the two zoning districts.

4. 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.

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

1. The City of Knoxville Engineering department has indicated that the property has sight distance issues. Based on the speed limit of 35mph on this street, the required sight distance is 390 feet. Though there may be locations where this is obtainable on Martin Mill Pike, it is going to be very challenging because of the steep slope along the front of the property.

2. Even if the above issue is resolved, there is nowhere in the frontage of the property that they could have the required 400 ft intersection spacing from both Hialeah Drive and Lester Road.

3. A potential alternative access may be possible through the extension of Gayview Drive at the rear side of the property, which is relatively flatter. However, for a subdivision of over 30 houses or duplexes, a secondary access is required for emergency services. If the property were to be subdivided using the minimum lot size standard of the RN-2 districts, this would require additional access via Martin Mill Pike which, as discussed above, will not meet the required safety standards.

4. The entire property is within the HP Overlay district and any development would need to comply with the 75.2% disturbance budget calculated by slope analysis.

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 General Plan calls for minimum standards for construction of roads that are necessary to protect the safety of the public, minimize tax-funded maintenance costs, and promote convenient, efficient travel (Action Proposal on p. 41). This rezoning could potentially create a safety issue for this area which is inconsistent with the General Plan's Development Policy 9.3 that encourages to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

2. The proposed amendment is not in conflict with the LDR (Low Density Residential) land use classification as defined in the South City Sector Plan and the One Year Plan.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. There is a school (Mooreland Heights Elementary), a couple of parks (Charter E Doyle Park and Vestal Gateway Park), and a transit stop nearby. However, it is not safe for pedestrians to walk to any of these since this section of Martin Mill Pike has very narrow shoulders with no sidewalks.

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

Details of Action: Approve RN-2 (Single-Family Residential Neighborhood) because it is consistent with the surrounding land use.

Summary of Action: Approve RN-2 (Single-Family Residential Neighborhood) because it is consistent with the surrounding land use.

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: Knoxville City Council

Date of Legislative Action: 11/26/2024 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: Withdrawn **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**