

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-K-24-RZ **Related File Number:**
Application Filed: 3/25/2024 **Date of Revision:**
Applicant: BENJAMIN C. MULLINS

PROPERTY INFORMATION

General Location: South side of Tipton Station Rd, east of Lowland Ln
Other Parcel Info.:
Tax ID Number: 148 049 (PART OF) **Jurisdiction:** County
Size of Tract: 85.81 acres
Accessibility: Access is via Tipton Station Road, a major collector with a pavement width of 19.5 ft within a right of way that varies from 40 ft to 67 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** up to 5 du/ac
Planning Sector: South County **Plan Designation:** LDR (Low Density Residential), SP (Stream Protection)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area along Tipton Station Road is mostly a mix of single family residential and rural residential with several large agricultural/forestry/vacant lots surrounding the smaller parcels along the roadway. Bonny Kate Elementary School, French Memorial Park, and Howard Pinkston Library are located with a mile east of the subject property.

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

Street: 2814 TIPTON STATION RD
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: In 2002, this property was rezoned from I (Industrial) and F (Floodway) to A (Agricultural) and F (Floodway) [4-M-02-RZ]. In 1980, the property was rezoned from A (Agricultural) to I (Industrial) [7-C-79-RZ].

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), SP (Stream 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.): Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive Plan.

Staff Recomm. (Full):

Comments: While the Sector Plan was the active plan at the time of the request, the Knox County Comprehensive Plan became effective on April 26, 2024.

This partial rezoning is for 85.81 acres of the 155.71-acre property along Tipton Station Road. The rear portion of the property with the F (Floodway) zone and HP (Hillside Protection) overlay will remain unchanged.

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 COUNTY GENERALLY:

1. This area along Tipton Station Road and south of Governor John Sevier Highway has seen rapid residential expansion over the past twenty years. Since 2003, the residential subdivisions of Twin Creek, Woodcreek Reserve, Governors Mill, and Cherokee Landing have joined the Wood Haven and Tipton Station subdivisions that were developed in the 1990s.
2. These neighborhoods were constructed after properties were rezoned to the PR zone and the proposed rezoning is consistent with the development pattern.

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.
2. Houses, duplexes, and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses. At the requested density of 5 du/ac on this 85.81-acre property, a maximum of 429 dwelling units could be built. Whereas a maximum of 171 dwelling units could be built under the recommended density of 2 du/ac.
3. Along Tipton Station Road, the nearest property with PR at 5-du/ac density has been developed yielding a density of 2.56 du/ac (Tipton Station subdivision, approximately 1.7-mile east). Other nearby neighborhoods with PR at 3 to 4 du/ac densities are within walking distance to Bonny Kate Elementary and South Doyle High School and have sidewalk connections. With these considerations, the recommended density of 2 du/ac is more appropriate for this property.
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 COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. Residential development in this area is supported by this property's proximity to Bonny Kate Elementary, South Doyle High School, French Memorial Park, Howard Pinkston Library, and the Howard Pinkston Greenway Trail.
2. The PR zone requires a development plan review by the Planning Commission to ensure that any

proposed development is consistent with adopted plans for the area and compatible with the surrounding developments.

3. The subject property has only one potential access point at Tipton Station Road. For emergency services, secondary access is typically discussed for residential developments over 150 units.

4. The estimated traffic generated by the recommended maximum number of units would necessitate a traffic impact study to be performed during the development plan review phase. This would determine if roadway improvements would be required for street safety and functionality.

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 proposed PR zone is consistent with the subject property's location in the Planned Growth Area of the Growth Policy Plan, which encourages a reasonably compact pattern of development offering a wide range of housing choices in coordination with public facilities and services.

2. The Comprehensive Plan's Implementation Policy 7 encourages development practices that conserve and connect natural features and habitat. The proposed partial rezoning, which excludes the stream and forested steep slopes at the rear side property, is consistent with that.

3. The PR zone at 2 du/ac is consistent with the RC (Rural Conservation) place type, which allows consideration of PR up to 5 du/ac.

Action: Approved **Meeting Date:** 6/13/2024
Details of Action: Approve the PR (Planned Residential) zone with up to 4 du/ac.
Summary of Action: Approve the PR (Planned Residential) zone with up to 4 du/ac.
Date of Approval: 6/13/2024 **Date of Denial:** **Postponements:** 5/9/2024
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission
Date of Legislative Action: 7/15/2024 **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:**