

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 6-A-24-RZ **Related File Number:**
Application Filed: 4/2/2024 **Date of Revision:**
Applicant: ELIZABETH DAVIS RAINES

PROPERTY INFORMATION

General Location: West side of Gibbs Rd, northeast of Tazewell Pike
Other Parcel Info.:
Tax ID Number: 21 085 10 (PART OF) **Jurisdiction:** County
Size of Tract: 0.72 acres
Accessibility: Access is via Gibbs Road, a local street with a pavement width of 16-ft within a 40-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Northeast County **Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Rural Area, Planned Growth Area
Neighborhood Context: The surrounding area largely consists of single-family houses situated on large lots. The rear of the property abuts the rear of Gibbs High School, and E Emory Road is approximately 3/4 miles to the southeast.

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

Street: 7639 GIBBS RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION *(where applicable)*

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: RA (Low Density Residential)
Previous Requests:
Extension of Zone: Yes, this would be partial extension.
History of Zoning: The property was resubdivided in 2015 (11-SG-15-F).

PLAN INFORMATION *(where applicable)*

Current Plan Category: LDR (Low Density Residential)

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:

Michelle Portier

Staff Recomm. (Abbr.):

Approve the RA (Low Density Residential) zone for the part of the parcel requested in Exhibit B because it is consistent with the Knox County Comprehensive Plan and other development in the area.

Staff Recomm. (Full):

Comments:

The applicant is requesting to rezone a portion of the subject property to the RA zone. The applicant plans to subdivide the portion of the property requested for rezoning into a separate parcel, leaving a 1.27 acre property behind it as a flag lot with access to Gibbs Road via the "flag stem" or access strip. The parcel would not have dual zoning after the final plat was approved.

This plan was submitted prior to the adoption of the Knox County Comprehensive Land Use and Transportation Plan. The new Comprehensive Land Use and Transportation Plan was adopted on April 26, 2024 and this request was evaluated under it.

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. The area to the south along E Emory Road has been increasing in single family residential intensity since the late 1990s, with substantial agricultural to residential rezoning cases being approved within the past two years.
2. Gibbs Middle School opened in the fall of 2018, adding to the Gibbs school system.
3. Around the same time, Tazewell Pike and Emory Road were widened at their intersection. Both were previously two-lane roads that now consist of four lanes with a separate right turn and protected left turn lanes.
4. Also at that time, there were major improvements with the alignment of E Emory Road and Beeler Road to the west of the parcel.
5. The stretch of E Emory Road between Maynardville Pike and Tazewell Pike lies just south of Gibbs High, Middle, and Elementary School and would likely be the main route to the schools. This stretch is to be widened from 2 lanes to 4 lanes including a median and bicycle and pedestrian facilities.
6. Data trends have shown an increased demand for a variety of housing options in Knox County, and a residential rezoning could provide an opportunity for additional dwellings to meet this need.
7. A pedestrian bridge crossing Tazewell Pike is in the County's CIP budget.

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

1. The RA zone provides for residential areas with low population densities. The surrounding area consists of low density residential development, so the request for RA on this property is consistent with the zone's intent.
2. 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 RA zone allows predominantly residential uses, though there are a handful of low-impact, nonresidential uses allowed.

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. This property is located in an area with a mix of residential zones and densities. Surrounding zoning

along Gibbs Rd is predominantly A (Agricultural), though the RA and PR (Planned Residential) zones are nearby, the latter with densities of up to 3 and 3.6 du/ac. The RA zone is consistent with the area.

2. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a density of roughly 4 du/ac. Built at maximum capacity, this property could be developed with up to 3 lots.
3. The addition of 3 residential lots is not anticipated to create adverse traffic impacts for the other residential lots along Gibbs Road.

THE 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 property is in the Planned Growth Area of Knox County. The Purpose Statement of the Planned Growth Area includes the intent to encourage a reasonably compact pattern of development, offer a range of housing options, and coordinate actions of the public and private sectors regarding the provision of adequate roads, utilities, schools, drainage, and other public facilities and services. The subject property has access to sewer and abuts Gibbs Elementary School to the west. Its location on Gibbs Road, which connects Tazewell Pike, a minor arterial, and E Emory Road, a major arterial, meet the stated intent of the Planned Growth Area.
2. This application was accepted when the General Plan was still in effect. The subject property was designated as the LDR (Low Density Residential) land use classification in the Northeast County Sector Plan, which allowed consideration of the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.
3. Under the Comprehensive Plan, the property is designated as the SR (Suburban Residential) place type in the Knox County Comprehensive Plan, which allows consideration of the RA zone.
4. The RA zone is consistent with the Comprehensive Plan's implementation policy 2, to ensure that new development is sensitive to existing community character. The lot sizes and uses allowed by the RA zone are consistent with other residential development in the area.

Action: Approved **Meeting Date:** 6/13/2024

Details of Action:

Summary of Action: Approve the RA (Low Density Residential) zone for the part of the parcel requested in Exhibit B because it is consistent with the Knox County Comprehensive Plan and other development in the area.

Date of Approval: 6/13/2024 **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: 7/24/2023 **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:**