

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 6-O-24-RZ      **Related File Number:**  
**Application Filed:** 4/29/2024      **Date of Revision:**  
**Applicant:** BENJAMIN C MULLINS

## PROPERTY INFORMATION

**General Location:** West of terminus of Grospoint Dr, east of Ebenezer Rd, south of Kingston Pk  
**Other Parcel Info.:**  
**Tax ID Number:** 132 03603, 03605      **Jurisdiction:** County  
**Size of Tract:** 9.9 acres  
**Accessibility:** Access is via a 50-ft wide ingress and egress easement leading to Grospoint Drive, a local street with a 24-ft pavement width within a 58-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:** up to 4 du/ac  
**Planning Sector:** Southwest County      **Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** This area has a mix of office and commercial uses along with single-family and multi-family neighborhoods.

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

**Street:** 0 GROSPPOINT DR  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RAE (Exclusive Residential)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:**  
**Extension of Zone:** Yes, this is 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:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 4 du/ac because it is consistent with surrounding development and changing conditions in the area, subject to 2 conditions.

Staff Recomm. (Full):

1. Disturbing no more than 4.98 acres within the HP (Hillside Protection) area, per the recommendation of the slope analysis.
2. Not disturbing within the HP area along the rear lot line where slopes exceed 25% and along the 35-ft periphery boundary on the west lot line that abuts the Hanna Place subdivision, as shown in Exhibit B.

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 COUNTY GENERALLY:

1. This area of Southwest Knox County bordering the City jurisdiction has seen rapid commercial and residential development over the past 10 to 15 years. In particular, nearby properties to the northwest along Kingston Pike were converted from pasture and forest to retail commercial centers between 2008 and 2020. Similarly, farmland and forest to the south and southwest of the subject property have seen an ongoing conversion to single-family and multi-family residential communities since 2000.
2. The portion of the parcel abutting the subject property to the south was rezoned to PR (Planned Residential) with a density of up to 4 dwelling units per acre. A development plan for 113 single-family lots on that parcel is currently under review with case numbers 6-SD-24-C and 6-H-24-DP. The site plan shows stub outs extending to the subject parcel, supporting a potential expansion of unified residential development there.
3. The proposed rezonings to the PR zone up to 4 du/ac is a logical minor extension from the south, and it is compatible with existing and proposed surrounding development.

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

1. The PR zone is intended to provide optional methods of development that encourage more imaginative solutions to environmental design problems. Development is characterized by a unified building plan and site development program and should be compatible with surrounding or adjacent zones.
2. Approximately 6.7 acres of the 9.9-acre subject property are in the HP (Hillside Protection) area, and much of that includes mature forest that has not been previously disturbed. The PR zone permits a concentration of dwelling units in the more accommodating area of the lot to the south, which is less sloped and cleared.
3. With regards to compatibility, the requested rezoning and density is a continuation of land use seen in the established residential neighborhoods to the east and west, as well as the connecting suburban residential development proposed to the south.
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. There are two recommended conditions for this rezoning that would mitigate potential adverse impacts of development. Condition #1 is that disturbance within the HP area not exceed the recommendation in the slope analysis. Disturbance is defined as any activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise may cause erosion and sedimentation. Condition #2 describes how the areas exceeding a 25% slope along the rear lot line

should remain undisturbed in addition to the 35-ft periphery boundary within the HP area along the west side, which abuts the Hanna Place subdivision. These conditions help prevent or limit potential noxious impacts from commercial activity to the north, and it maintains a forested backyard buffer along the Hanna Place neighborhood to the west.

2. The rezoning to the PR district to the south was approved with several conditions that were informed by concerns of surrounding residents. One of the conditions was that any connections to existing stub outs leading to the Suburban Hills neighborhood to the east or the Briar Glen neighborhood to the south be prohibited. In the case of the subject property, connectivity to Grospoint Drive, which leads to the Suburban Hills neighborhood, cannot be prohibited because it is the property's only legal right-of-way access.

3. It is worth noting that connections to adjacent neighborhoods are not considered an adverse impact in the Knox County Comprehensive Plan. It is a stated goal in the Suburban Residential place type for this property, that "future development feature street and path connections to adjacent neighborhoods." The Comprehensive Plan's implementation policy 11 asserts that connectivity with new development should be promoted and cul-de-sacs be limited for reasons that include the encouragement of active transportation and recreation, better dispersing of traffic, and shortened emergency response times.

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 proposed rezoning is consistent with the Comprehensive Plan's implementation policy 5 to create neighborhoods with a variety of housing types and amenities in close proximity as well as policy 6 to promote attainable housing that meets the needs of the current and future residents. The existing RAE (Exclusive Residential) zone on the subject property only permits single-family detached houses, whereas the PR zone permits consideration of a wide variety of housing forms to meet local demand.

2. The PR zone also doesn't have an individual minimum lot size like the RAE zone, which allows for a clustering of housing that conserves natural landscapes. This rezoning with the noted conditions is also consistent with the Comprehensive Plan's implementation policy 7 to encourage development practices that conserve and connect natural features and habitat.

3. The proposed rezoning is not in conflict with any other adopted plans for the area.

**Action:** Approved **Meeting Date:** 8/8/2024

**Details of Action:** Approve the PR (Planned Residential) zone with up to 4 du/ac because it is consistent with surrounding development and changing conditions in the area.

**Summary of Action:** Approve the PR (Planned Residential) zone with up to 4 du/ac because it is consistent with surrounding development and changing conditions in the area.

**Date of Approval:** 8/8/2024 **Date of Denial:** **Postponements:** 6/13/2024, 7/11/2024

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

## LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 9/16/2024

**Ordinance Number:**

**Disposition of Case:** Approved as Modified

**If "Other":**

**Amendments:**

Approve PR (Planned Residential) up to 4 du/ac, w/ 5 conditions: 1) No access to Grospoint once the property is redeveloped; 2) No reduction of the 35ft peripheral boundary adjacent to adjoining residential properties;

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

3) Keep as much of the existing landscape as possible adjacent to adjoining residential properties to the extent it must be removed, it can be replaced with type C landscape screen; 4) Submit traffic study; 5) Submit landscape plan

**Effective Date of Ordinance:**