

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-Q-24-RZ

Related File Number:

Application Filed: 5/28/2024

Date of Revision:

Applicant: PETR FESYUK

PROPERTY INFORMATION

General Location: North side of E Emory Rd, east side of Willow Fork Ln

Other Parcel Info.:

Tax ID Number: 38 122 (PART OF)

Jurisdiction: County

Size of Tract: 2.5 acres

Accessibility: Access is via E Emory Rd, a major arterial street with a pavement width of 24-ft within a right-of-way of 50-ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential

Surrounding Land Use:

Proposed Use:

Density: up to 6 du/ac

Planning Sector: North County

Plan Designation: TN (Traditional Neighborhood)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area of Halls is mostly single family subdivisions and attached houses. This property is a mile from the Halls greenway, library, schools and the commercial node at Maynardville Pike and E Emory Rd. This property abuts the last few large agricultural tracts on E Emory Rd in this area.

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

Street: 7404 WILLOW FORK LN

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, it is not an extension of the zone.

History of Zoning: A request to rezone this parcel from A to PR up to 5 du/ac was withdrawn prior to County Commission action (6-G-18-RZ).

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:

Whitney Warner

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 6 du/ac because it is consistent with Knox County Comprehensive Plan and surrounding development.

Staff Recomm. (Full):

Comments:

This rezoning is for 2.5 acres of a 5.7 acre parcel. It is for the front half of the property, which has street frontage on E Emory Rd and is currently accessed off of Willow Fork Ln. The rear of the property, which is in the Stream Protection Area, would remain A (Agricultural).

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. Since 1990, there have been some A to PR rezonings at densities ranging from up to 1-5.5 du/ac in the area. The general residential trend along E Emory Rd (SR-131) consists of small and medium-sized lots of single family detached residential houses, attached subdivisions, and some large agricultural tracts.
2. This property is within 1.5 miles of Halls schools and a senior center, the library, a greenway and water trail, 2 parks, and Maynardville Pike commercial corridor.

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. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone. At the requested density of 6 du/ac, this 2.5-acre property could have up to 15 units.
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.

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 applicant has been asked to verify sight distance at this time. TDOT recommends 496 ft of sight distance in both directions from the property. This can be achieved by establishing the entrance at the eastern edge of the property. PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as access are further evaluated, and community input may be provided regarding the proposed development plan.
2. E Emory Rd is a major arterial street, which provides major movement within an area. Additionally, there is a planned greenway (see Exhibit B) along E Emory Rd that will connect to the existing greenway by the library.

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 designated with the TN (Traditional Neighborhood) place type, which allows the PR zone with density from 5-9 du/ac to be considered as a partially related zone. When the proposed zone is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district be compatible with the current zoning of adjacent sites. The proposed PR zoning and required development plan review by the Planning Commission can ensure the zone is compatible with the current A zoning of adjacent sites.
2. This PR rezoning avoids the FEMA Floodway area of the parcel and more than half of the parcel (3.2 acres) will remain Agricultural, making this is consistent with the Comprehensive Plan's Policies 2

and 7, ensure that development is sensitive to existing community character, and encourage development practices that conserve and connect natural features and habitat.

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

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with up to 6 du/ac because it is consistent with Knox County Comprehensive Plan and surrounding development.

Date of Approval: 8/8/2024 **Date of Denial:** **Postponements:** 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

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: