

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-C-24-RZ **Related File Number:** 8-E-24-PA
Application Filed: 6/24/2024 **Date of Revision:**
Applicant: MESANA INVESTMENTS, LLC

PROPERTY INFORMATION

General Location: West side of Maryville Pike, south of Maloney Rd
Other Parcel Info.:
Tax ID Number: 135 022 **Jurisdiction:** County
Size of Tract: 6.5 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** 2 du/ac
Planning Sector: South County **Plan Designation:** CI (Civic and Institutional), HP (Hillside Ridgetop Protection)
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

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

Street: 0 MARYVILLE PIKE
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RB (General Residential), A (Agricultural)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone:
History of Zoning:

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 up to 2 du/ac because it is consistent with the proposed SR plan amendment to the Knox County Comprehensive Plan and surrounding development, subject to one condition.

Staff Recomm. (Full):

1. Land disturbance within the HP (Hillside Protection) area shall not exceed the recommended disturbance budget of the slope analysis based on the area of development identified during the development plan review, unless approved by the Planning Commission.

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. The property to the rear was rezoned to PR up to 4 du/ac in 2004. Rezoning from A to RA have been occurring since 1996 in the area.

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

1. The PR zone is intended to encourage more imaginative solutions to environmental design problems by enabling concentrated development in less environmentally sensitive areas of a property. There are steep slopes greater than 15% on the property. The flexibility of the PR zone makes it an appropriate zone to consider.

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 2 du/ac, this property could have up to 16 dwellings.

3. 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. The requested density of 2 du/ac aligns with the general character of the area given the large tracts present along Maryville Pike in this area.

2. The majority of the property is within the Hillside Protection area. The Hillside Protection area includes 6.1 acres on this 6.5-acre site. The recommended disturbance area in Hillside & Ridgetop Protection Plan is 2.3 acres. Because of steep slopes Planning is recommending one condition, that land disturbance within the HP (Hillside Protection) area not exceed the recommended disturbance budget of the slope analysis based on the area of development identified during the development plan review, unless approved by the Planning Commission.

3. Mayville Pike is a 2-lane minor arterial street. The pavement width varies from 37 ft to 28 ft with 4 ft shoulders in this area. IC King Park's entrance is approximately 160 ft north of this property, which includes turn lanes heading both north and south bound. Sixteen additional dwellings will not have a significant impact on traffic.

4. This property is in the School Parental Responsibility Zone for Mount Olive Elementary school, which is 0.25 miles north of this property on Maryville Pike.

5. The PR zone requires development plans to be submitted for Planning Commission review. At that time, issues such as access, surrounding character, and community input may be provided regarding the proposed development plan.

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. When the proposed district is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district is compatible with the current zoning of adjacent sites. The proposed PR zoning with the recommended condition and required development plan review by the Planning Commission is compatible with the current PR, A, and RB zoning of adjacent sites.

2. The requested rezoning and recommended condition is consistent with the Comprehensive Plan's Implementation Policy 7, to encourage development practices that conserve and connect natural features and habitat. The requested PR zone has flexible development standards that allow clustering development to the least constrained portions of a property, which aligns with policies 7.2 and 7.6 to encourage conservation subdivisions and considering the recommendations of the Hillside and Ridgetop Protection Plan.

Action: Approved with Conditions

Meeting Date: 8/8/2024

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone up to 2 du/ac because it is consistent with the proposed SR plan amendment to the Knox County Comprehensive Plan and surrounding development, subject to one condition.

Date of Approval: 8/8/2024

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: 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: