

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-G-24-RZ **Related File Number:**
Application Filed: 6/13/2024 **Date of Revision:** 7/22/2024
Applicant: GEORGES H. BRANDAN

PROPERTY INFORMATION

General Location: West side of Bob Kirby Rd, north side of Dutchtown Rd
Other Parcel Info.:
Tax ID Number: 118 150 **Jurisdiction:** County
Size of Tract: 2.09 acres
Accessibility: Access is via Bob Kirby Road, a minor collector street with a 37-ft pavement width within a 75-ft right-of-way, and via Dutchtown Rd, a minor arterial with a 40-ft pavement width within a right-of-way that varies from 63 ft to 77 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** 10 du/ac
Planning Sector: Northwest County **Plan Designation:** CMU (Corridor Mixed-use)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area approximately one mile east of Pellissippi Parkway largely consists of single family residential and institutional uses with a few multifamily developments. There are several private schools within 0.5 miles of the subject property (Web School, Christian Academy of Knoxville, and Peer Academy).

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

Street: 801 BOB KIRBY RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 5 du/ac
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: No, but PR with up to 5 du/ac is adjacent to the west.
History of Zoning: Rezoned from CN to PR at 5 du/ac in 2020 (4-E-20-RZ) and from A to CN in 2009 (11-B-09-RZ); A to CA request denied in 2008 (6-E-08-RZ); Governmental removal of TO overlay in 1992 (10-W-92-RZ); Governmental addition of TO overlay in 1983 (12-FF-83-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:

Samiul Haque

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 10 du/ac because of the of the changes of conditions in the area, the proximity of a major employment area, and because it is consistent with the Knox County Comprehensive Plan.

Staff Recomm. (Full):

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. Dutchtown Road underwent major improvements in 2009, including the widening of the road and the addition of a new center turn lane and sidewalks.
2. Over the last 15 years, the broader area west of Pellissippi Parkway has experienced significant development changes involving the growth of the nearby interchange at the parkway into an office node and the addition of several residential subdivisions. Examples of the latter includes Dutchtown Wood subdivision along Dutchtown Road, Dutchtown View West subdivision north of the subject property, Hamilton Park subdivision along Bob Gray Road, Hidden View Farms subdivision along Lovell Rd, and Cove at Churchill Downs and Parker Hill subdivisions along Chesney Road; all of which began construction within the last 7 years.

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 including houses, duplexes, and multi-dwelling structures.
2. At 10 du/ac, the property could accommodate a maximum of 21 dwelling units. This is 11 more units than that of the property's current PR at 5 du/ac zone would allow.
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. No significant adverse impacts are anticipated to occur with the requested increased density. This is a corner lot at the intersection of a collector street (Bob Kirby Rd.) and an arterial street with sidewalks on both sides (Dutchtown Rd.) that is near several public schools within 0.5 miles (Web School, Christian Academy of Knoxville, and Peer Academy). There is a bus route along Cedar Bluff Road and the Cedar Bluff Elementary, Cedar Bluff Middle, and Catholic High schools are approximately 1.2 miles east of the subject parcel. There are many other amenities to the west closer to Pellissippi Parkway that supports PR at 10 du/ac here.
2. Residential developments under the PR zone would be compatible with the surrounding mix of residential uses which includes an abutting duplex subdivision to the north and a mobile home park south of Dutchtown 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 proposed amendment is consistent with the subject property’s location in the Planned Growth Area of the Growth Policy Plan (2024 amendment), which encourages a reasonably compact pattern of development and wide range of housing choices.
2. The proposed rezoning is compatible with the CMU (Corridor Mixed-use) place type as defined in the Comprehensive Plan, which allows consideration of the PR zone with a density up to 24 du/ac as a partially related zone.
3. Partially related zone considerations must meet additional criteria provided in Appendix H of the Comprehensive Plan to ensure their compatibility with the place type. The PR zone with 10 du/ac is appropriate here because it would permit uses and development forms that are consistent with the primary and secondary uses described in the place type (criteria 1) and it is compatible with the current zoning of adjacent sites (criteria 2).
4. The proposed rezoning is consistent with Implementation Policy 5 of the comprehensive plan that encourages the creation of neighborhoods with a variety of housing types and amenities in close proximity. The broader area has a mix of housing types and is supported by many nearby amenities, as mentioned above.
5. Increasing the density to allow for 11 more units than that is currently permissible also supports the recommendation of Implementation Policy 6 of the Comprehensive Plan to promote attainable housing that meets the needs of the current and future residents.

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

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with up to 10 du/ac because of the of the changes of conditions in the area, the proximity of a major employment area, and because it is consistent with the Knox County Comprehensive Plan.

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:**