

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-O-24-RZ

Related File Number: 8-G-24-PA

Application Filed: 6/25/2024

Date of Revision:

Applicant: LOGAN HIGGINS

PROPERTY INFORMATION

General Location: South of W Governor John Sevier Hwy, east of South Point Rd

Other Parcel Info.:

Tax ID Number: 137 151

Jurisdiction: County

Size of Tract: 4.84 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use:

Density: up to 8 du/ac

Planning Sector: South County

Plan Designation: RC (Rural Conservation)

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 0 W GOVERNOR JOHN SEVIER HWY

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR(k) (Planned Residential) up to 2 du/ac

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:

Samiul Haque

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 8 du/ac because it is consistent with the Knox County Comprehensive Plan, subject to 4 conditions.

Staff Recomm. (Full):

These are the same conditions the Planning Commission and County Commission approved for the 2022 rezoning of this property (4-T-22-RZ):

- 1) Maintain a tree buffer with 50-ft of depth along the Governor John Sevier Highway frontage, except for allowing approved access to Governor John Sevier Highway, as recommended by the Governor John Sevier Scenic Highway Corridor Study. High visibility tree protection fencing shall be installed before clearing and grading activities begin and maintained until site and building construction are complete.
- 2) A landscape plan for the 50-ft buffer yard along the frontage of John Sevier Highway is required to be submitted as part of the Concept Plan and/or Use on Review.
- 3) No clearing or grading of the site shall be permitted until a Concept Plan or Use on Review development plan is approved by the Planning Commission.
- 4) Provide a vegetated buffer consisting of a "Type B" landscape screen of 20-ft in depth adjacent to the A zoned parcel on the south side of the property.

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 southwest of the intersection of W Governor John Sevier Highway and Chapman Highway has experienced considerable residential growth since the 1990s. Examples of this include the Wells Creek single-family subdivision 0.5 miles south of the property (constructed in 2019), White Oak Crossing affordable multifamily housing along Chapman highway (constructed between 2018-2020), and expansion of the Wildwood Gardens subdivision 0.85 miles to the northwest (2009-2024). There is also a cluster of townhouses and single-family developments 0.8 miles to the west that were built in the 1990s under the PR (Planned Residential) zone with a density of up to 8 du/ac.
- 2. As mentioned in the plan amendment section, the Planning Commission has approved several PR rezoning requests within 0.5 miles of the subject parcel over the last three years. The Planning Commission approved PR at 5 du/ac for the subject parcel, although the County Commission later approved 2 du/ac (4-T-22-RZ). With the ongoing development changes and the subject property's location directly on the highway corridor, the requested increase in density to up to 8 du/ac is compatible with surrounding residential character and amenities.

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 along with some nonresidential uses. The zone is appropriate for this property with a blue line stream running at the southeast corner.
- 2. At the current density of 2 du/ac, this 4.84-acre property could accommodate up to 9 dwelling units. At the recommend density of 8 du/ac, the property could accommodate 29 more units.
- 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 2022 zoning of this property was approved with 4 conditions, all of which are included as conditions of this rezoning approval. With these landscaping and development review conditions, there are no significant adverse impacts anticipated to occur with the rezoning.

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 recommended SR (Suburban) place type as defined in the Comprehensive Plan, which allows consideration of the PR zone with a density up to 12 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 8 du/ac is deemed 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 property is within the boundaries of the Governor John Sevier Scenic Highway Corridor Study, which recommends a 50-ft tree protection buffer. This is reflected in Condition 1 for approval of this rezoning.

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

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with up to 8 du/ac because it is consistent with the Knox County Comprehensive Plan, subject to 4 conditions.

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: 10/21/2024

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: