

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 1-W-23-RZ Related File Number: 1-J-23-SP
Application Filed: 11/29/2022 Date of Revision:
Applicant: REBECCA WALLS

PROPERTY INFORMATION

General Location: Northwest side of W Emory Rd, east of Faith Haven Way
Other Parcel Info.:
Tax ID Number: 76 018,021 Jurisdiction: County
Size of Tract: 67.32 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: Density: up to 3 du/ac
Sector Plan: Northwest County Sector Plan Designation: AG (Agricultural), HP (Hillside Protection), SP (Stre
Growth Policy Plan: Rural Area
Neighborhood Context:

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

Street: 0 W EMORY RD
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:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: AG (Agricultural), HP (Hillside Protection), SP (Stream Protection)
Requested Plan Category: RR (Rural Residential), HP (Hillside Protection), SP (Stream Protection)

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 up to 3 du/ac because it is consistent with Growth Policy Plan guidelines and surrounding development trends, subject to one condition.

Staff Recomm. (Full):

ZONING CONDITION

1) The portion of the parcel with slopes of 25% or greater shall be left undisturbed, as delineated 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 CITY/COUNTY GENERALLY:

1. The subject property is located in a rural setting that has seen a moderate rate of farmland conversion to residential development. These conditions warrant consideration of the PR (Planned Residential) zone to meet apparent demand for housing in a manner that can also maintain the pastoral character of the area.

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

1. The PR zone is intended for residential development that is compatible with the surrounding area, and it encourages creative solutions to environmental design issues. It allows clustering of residences to focus development on the optimal parts of the property and preserve more sensitive areas, such as steep slopes.

2. Most of the subject property is within the HP (Hillside Protection) area. The PR zone is an appropriate consideration in this context because it enables concentrated development away from the ridgeline.

3. The applicant has requested a density up to 3 du/ac, which is the maximum density allowed in the Rural Area of the Growth Policy Plan. The requirements to allow 3 du/ac are as follows: 1) the property must be zoned PR, 2) public water and sewer must be available, 3) connecting collector or arterial from the development to the Urban Growth Boundary or the Planned Growth Boundary must meet the standards Knox County Engineering, and 4) providing a traffic impact analysis demonstrating that the development will not unreasonably impair traffic flow along arterials.

This rezoning request meets these criteria for 3 du/ac because the property would be zoned PR, public utilities are available, W Emory Rd connects directly to Oak Ridge Hwy which is an arterial street, and the traffic impact letter submitted by the applicant determined that there would be no significant changes in the level of service with the anticipated increase in traffic.

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. Approximately one-third of the subject property is steep-sloped, undisturbed forest of the Copper Ridge. This 22.4-acre section of the parcel runs along the rear property line and has slopes of 25% or higher. The ridge borders the Clinch River, which is classified as an impaired waterway due to stormwater runoff and other pollution sources.

2. Clearing and grading this steep-sloped portion of the property could result in erosion, increased stormwater pollution, damage to the scenic character of this rural area, habitat loss and other degradations of the region. Considering these adverse effects, staff recommend approving the PR zone at the requested density on the condition that the area with slopes of 25% or higher be left undisturbed, as shown in Exhibit B. This condition is supported by the following development policies of the General Plan: 1) Rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process (10.4), 2) Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat

(9.2), and 3) Provide incentives for conservation subdivisions, to set aside large portions of open space and protect natural resources.

3. The PR zone requires development plan approval by the Planning Commission prior to construction. This will allow staff to review the plan and address issues such as traffic circulation, lot layout, drainage and other potential development concerns. It will also provide the opportunity for public input at the Planning Commission meeting.

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 proposed PR zone at a density of 3 du/ac is consistent with the recommended RR designation amendment to the Northwest County Sector Plan.

2. With adherence to the noted condition, the proposed rezoning is consistent with the General Plan and the Growth Policy Plan

3. The requested rezoning is not in conflict with any other adopted plans.

Action: Approved with Conditions **Meeting Date:** 1/12/2023

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone up to 3 du/ac because it is consistent with Growth Policy Plan guidelines and surrounding development trends, subject to one condition.

Date of Approval: 1/12/2023 **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: 2/21/2023

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved as Modified

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Approved PR up to 2.2 du/ac with planning staff 's 1 condition

Date of Legislative Appeal:

Effective Date of Ordinance: