

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 10-R-19-RZ                      **Related File Number:**  
**Application Filed:** 8/27/2019              **Date of Revision:**  
**Applicant:** B & B BUILDER

## PROPERTY INFORMATION

**General Location:** South side of E. Emory Road, south of Pelleaux Road, east side of Birdie Lane.  
**Other Parcel Info.:** The southern portion of this property is located in a Stream Protection Area  
**Tax ID Number:** 38 037    **Jurisdiction:** County  
**Size of Tract:** 9.69 acres  
**Accessibility:** Access is via Birdie Lane, a local street with a pavement width of 26.7 feet within a right-of-way width of 50 feet.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Multi-family Residential  
**Surrounding Land Use:**  
**Proposed Use:** Multi-family Residential    **Density:** 5 du/ac  
**Sector Plan:** North County                      **Sector Plan Designation:** LDR (Low Density Residential) / SP (Stream Prote  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The area is comprised of single family residential, rural residential and large agricultural lots.

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

**Street:** 2901 Sunny Creek Way  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential) 1-4 du/ac and F (Floodway)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential) 1-5 du/ac and F (Floodway)  
**Previous Requests:** 4-S-96-RZ  
**Extension of Zone:** Yes, the area is currently zoned PR.  
**History of Zoning:** 4-S-96-RZ: PR up to 4

## 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:

Liz Albertson

Staff Recomm. (Abbr.):

Approve PR (Planned Residential) zoning up to 5 du/ac

Staff Recomm. (Full):

Staff recommends approval of the PR up to 5 du/ac because it is compatible with the sector plan designation of LDR and is a minor increase in the existing approved density of the parcel that is currently zoned PR up to 4 du/ac.

Comments:

REZONING REQUIREMENT FROM ZONING ORDINANCES (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. Population continues to increase in the North County Sector.
- 2. A range of housing options including additional multi-family dwelling units are needed.

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

- 1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
- 2. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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 PR zoning up to 5 du/ac at this location will not cause any direct or indirect adverse effects.
- 2. This property is currently zoned to allow up to 38 dwelling units on the property, this rezoning to allow up to 5 du/ac would allow up to 48 dwelling units total.

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 FACILITY PLAN, AND OTHERS:

- 1. This request is consistent with the sector plan designation of LDR, which allows consideration up to 5 du/ac.
- 2. This area is within the Planned Growth Area on the Growth Policy Plan.
- 3. This rezoning is consistent with all other adopted plans.

Action:

Approved

Meeting Date: 10/10/2019

Details of Action:

Summary of Action:

Approve PR (Planned Residential) zoning up to 5 du/ac

Date of Approval:

10/10/2019

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: 11/18/2019

Date of Legislative Action, Second Reading:

**Ordinance Number:**

**Disposition of Case:**      Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**