

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 11-A-24-RZ

Related File Number:

Application Filed: 8/20/2024

Date of Revision:

Applicant: DAVID HARBIN

PROPERTY INFORMATION

General Location: North side of Ball Camp Pk, west of Valley Grove Ln

Other Parcel Info.:

Tax ID Number: 91 20103

Jurisdiction: County

Size of Tract: 5.05 acres

Accessibility: Access is via Ball Camp Pike, a major collector street with a 19-ft pavement width within a right-of-way that varies from 50 ft to 74 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land

Surrounding Land Use:

Proposed Use: **Density:** at 8 du/ac

Planning Sector: Northwest County **Plan Designation:** SR (Suburban Residential)

Growth Policy Plan: Urban Growth Area (Outside City Limits)

Neighborhood Context: This area is comprised of single family houses on large lots off the main thoroughfares and smaller-lot subdivisions off of side streets. There are a number of undeveloped forested properties, some of which have been zoned PR.

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

Street: 7507 BALL CAMP Pk.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 3 du/ac

Former Zoning: A (Agricultural)

Requested Zoning: PR (Planned Residential)

Previous Requests:

Extension of Zone: Yes, PR up to 8 du/ac abuts to the north.

History of Zoning: This property was rezoned from A (Agricultural) to PR (Planned Residential) up to 3 du/ac in 2022 (6-D-22-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: N/A

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:

Kelsey Bousquet

Staff Recomm. (Abbr.):

Deny the PR (Planned Residential) zone with up to 8 du/ac because it is inconsistent with the Knox County Comprehensive Plan and the surrounding development accessed off of Ball Camp Pike.

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 ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Since the early 2000s, the surrounding area has experienced a transition from I (Industrial) and A (Agricultural) zoning to PR (Planned Residential) zoning, with densities ranging from up to 3 du/ac to up to 8 du/ac.

2. This past September, the parcel abutting the subject property on the north side was rezoned from the A zone to the PR zone with up to 8 du/ac on the condition that the property has viable access to Schaad Road (8-N-24-RZ). That parcel has frontage along Schaad Road, while the subject property only has access off of Ball Camp Pike.

3. Since 2006, there have been four residential subdivisions constructed along this section of Ball Camp Pike. The developments have been primarily single-family dwellings, with some multi-family development near the intersection of Bakertown Road.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The PR zone is intended to provide optional land development methods that encourage more imaginative solutions to environmental design problems. There are closed contours that could possibly be sinkholes on the southeastern portion of the property and near the northwest corner (Exhibit A, Topographical Map).

2. The PR zone also intends to ensure potential development is harmonious with the surrounding area. Though PR zoning is prevalent in the surrounding area, those properties with access off of Ball Camp Pike have densities ranging from up to 3 to 5 du/ac.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AN AMENDMENT.

1. The proposed density of 8 du/ac could yield up to 40 lots. The density is inconsistent with the development along this section of Ball Camp Pike, between Bakertown Road and Amherst Road. Subdivisions accessed directly off of Ball Camp Pike are zoned PR with densities at 3 and 4 du/ac. Those subdivisions with higher densities, while near the subject property, are accessed off of Schaad Road.

2. The PR zone ensures that site plans undergo a public review process and obtain Planning Commission approval before construction begins. The plan will be reviewed to determine whether the proposed development is compatible with the surrounding community.

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 subject property is designated as SR (Suburban Residential) in the Comprehensive Plan, which allows consideration of the PR zone with up to 8 du/ac.

2. The PR zone with a density of 8 du/ac is considered a partially related zone in the SR place type.

Per Appendix H of the Comprehensive Plan, partially related zones must meet specific criteria. The rezoning meets the first criterion, as the allowed land uses in the PR zone align with the SR place type's preferred housing mix, primarily featuring single-family homes and small-scale attached residential dwellings.

3. The proposed rezoning does not comply with Comprehensive Plan's Implementation Policy 9.3, to focus growth in areas already served by adequate infrastructure. The Knox County Engineering & Public Works Department has expressed concerns about additional significant development along this section of Ball Camp Pike, and roadway improvements would likely be required. The subject property is also located 415 ft east of an elevated railroad crossing, which may restrict visibility for drivers exiting the property. Knox County does not have a capital improvement project planned for this section of Ball Camp Pike in the foreseeable future.

Action: Approved with Conditions

Meeting Date: 12/12/2024

Details of Action: Approve PR (Planned Residential) up to 8 du/ac with the following condition: 1) during the development plan review, ensuring that the property has viable access to Schaad Road. If access to Schaad Road is not feasible, the property owner may be required to make appropriate improvements to Ball Camp Pike as deemed necessary by the Knox County Department of Engineering and Public Works and shall enter into a memorandum of understanding for such improvements.

Summary of Action: Approve PR (Planned Residential) up to 8 du/ac with the following condition: 1) during the development plan review, ensuring that the property has viable access to Schaad Road. If access to Schaad Road is not feasible, the property owner may be required to make appropriate improvements to Ball Camp Pike as deemed necessary by the Knox County Department of Engineering and Public Works and shall enter into a memorandum of understanding for such improvements.

Date of Approval: 12/12/2024

Date of Denial:

Postponements: 11/14/2024

Date of Withdrawal:

Withdrawn prior to publication?: ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 1/22/2025

Ordinance Number:

Disposition of Case: Approved with Conditions

If "Other":

Amendments:

Condition: during development plan review, ensuring that property has viable access to Schaad Rd. If access to Schaad Rd is not feasible, property owner will be required to make appropriate improvements

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

to Ball Camp Pike as deemed necessary by Knox County EPW and will enter into a memorandum of understanding for such improvements with every effort made to respect the easement that parallels Valley Grove Lane on the other side of Ball Camp Pike.

Effective Date of Ordinance: