

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 12-B-24-RZ **Related File Number:**  
**Application Filed:** 10/24/2024 **Date of Revision:**  
**Applicant:** BENJAMIN C. MULLINS

## PROPERTY INFORMATION

**General Location:** West side of Shipe Rd, east of Washington Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 40 166 **Jurisdiction:** County  
**Size of Tract:** 34.1 acres  
**Accessibility:** Access is via Shipe Road, a major collector street with a 20-ft pavement width within a 50-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:** **Density:** up to 5 du/ac  
**Planning Sector:** Northeast County **Plan Designation:** RC (Rural Conservation), HP (Hillside Ridgetop Protection)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This is rural, residential area predominantly composed of multi-acre single-family lots, forest and farms. There is a large Knox County Corrections facility nearby to the west.

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

**Street:** 4923 SHIPE RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (Planned Residential) up to 2.5 du/ac  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:**  
**Extension of Zone:** It is an extension of the base zone, but not the residential density.  
**History of Zoning:** Parcel included in a 2005 request for the PR zone up to 3 du/ac, and approved for PR up to 2.5 du/ac (8-Q-05-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:                      Jessie Hillman  
Staff Recomm. (Abbr.):                Deny the PR (Planned Residential) zone with a density of up to 5 du/ac because it is not supported by surrounding infrastructure and amenities.  
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 CITY/COUNTY GENERALLY:

1. This property is in an area that is rural in character and predominantly comprised of large single-family lots, farmland and forest. Since 2003, there has been a moderate transition in land use towards single-family residential subdivisions to the northeast and southwest built at densities no greater than 3 du/ac. There is one small townhouse subdivision nearby built at a density of 4.5 du/ac with direct access to Washington Pike, which is approximately 20 ft wide in this area.

2. In 2023, a development plan for a residential subdivision adjacent to the subject property to the west was approved with a density of 2.3 du/ac. The development includes a stub out that could connect it to the subject property, providing alternative access to Ellistown Road, a 20-ft wide collector street.

3. The subject property's current legal access is Shipe Road, a 20-ft wide collector street with no shoulders. There are no roadway capital improvements planned to occur in this general area.

4. The subject property was previously in the Rural Area but was incorporated into an expanded Planned Growth Area when the Growth Policy Plan was updated this year.

5. Although there has been a policy change regarding the amount of residential intensity that can be considered in this area, the conditions on this ground do not support the requested increase in PR (Planned Residential) zone density from 2.5 to 5 du/ac. The existing density is consistent with changes in residential subdivision development, which have densities no greater than 2.5 du/ac where access is on a collector street and not an arterial like Washington Pike.

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

1. The PR zone is intended to provide development flexibility in response to environmental conditions on a site, such as streams or slopes. It allows development to be clustered in the less challenged areas of a lot, to preserve more sensitive area.

2. The subject property is bisected by a blue line stream, and approximately half of the property has steeper forested slopes on the south side of the stream. These conditions are consistent with the intent of the PR zone, but do not support an increase in the existing intensity of 2.5 du/ac, which could yield 85 units on this site.

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 requested density of 5 du/ac could result in the addition of 170 units on the subject property. Development of this scale could have an adverse impact on traffic congestion for the two-lane collector roads accessing the property, and cause a degree of impervious development that could negatively affect the hydrology and natural assets of the area.

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 subject property is in the RC (Rural Conservation) place type of the Knox County Comprehensive Plan. The existing PR zone is partially related to this place type, and meets the criteria for partially related zones because the district is compatible to the existing PR zoning adjacent to it.
2. The existing density of 2.5 du/ac is consistent with the intent of the RC place type to accommodate residential development that conserves 50% to 70% of a site.
3. Denying an increase in residential density at this location is consistent with the Comprehensive Plan's Implementation Policy 9 to coordinate infrastructure improvements with development and Policy 2 to ensure that development is consistent with community character.
4. The existing density is consistent with the property's location in the Planned Growth Area, which states that housing choices should be coordinated with the provision of adequate roads, utilities, schools and other facilities and services. Current road conditions and a lack of residential amenities, such as schools, parks and service-oriented commerce, do not support an increase in residential intensity at this time.

**Action:** Approved **Meeting Date:** 12/12/2024

**Details of Action:** Approve the PR (Planned Residential) zone up to 3 du/ac because it is supported by infrastructure in the area.

**Summary of Action:** Approve the PR (Planned Residential) zone up to 3 du/ac because it is supported by infrastructure in the area.

**Date of Approval:** **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

### **LEGISLATIVE ACTION AND DISPOSITION**

<b>Legislative Body:</b>	Knox County Commission	<b>Date of Legislative Action, Second Reading:</b>
<b>Date of Legislative Action:</b>	2/24/2025	<b>Other Ordinance Number References:</b>
<b>Ordinance Number:</b>		<b>Disposition of Case, Second Reading:</b>
<b>Disposition of Case:</b>	Withdrawn	<b>If "Other":</b>
<b>If "Other":</b>		<b>Amendments:</b>
<b>Amendments:</b>		<b>Effective Date of Ordinance:</b>
<b>Date of Legislative Appeal:</b>		