

# CASE SUMMARY

## APPLICATION TYPE: REZONING

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N  
T E N N E S S E E

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**File Number:** 12-E-02-RZ                      **Related File Number:**  
**Application Filed:** 11/13/2002              **Date of Revision:** 12/9/2002  
**Applicant:** RACHEL NICELEY  
**Owner:**

### PROPERTY INFORMATION

**General Location:** North and south sides Skaggston School Rd., north of Rutledge Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 32 34,36 (PART)                      **Jurisdiction:** County  
**Size of Tract:** 6 acres  
**Accessibility:** Access is via Skaggston School Rd., a local street with 17' to 18' of pavement within a 40' right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Townhouse development                      **Density:**  
**Sector Plan:** Northeast County              **Sector Plan Designation:**  
**Growth Policy Plan:** Rural Area and Planned Growth Area  
**Neighborhood Context:** This site is within a rural residential development pattern that has occurred under Agricultural zoning.

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

**Street:** 9433 Skaggston Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** T (Transition)  
**Previous Requests:**  
**Extension of Zone:** No  
**History of Zoning:** Part of the site was denied PR zoning in 1996 by County Commission. (12-D-96-RZ)

### PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**MPC ACTION AND DISPOSITION**

Planner In Charge: Ken Pruitt

Staff Recomm. (Abbr.): APPROVE T (Transition) zoning

Staff Recomm. (Full): Transition zoning would permit use on review consideration of apartments for this site with a development plan and density compatible with the scale and intensity of surrounding land uses and zoning. The sector plan proposes low density residential use for this site. Transition zoning may be considered in the Growth Policy Plan's Rural Area, which includes most of the subject property.

Comments: NEED AND JUSTIFICATION FOR PROPOSAL  
1. This property is located in an area of predominantly single family housing on large, individual lots within Agricultural and CA zones. Transition zoning would allow compatible, multi-family residential development to be considered for this site, which is located in close proximity to an area of CA zoning to the southeast that fronts on Rutledge Pike. The campus of East Knox Elementary School is located to the southwest, within 1000 ft. of the property.  
2. In 1996, an MPC recommendation for PR zoning at 1 dwelling unit per acre for part of the property was denied by County Commission on appeal. (The applicant at that time requested PR at 1 to 8 dwellings per acre.) In making their recommendation, the Planning Commission considered staff concerns regarding Health Department objections over the applicant's requested density because of lack of sewer service and the property's poor access. The property now can be served by public sewer, and it's larger size brings it within approximately 300 feet of Rutledge Pike, a four lane, median divided highway, with capacity for additional traffic.  
3. Additional requests for multi-family development through Transition zoning are not anticipated in the near future. Recent requests for new residential development in Northeast Knox County have been primarily for low density uses.

THE EFFECTS OF THE PROPOSAL

1. The site can be served by public water and sewer and has convenient access to a four lane, median divided highway. This level of public services should not be severely impacted by this zone change. The applicant's proposal is for a maximum development of 40 dwelling units, which will add approximately 400 vehicle trips per day to area roads and 10 children to area schools.  
2. Transition zoning permits Planning Commission consideration of multi-family development that would be compatible with the scale and intensity of surrounding residential uses. The site plan review process can address such development issues as building placement, property access and circulation, and landscaping and signage. This will help to ensure that impacts on adjacent and nearby properties can be minimized.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. Multi-family residential uses (apartments) permitted by Transition zoning will be compatible with the level of public services---water and sewer service, roads and schools---available to serve the area. The sector plan proposes low density residential uses for this property.  
2. Transition rezoning is supported by the Growth Policy Plan, which allows consideration of Transition zoning within the Rural Area.

MPC Action: Approved

MPC Meeting Date: 1/9/2003

Details of MPC action:

Summary of MPC action: APPROVE T (Transition)

Date of MPC Approval:

Date of Denial:

Postponements: 12/12/2002

Date of Withdrawal:

Withdrawn prior to publication?:  Action Appealed?:

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** County Commission

**Date of Legislative Action:** 2/24/2003

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**