

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 2-C-24-RZ  
**Application Filed:** 12/18/2023  
**Applicant:** KENDRA ATES

**Related File Number:**  
**Date of Revision:**

## PROPERTY INFORMATION

**General Location:** Southwest side of Ellistown Rd, southeast of Rutledge Pk  
**Other Parcel Info.:**  
**Tax ID Number:** 51 109.09 **Jurisdiction:** County  
**Size of Tract:** 1.85 acres  
**Accessibility:** Access is via Ellistown Road, a local street with a 17-ft pavement width within a 45 to 72-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single Family Residential  
**Surrounding Land Use:**  
**Proposed Use:** **Density:**  
**Sector Plan:** Northeast County **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** This area of Ellistown Road south of Rutledge Pike services a small wooded, single-family residential community with lots that are generally an acre in size. Legg Creek runs along the rear of properties on the southwest side of the street, which leads to the Holston River at the neighborhood's eastern terminus. The Poplar View Landfill abuts this neighborhood to the southwest.

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

**Street:** 1715 ELLISTOWN RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** RA (Low Density Residential)  
**Previous Requests:**  
**Extension of Zone:** No, this is not an extension.  
**History of Zoning:** None noted.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential), HP (Hillside Protection)

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.):

Approve the PR (Planned Residential) zone up to 1.5 du/ac because it is consistent with the sector plan and appropriate given the environmental constraints on the property.

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 COUNTY GENERALLY:

1. The A (Agricultural) zoned properties that access this section of Ellistown Road around the subject property have not seen a significant change of conditions, but most properties are single-family residential lots approximating an acre in size. There is one active agricultural property that borders Ellistown to the northwest. However, it was rezoned PR (Planned Residential) up to 4 du/ac in 2005 (11-L-05-RZ), and a single-family residential development plan was approved by the Planning Commission though not implemented.
2. Residential zoning on this subject property would be consistent with neighboring single-family residential land uses.

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

1. The requested RA (Low Density Residential) zone could permit an intensity of 8 residential lots on the 1.85-acre subject property, because the district has a 10,000sf minimum lot area. This level of residential development would be out of character with the surrounding neighborhood's lot size. Staff recommends rezoning to the PR district with a density of up to 1.5 du/ac. This would permit two dwellings on the property, which is equivalent to surrounding residential intensity.
2. The PR zone provides optional methods of land development that encourage creative solutions to environmental design problems. The subject property includes steep, forested slopes within the HP (Hillside Protection) area, some of which are greater than 25%. The slopes lead down to Legg Creek, which runs along the rear of the lot and requires buffering from development. These constraints on the parcel support consideration of the PR zone, as it permits clustered development to conserve more environmentally sensitive areas.
3. PR zoning is not typically recommended for parcels this small, as there is a standard periphery boundary of 35ft that minimizes the developable area. However, the Planning Commission can reduce the periphery boundary down to 15ft if the lot is adjacent to A zoning, which is the case here. The recommended density would only permit one additional dwelling on the property, and there is ample room for this development.

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 RA zone could result in a residential subdivision that is out of character with surrounding lot sizes.
2. In addition to the more contextually appropriate residential intensity of the recommend PR zone at 1.5 du/ac, this district requires development plan review by the Planning Commission to evaluate its compatibility with the surrounding neighborhood. There are no adverse effects anticipated to occur with the recommended rezoning.

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 PR zone with a 1.5 du/ac density at this location is consistent with the LDR (Low Density Residential) land use classification in the Northeast County Sector Plan.

2. The recommended rezoning complies with the General Plan's development policy 9.2 to encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat. This recommended zoning alternative is also consistent with policy 9.3 to ensure the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

**Action:** Approved

**Meeting Date:** 2/8/2024

**Details of Action:**

**Summary of Action:** Approve the PR (Planned Residential) zone up to 1.5 du/ac because it is consistent with the sector plan and appropriate given the environmental constraints on the property.

**Date of Approval:** 2/8/2024

**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:** 3/25/2024

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

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**