

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 3-E-24-RZ      **Related File Number:** 3-A-24-SP  
**Application Filed:** 1/23/2024      **Date of Revision:**  
**Applicant:** MESANA INVESTMENTS LLC

## PROPERTY INFORMATION

**General Location:** South side of Sevierville Pk, east of Kimberlin Heights Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 125 041, 040 01, 043 01      **Jurisdiction:** County  
**Size of Tract:** 11.4 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land, Multifamily Residential  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:** up to 3 du/ac  
**Planning Sector:** South County      **Plan Designation:** AG (Agricultural), HP (Hillside Protection)  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:**

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

**Street:** 7803 SEVIERVILLE PIKE  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

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

**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:

Whitney Warner

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 1 du/ac because it is consistent with the Rural Residential land use classification and surrounding development, subject to one condition.

Staff Recomm. (Full):

1. The rear of the parcel with slopes of 25% or greater at approximately beyond the 970-contour line shall be left undisturbed.

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 adjacent subdivision was rezoned to RA in 1992. There have been several PR rezonings with densities ranging from 2-8 du/ac along E Governor John Sevier Hwy since the early 2000s.

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

- 1. The PR zone provides flexibility for residential development on properties with environmental constraints by allowing clustered development in the optimal areas of a property to preserve more environmentally sensitive areas, such as steep slopes and streams.
- 2. This property has steep slopes along the rear of the property, so the PR zone would permit clustered development in the less sloped areas, enabling preservation of steep slopes and forested areas.
- 3. PR up to 1 du/ac on this 11.4-acre property would allow up to 11 units where dwellings may be clustered. The current Agriculture zone would also allow 11 units, but only with 1-acre minimum lot sizes. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone.
- 4. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 RA zone is adjacent to the property. The proposed density of 1 du/ac is not expected to have adverse impacts on that development.
- 2. The impact to the street system will be minimal as the property has direct access to a minor collector street.
- 3. Considering the environmental constraints, staff recommends approving the PR zone at 1 du/ac on the condition that the area along the rear of the property line with slopes of 25% or higher at the 970-contour line be left undisturbed (see Exhibit B). This condition is supported by the following development policies of the General Plan 1) Rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process (10.4) and 2) Encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors (6.1) and 3) Compliment natural land forms when grading, and minimize grading on steep slopes and within floodways (6.2).
- 4. Approximately 43% of the property is within the Hillside Protections Area. The slope analysis recommends a density of 2.32 du/ac for the property.
- 5. PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as topography, surrounding character, and access are evaluated, and community input may be provided regarding the proposed development plan.

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 recommended amendment for the South County Sector Plan to RR (Rural Residential) makes the proposed rezoning consistent with the land use plan, which allows up to 1 du/ac. The requested LDR (Low Density Residential) land use classification is not consistent with the sector plan, which calls for the RR or AG land use classifications in the County's Rural Areas.
2. The proposed PR zone of 1 du/ac is consistent with the Rural Area of the Growth Policy Plan, which allows up to 3 du/ac.
3. The Rural Area boundaries changed in this area effective May 1. The Planned Growth Area had terminated nearby to the west but was extended along Sevierville Pike, and the extension included this parcel. However, the Growth Policy Plan did not go into effect until May 1, 2024, so the request is subject to the policies and plans that were in place in the Growth Policy Plan at the time the application was submitted.
4. With adherence to the noted condition, the proposed PR zone of 1 du/ac aligns with 6.2 of the General Plan, which encourages development in areas with the fewest environmental constraints.

ADDITIONAL CONSIDERATIONS:

1. While the Sector Plan was the active plan at the time of the request, the Knox County Comprehensive Plan became effective on April 26th. This property has the SR (Suburban Residential) place type, which allows consideration of the PR zone with a density of up to 12 du/ac.

**Action:** Withdrawn **Meeting Date:** 5/9/2024

**Details of Action:** Withdrawn

**Summary of Action:** Withdrawn

**Date of Approval:** **Date of Denial:** **Postponements:** 3/7/24

**Date of Withdrawal:** 5/9/2024 **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

<b>Legislative Body:</b>	Knox County Commission	
<b>Date of Legislative Action:</b>	6/24/2024	<b>Date of Legislative Action, Second Reading:</b>
<b>Ordinance Number:</b>		<b>Other Ordinance Number References:</b>
<b>Disposition of Case:</b>		<b>Disposition of Case, Second Reading:</b>
<b>If "Other":</b>		<b>If "Other":</b>
<b>Amendments:</b>		<b>Amendments:</b>
<b>Date of Legislative Appeal:</b>		<b>Effective Date of Ordinance:</b>