

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 4-D-24-RZ      **Related File Number:** 4-B-24-PA  
**Application Filed:** 1/26/2024      **Date of Revision:**  
**Applicant:** DREAM HOUSE CONSTRUCTION, LLC

## PROPERTY INFORMATION

**General Location:** North and east side of Henson Rd, south of Avery Woods Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 93 H G 001      **Jurisdiction:** City  
**Size of Tract:** 4.13 acres  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:**  
**Planning Sector:** Northwest City      **Plan Designation:** LDR (Low Density Residential), HP (Hillside Protection)  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:**

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

**Street:** 0 HENSON RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** AG (General Agricultural), HP (Hillside Protection Overlay)  
**Former Zoning:**  
**Requested Zoning:** RN-3 (General Residential Neighborhood), HP (Hillside Protection Overlay)  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential), HP (Hillside Protection)  
**Requested Plan Category:** MDR (Medium 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: Samiul Haque

Staff Recomm. (Abbr.): Approve the RN-3 (General Residential Neighborhood) district because it is consistent with the recommended land use classification and surrounding development. The HP (Hillside Protection Overlay) would be retained.

Staff Recomm. (Full): The HP (Hillside Protection Overlay) would be retained.

Comments: PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. Between early to mid 2000, the abutting 50-lot subdivision was developed under the former RP-1 district with a density up to 4 du/ac. At around the same time, Midpark Road was expanded to connect to Henson Road with the addition of the traffic circle at the southwest corner of the property.
2. The above-mentioned subdivision is currently zoned RN-3 and this rezoning will be an extension of this district from the north.

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

1. The RN-3 district is intended to accommodate medium density residential neighborhoods in the City of Knoxville characterized by one and two-family homes. Townhouse dwellings may be allowed by special use approval to facilitate a more urban development form.
2. The property does not meet the minimum 5-acre lot area requirement of the present A district, and this has never been used for agricultural purposes for at least the last 50 years. The requested RN-3 district is more appropriate for this property considering the adjacent residential development.
3. 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 CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed amendment is not expected to have any significant adverse impact on this area which has a mix of houses, townhouses, and multi-family developments on properties zoned RN-1 (Single-Family Residential Neighborhood) to RN-5 (General Residential Neighborhood).
2. Almost the entire property is within the HP (Hillside Protection Overlay) district. Slope Analysis shows a 62.4% disturbance budget for this 4.65-acre property. Any development on this property would need to meet the HP Overlay district regulations.

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 proposed rezoning is consistent with the General Plan's Development Policy 8.1, which encourages growth in the existing urban area through infill housing on vacant lots and redevelopment parcels.
2. The proposed rezoning will be consistent with the recommended MDR land use classification of the sector plan and One Year plan.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This is an urbanized area with adequate utility infrastructure provided by KUB. The property has

sidewalk connections and is within a half mile of the Happy Homes Park.

**Action:** Approved **Meeting Date:** 4/11/2024

**Details of Action:**

**Summary of Action:** Approve the RN-3 (General Residential Neighborhood) district because it is consistent with the recommended land use classification and surrounding development. The HP (Hillside Protection Overlay) would be retained.

**Date of Approval:** 4/11/2024 **Date of Denial:** **Postponements:**

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

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 5/14/2024 **Date of Legislative Action, Second Reading:** 5/28/2024

**Ordinance Number:** **Other Ordinance Number References:** O-61-2024

**Disposition of Case:** Approved **Disposition of Case, Second Reading:** Approved

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**