

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 4-E-22-RZ
Application Filed: 2/18/2022
Applicant: JERRY PRICE

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: West side of E Governor John Sevier Highway at French Road Intersection
Other Parcel Info.:
Tax ID Number: 111 058 **Jurisdiction:** County
Size of Tract: 17.45 acres
Accessibility: Access is via E Governor John Sevier Highway, a major arterial with a 45-ft pavement width within a 112-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture, Forestry, Vacant
Surrounding Land Use:
Proposed Use: **Density:** 5 du/ac
Sector Plan: South County **Sector Plan Designation:** LDR (Low Density Residential) & HP (Hillside Prote
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This property is located along the French Broad River in an area that is predominantly agricultural or forested with sparse single family detached dwelling units. There is one residential subdivision to the south and a veterans' memorial park to the north.

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

Street: 0 E. Governor John Sevier Hwy.
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: No
History of Zoning: None noted

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.):

Approve PR (Planned Residential) zoning up to 3 du/ac because it is compatible with surrounding development and consistent with the sector plan, subject to 2 conditions:

Staff Recomm. (Full):

- 1) Maintain a tree buffer with 50-ft of depth along the Governor John Sevier Highway frontage, except for allowing approved access to Governor John Sevier Highway, as recommended by the Governor John Sevier Scenic Highway Corridor Study. High visibility tree protection fencing shall be installed before clearing and grading activities begin and maintained until site and building construction are complete.
- 2) No clearing or grading of the site shall be permitted until a Concept Plan or Use on Review development plan is approved by the Planning Commission

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) The proposed rezoning to PR is compatible with the surrounding area, where there is precedent for a transition from agricultural to low density residential zoning beginning in the early 2000s.

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

- 1) The PR zone provides methods of land development which "encourage more imaginative solutions to environmental design problems." Portions of the subject property have a floodway status, and the property is located along the French Broad River. These environmental constraints make PR zoning appropriate because it enables concentrated development on optimal portions of the property.
- 2) PR zoning also supports "conservation subdivisions," which are characterized by common open space and clustered lots to protect farmland and/or natural resources. This approach to residential development is recommended in the South County Sector Plan as a tool for protecting land and water quality in relation to the French Broad River.
- 3) The applicant has requested PR at 5 du/ac, which would result in 87 units allowable on the property. This level of density does not align with the residential character of the surrounding area, which is primarily comprised of dwellings on 1+ acre lots. The exception to this trend is a nearby residential subdivision called Serenity River, which is zoned PR at 3 du/ac. Considering this precedent, and the impact of potentially clustering development to accommodate floodway constraints on the subject property, a maximum density of 3 du/ac is recommended.

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) Approximately 20 percent of the subject property has SP (Stream Protection) land use plan classification on it. One benefit of PR zoning is that it will require Planning Commission use on review approval of site plans prior to any development of the property. During this review, potential issues such as drainage, topography and other development concerns can be addressed.
- 2) The subject property is situated between the French Broad River and E. Gov. John Sevier Highway. The highway has a scenic roadway designation and the sector plan recommends a buffer of native trees and shrubbery along the rights-of-way. The French Broad River Corridor Study also recommends vegetated filter strips at the river's edge to preserve water quality and scenic beauty.
- 3) Less than 700 feet from the subject property, on the opposite side of the French Broad River, is a major industrial property owned by a company that specializes in aggregate and hot mix asphalt production.

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) PR zoning is compatible with the existing LDR (Low Density Residential) land use classification for the South County Sector Plan and is not in conflict with any other adopted plans.

Action: Approved as Modified **Meeting Date:** 4/14/2022
Details of Action: Approve PR (Planned Residential) zoning up to 4.85 du/ac subject to 2 conditions.
Summary of Action: Approve PR (Planned Residential) zoning up to 4.85 du/ac subject to 2 conditions.
Date of Approval: 4/14/2022 **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: 5/23/2022 **Date of Legislative Action, Second Reading:**
Ordinance Number: **Other Ordinance Number References:**
Disposition of Case: Approved as Modified **Disposition of Case, Second Reading:**
If "Other": **If "Other":**
Amendments: **Amendments:**
Approved PR up to 4.5 du/ac with 2 conditions
Date of Legislative Appeal: **Effective Date of Ordinance:**