

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 4-N-24-RZ **Related File Number:**
Application Filed: 2/26/2024 **Date of Revision:**
Applicant: MESANA INVESTMENTS LLC

PROPERTY INFORMATION

General Location: West side of Blacks Ferry Rd, northwest of West Emory Rd
Other Parcel Info.:
Tax ID Number: 66 051 **Jurisdiction:** County
Size of Tract: 8.1 acres
Accessibility: Access is via Blacks Ferry Road, a local street with 16-18 ft of pavement width within 50 ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: **Density:** up to 5 du/ac
Planning Sector: Northwest County **Plan Designation:** LDR (Low Density Residential), HP (Hillside Protection)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The area is a mix of large agricultural and rural residential lots, and single family residential neighborhoods.

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

Street: 7505 BLACKS FERRY RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning: None
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: No, but PR with up to 4 du/ac abuts this property to the south.
History of Zoning: None

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:

Mike Reynolds

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone up to 4 du/ac because it is consistent with the sector plan designation.

Staff Recomm. (Full):

Comments:

This plan was submitted prior to the adoption of the Knox County Comprehensive Land Use and Transportation Plan. The Knox County General Plan, which the sector plans were part of, was the active plan at the time of the application. Therefore, this rezoning request was reviewed under the General Plan.

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. W Emory Road between Karns and Powell continues to see increases in residential development, though much of the outer boundary of the region remains rural, agricultural, and forested. The proposed rezoning to PR (Planned Residential) zone with density up to 4 du/ac is characteristic of these changes to the area.
2. The Belltown Planned Development is approximately 1 mile to the east of the Blacks Ferry Road and W Emory Road intersection.
3. The PR up to 4 du/ac on the adjacent property to the south (Emory Orchard Subdivision) was approved with the condition that the subdivision only have access to W Emory Road. This condition prohibited access to Blacks Ferry Road and Patriot Way in the subdivision to the west. A right-of-way stub out from the Emory Orchard Subdivision to the subject property was not pursued because of the zoning condition prohibiting utilization of the Patriot Way stub out.
4. New residential subdivisions with access to Blacks Ferry Road have been limited to one 6.5-acre subdivision with 18 houses (Blacksferry Pointe). The associated rezoning was approved in 2011 for PR (Planned Residential) up to 3 du/ac (1-B-11-RZ).

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

1. The PR zone is designed to provide optional methods of land development that encourage creative solutions to environmental design problems. Each planned development is intended to be compatible with surrounding or adjacent zones.
2. There are 3.9 acres of hillside protection area comprised almost entirely of slopes less than 25 percent, with more than half being less than 15 percent. The recommended density from the slope analysis is 4.37 du/ac.
3. There are two potential blue line streams that cross the property and converge in the northeast corner near Blacks Ferry Road.
4. These environmental considerations align with the intent of the PR zone to develop in the least constrained portions of the property by allowing clustered/conservation residential development.
5. The applicant requested PR with a density of 5 du/ac. Staff recommends the PR zone because of the environmental constraints on the property, and a density of 4 du/ac because it is consistent with recent rezonings in the area. The current A (Agricultural) zoning has a minimum 1-acre lot size.

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 PR zone up to 4 du/ac could yield up to 32 dwellings. The requested 5 du/ac could yield up to 40 dwellings.

2. Development plans under the PR district are reviewed by the Planning Commission, providing a public forum for review and input on the proposed development. It also enables a cross-departmental review of the plans to evaluate the proposed development's impact on surrounding properties and infrastructure.
3. The Blacks Ferry Road intersection at W Emory Road does not have adequate sight distance and presents a potential safety hazard if additional vehicular traffic is added to this road. The 2016 Northwest County Sector Plan references a project to add a center turn lane to W Emory Road from Oak Ridge Highway to Clinton Highway; however, this project is no longer in the Mobility Plan.
4. Blacks Ferry Road is approximately 16-18 ft wide.

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 PR up to 5 du/ac zoning is permitted within the Northwest County Sector Plan's LDR (Low Density Residential) land use classification.
2. The PR zone is consistent with the General Plan's development policy 6.3, which encourages development in areas with the fewest environmental constraints.
3. The recommended maximum density of 4 du/ac is consistent with the General Plan's development policy 9.3, which calls to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.
4. The PR zone and recommended density are consistent with the subject property's location in the Planned Growth Area of the Growth Policy Plan.

ADDITIONAL CONSIDERATIONS:

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 RC (Rural Conservation) place type, which allows consideration of the PR zone with a density of up to 5 du/ac.

Action: Approved

Meeting Date: 5/9/2024

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone up to 4 du/ac because it is consistent with the sector plan designation.

Date of Approval: 5/9/2024

Date of Denial:

Postponements: 4/11/2024

Date of Withdrawal:

Withdrawn prior to publication?: ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 8/19/2024

Ordinance Number:

Disposition of Case: Approve PR (Planned Residential) up to 4 du/ac

If "Other":

Amendments:

4 conditions: 1) Developer will widen rd from the midpoint of development to Emory Rd to a min. of 20 ft; 2) Traffic study be completed at the expense of the County and improvements to Blacks Ferry Rd and Emory Rd be prorated in cost between

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

developer and County; 3) Landscape buffer implemented with condition that buffer be on all 4 sides; 4) No construction to begin until Blacks Ferry Rd improvements complete, including intersection at Emory Rd.

Effective Date of Ordinance: