

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 4-O-23-RZ

Related File Number: 4-H-23-SP

Application Filed: 2/27/2023

Date of Revision:

Applicant: CPR, LLC

PROPERTY INFORMATION

General Location: South side of Cunningham Rd, east of Fraker Rd, west of Rollins Rd

Other Parcel Info.:

Tax ID Number: 38 N A 021

Jurisdiction: County

Size of Tract: 2.58 acres

Accessibility: Access is via Schaad Road, a major collector in this location with a pavement width of 20 ft within a right of way width of 45 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential

Surrounding Land Use:

Proposed Use:

Density: 8 du/ac

Sector Plan: North County

Sector Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is a mix of large lot single family detached dwellings off of Cunningham Road, small lot single family homes off of side streets. There is a commercial node at the intersection of Cunningham Road and Maynardville Pike to the west, and Neal Drive to the south consist predominatly of office buildings.

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

Street: 3534 CUNNINGHAM RD

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: Yes, PR zoning with up to 19 du/ac is adjacent to the east

History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

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: Michelle Portier

Staff Recomm. (Abbr.): Approve the PR (Planned Residential) zone with up to 8 du/ac because it is consistent with surrounding development, subject to one condition.

Staff Recomm. (Full): 1. Providing a Type B Landscape Screen along shared lot lines with properties zoned A (Agricultural) or RA (Low Density Residential).

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 subject area is within 1/2 mile of the Maynardville Pike commercial corridor.
2. As mentioned previously, surrounding properties have been transitioning from the Agricultural zone to various other residential zones since the 1990s. Some surrounding subdivisions have zoning that allows densities ranging from 12 to 19 du/ac.

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

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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. This property is located in the Planned Growth Area of the Growth Policy Plan and this rezoning would continue the trend of permitting additional opportunity for residential housing in this area.
2. The property is adjacent to PR zoning with up to 19 du/ac to the west and to a large swath of office uses along Neal Drive to the south. Additional PR zoning with up to 8 du/ac is not anticipated to cause any adverse impacts.

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. This property is within the Planned Growth Area of the Growth Policy Plan and appears to be serviced by both water and wastewater.
2. Approval of the North County Sector Plan map amendment to the MDR (Medium Density Residential) land use classification would permit consideration of density up to 12 du/ac since the subject property is in the Planned Growth Area.
3. Sub-section 11.2 of the General Plan applies standards for residential density, and states that medium density from 6 to 12 du/ac in the County's Planned Growth and Urban Growth Areas is appropriate along collector or arterial roads, waterfronts, and as buffer zones between lower density residential and more intense uses.
4. Sub-section 10.11 of the Development Policies Section of the General Plan calls for allowance of higher densities, smaller yards and narrower lots for portions of planned developments that do not abut

or face conventional suburban developments, but also states such developments should provide deeper setbacks, wider lots or landscape buffers where the new development abuts lower density housing.

5. The requested zoning does not appear to be in conflict with any other adopted plans.

Action: Approved with Conditions **Meeting Date:** 4/13/2023

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with up to 8 du/ac because it is consistent with surrounding development, subject to one condition.

Date of Approval: 4/13/2023 **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: 6/26/2023

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: