

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 4-T-23-RZ

Related File Number:

Application Filed: 3/7/2023

Date of Revision:

Applicant: GARRY BURKE

PROPERTY INFORMATION

General Location: West of Freeway Heights Dr and South of Gordon Smith Rd

Other Parcel Info.:

Tax ID Number: 28 O C 005,014,013

Jurisdiction: County

Size of Tract: 1.86 acres

Accessibility: Freeway Heights Drive is an unstriped local road with a 12-ft pavement width inside a 19-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forestry/vacant land & single family residential

Surrounding Land Use:

Proposed Use: **Density:** up to 5 du/ac

Sector Plan: North County **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec

Growth Policy Plan: Planned Growth Area

Neighborhood Context: Freeway Heights Drive consists predominantly of small-lot, single-family detached dwellings. A commercial node is located a little less than a mile away to the east at the intersection of Norris Freeway and E. Emory Road.

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

Street: 0 FREEWAY HEIGHTS DR

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: 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:

Michelle Portier

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the sector plan and brings the subject properties into compliance with the Knox County Zoning Ordinance.

Staff Recomm. (Full):

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. There have been no significant changes in this area that would prompt a rezoning. However, none of the lots meet the A (Agricultural) zone's minimum lot size, as each is a little over 1/2 acre in size and the A zone requires a minimum of 1 acre. The recommended PR zone with up to 2 du/ac would bring the lots into compliance, and this zoning is consistent with the LDR designation for this property.

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

1. The PR (Planned Residential) 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. Freeway Heights Drive is only approximately 12-ft wide, which does not meet public road standards. Rezoning to allow more residences above what is currently allowed would put more pressure on this road. The Knox County Engineering and Public Works Department has stated that additional residences beyond what is currently allowed would trigger road improvements along the length of Freeway Heights Drive. This road is not one the County has any plans to improve or widen.
2. This property is located in an area with a mix of residential zones and densities. Surrounding zones include A (Agricultural) and RAE (Exclusive Residential), each with large minimum lot sizes, and RA (Low Density Residential) and PR (Planned Commercial) with up to 5 du/ac. However, the residential streets and developments with higher densities in the nearby area are constructed on roads that do not have the same access issues as the subject property.
3. At the requested density of 5 du/ac, a maximum of 9 dwellings would be allowed. While this would not be a significant drain on utilities, it would likely cause a strain on this sub-standard street. At the recommended density of 2 du/ac, the applicant could build 3 dwelling units, the same as the current lot configuration allows. The PR zone would provide greater flexibility for locating dwelling units on the site, and would bring the lots into compliance with the Zoning Ordinance.

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 North County's LDR (Low Density Residential) land use classification allows consideration of up to 5 du/ac in the County's Planned Growth Area.
2. This recommended zoning of PR with up to 2 du/ac does not appear to be in conflict with the General Plan or any other adopted plans.

Action:

Approved

Meeting Date: 4/13/2023

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the sector plan and brings the subject properties into compliance with the Knox County Zoning Ordinance.

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: 5/22/2023

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: