

# CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



File Number: 5-A-24-DP                      Related File Number: 5-SB-24-C  
Application Filed: 3/25/2024              Date of Revision:  
Applicant: ROBERT GREGORY

## PROPERTY INFORMATION

General Location: Southwest side of Heiskell Rd, south of Red Hawk Ln  
Other Parcel Info.:  
Tax ID Number: 46 044                      Jurisdiction: County  
Size of Tract: 34.57 acres  
Accessibility:

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land  
Surrounding Land Use:  
Proposed Use: Attached residential subdivision                      Density:  
Planning Sector: North County              Plan Designation: LDR (Low Density Residential), HP (Hillside Protection)  
Growth Policy Plan: Rural Area  
Neighborhood Context:

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

Street: 8721 HEISKELL RD  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR(k) (Planned Residential)  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning:

## PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), AG (Agricultural), HP (Hillside Protection)  
Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name: 8721 Heiskell Road  
No. of Lots Proposed: 103 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 development plan for a residential subdivision with up to 103 attached dwellings, subject to 2 conditions.

Staff Recomm. (Full): 1) Meeting all applicable requirements of the Knox County Zoning Ordinance.  
2) The maximum height of the townhouse structures shall be 35 feet.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a development plan.

**Comments:**

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) up to 3 du/ac subject to one condition:

A) The PR zone allows attached houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B) The proposed density is 2.98 du/ac.

C) The rezoning condition is that development be limited to the disturbed area, as shown on the 2020 KGIS aerial image from the southern edge of the disturbance to the northern property line at Heiskell Road. This condition was added by the Planning Commission with the intent of maintaining the undisturbed areas. Exhibit B was created by staff based on the discussion and motion by the Planning Commission and forwarded to the County Commission with the Planning Commission's recommendation. During the Planning Commission's discussion, the disturbance on the north side of the site was not limited to allow flexibility with designing the entrance road. However, the developer was encouraged to protect as much vegetation as possible.

D) The development extends outside the non-disturbance boundary shown in Exhibit B. During this review, it was noted that almost the entire site had been cleared in 2014 as documented in Exhibit D. Some vegetation along the Heiskell Road frontage remained undisturbed. In the Staff's opinion, allowing additional disturbance on the south side of the property into areas shown to be disturbed in the 2014 aerials is consistent with the intent of the non-disturbance condition. The alternative is to for the development to move further north, which would require additional grading and disturbance along the Heiskell Road frontage.

2) GENERAL PLAN – DEVELOPMENT POLICIES

a) This proposal clusters the development to an area previously graded, which is set back from Heiskell Road in a way that will make it less visible from the public street (policy 6.4).

B) The scale of new development is encouraged to be compatible with existing neighborhoods and communities (policy 9.3). The PR zone has a maximum height of 35 ft for houses, with all other uses determined by the Planning Commission. Staff recommends a maximum height of 35 ft for the attached dwellings, consistent with the allowed height on adjacent properties (Development Plan condition #2).

3) NORTH COUNTY SECTOR PLAN

a) The property is classified LDR (Low Density Residential), which allows consideration of up to 5 du/ac. The proposed density is 2.98 du/ac.

B) There are 32.72 acres of the 34.57-acre property in the HP (Hillside Protection) area. The slope analysis recommends a maximum of 19.5 acres (59.5 percent) of land disturbance within the HP area. This proposal disturbs 12.3 acres (37.6 percent) of the HP area.

4) KNOXVILLE – FARRAGUT – KNOX COUNTY GROWTH POLICY PLAN

a) The property is within the Rural Area. Rural areas include land preserved for farming, recreation, and other non-urban uses. The rural designation shall not impede a property owner's right to use or develop the property for a purpose permitted by that property's zoning.

B) The Rural Area recommends a maximum density of 2-3 du/ac. Three (3) du/ac can be considered as an extension of low density residential development if the property is PR, sanitary sewer and public water is provided, connection of collector and arterial roads from the development to the Planned Growth area meet the standards of Knox County Engineering and Public Works, and a transportation impact analysis demonstrates to the satisfaction of the Planning Commission that the effect of the proposed and similar developments in the traffic analysis zone will not reasonably impair traffic flow.

**Action:** Approved with Conditions

**Meeting Date:** 5/9/2024

**Details of Action:**

**Summary of Action:** Approve the development plan for a residential subdivision with up to 103 attached dwellings, subject to 2 conditions.

**Date of Approval:** 5/9/2024

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

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

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**