

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 5-G-21-RZ **Related File Number:**
Application Filed: 3/29/2021 **Date of Revision:**
Applicant: JENKINS BUILDERS, INC.

PROPERTY INFORMATION

General Location: Eastern side of Old Tazewell Pike, western side of Murphy Road
Other Parcel Info.:
Tax ID Number: 49 06701 **Jurisdiction:** County
Size of Tract: 8.7 acres
Accessibility: This property has frontage along Old Tazewell Pike and Murphy Road. Old Tazewell Pike is a local road with a 16.3-ft pavement width inside a 50-ft right-of-way. Murphy Road is a major collector with a 34.1-ft pavement width inside a 70-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Undeveloped land
Surrounding Land Use:
Proposed Use: **Density:** up to 5 du/ac
Sector Plan: North City **Sector Plan Designation:** LDR (Low Density Residential)
Growth Policy Plan: Rural Area
Neighborhood Context: This is an area that has been transitioning from Agricultural to Planned Residential zoning since the late 1980s. The property behind this one consists of single family dwellings in the PR zone with up to 3 du/ac approved in 2002.

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

Street: 0 Old Tazewell Pk.
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 is adjacent to the east
History of Zoning: None noted for this property

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: Michelle Portier

Staff Recomm. (Abbr.): Approve PR zoning with up to 3 du/ac because it is consistent with the Growth Policy Plan, the sector plan, and surrounding development.

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. This area has been transitioning steadily from Agricultural zoning to residential subdivisions since the 1980s.

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.
2. 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. The property is within the County's Rural Area at the boundary line of the Rural Area and Urban Growth Boundary. Surrounding residential properties zoned PR in the Rural Area have a density of up to 3 du/ac in the surrounding area, while the surrounding properties across Murphy Road within the Urban Growth Boundary have properties zoned RB and PR, the latter having densities ranging from 4 to 7 dwelling units per acre.
2. Built at the requested 5 du/ac, the development could accommodate up to 43 single family dwellings. Built at the recommended 3 du/ac, the development could accommodate up to 26 single family dwellings.
3. The property is not in a Parental Responsibility Zone, so no sidewalks would be required.
4. The lots have access to sewer lines.

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 designated LDR (Low Density Residential) in the North City Sector Plan. This designation is not consistent with the Growth Policy Plan, which does not support the LDR (Low Density Residential) land use classification within the County's Rural Area. For this reason, staff is following the Growth Policy Plan and recommending a density of 3 du/ac. This is consistent with surrounding properties zoned PR in the Rural Area, none of which are over 3 du/ac.
2. The Growth Policy Plan requires a Traffic Impact Letter (TIL) in the County's Rural Area to show that the new developments will not unreasonably impair traffic flow along the arterial roads through the adjacent Planned Growth Area. In this case, the adjacent land is in the Urban Growth Boundary, not the Planned Growth Area, so a TIL will not be required.
3. The North City Sector Plan recommends rezoning to RA (Low Density Residential) and PR (Planned Residential). This change is recommended to reflect the existing low density residential land use that is

predominately established in this area.

Action: Approved **Meeting Date:** 6/10/2021

Details of Action: Approve PR zoning with up to 4 du/ac because it is consistent with the sector plan and the surrounding development. Commissioners stated the Growth Policy Plan was out-of-date. Commissioners believed that, had the Growth Plan been updated since it's initial adoption in 2000, it would have included this parcel in the Urban Growth Boundary, which is directly across the street.

Summary of Action: Approve PR (Planned Residential) zoning with up to 4 du/ac.

Date of Approval: 6/10/2021 **Date of Denial:** **Postponements:** 5/13/2021

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 7/26/2021 **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 3 du/ac

Date of Legislative Appeal: **Effective Date of Ordinance:**