CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 6-A-20-RZ Related File Number:

Application Filed: 4/17/2020 **Date of Revision:**

Applicant: BENJAMIN C. MULLINS O.B.O. VILLA COLLINA, LLC

PROPERTY INFORMATION

General Location: Southeast side of Lyons View Pk. northeast of its intersection with Harley Dr.

Other Parcel Info.:

Tax ID Number: 121 G J 006 Jurisdiction: City

Size of Tract: 8.2 acres

Accessibility: Lyons View Pike is a minor arterial with a pavement width of 20.5 feet and a right-of-way width that

varies from 46 to 55 feet in front of this property.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural residential and water (Tennessee River)

Surrounding Land Use:

Proposed Use: Density:

Sector Plan: West City Sector Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: Within City limits

Neighborhood Context: Lyons View Pike is lined with large lot, single family detached homes. The lots are buffered from Lyons

View Pike with dense landscaping so the lots and houses are not visible from the street. There are no driveways from Lyons View Pike in this area - lot access is provided by a series of private drives

servicing 2 or 3 lots.

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

Street: 5628 Lyons View Pk.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Area), and F (Floodway)

Former Zoning:

Requested Zoning: AG (Agricultural), HP (Hillside Protection Area), and F (Floodway)

Previous Requests:

Extension of Zone: No

History of Zoning: None noted for this property

PLAN INFORMATION (where applicable)

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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 AG (Agricultural) zoning because it is consistent with the West City Sector Plan's LDR (Low

Density Residential) designation.

Staff Recomm. (Full):

Comments: REZONING REQUIREMENTS FROM ZONING ORDINANCES (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, the proposed zoning is less intense than the current zone, and no changes to the structure are expected as a result of this rezoning request.

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

- 1. The proposed amendment to AG zoning is intended to provide for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.
- 2. The applicant would like to operate a short-term rental facility (i.e., Airbnb) at this location, which is not allowed in residential districts. For the applicant to repurpose this building as a short-term rental facility, he will be required to obtain a Type 2 permit from the City of Knoxville. Type 2 permits do not require notification to surrounding property owners.
- 3. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses. The majority of the uses allowed in the Agricultural zone are compatible with surrounding area, and the topography and grounds are not suited for those uses that are not compatible, making them unlikely options for any future uses.

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. There are no adverse impacts anticipated as a result of the intended use. There is ample room for guest parking and a tall privacy fence at the front of the property, and the adjacent houses to the side are located far apart from this one.
- 2. The existing building and grounds are to be utilized as is.

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 West City Sector Plan designation of LDR (Low Density Residential) supports AG (Agricultural) zoning.
- 2. The amendment to AG (Agricultural) is not in conflict with any other adopted plan.

Action: Denied Meeting Date: 6/11/2020

Details of Action: Denied AG (Agricultural) zoning because it is not consistent with the zone's stated intent, nor is it

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compatible with surrounding development. Several uses are allowed in the AG zone that would not be

appropriate at this location.

Summary of Action: Denied AG (Agricultural) zoning because it is not consistent with the zone's stated intent, nor is it

compatible with surrounding development.

Date of Approval:

Date of Denial: 6/11/2020 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: |

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