

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-G-24-RZ **Related File Number:**
Application Filed: 5/22/2024 **Date of Revision:**
Applicant: BENJAMIN C. MULLINS

PROPERTY INFORMATION

General Location: North side of W Governor John Sevier Hwy, west of W Dick Ford Ln
Other Parcel Info.:
Tax ID Number: 137 013 **Jurisdiction:** County
Size of Tract: 9.99 acres
Accessibility: Access is via W Governor John Sevier Highway, a major arterial street with a 45-ft pavement width within a 160-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** 12 du/ac
Planning Sector: South County **Plan Designation:** SR (Suburban Residential)
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This section of W Governor John Sevier Highway is characterized by wooded and rural residences. There is a single-family subdivision to the southwest and denser single-family and multifamily developments nearby to the west. A large commercial node is located a mile to the northeast.

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

Street: 717 W GOVERNOR JOHN SEVIER HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: No, but there is PR (Planned Residential) zoning across the highway at a lesser density
History of Zoning: None noted

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:

Jessie Hillman

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone with a density of up to 8 du/ac because it is consistent with the Comprehensive Plan and surrounding conditions, subject to 2 conditions.

Staff Recomm. (Full):

1. Ensuring building height within 1,000 ft of W Governor John Sevier Highway shall not exceed 35 ft per TN Code § 54-17-115.
2. Preserving and protecting the critical root zone of a 50-ft tree buffer along the highway corridor per the Governor John Sevier Scenic Highway Corridor Study.

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 COUNTY GENERALLY:

1. The subject property is located approximately 1 mile west of a regional, service-oriented commercial hub around the intersection of W Governor John Sevier Highway and Chapman Highway, where significant expansion and infill development has been ongoing since the early 2000s.
2. There has been a moderate increase in residential development along this section of W Governor John Sevier Highway. The Wells Creek single-family subdivision was recently constructed across the highway. Next to the commercial node to the east, a multi-family development plan was approved in 2022. There is a cluster of townhouses and single-family developments nearby to the west that were built in the 1990s under the PR (Planned Residential) zone with a density of up to 8 du/ac.
3. Much of this South County area remains rural and agricultural, but with these ongoing development changes and the subject property's location directly on the highway corridor, the requested PR zone with a density of up to 8 du/ac is compatible with surrounding residential character and amenities.

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 development that encourage more imaginative solutions to environmental design issues. Residential development is characterized by a unified building and site development plan with open space for recreation. Each planned unit development should be compatible with surrounding or adjacent zones.
2. The subject property is forested with steep slopes and a blue-line stream tributary to Stock Creek running through its southeast edge. There is also a significant presence of closed contours on the parcel, which could indicate the presence of sinkholes or depressions. These physical constraints on the property support consideration of the PR zone, which enables clustered development in the less environmentally sensitive areas of the lot.
3. The utility easement, stream, slopes and closed contours on the parcel could reduce the developable area from approximately 10 acres down to 7 acres. Clustering the requested density of 12 du/ac on the developable area could appear more like 17 du/ac. Considering the PR zone's emphasis on compatibility with surrounding development and zoning, staff recommends reducing the density to 8 du/ac, which is consistent with the most intensive residential development that has been built to date nearby to the west.

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. Governor John Sevier Highway is a state-designated scenic roadway and much of the surrounding land is forested, agricultural and/or rural in character. With the noted condition to preserve a 50-ft tree buffer along the corridor and the recommended maximum density of 8 du/ac, there are no significant adverse impacts anticipated to occur with the rezoning.

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 subject property's place type in the Knox County Comprehensive Plan is SR (Suburban Residential), and the PR district with a maximum density of 12 du/ac can be considered as a partially related zone. Partially related zone considerations must meet additional criteria provided in Appendix H of the Plan to ensure their compatibility with the place type. The PR zone is deemed appropriate in the SR place type because it permits uses and development forms that are consistent with the primary and secondary uses described in the place type.
2. The parcel is in the Planned Growth Area of the Growth Policy Plan, which is consistent with the requested and recommended zone and density.
3. As previously mentioned, the parcel is within the boundary of the Tennessee Scenic Roadway designation, and building height should be no greater than 35 ft above the highway or the ground line of the property. This further supports the recommended density of 8 du/ac, as 12 du/ac could make compliance with the maximum height standard more challenging. This requirement is reflected in the 1st condition for approval of this rezoning.
4. The property is within the boundaries of the Governor John Sevier Scenic Highway Corridor Study, which recommends a 50-ft tree protection buffer, which is reflected in 2nd condition for approval of this rezoning.
5. A rezoning to PR up to 8 du/ac is not in conflict with any other adopted plans for the area.

Action: Approved with Conditions **Meeting Date:** 7/11/2024

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone with a density of up to 8 du/ac because it is consistent with the Comprehensive Plan and surrounding conditions, subject to 2 conditions.

Date of Approval: 7/11/2024 **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: 8/19/2024

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: