

# CASE SUMMARY

APPLICATION TYPE: REZONING



**File Number:** 8-E-20-RZ      **Related File Number:**  
**Application Filed:** 6/23/2020      **Date of Revision:**  
**Applicant:** FULTON PROPERTIES, LLC

## **PROPERTY INFORMATION**

**General Location:** East side of Number Two Drive across from Number Four Drive  
**Other Parcel Info.:** Rezoning 20.21 of 37.51 acres, plat included with application showing portion to be rezoned  
**Tax ID Number:** 52 01802 (PART OF)      **Jurisdiction:** County  
**Size of Tract:** 20.21 acres  
**Accessibility:** Number Two Drive is a local road with a pavement width of 14.6 feet inside a right-of-way of 50 feet.

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Agricultural/forestry/vacant  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:** 1-5 du/ac  
**Sector Plan:** Northeast County      **Sector Plan Designation:** LDR (Low Density Residential)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This property is near the Mascot mining community to the north and the Holston River to the south. The surrounding area has developed with mostly single family residential homes.

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

**Street:** 1740 Number Two Dr.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION *(where applicable)***

**Current Zoning:** I (Industrial) and A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** PR (Planned Residential)  
**Previous Requests:** 3-E-86-RZ  
**Extension of Zone:** Yes, PR zoning is adjacent to the east  
**History of Zoning:** The front portion of the property was rezoned to A (Agricultural) in 1986 (3-E-86-RZ)

## **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 (Planned Residential) zoning with up to 5 du/ac for the requested portion of the property because it is consistent with the Northeast County Sector Plan's Low Density Residential designation and because it brings the zoning into compliance with the sector plan designation. Staff recommends also rezoning the sliver of Industrial zoning that remains on the western portion of the parcel to Agricultural to match the rest of this part of the parcel.

Staff Recomm. (Full):

Comments:

The parcel containing the land in this request has dual zoning - Agricultural on the west and Industrial on the east. The applicant has submitted a plat with his rezoning application that details the boundaries of the zoning request. However, the portion of the property to be rezoned from Industrial to Planned Residential does not follow the zoning boundaries and leaves a sliver of Industrial zoning behind. The remaining portion of the property is zoned Agricultural, with the exception of this sliver of Industrial that would be created should the rezoning request be approved. Staff is recommending this sliver be rezoned Agricultural to match the remainder of the property. Staff has obtained the owner's permission for this zoning change via email (see correspondence).

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 recent, significant changes in this area that would prompt a rezoning. However, the requested PR zoning is consistent with the LDR designation for this property and would bring it into compliance with the sector plan.
2. This area consists of industrial and single family detached residential uses. The properties that are not zoned Industrial were rezoned in the 1980s and early 2000s. The proposed zoning is consistent with the other rezonings in the area.

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

1. The proposed amendment to PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
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.
3. The Industrial zone's stated intent asserts that it allows uses "which have heavy impacts and adverse effects on surrounding property." The PR zone will be more appropriate than the existing Industrial zone given the surrounding residential properties.
4. Residential zoning is more appropriate than Industrial this near a river since industrial uses potentially could have a negative impact on the river's water quality from stormwater runoff so close to the water body.
5. Rezoning this property to PR may produce pressure for the Industrial-zoned property to the south directly on the river to be rezoned to a residential zone as well.

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 immediate area consists of mainly single family detached residential properties zoned RA (Low Density Residential) and PR (Planned Residential). The adjacent PR zoning was approved with a density of up to 5 du/ac. Most properties in the RA zone range from 0.25 to 0.5 acres in lot size, though

there are some properties that are larger. The addition of more PR zoned property should not have any adverse effects on the area.

2. Built at allowed maximum density, the development could hold up to 102 dwelling units.

a. 101 dwelling units would generate approximately 1,059 trips per day and would require a traffic impact analysis.

b. At 101 dwelling units, the development would add approximately 34 students to the school system (22 of which would attend East Knox County Elementary school).

3. The property is located in Flood Plain X though it is not in any floodplains or floodways.

4. Part of the property is located in the Hillside and Ridgetop Protection Area. The slope analysis recommended a density of 4.96 du/ac. Due to slight discrepancies between the plat and KGIS, the acreage used in the calculation varied slightly, which produced a higher number of recommended dwellings despite the lower density recommendation. Applying the recommended 4.96 du/ac to the platted acreage requested for rezoning results in 100 dwelling units.

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 existing I (Industrial) zoning is nonconforming with the Northeast County Sector Plan's LDR designation, as that land use classification does not allow Industrial zoning. The LDR designation does support PR zoning with up to 5 du/ac in the Planned Growth Area of Knox County. Rezoning this property brings the zoning into compliance with the sector plan.

2. This rezoning is not conflict with the General Plan or any other adopted plans.

**Action:** Approved

**Meeting Date:** 8/13/2020

**Details of Action:**

**Summary of Action:**

The Planning Commission voted to approve PR (Planned Residential) zoning with up to 5 du/ac for the requested portion of the property because it is consistent with the Northeast County Sector Plan's Low Density Residential designation and because it brings the zoning into compliance with the sector plan designation.

**Date of Approval:** 8/13/2020

**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:** 9/28/2020

**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:**