

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 8-H-21-RZ **Related File Number:**
Application Filed: 6/21/2021 **Date of Revision:**
Applicant: S & E PROPERTIES

PROPERTY INFORMATION

General Location: East side of Harris Road, northwest side of Babelay Road, south of Washington Pike.
Other Parcel Info.:
Tax ID Number: 50 171, 174 & 178 **Jurisdiction:** County
Size of Tract: 105.98 acres
Accessibility: This property has frontage along three roads - Babelay Road, Harris Road, and Link Road. Access would be likely off of Babelay Road or Harris Road since those have higher classifications. Babelay Road is a minor collector with a 16-ft pavement width and a right-of-way that varies from 40 to 45 ft at this location. Harris Road is a minor arterial with a 16-ft pavement width inside a 39-ft right-of-way. Link Road is a local road with a 16-ft pavement width inside a right-of-way that varies from 30 to 40 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forestry/vacant
Surrounding Land Use:
Proposed Use: **Density:** up to 4 du/ac
Sector Plan: Northeast County **Sector Plan Designation:** LDR (Low Density Residential) & HP (Hillside Prote
Growth Policy Plan: Rural Area
Neighborhood Context: The area is generally comprised of large agriculture/forestry/vacant lots with some smaller single family residential lots nearby.

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

Street: 6513 & 0 Babelay Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) with up to 2.5 du/ac
Former Zoning:
Requested Zoning: PR (Planned Residential) with up to 4 du/ac
Previous Requests:
Extension of Zone: Yes, a parcel to the southeast is zoned PR and this parcel is also zoned PR; this request is to increase the density
History of Zoning: A request to rezone this property from A (Agricultural) to PR (Planned Residential) with 3 du/ac was denied in 2005 (Case 4-G-05-RZ); property was rezoned from A (Agricultural) to PR (Planned Residential) with up to 2.5 du/ac in 2007 (Case 5-P-07-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 zoning with up to 3 du/ac because it is consistent with the Growth Policy Plan and the Northeast County Sector Plan.

Staff Recomm. (Full):

Comments: PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, SUBSECTIONS A-D, 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. There are significant road improvements planned for Washington Pike from I-640 to Murphy Road, including additional lanes, new shared paths (bicycle and pedestrian), and intersection improvements at key intersections. According to the City's Capital Improvement Projects webpage, the project is projected to go out for bid early 2024, so phased development of this property likely will coincide with the planned road improvements. Babelay Road connects to Washington Pike within the planned improvement area, and the Washington Pike improvements north of Babelay Road will ease traffic flow for those using Washington Pike to get to the northern portion of the development. The section of Washington Pike from Mill Road to Murphy Road will consist of two travel lanes in each direction and a dual use left turn lane with shared use paths and landscape buffers on both sides of the road.

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 Rural Area at the boundary line of the Rural Area and Urban Growth Boundary. Surrounding residential properties are mostly zoned A (Agricultural), which allows a density of up to 1 du/ac. However, the few residential developments built off of side streets are built out with a density of approximately 2 du/ac in most cases.
- 2. Built at the requested 4 du/ac, the development could accommodate up to 423 single family dwellings. Built at the recommended 3 du/ac, the development could accommodate up to 317 single family dwellings. Built at the existing 2.5 du/ac, the development could accommodate up to 264 lots. These are basic calculations that do not account for road infrastructure or stormwater facilities.
- 3. The property is within a Parental Responsibility Zone, so sidewalks may be required along Harris Road.
- 4. The parcel has access to sewer lines.
- 5. Parts of this property are in the HP area, though the steeper slopes are contained in small nodes along the perimeter of the property. The slope analysis recommended a maximum land disturbance area of 102 acres (out of the 106 total). Of the 9.79 acres in the Hillside Protection area, no more than 5.5 acres could be disturbed.
- 6. The property has frontage on Harris and Babelay Roads. Harris Road is classified as a minor

arterial; Babelay Road is classified as a minor collector. The other frontage is on Link Road, which runs from Babelay Road to Washington Pike, a minor arterial nearby to the north. There are several opportunities for access points since the property is so large and has frontage along these three roads. Given the property's position within the collectors and arterials mentioned, traffic to and from the development would be distributed along the arterials and collectors without utilizing side roads. However, Babelay Road and Harris Road are both somewhat narrow at 16 ft each in front of this property.

7. A traffic study would be required for the concept plan phase to determine if any road improvements will be needed.

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 Northeast County Sector Plan's LDR (Low Density Residential) designation allows up to 5 du/ac in the County.
2. However, this designation is not consistent with the General Plan or the Growth Policy Plan.
 - a. Under Development Policies in the General Plan (p. 69), low-density residential development ranging from 1 to 3 du/ac is recommended in rural areas with infrastructure.
 - b. In the Policies section of Section 1 of the Growth Policy Plan, a Traffic Impact Letter (TIL) is required 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(p. 6). In this case, the adjacent land is in the Urban Growth Boundary, not the Planned Growth Area, so a TIL will not be required or the rezoning. A TIA will be required for the concept plan phase, however, since the TIL from 2005 is outdated.

A BRIEF HISTORY:

1. Staff recommended a density of up to 3 du/ac for the 2007 rezoning (Case 5-P-07-RZ / 5-B-07-SP). The Planning Commission approved up to 2.5 du/ac, and County Commission followed suit.
2. In 2005, PR zoning with up to 3 du/ac was requested (Case 4-G-05-RZ / 4-B-05-SP). The request was denied.
3. A TIL was submitted with the 2005 rezoning. However, a new TIA would be required for the concept phase of this development since so much time has elapsed and the development will contain over 70 lots, which is the threshold for requiring a TIA.

Action: Approved **Meeting Date:** 8/12/2021

Details of Action:

Summary of Action: Approve PR (Planned Residential) zoning with up to 3 du/ac because it is consistent with the Growth Policy Plan and the Northeast County Sector Plan.

Date of Approval: 8/12/2021 **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: 9/27/2021 **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: Denied **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

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