

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 9-K-23-RZ **Related File Number:**
Application Filed: 7/31/2023 **Date of Revision:**
Applicant: S AND E PROPERTIES

PROPERTY INFORMATION

General Location: West side of Fretz Rd, southwest of N. Campbell Station Rd
Other Parcel Info.:
Tax ID Number: 130 067, 066 **Jurisdiction:** County
Size of Tract: 12.89 acres
Accessibility: Access is via Fretz Road, a local street with a 24-ft pavement width within a 40-ft right-of-way

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: **Density:** 4.5 du/ac
Sector Plan: Northwest County **Sector Plan Designation:** , LDR (Low Density Residential), HP (Hillside Protection)
Growth Policy Plan: Farragut Urban Growth Boundary
Neighborhood Context: This area is comprised of forest and residential developments. There are newer subdivisions with lot sizes ranging from approximately 5,000 to 9,000 square feet, and older subdivisions and residential properties with lots in the 1/2-acre to multi-acre range.

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

Street: 1103 FRETZ RD
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, it is an extension.
History of Zoning: Rezoning from A to PR up to 5 du/ac was withdrawn prior to County Commission action (Case # 4-C-23-RZ)

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection)

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:

Naomi Hansen

Staff Recomm. (Abbr.):

Approve the PR (Planned Residential) zone up to 4.5 du/ac because it is consistent with changing conditions and surrounding development.

Staff Recomm. (Full):

Comments:

A request to rezone these properties from A to PR with up to 5 du/ac was approved by the Planning Commission in April 2023 (Case 4-C-23-RZ) but was withdrawn prior to Knox County Commission action. The application was accompanied by a sector plan amendment request to amend the sector plan from the AG (Agricultural) land use classification to the LDR (Low Density Residential) land use class. The sector plan amendment was approved by Knox County Commission in May 2023.

Since a new application for the same proposal cannot be accepted by Staff for a period of one year from the date of the denial per the Planning Commission Bylaws, Section 10, this application is for a slightly lower density than was previously requested at 4.5 du/ac.

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. There has been significant residential development along Fretz Rd just south of the subject property, with the relatively recent and ongoing construction of the Brandywine at Turkey Creek, Windsor Forest, and Towering Oaks residential subdivisions.
2. Roadway enhancements are planned to occur at Fretz Road and N Campbell Station Road to improve conditions for turning vehicles at this intersection. There are also plans for significant upgrades to N Campbell Station Road as it reaches I-40/75 within the Farragut boundaries. The purposes of the interchange improvements include accommodating future traffic demands and relieving capacity deficiencies, according to a report by the Knoxville Regional Transportation Planning Organization and Tennessee Department of Transportation.
3. The requested rezoning from A (Agricultural) to PR (Planned Residential) at a density of 5 du/ac would be a minor extension of this zone from the south, and it is consistent with changing conditions and increasing capacity in the area.

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

1. The PR zone is intended to provide for creative responses to environmental constraints on a property. It permits clustering of residential density in order to preserve environmentally sensitive areas and maximize development potential on optimal portions of a property.
2. There are multiple closed contours on the site, which could indicate the presence of sinkholes. If there are sinkholes, they would require a 50-ft no-build buffer around the largest contour line. A determination of sinkholes by Geotech Services may be required.
3. The subject parcel is also within the HP (Hillside Protection) area, and has additional, isolated steep-sloped areas not accounted for in the HP overlay.
4. The PR zone provides the development flexibility to avoid these slopes and depressions, as intended by the Zoning Ordinance.

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 PR zone emphasizes compatibility with surrounding and adjacent zones, as determined through Planning Commission review of development plans. Knox County staff and the Planning Commission will evaluate plans to address issues such as roadway access, provision of sidewalks, topography and stormwater management in a forum that enables public input.
2. The planned roadway improvements should improve capacity for future traffic along Fretz Road and N Campbell Station Road.

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. Rezoning the property to PR with up to 4.5 du/ac would be consistent with the LDR land use classification in the Northwest County Sector Plan.
2. The recommended zone and density are also consistent with the Growth Policy Plan's Urban Growth Boundary, which is designed to encourage a reasonably compact pattern of development and offer a wide range of housing choices.
3. The proposal is consistent with development policy 11.2 of the General Plan, which encourages low-density development with a density of up to 5 du/ac in the County's Planned Growth Areas.
4. This property is within the Farragut Urban Growth Boundary. The Community Development Director submitted a letter expressing concerns when the density requested was 5 du/ac. Planning staff reached out to Farragut's Community Development Department to discuss the reduced density in this latest request. Their concerns still apply, so the letter regarding the earlier case (Case # 4-C-23-RZ) has been added to the case files for this application.

Action: Approved **Meeting Date:** 9/14/2023

Details of Action:

Summary of Action: Approve the PR (Planned Residential) zone up to 4.5 du/ac because it is consistent with changing conditions and surrounding development.

Date of Approval: 9/14/2023 **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: 10/23/2023

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:

Applicant agrees 1 submit and adhere to findings of traffic impact letter 2 submit stormwater management plan to EPW 3 50 foot no build buffer around largest contour lines 4 B Landscape buffer around entire perimeter of boundary facing existing homes

Date of Legislative Appeal:

Effective Date of Ordinance: