

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 9-M-24-RZ

Related File Number:

Application Filed: 7/26/2024

Date of Revision:

Applicant: BENJAMIN C. MULLINS

## PROPERTY INFORMATION

**General Location:** West side of Byington Beaver Ridge Rd, north of Byington Solway Rd

**Other Parcel Info.:**

**Tax ID Number:** 90 116

**Jurisdiction:** County

**Size of Tract:** 4.99 acres

**Accessibility:** Access is via Byington Beaver Ridge Rd, a major collector with 19 ft of pavement within a right-of-way of 37 ft.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural Residential

**Surrounding Land Use:**

**Proposed Use:**

**Density:** up to 4.3 du/ac

**Planning Sector:** Northwest County

**Plan Designation:** SR (Suburban Residential)

**Growth Policy Plan:** Planned Growth Area

**Neighborhood Context:** The subject property is in a traditional area with several large manufacturing businesses to the west and south and single family residential to the north and east, including a manufactured home park, duplexes, and single family residential homes, Karns Elementary, Middle, and High Schools are nearby.

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

**Street:** 2713 BYINGTON BEAVER RIDGE RD

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PR (k) (Planned Residential) up to 4 du/ac

**Former Zoning:**

**Requested Zoning:** PR (k) (Planned Residential)

**Previous Requests:**

**Extension of Zone:** No, this is not an extension of the PR zone.

**History of Zoning:** This property was rezoned in 2023 to PR (Planned Residential) up to 4 du/ac (10-K-23-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:**

Whitney Warner

**Staff Recomm. (Abbr.):**

Deny the PR (Planned Residential) zone up to 4.3 du/ac because the increase in density is not warranted, and there has been no new change of conditions since the last rezoning request in October of 2023.

**Staff Recomm. (Full):**

**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 CITY/COUNTY GENERALLY:

1. Last year, a rezoning request was submitted to go from RA to PR up to 5 du/ac (10-K-23-RZ). Staff recommended a lesser density of 4 du/ac with one condition to provide a landscape screen to the adjacent industrial property, which was approved by the County Commission in December 2023. Staff did not support the maximum density allowed at the time due to concerns about the property's proximity to industrially zoned properties to the south and west.

2. The Knox County Comprehensive Plan was adopted in April of 2024, and the subject property was re-designated as the SR (Suburban Residential). The new SR place type allows consideration of higher densities than the 5 du/ac maximum of the previous LDR (Low Density Residential) land use classification of the General Plan. However, there have been no new infrastructure improvements or services to the area, no changes to the development pattern, and no other changes that would support increasing the density beyond our initial recommendation since our previous recommendation was not to the maximum allowed. Planning does not recommend increasing the density at this location.

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

1. The PR zone provides flexibility for residential development. The PR zone with up to 4.3 du/ac is similar to the surrounding RA zone, which allows 10,000 sq ft lots, but the flexibility of the PR zone allows clustering of lots.

2. The property has an existing single family home at the front. PR up to 4 du/ac allows 19 dwelling units and 4.3 du/ac would allow 21 units on this property.

3. Rezoning 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.

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. An additional 2 units would not adversely affect traffic or the surrounding environment, but there is not a need for two additional dwellings abutting an industrially zoned property.

2. PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as topography, surrounding character, and access are evaluated, and community input may be provided regarding the proposed development plan.

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 SR place type allows consideration of the PR zone as a partially related zone. When the proposed district is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district is compatible with the current zoning of adjacent sites. The

proposed PR zoning and the required development plan review by the Planning Commission is compatible with the current RA zoning of adjacent sites.

2. The SR place type allows consideration of PR with density up to 12 du/ac as partially related. Partially related means it may be appropriate in some areas while not in others, and should be evaluated on a case-by-case basis. Due to the proximity of the industrial zoning to the south and the lack of changes to conditions since our previous recommendation, Planning does not support the increase in density.

3. The SR place type calls for primarily single family residential development with a range of lot sizes, housing size and styles, and includes some detached dwellings. The area features a range of lot sizes including attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home.

4. The proposed rezoning is consistent with the Knox County Comprehensive Plan Implementation Policy 5.2, create standards that encourage neighborhoods in certain place types to include a mix of housing types. The PR zone allows houses, duplexes, and multi family developments.

**Action:** Approved with Conditions **Meeting Date:** 9/12/2024

**Details of Action:** Approve PR (Planned Residential) up to 4.3 du/ac because the increase in density is warranted under the new Comprehensive Plan, subject to the condition that the applicant provide a type 'A' landscape screen within a landscape buffer strip a minimum of fifteen (15) feet in width adjacent to the industrial property to the west.

**Summary of Action:** Approve PR (Planned Residential) up to 4.3 du/ac because the increase in density is warranted under the new Comprehensive Plan, subject to the condition that the applicant provide a type 'A' landscape screen within a landscape buffer strip a minimum of fifteen (15) feet in width adjacent to the industrial property to the west.

**Date of Approval:** 9/12/2024 **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:** 12/9/2024

**Ordinance Number:**

**Disposition of Case:** Withdrawn

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**