

REZONING REPORT

► **FILE #:** 4-A-20-RZ

AGENDA ITEM #: 10

AGENDA DATE: 4/9/2020

► **APPLICANT:** WILLIAM WILSON

OWNER(S): Glenn Laws

TAX ID NUMBER: 57 M A 017, 01702, AND 014

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 401 Dry Gap Pk., 5903 & 5923 Nature Ln.

► **LOCATION:** West side of Dry Gap Pk., southwest of Nature Ln.

► **APPX. SIZE OF TRACT:** 8.5 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Primary access would most likely be off of Dry Gap Pike or Nature Lane on the southern edge of the site. Dry Gap Pike is a local road in the City of Knoxville with a pavement width of approximately 21 ft. and a right-of-way that ranges in width from 84 to 115 ft. Nature Lane is a local road in Knox County with a pavement width of 14 ft. and a right-of-way width of 50 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

► **PRESENT ZONING:** A (Agricultural) and CB (Business & Manufacturing)

► **ZONING REQUESTED:** PR (Planned Residential)

► **EXISTING LAND USE:** Agricultural/forestry/vacant, single family residential, and rural residential

► **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property.

SURROUNDING LAND USE AND ZONING: North: Single family residential and rural residential - RA (Low Density Residential) and A (Agricultural)

South: Agricultural/forestry/vacant and multifamily residential - RN-1 (Single Family Residential Neighborhood) District, RN-6 (Multi-Family Residential Neighborhood) District, and HP (Hillside Protection)

East: Rural residential, multifamily residential, and single family residential - RB (General Residential), A (Agricultural), and RN-1 (Single Family Residential) District

West: Single family residential and rural residential - RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: Dry Gap Pike has a rural residential feel despite an apartment complex just to the southwest of this property and small apartment buildings across Dry Gap Pike. Lots in the nearby vicinity range in size from 0.35 acres to 1.04 acres. Uses are a mix of single family residential and multifamily residential.

STAFF RECOMMENDATION:

- **Approve PR (Planned Residential) zoning at 5 du/ac because it is consistent with the North City Sector Plan's LDR (Low Density Residential) designation.**

COMMENTS:

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 is an increased need for small-scale housing in Knox County. The proposed rezoning will create an increased opportunity for a greater number of dwelling units that could help meet this demand.

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.

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. Built at allowed maximum density, the development could hold up to 42 dwelling units.
2. 42 dwelling units would generate approximately 468 trips per day, which not would result in the need for a traffic impact analysis.
3. The Hillside and Ridgetop Protection (HP) slope analysis recommends a density of 4.87 du/ac, resulting in 41 dwelling units.
4. No adverse effects are expected, directly nor indirectly. The land comprising the proposed rezoning is bordered by the railroad right-of-way on the south and small apartment buildings to the east. The only single-family development is to the north and east, most of which are smaller lot sizes comparable to what is expected of this development should the rezoning be approved.

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 current sector plan designation supports PR zoning with up to 5 du/ac in the Planned Growth Area of Knox County.
2. The property is located in FEMA Flood Zone X but does not contain any floodplain areas.

ESTIMATED TRAFFIC IMPACT: 468 (average daily vehicle trips)

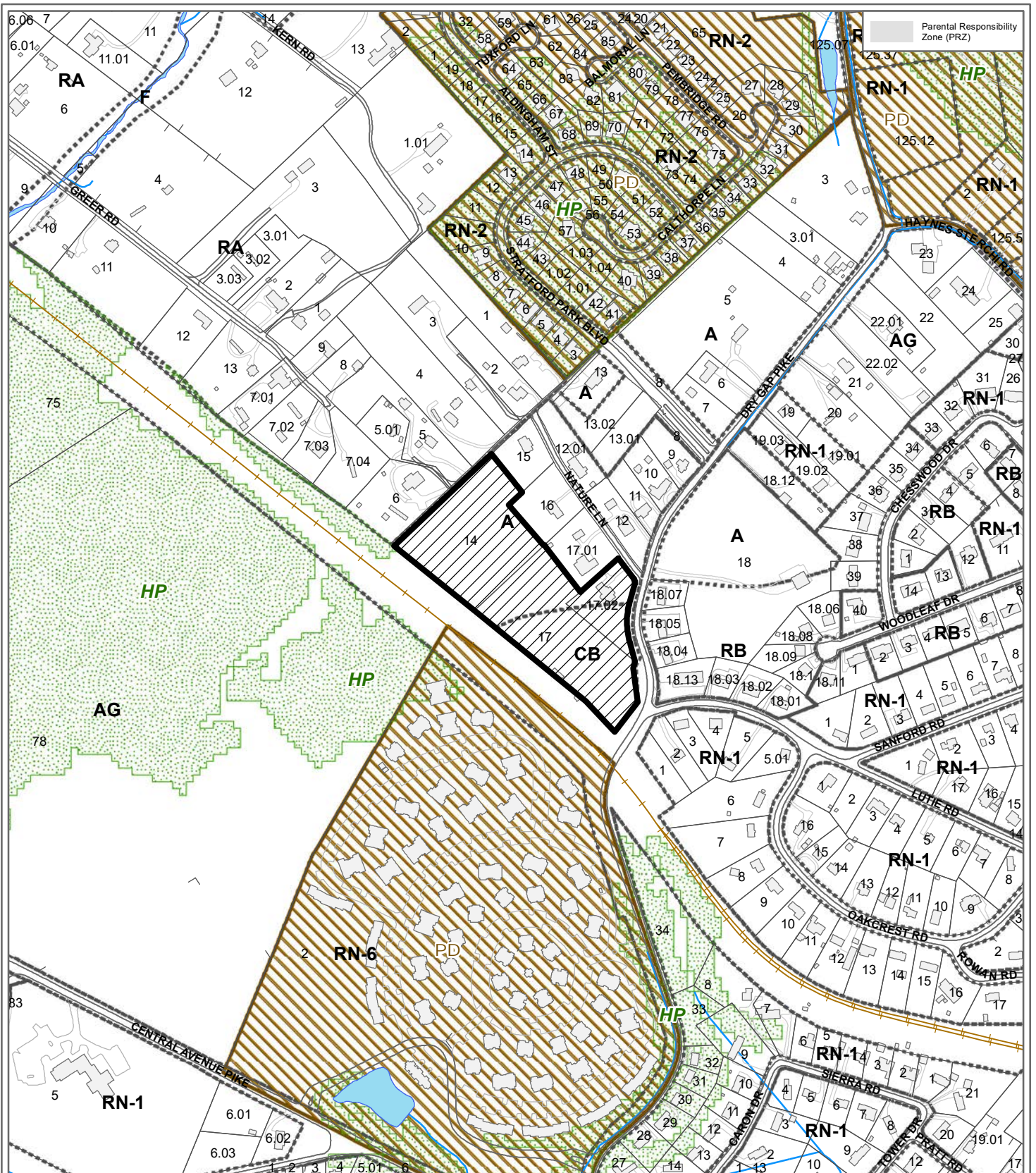
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 15 (public school children, grades K-12)

Schools affected by this proposal: Sterchi Elementary, Gresham Middle, and Central High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 5/26/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



4-A-20-RZ REZONING

From: A (Agricultural) and CB (Business & Manufacturing)

To: PR (Planned Residential)

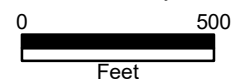


Original Print Date: 3/16/2020
Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: William Wilson

Map No: 57

Jurisdiction: County



CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	8.04	5.00	40.2
0-15% Slope	0.223	5.00	1.1
15-25% Slope	0.263	2.00	0.5
25-40% Slope	0.031	0.50	0.0
Greater than 40% Slope	0.033	0.20	0.0
Ridgetops	0		0.0
Subtotal: Sloped Land	0.55		1.7
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	8.59	4.87	41.9
Proposed Density (Applicant)	8.59	5.00	43.0

From Hillside & Ridgetop Protection Plan, page 33

LOW DENSITY AND RURAL RESIDENTIAL USES

Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines
for Recommendations on Changes to the Zoning Map and Development Plan/
Concept Plan Review within the Hillside and Ridgetop Protection Area
that is within the Urban Growth and the Planned Growth Area

Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

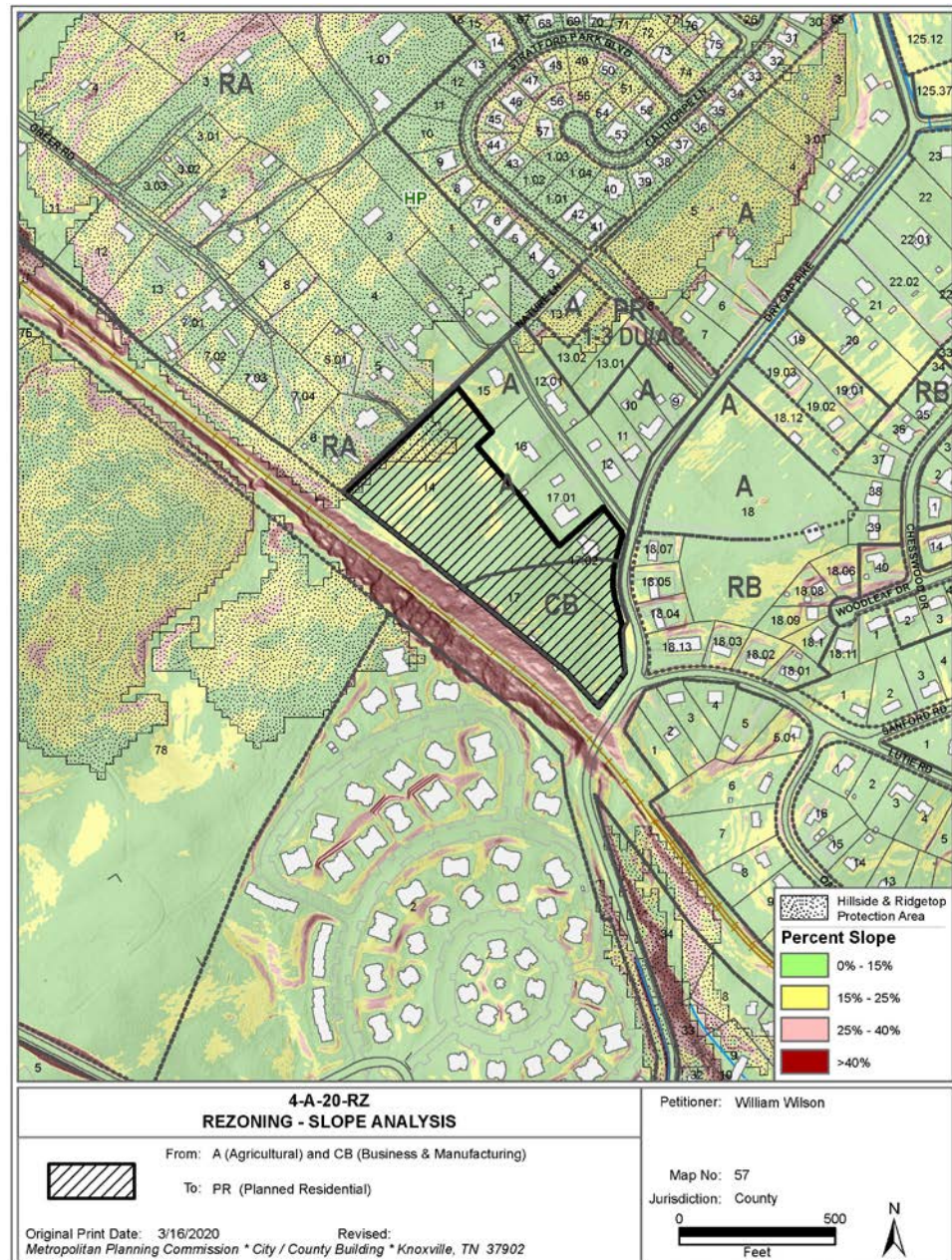
dua: dwelling units per acre

* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

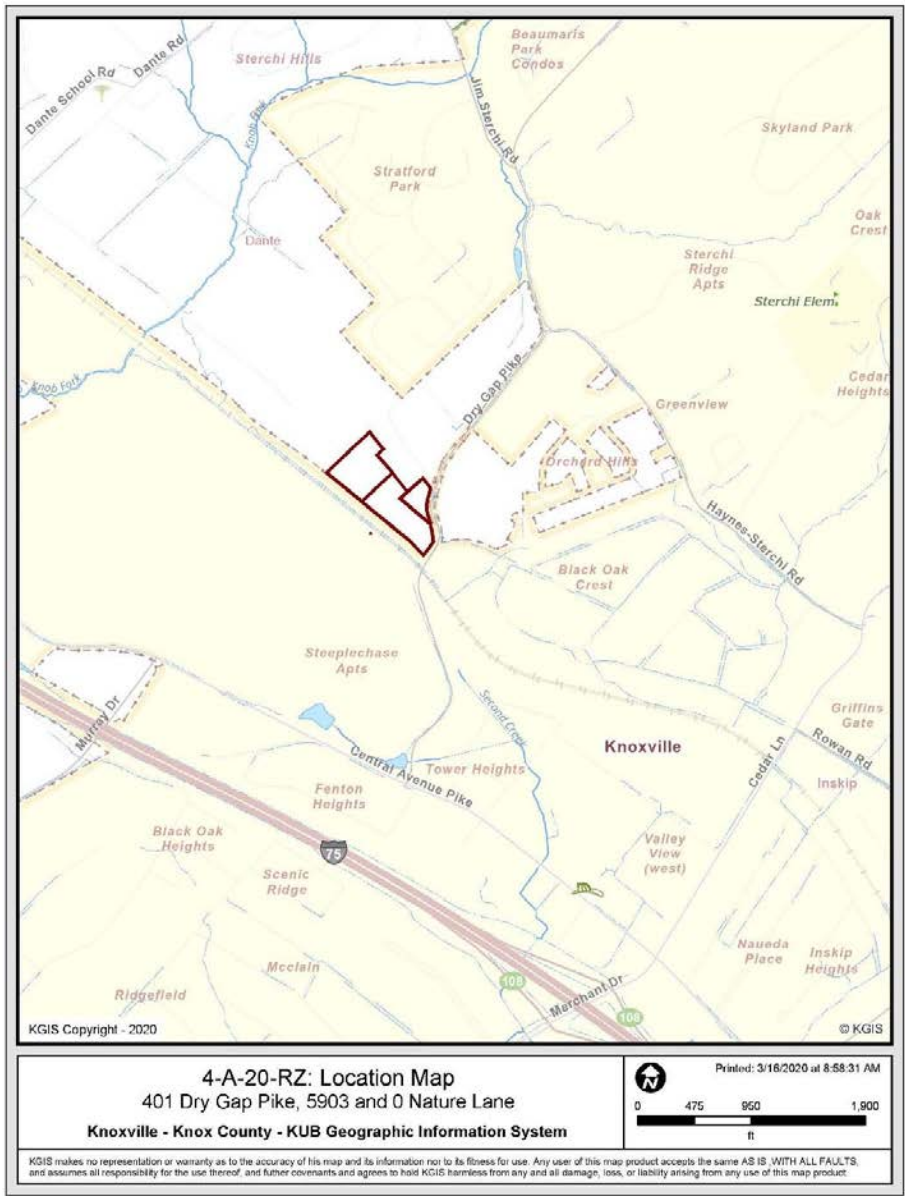
** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

*** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knoxville ridges are so varied (see pages 8 - 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.

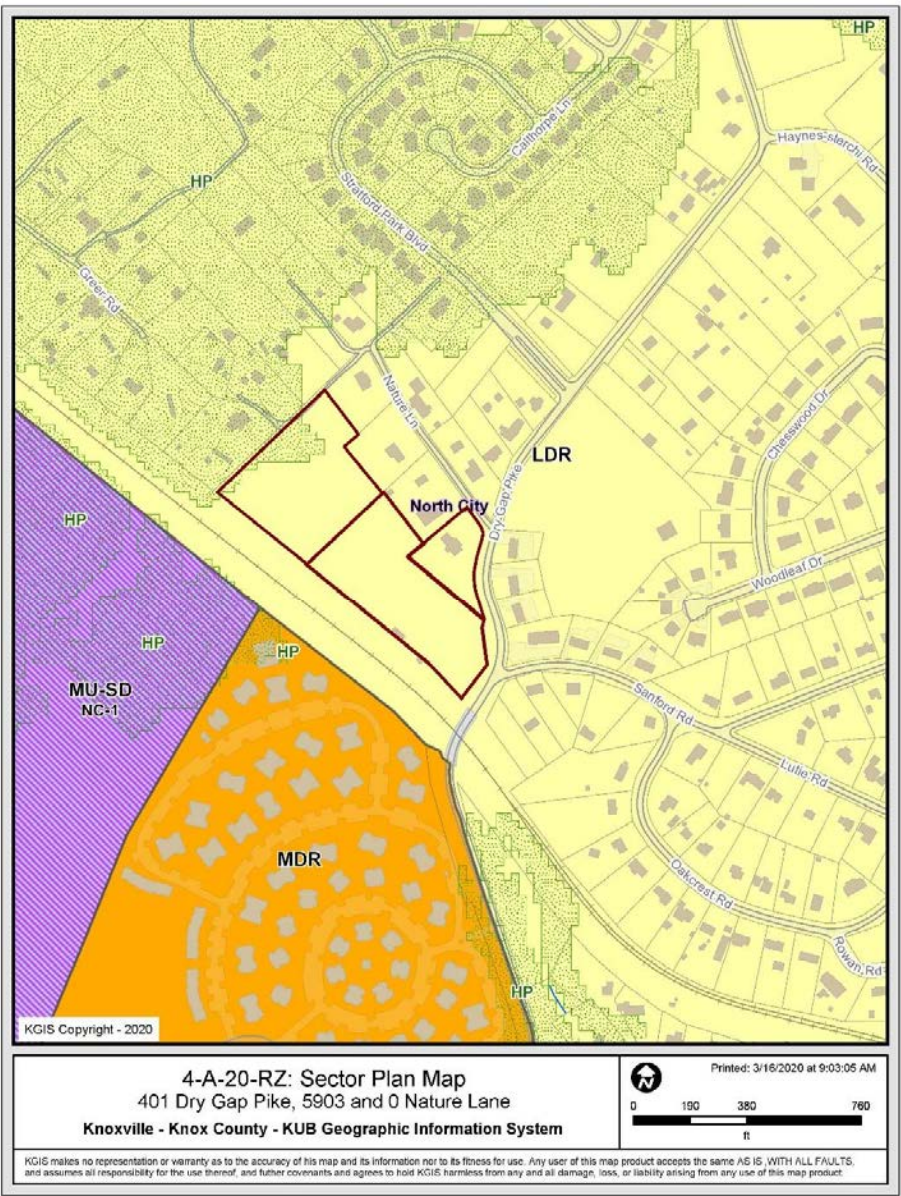
The Knoxville Knox County Hillside and Ridgetop Protection Plan — 33



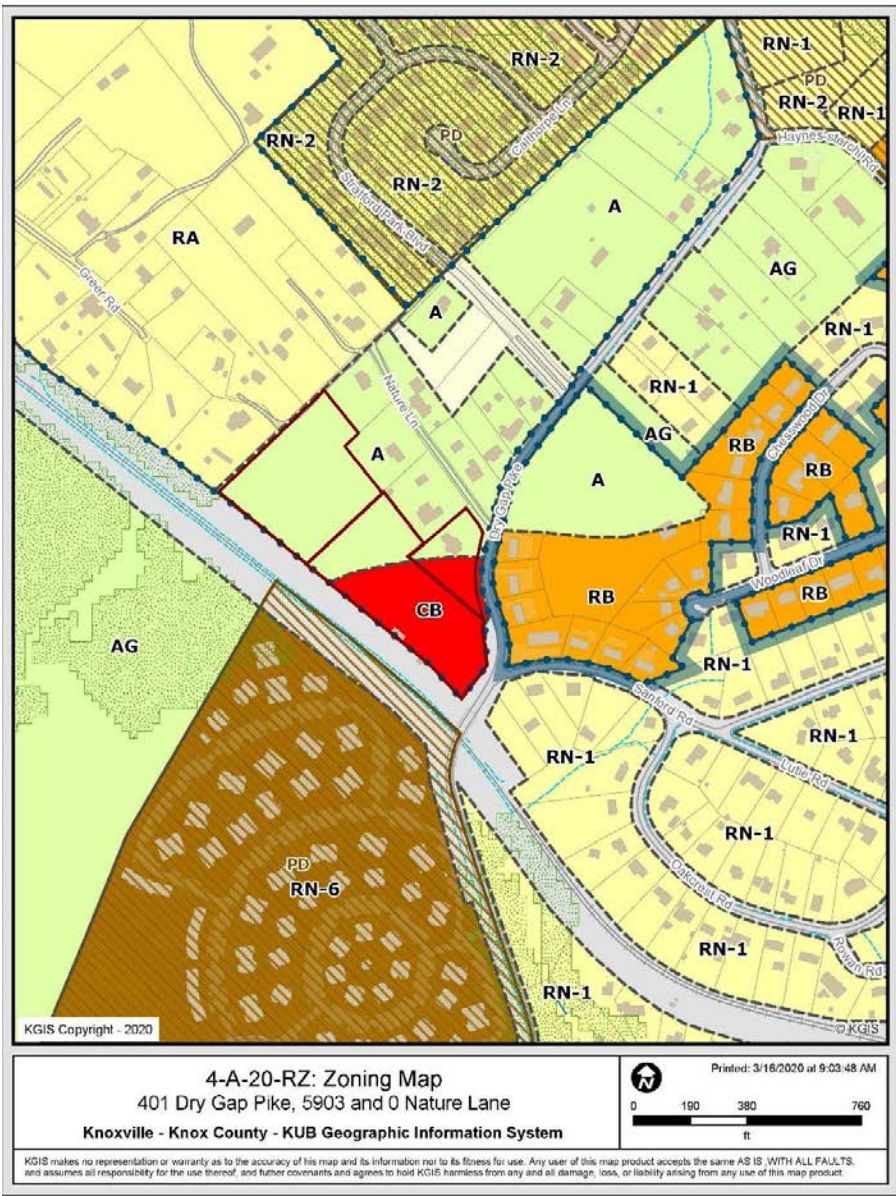
4-A-20-RZ
EXHIBIT A. Contextual Images



4-A-20-RZ
EXHIBIT A. Contextual Images



4-A-20-RZ
EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning



Applicant William Wilson

Date Filed 2-11-20

Meeting Date (if applicable) April 9, 2020

File Number(s) 4-A-20-RZ

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☒ Applicant ☐ Owner ☒ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Name William Wilson Company Wilson Construction

Address 120 Suburban Rd, Ste 102 City Knoxville, TN State 37923

Phone 865-256-1021 Email wilsonconstructioninc@outlook.com

CURRENT PROPERTY INFO

Owner Name (if different) Michael Miller Eddie Laws Owner Address 2208 Will Dr. Knoxville, TN 37938 Owner Phone Keela Koontz Glenn Laws

Property Address ① 401 Dry Gap Rd. ② 5903 Nature Ln. ③ 5923 Nature Ln.
057MA 017 057MA 01702 057MA 014
Parcel ID

General Location W Dry Gap Rd S/S Nature Ln. Tract Size 8.5 acres (apprx)

Jurisdiction (specify district above) 7 ☐ City ☒ County Zoning District A E C B

Planning Sector North City Sector Plan Land Use Classification LDR Growth Policy Plan Designation Urban Growth

Existing Land Use Vacant / house Septic (Y/N) Sewer Provider Water Provider

REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify): _____

☐ Other (specify): _____

SUBDIVISION

☐ Proposed Subdivision Name _____ Unit / Phase Number _____

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created: _____

☐ Other (specify): _____

☐ Attachments / Additional Requirements

☒ Zoning Change: PR (1-5du/ac)
Proposed Zoning

☐ Plan Amendment Change: _____
Proposed Plan Designation(s)

ZONING

☐ Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____

☐ Other (specify): _____

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only)

☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

FEE 1:

0325 1025.00

FEE 2:

FEE 3:

TOTAL:

\$1025.00

AUTHORIZATION

Sherry Muchienzi
Staff Signature

SHERRY MUCHIENZI
Please Print

2-11-2020
Date

W. SCOTT
Applicant Signature

William Wilson
Please Print

2-11-2020
Date

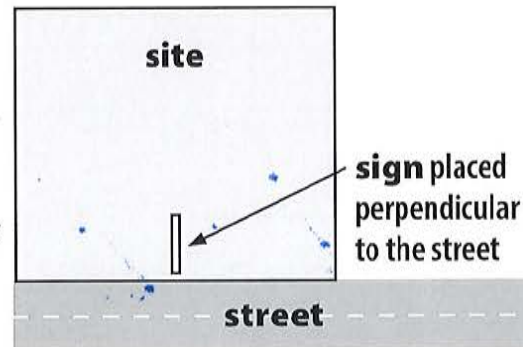
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

March 25 (Wed) and April 10 (Fri)
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: William Wilson

Printed Name: William Wilson

Phone: 865-256-1021 Email: Wilsonconstructioninc@outlook.com

Date: 2-11-20

File Number: 4A-20-RZ