

# REZONING REPORT

▶ **FILE #:** 4-E-22-RZ

**AGENDA ITEM #:** 12

**AGENDA DATE:** 4/14/2022

▶ **APPLICANT:** JERRY PRICE

OWNER(S): Jerry Price

TAX ID NUMBER: 111 058

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 0 E. Governor John Sevier Hwy.

▶ **LOCATION:** **West side of E Governor John Sevier Highway at French Road Intersection**

▶ **APPX. SIZE OF TRACT:** **17.45 acres**

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Governor John Sevier Highway, a major arterial with a 45-ft pavement width within a 112-ft right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Holston and French Broad

▶ **PRESENT ZONING:** **A (Agricultural)**

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

▶ **EXISTING LAND USE:** **Agriculture, Forestry, Vacant**

▶ **DENSITY PROPOSED:** **5 du/ac**

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant & public-quasi public - A (Agricultural) & PR (Planned Residential)

South: Single family residential & rural residential - A (Agricultural)

East: Agriculture/forestry/vacant - A (Agricultural)

West: French Broad River - F (Flood Zone)

NEIGHBORHOOD CONTEXT: This property is located along the French Broad River in an area that is predominantly agricultural or forested with sparse single family detached dwelling units. There is one residential subdivision to the south and a veterans' memorial park to the north.

**STAFF RECOMMENDATION:**

▶ **Approve PR (Planned Residential) zoning up to 3 du/ac because it is compatible with surrounding development and consistent with the sector plan, subject to 2 conditions:**

1) Maintain a tree buffer with 50-ft of depth along the Governor John Sevier Highway frontage, except for allowing approved access to Governor John Sevier Highway, as recommended by the Governor John Sevier

Scenic Highway Corridor Study. High visibility tree protection fencing shall be installed before clearing and grading activities begin and maintained until site and building construction are complete.

2) No clearing or grading of the site shall be permitted until a Concept Plan or Use on Review development plan is approved by the Planning Commission

**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) The proposed rezoning to PR is compatible with the surrounding area, where there is precedent for a transition from agricultural to low density residential zoning beginning in the early 2000s.

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

1) The PR zone provides methods of land development which "encourage more imaginative solutions to environmental design problems." Portions of the subject property have a floodway status, and the property is located along the French Broad River. These environmental constraints make PR zoning appropriate because it enables concentrated development on optimal portions of the property.

2) PR zoning also supports "conservation subdivisions," which are characterized by common open space and clustered lots to protect farmland and/or natural resources. This approach to residential development is recommended in the South County Sector Plan as a tool for protecting land and water quality in relation to the French Broad River.

3) The applicant has requested PR at 5 du/ac, which would result in 87 units allowable on the property. This level of density does not align with the residential character of the surrounding area, which is primarily comprised of dwellings on 1+ acre lots. The exception to this trend is a nearby residential subdivision called Serenity River, which is zoned PR at 3 du/ac. Considering this precedent, and the impact of potentially clustering development to accommodate floodway constraints on the subject property, a maximum density of 3 du/ac is recommended.

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) Approximately 20 percent of the subject property has SP (Stream Protection) land use plan classification on it. One benefit of PR zoning is that it will require Planning Commission use on review approval of site plans prior to any development of the property. During this review, potential issues such as drainage, topography and other development concerns can be addressed.

2) The subject property is situated between the French Broad River and E. Gov. John Sevier Highway. The highway has a scenic roadway designation and the sector plan recommends a buffer of native trees and shrubbery along the rights-of-way. The French Broad River Corridor Study also recommends vegetated filter strips at the river's edge to preserve water quality and scenic beauty.

3) Less than 700 feet from the subject property, on the opposite side of the French Broad River, is a major industrial property owned by a company that specializes in aggregate and hot mix asphalt production.

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) PR zoning is compatible with the existing LDR (Low Density Residential) land use classification for the South County Sector Plan and is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 570 (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: 11 (public school children, grades K-12)

Schools affected by this proposal: New Hopewell Elementary, South Doyle Middle, and South Doyle 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 5/23/2022. 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.