

REZONING REPORT

▶ **FILE #:** 9-D-23-RZ

AGENDA ITEM #: 15

AGENDA DATE: 9/14/2023

▶ **APPLICANT:** RICK HARBIN

OWNER(S): Rick Harbin

TAX ID NUMBER: 66 120.06

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 7620 RIO GRANDE DR

▶ **LOCATION:** Northeast side of Rio Grande Rd, northwest of W Emory Rd

▶ **APPX. SIZE OF TRACT:** 1.61 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Rio Grande Dr, a local road with a pavement width of 26 ft within a 50-ft right-of-way. The road terminates at the end of the subdivision to the north and connects to W Emory Rd, a major arterial, to the south.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

▶ **EXISTING LAND USE:** Single Family Residential

▶ **DENSITY PROPOSED:** 5 du/ac

EXTENSION OF ZONE: Yes, this is an extension of the zone.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - PR (Planned Residential) up to 5 du/ac

South: Rural residential - A (Agricultural)

East: Multifamily residential - PR (Planned Residential) up to 5 du/ac

West: Single family residential - PR (Planned Residential) up to 5 du/ac

NEIGHBORHOOD CONTEXT: The area is located within a half-mile from a commercial corridor along Clinton Hwy. It primarily comprises single family residences on relatively large lots with deep setbacks. There are a lot of forestry/vacant lands in the vicinity, with one multifamily development west of the subject property.

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with the sector plan and surrounding development.**

COMMENTS:

The applicant has requested a rezoning to the PR (Planned Residential) zone with a density of up to 5 du/ac.

However, Planning staff is recommending the RA (Low Density Residential) zone, as the PR zone is generally not intended for a property of this size (1.61 acre).

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 adjacent subdivision to the north, Norte Villa, was platted in 1992 and has been developed with single-family residences since then. From aerial views in KGIS, it appears that other nearby properties have experienced moderate growth within similar timeframes.
2. The Belltown Planned Development approved in January 2023 (Case # 11-A-22-PD) is two parcels to the west and is currently under construction. The net residential density for the Belltown development is 4.3 du/ac, excluding the acreage for the commercial uses and the recreational area. The plan includes a mix of detached residential lots on various lot sizes, 213 townhouses, 324 apartment units spread out over 306 acres in Knox County and 8 acres in Anderson County. The plan also includes up to 80,000 sq ft of commercial space and 111 acres of greenspace, which includes a 40-acre public park.

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

1. The requested PR zone is generally intended for unified development plans on larger lots. It also has a 35-ft periphery boundary requirement which is not ideal for the subject property.
2. The recommended RA zone provides for residential areas with low population densities. The RA zone, when served by a sewer system, allows single-family houses on 10,000 sq ft lots and duplexes on 12,000 sq ft lots with the Use on Review approval.
3. Rezoning this parcel to the RA zone is consistent with the zone's intent and with the area in general. There are some RA zoned properties in close proximity, on the south side of Emory Road.
4. The surrounding property that is zoned PR with up to 5 du/ac is built out closer to 2 du/ac. Therefore, the RA zone recommended by Planning is more aligned with surrounding development than the requested zoning.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. This property is in an area with a mix of agricultural and residential zones which include the A, RA, and PR (with up to 5 du/ac density) zones. There are no adverse impacts anticipated with the proposed RA zone as the uses allowed by the RA zone are consistent with the area.
2. The RA zone will work as a transition between the PR zoned properties on the north side and A (Agricultural) zoned property on the south side. It will also be compatible with the adjacent multifamily development on the east side.
3. The sector plan designation would remain LDR (Low Density Residential), which is the designation for all surrounding parcels.
4. There is a sinkhole and a pond on the property within a platted drainage easement on the northwest corner. Any new development will need to comply with the County's stormwater engineering division.

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 proposed rezoning is consistent with the General Plan's development policy 9.3, which encourages that the context of new development, including scale and compatibility, should not impact existing neighborhoods and communities.
2. The RA zone is consistent with the Northwest County Sector Plan's LDR land use classification.
3. This property is in the Planned Growth Area of the Growth Policy Plan, which allows consideration of the RA zone.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Powell Elementary, Powell Middle, and Powell 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 10/23/2023. 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.