

REZONING REPORT

▶ **FILE #:** 9-K-23-RZ

AGENDA ITEM #: 21

AGENDA DATE: 9/14/2023

▶ **APPLICANT:** S AND E PROPERTIES

OWNER(S): Robin Smith, Executor

TAX ID NUMBER: 130 067, 066

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 1103 FRETZ RD (1109 FRETZ RD)

▶ **LOCATION:** West side of Fretz Rd, southwest of N. Campbell Station Rd

▶ **APPX. SIZE OF TRACT:** 12.89 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Farragut Urban Growth Boundary

ACCESSIBILITY: Access is via Fretz Road, a local street with a 24-ft pavement width within a 40-ft right-of-way

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Turkey Creek

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

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

▶ **EXISTING LAND USE:** Rural Residential

▶ **DENSITY PROPOSED:** 4.5 du/ac

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HISTORY OF ZONING: Rezoning from A to PR up to 5 du/ac was withdrawn prior to County Commission action (Case # 4-C-23-RZ)

SURROUNDING LAND USE AND ZONING: North: Single family residential, agriculture/forestry/vacant - FAR: R-2 (General Single-Family Residential) in Farragut

South: Single family residential - PR (Planned Residential) up to 5 du/ac in Knox County

East: Agriculture/forestry/vacant, single family residential, multi-family residential - A (Agricultural) in Knox County

West: Single family residential - FAR: R-2 (General Single-Family Residential) in Farragut

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.

STAFF RECOMMENDATION:

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

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from A to PR with up to 5 du/ac was approved by the Planning Commission in April 2023 (Case 4-C-23-RZ) but was withdrawn prior to Knox County Commission action.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.

ESTIMATED TRAFFIC IMPACT: 669 (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: 26 (public school children, grades K-12)

Schools affected by this proposal: Farragut Primary/Intermediate, Hardin Valley Middle, and Hardin Valley Academy.

- 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.