

REZONING REPORT

► **FILE #:** 3-D-24-RZ

AGENDA ITEM #: 10

AGENDA DATE: 3/7/2024

► **APPLICANT:** MESANA INVESTMENTS LLC

OWNER(S): William F. Bell Jr.

TAX ID NUMBER: 61 057

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 616 N WOODDALE RD

► **LOCATION:** N Wooddale Rd north of N Ruggles Ferry Pike

► **APPX. SIZE OF TRACT:** 23.09 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via N Wooddale Rd, a local street with an 18 ft pavement width within a 43 ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Sinking East Creek, Holston-French Broad

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

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

► **EXISTING LAND USE:** Agriculture/forestry/vacant land

► **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: No, this is not an extension of the zone.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land - A (Agricultural)

South: Single family residential - A (Agricultural)

East: Public/quasi public land - A (Agricultural)

West: Single family residential, rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is less than a mile from Asheville Hwy. The area to the south toward Asheville Hwy has some large and medium sized single family subdivisions. The area north and east remains fairly rural.

STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone with up to 3 du/ac because it is consistent with the sector plan and surrounding development, subject to 1 condition.**

1. The rear of the parcel with slopes of 25% or greater at approximately beyond the 960-contour line shall be left undisturbed.

COMMENTS:

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. Since 1993, there has been some A to RA and PR rezonings at densities of 1-7 du/ac in the area. The general trend in the immediate vicinity consists of small and medium sized-lot, single family detached residential neighborhoods.
2. This property is located approximately 1.5 miles north of Asheville Hwy a major commercial corridor for the community. Agriculture to commercial rezonings along Asheville Highway have been occurring since 1994.

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

1. The PR zone is intended to encourage more imaginative solutions to environmental design problems by enabling concentrated development in less environmentally sensitive areas of a property. The property has some Hillside Protection Area and a TVA line easement running through the middle of it. The flexibility of the PR zone makes it an appropriate zone to consider.
2. At the requested density of 5 du/ac, this property could accommodate up to 115 dwellings. At the recommended density of 3 du/ac a maximum of 69 units could be built, which is more in line with the surrounding development.
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. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential 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. Considering the steep slopes, staff recommends approving the PR zone at 3 du/ac on the condition that the area along the rear of the property line beyond the 960-ft contour line with slopes of 25% or higher be left undisturbed (see Exhibit B. This condition is supported by the following development policies of the General Plan: 1) Rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process (10.4), and 2) Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat (9.2).
2. This property has steep slopes within the Hillside Protection Area that runs through the rear of the property. The Hillside Protection area includes 4 acres on this 23.1-acre site. The recommended density according to the Hillside & Ridgetop Protection Plan is 4.34 du/ac.
3. 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 PR zone at 3 du/ac is consistent with the LDR land use classification in the East County Sector Plan, which allows consideration of up to 5 du/ac in the County's Planned Growth Area.
2. The East County Community plan includes this property in the plan's rural area (pg. 34). This designation is different from the Rural Area designation in the Growth Policy Plan. The East County Community Plan defines its rural areas as "areas appropriate for low density residential development, and open space and agriculture land uses" (p. 32). The preferred development pattern of rural/agricultural areas is described as "mostly farms and large residential parcels along country roads. These are lower density neighborhoods with some limited commercial activities (such as a corner grocery store, auto repair shop, or dry cleaner)" (p. 33). Densities at 3 du/ac are generally considered low-density residential land use.
3. The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services.
4. This property abuts single family subdivisions along Woodale Road and N Ruggles Ferry Pike. Residential development at the proposed density is consistent with the General Plan's Policy 6.1, the intent of which is to encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors, and Policy 6.2, the intent of which is to complement natural land forms when grading and minimize grading on steep slopes and within floodways.

ESTIMATED TRAFFIC IMPACT: 1175 (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: Sunnyview Pr/Chilhowee Int, Carter Middle, and Carter 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 4/22/2024. 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.