

REZONING REPORT

▶ **FILE #:** 9-M-24-RZ

AGENDA ITEM #: 16

AGENDA DATE: 9/12/2024

▶ **APPLICANT:** BENJAMIN C. MULLINS
OWNER(S): BB Investments Properties, LLC

TAX ID NUMBER: 90 116 [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 2713 BYINGTON BEAVER RIDGE RD

▶ **LOCATION:** West side of Byington Beaver Ridge Rd, north of Byington Solway Rd

▶ **APPX. SIZE OF TRACT:** 4.99 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Byington Beaver Ridge Rd, a major collector with 19 ft of pavement within a right-of-way of 37 ft.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Karns Fire Department

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** PR (k) (Planned Residential) up to 4 du/ac

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

▶ **EXISTING LAND USE:** Rural Residential

▶ **DENSITY PROPOSED:** up to 4.3 du/ac

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

HISTORY OF ZONING: This property was rezoned in 2023 to PR (Planned Residential) up to 4 du/ac (10-K-23-RZ).

SURROUNDING LAND USE AND ZONING: North: Rural residential - RA (Low Density Residential)

South: Agriculture/forestry/vacant land, single family residential - RA (Low Density Residential), I (Industrial)

East: Single family residential - RA (Low Density Residential)

West: Industrial, office - I (Industrial)

NEIGHBORHOOD CONTEXT: The subject property is in a traditional area with several large manufacturing businesses to the west and south and single family residential to the north and east, including a manufactured home park, duplexes, and single family residential homes, Karns Elementary, Middle, and High Schools are nearby.

STAFF RECOMMENDATION:

▶ **Deny the PR (Planned Residential) zone up to 4.3 du/ac because the increase in density is not warranted, and there has been no new change of conditions since the last rezoning request in October of 2023.**

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. Last year, a rezoning request was submitted to go from RA to PR up to 5 du/ac (10-K-23-RZ). Staff recommended a lesser density of 4 du/ac with one condition to provide a landscape screen to the adjacent industrial property, which was approved by the County Commission in December 2023. Staff did not support the maximum density allowed at the time due to concerns about the property's proximity to industrially zoned properties to the south and west.
2. The Knox County Comprehensive Plan was adopted in April of 2024, and the subject property was re-designated as the SR (Suburban Residential). The new SR place type allows consideration of higher densities than the 5 du/ac maximum of the previous LDR (Low Density Residential) land use classification of the General Plan. However, there have been no new infrastructure improvements or services to the area, no changes to the development pattern, and no other changes that would support increasing the density beyond our initial recommendation since our previous recommendation was not to the maximum allowed. Planning does not recommend increasing the density at this location.

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

1. The PR zone provides flexibility for residential development. The PR zone with up to 4.3 du/ac is similar to the surrounding RA zone, which allows 10,000 sq ft lots, but the flexibility of the PR zone allows clustering of lots.
2. The property has an existing single family home at the front. PR up to 4 du/ac allows 19 dwelling units and 4.3 du/ac would allow 21 units on this property.
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.

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. An additional 2 units would not adversely affect traffic or the surrounding environment, but there is not a need for two additional dwellings abutting an industrially zoned property.
2. 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 SR place type allows consideration of the PR zone as a partially related zone. When the proposed district is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district is compatible with the current zoning of adjacent sites. The proposed PR zoning and the required development plan review by the Planning Commission is compatible with the current RA zoning of adjacent sites.
2. The SR place type allows consideration of PR with density up to 12 du/ac as partially related. Partially related means it may be appropriate in some areas while not in others, and should be evaluated on a case-by-case basis. Due to the proximity of the industrial zoning to the south and the lack of changes to conditions since our previous recommendation, Planning does not support the increase in density.
3. The SR place type calls for primarily single family residential development with a range of lot sizes, housing size and styles, and includes some detached dwellings. The area features a range of lot sizes including attached residential such as duplexes, multiplexes, and townhomes that have the scale of a single family home.
4. The proposed rezoning is consistent with the Knox County Comprehensive Plan Implementation Policy 5.2, create standards that encourage neighborhoods in certain place types to include a mix of housing types. The PR zone allows houses, duplexes, and multi family developments.

ESTIMATED TRAFFIC IMPACT: 239 (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: 2 (public school children, grades K-12)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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 10/21/2024. 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.