

# REZONING REPORT

▶ **FILE #:** 10-R-19-RZ

**AGENDA ITEM #:** 35

**AGENDA DATE:** 10/10/2019

▶ **APPLICANT:** **B & B BUILDER**  
OWNER(S): Townhomes at Beaver Brook, LLC

TAX ID NUMBER: 38 037 [View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 2901 Sunny Creek Way

▶ **LOCATION:** **South side of E. Emory Road, south of Pelleaux Road, east side of Birdie Lane.**

▶ **APPX. SIZE OF TRACT:** **9.69 acres**

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Birdie Lane, a local street with a pavement width of 26.7 feet within a right-of-way width of 50 feet.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** **PR (Planned Residential) 1-4 du/ac and F (Floodway)**

▶ **ZONING REQUESTED:** **PR (Planned Residential) 1-5 du/ac and F (Floodway)**

▶ **EXISTING LAND USE:** **Multi-family Residential**

▶ **PROPOSED USE:** **Multi-family Residential**

**DENSITY PROPOSED:** **5 du/ac**

EXTENSION OF ZONE: Yes, the area is currently zoned PR.

HISTORY OF ZONING: 4-S-96-RZ: PR up to 4

SURROUNDING LAND USE AND ZONING: North: Single family residential - A, PR

South: Private Recreational - F, OS

East: Agricultural/forestry/vacant - A

West: Single family residential - A

NEIGHBORHOOD CONTEXT: The area is comprised of single family residential, rural residential and large agricultural lots.

**STAFF RECOMMENDATION:**

▶ **Approve PR (Planned Residential) zoning up to 5 du/ac**

Staff recommends approval of the PR up to 5 du/ac because it is compatible with the sector plan designation of LDR and is a minor increase in the existing approved density of the parcel that is currently zoned PR up to 4 du/ac.

**COMMENTS:**

REZONING REQUIREMENT FROM ZONING ORDINANCES (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. Population continues to increase in the North County Sector.
2. A range of housing options including additional multi-family dwelling units are needed.

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

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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 zoning up to 5 du/ac at this location will not cause any direct or indirect adverse effects.
2. This property is currently zoned to allow up to 38 dwelling units on the property, this rezoning to allow up to 5 du/ac would allow up to 48 dwelling units total.

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 FACILITY PLAN, AND OTHERS:

1. This request is consistent with the sector plan designation of LDR, which allows consideration up to 5 du/ac.
2. This area is within the Planned Growth Area on the Growth Policy Plan.
3. This rezoning is consistent with all other adopted plans.

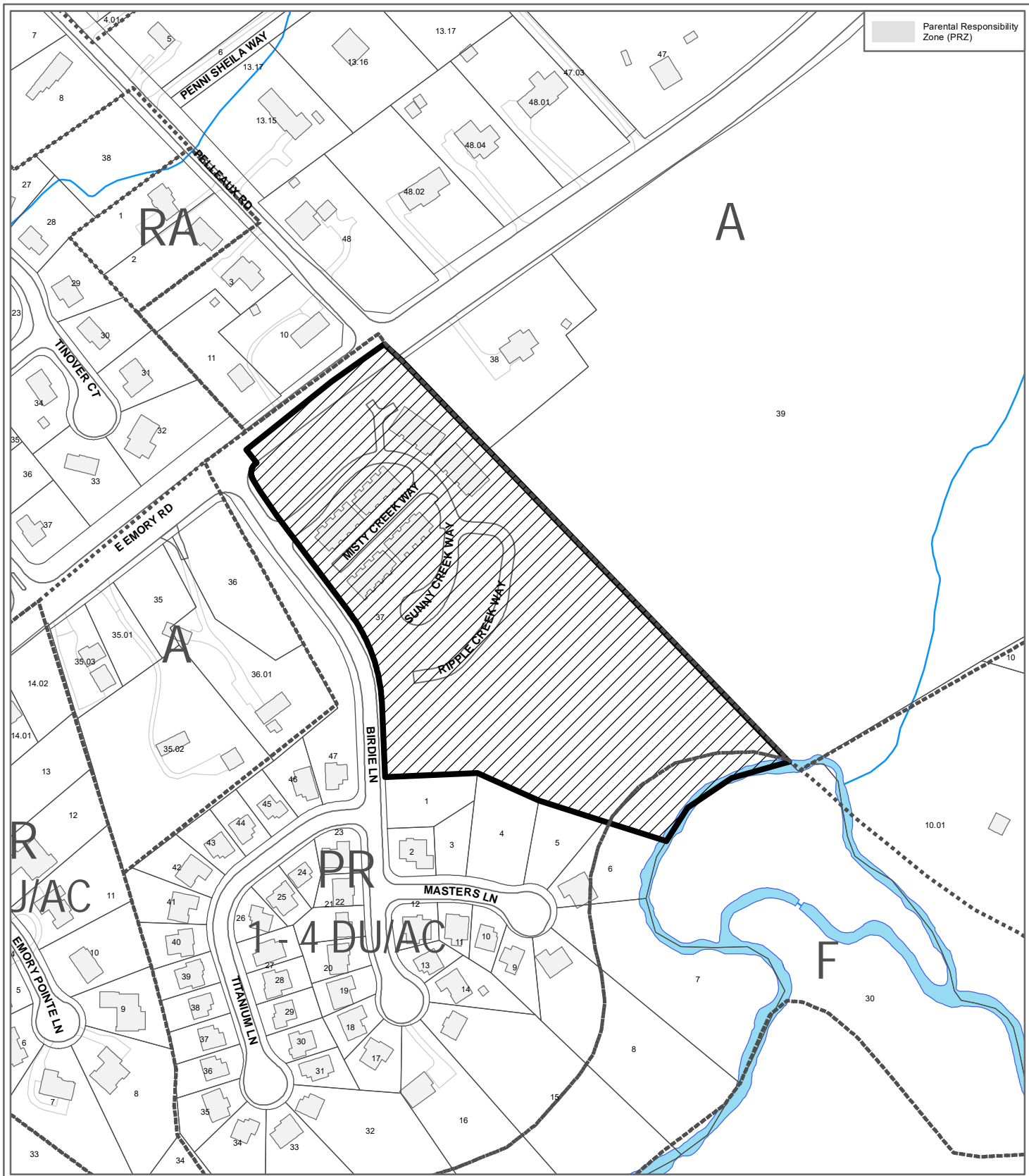
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 3 (public school children, grades K-12)

Schools affected by this proposal: Brickey-McCloud Elementary, Halls Elementary, and Halls 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 11/18/2019. 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.



**10-R-19-RZ  
REZONING**

From: PR (Planned Residential) 1-4 du/ac and F (Floodway)

To: PR (Planned Residential) 1-5 du/ac and F (Floodway)



Petitioner: B & B Builder

Map No: 38

Jurisdiction: County



Original Print Date: 9/17/2019

Revised:

Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

+20% Tuesday Late Fee



### DEVELOPMENT REQUEST

#### DEVELOPMENT

- Development Plan
- Use on Review / Special Use

#### SUBDIVISION

- Concept Plan
- Final Plat

#### ZONING

- Plan Amendment
- Rezoning



Applicant B and B Builders

Date Filed 8-27-19 Meeting Date (if applicable) 10/10/19 File Numbers(s) 10-R-19-RZ

### CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Name Richard LeMay Company LeMay and Associates

Address 10816 Kingston Pike City KNOXVILLE State TN Zip 37934

Phone 865-671-0183 Email rleMay@leMayassociates.com

### CURRENT PROPERTY INFO

Owner Name (if different) Townhomes at Beaver Brook LLC Owner Address PO Box 71233 Owner Phone 865-755-4200

Property Address 2901 Sunny Creek Way Knoxville, TN 37938

General Location South side Ripple Creek Way Parcel ID 038-037 Tract Size 9.69 Acres

Jurisdiction (specify district above) 7 Zoning District PR-1-4 (1-5)

Planning Sector N County Sector Plan Land Use Classification LDR Growth Policy Plan Designation Planned Growth

Existing Land Use Residential Septic (Y/N) N Sewer Provider HDP40 Water Provider HDP40

# REQUEST

DEVELOPMENT

Development Plan     Use on Review / Special Use

Residential     Non-Residential

Home Occupation (specify): \_\_\_\_\_

Other (specify): \_\_\_\_\_

SUBDIVISION

Proposed Subdivision Name \_\_\_\_\_ Unit / Phase Number \_\_\_\_\_

Parcel Change

Combine Parcels     Divide Parcel    Total Number of Lots Created: \_\_\_\_\_

Other (specify): \_\_\_\_\_

Attachments / Additional Requirements

ZONING

Zoning Change: \_\_\_\_\_  
Proposed Zoning \_\_\_\_\_

Plan Amendment Change: \_\_\_\_\_  
Proposed Plan Designation(s) \_\_\_\_\_

*PR 1-4 DU/AC → PR 1-5 DU/AC*

Proposed Property Use (specify) \_\_\_\_\_ Proposed Density (units/acre) \_\_\_\_\_ Previous Rezoning Requests \_\_\_\_\_

Other (specify): \_\_\_\_\_

STAFF USE ONLY

**PLAT TYPE**

Administrative     Meeting

**ATTACHMENTS**

Property Owners / Option Holders     Variance Request

**ADDITIONAL REQUIREMENTS**

- Design Plan Certification (*Final Plat only*)
- Use on Review / Special Use (*Concept Plan only*)
- Traffic Impact Study

FEE 1:

*\$ 1,084.50*

FEE 2:

*20%*  
*\$ 216.90*

FEE 3:

**TOTAL:**

*\$ 1,301.40*

**AUTHORIZATION**

*James Reed*  
\_\_\_\_\_  
Staff Signature

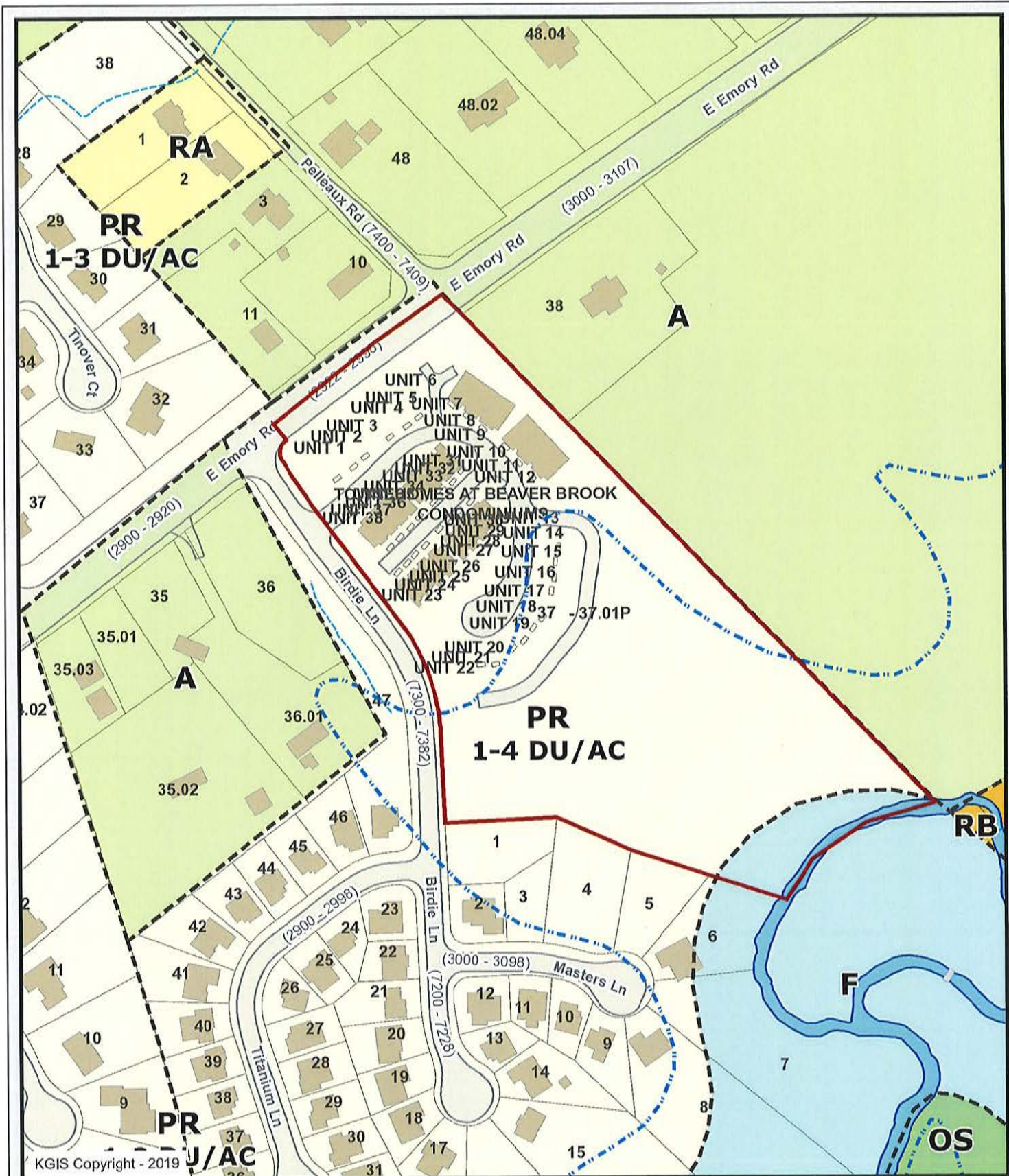
*James Reed*  
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*8/27/19*  
\_\_\_\_\_  
Date

*Joh Brantley*  
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Applicant Signature

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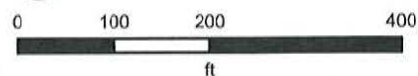


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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