

REZONING REPORT

► **FILE #:** 4-B-20-RZ

AGENDA ITEM #: 11

AGENDA DATE: 4/9/2020

► **APPLICANT:** DANNY KIRBY / DK DEVELOPMENT

OWNER(S): Terry Hutchison (Executor)

TAX ID NUMBER: 20 21401

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 6848 Beeler Rd.

► **LOCATION:** East side of Beeler Rd., south of Emory Rd.

► **APPX. SIZE OF TRACT:** 14.25 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Beeler Road is a major collector with a pavement width of 15.3 ft. and a right-of-way width of 60 ft.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

► **EXISTING LAND USE:** Agricultural/forestry/vacant

► **DENSITY PROPOSED:** 5 du/ac

EXTENSION OF ZONE: Yes, PR zoning is adjacent to the north with up to 5 du/ac and to the east with up to 2 du/ac

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Single family residential and agricultural/forestry/vacant - PR (Planned Residential) and A (Agricultural)

South: Agricultural/forestry/vacant - A (Agricultural)

East: Agricultural/forestry/vacant - PR (Planned Residential)

West: Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area consists of single family residential uses. Surrounding properties were rezoned to PR in the mid-1990s and in 2007. Lot sizes in the adjacent PR neighborhood to the north are mostly 0.20 acres; lot sizes of the nearest lots in the PR development to the west are approximately 1 to 1.5 acres.

STAFF RECOMMENDATION:

► **Approve PR (Planned Residential) zoning at 5 du/ac, because it is consistent with the Northeast County Sector Plan's LDR (Low Density Residential) designation and consistent with surrounding development.**

COMMENTS:

REZONING REQUIREMENTS 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. There is an increased need for small-scale housing in Knox County. The proposed rezoning will create an increased opportunity for a greater number of dwelling units that could help meet this demand.

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

1. The proposed amendment to PR zoning 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. Built at allowed maximum density, the development could hold up to 71 dwelling units, which would generate approximately 759 trips per day and trigger a traffic impact analysis. 71 dwellings is just over the threshold for such an analysis, so if the developer builds less units, a traffic impact analysis may not be required.
2. There are some constraints that will need to be addressed during the development review process:
 - a. Beeler Road is very narrow at 15.3 ft. wide
 - b. The property is located in FEMA Flood Zone X but does not contain any floodplain areas. However, the floodway crosses Beeler Rd to the south and E. Emory Rd. to the northwest and northeast, which may cause access problems for residents.

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 current sector plan designation supports PR zoning with up to 5 du/ac in the Planned Growth Area of Knox County.

ESTIMATED TRAFFIC IMPACT: 759 (average daily vehicle trips)

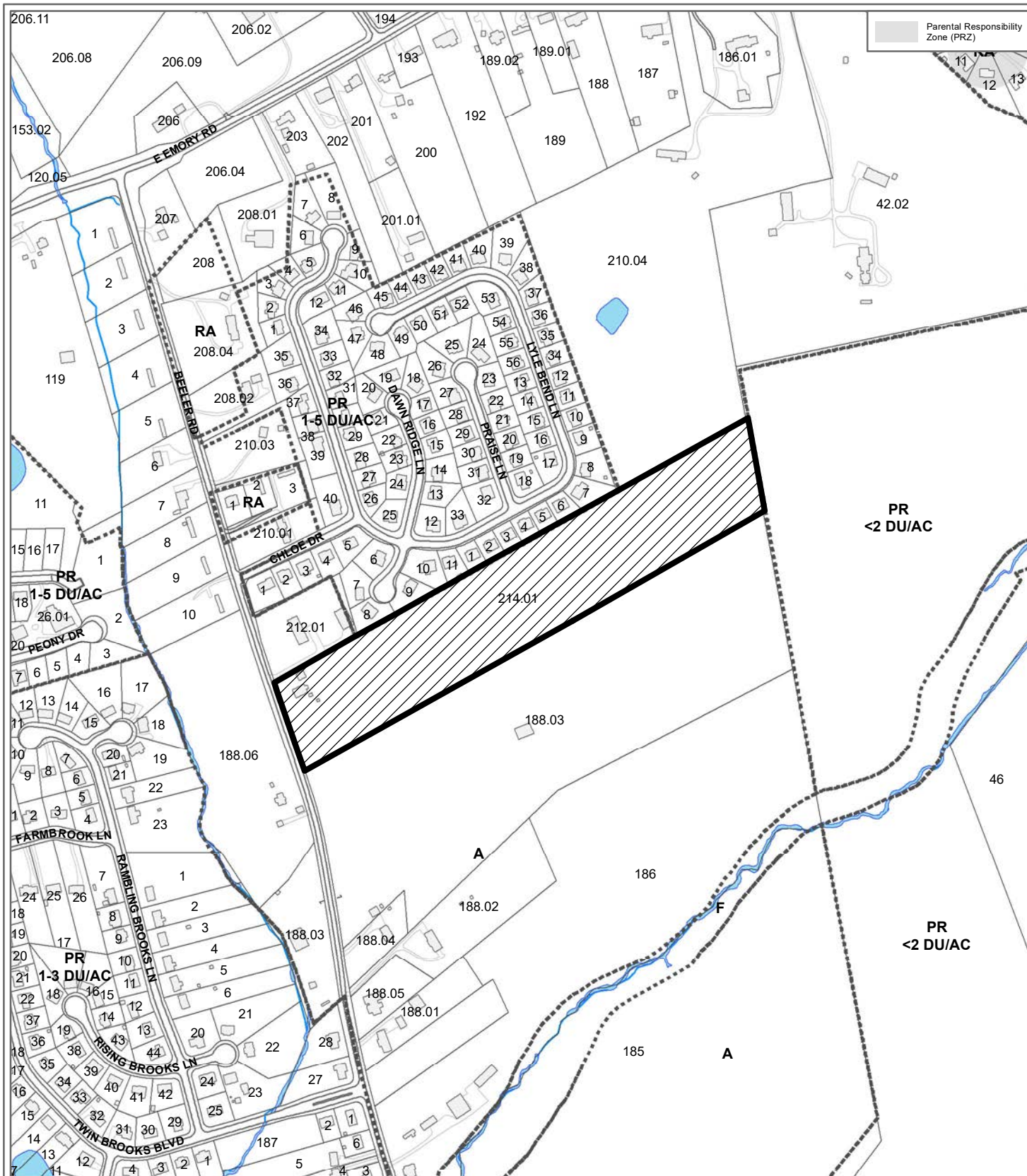
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 24 (public school children, grades K-12)

Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs 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.

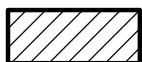
If approved, this item will be forwarded to Knox County Commission for action on 5/26/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



4-B-20-RZ REZONING

From: A (Agricultural)

To: PR (Planned Residential)



Original Print Date: 3/16/2020
Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Kirby / DK Development, Danny

Map No: 20

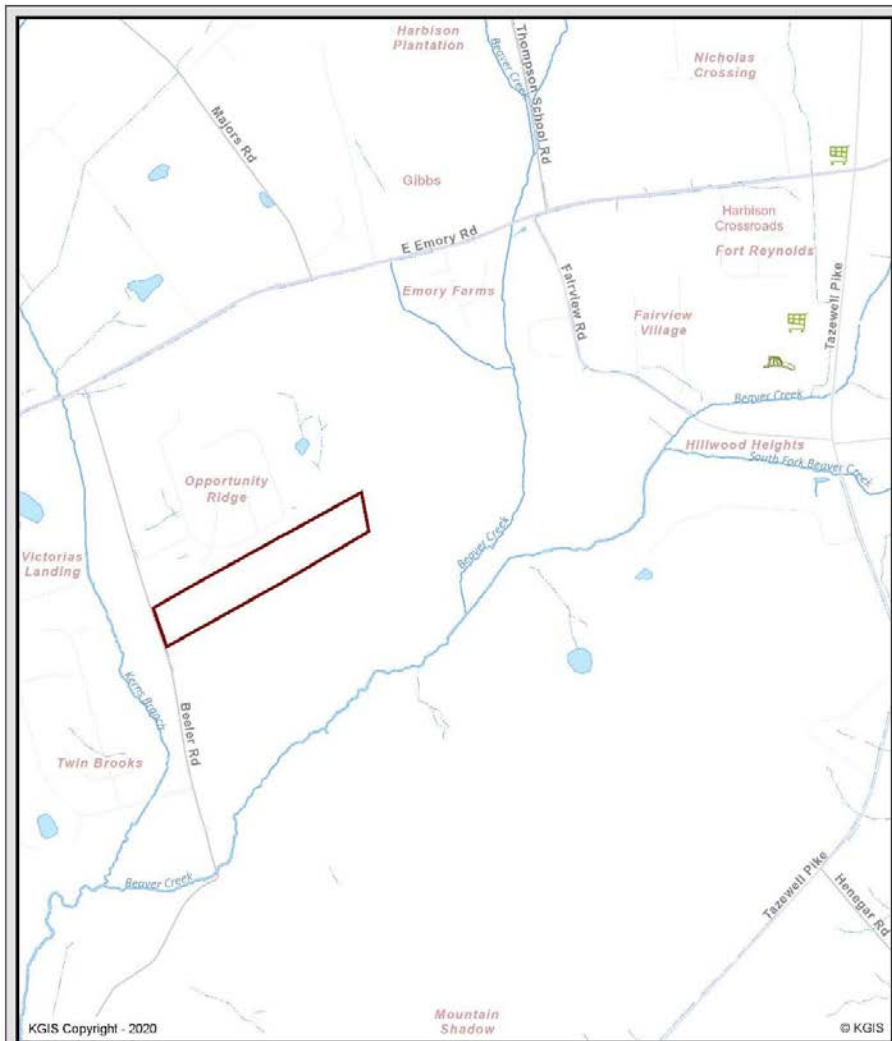
Jurisdiction: County

0 500
Feet



4-B-20-RZ

EXHIBIT A. Contextual Images



4-B-20-RZ: Location Map
6848 Beeler Road

Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



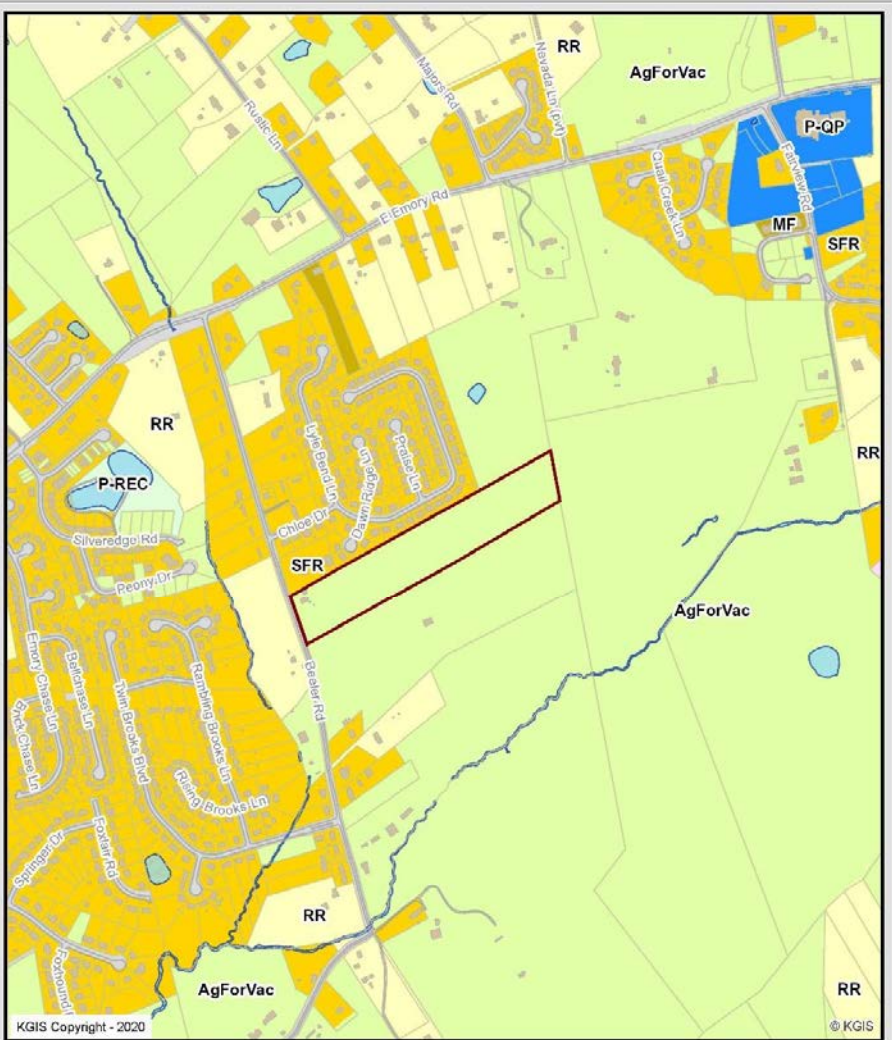
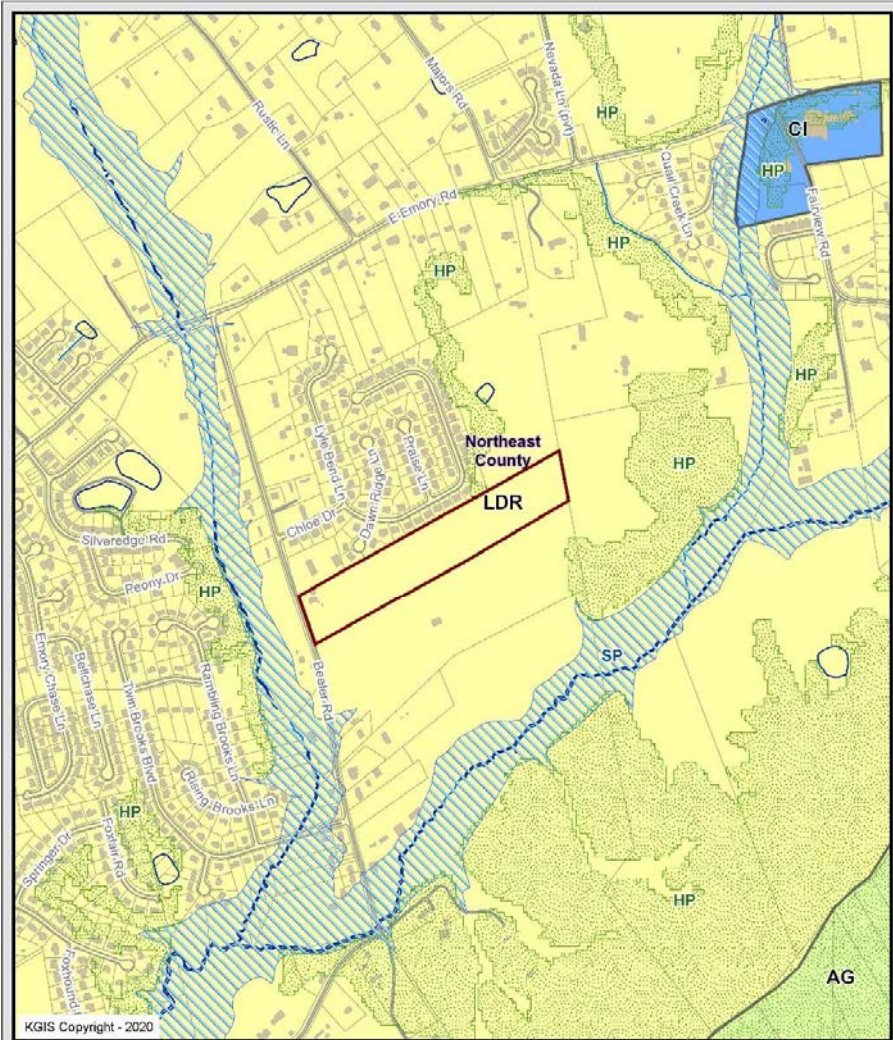
4-B-20-RZ: Aerial Map
6848 Beeler Road

Knoxville - Knox County - KUB Geographic Information System

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4-B-20-RZ

EXHIBIT A. Contextual Images



4-B-20-RZ: Sector Plan Map
6848 Beeler Road

Knoxville - Knox County - KUB Geographic Information System

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0 360 760 1,520
ft

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4-B-20-RZ: Existing Land Use Map
6848 Beeler Road

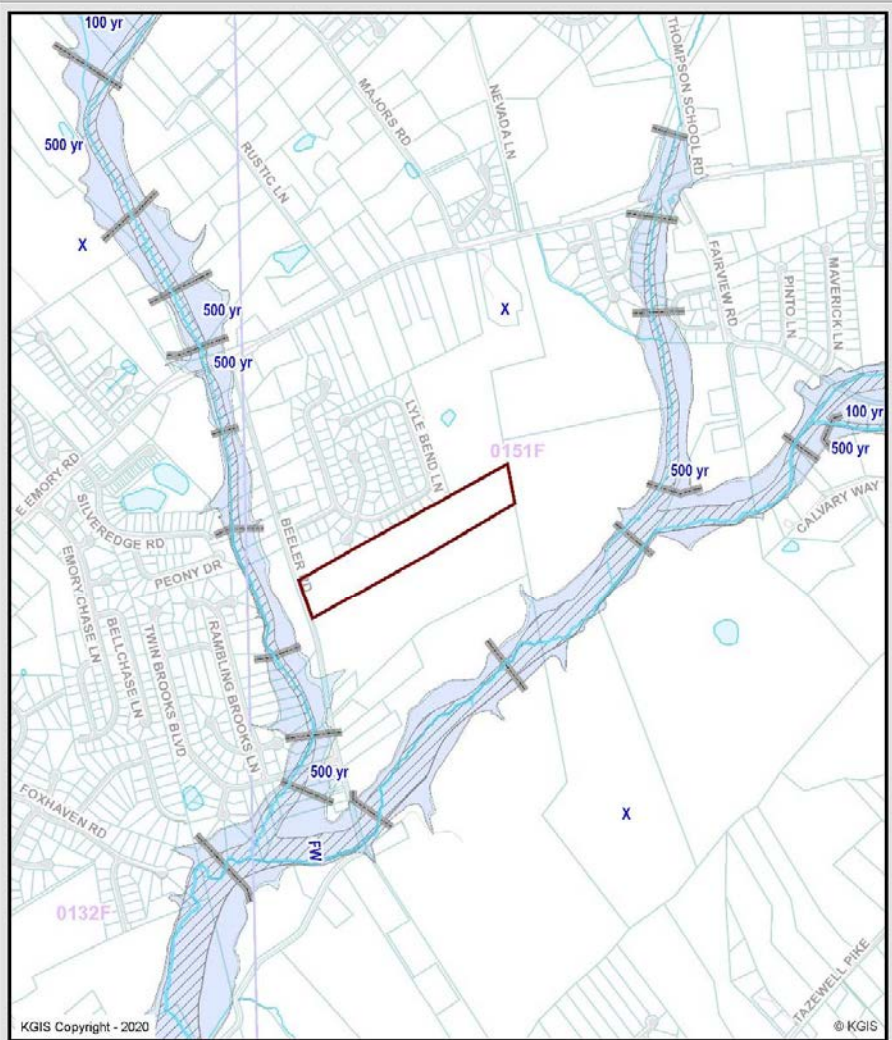
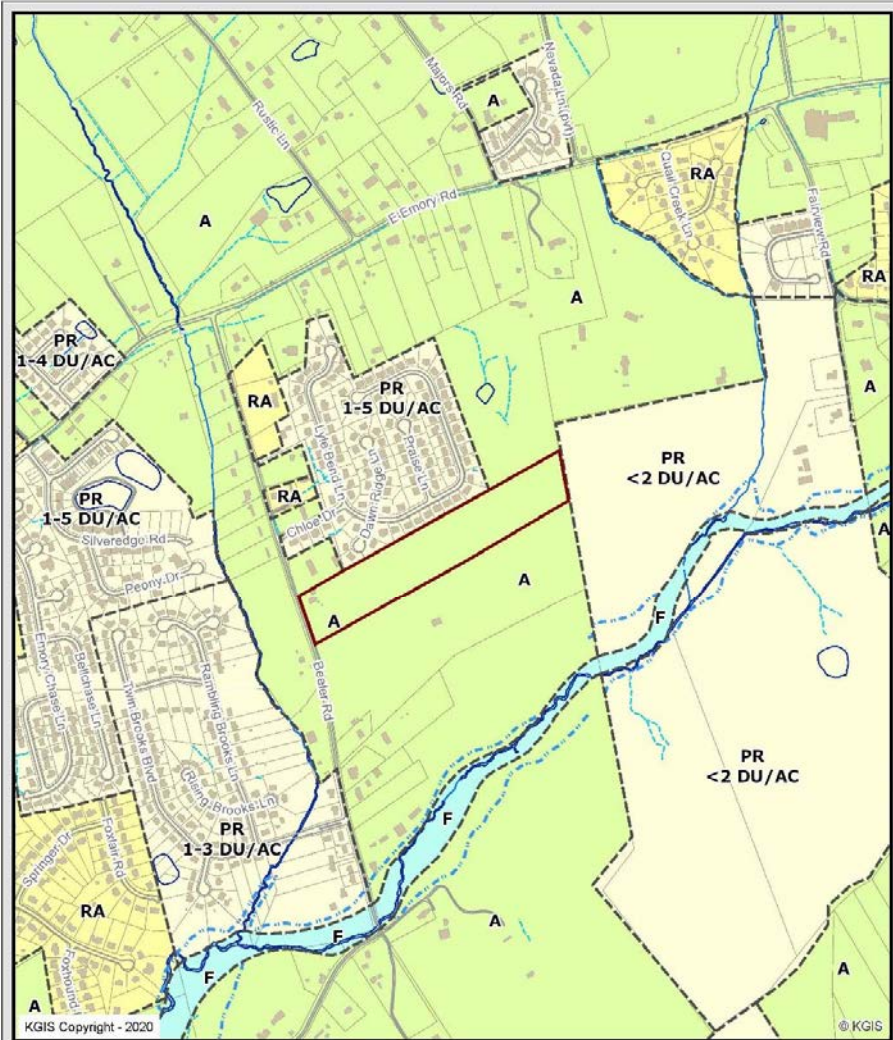
Knoxville - Knox County - KUB Geographic Information System

Printed: 3/11/2020 at 1:35:51 PM

0 360 760 1,520
ft

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4-B-20-RZ
EXHIBIT A. Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning



DK Development, LLC

Applicant Name

2/11/20

Date Filed

4/9/20 @ 1:30 p.m.

Meeting Date (if applicable)

Affiliation

4-B-20RZ

File Number(s)

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

Danny Kirby

Name

DK Development, LLC

Company

P.O. Box 10226

Address

Knoxville

City

TN

State

379

Zip

865-206-4622

Phone

dkirby@5881000.com

Email

CURRENT PROPERTY INFO

Terry Hutchinson (Executor of Estate)
Leroy & Juanita Hutchinson - Deceased

Owner Name (if different)

Owner Address

(865) 719-5882

Owner Phone

6848 Beele Rd.

Property Address

020 214.01

Parcel ID

East Side of Beele Rd., South of Emory Rd.

General Location

14.25 Ac.

Tract Size

Knox County Oth

Jurisdiction (specify district above)

☐ City ☒ County

A-A8

Zoning District

NE County

Planning Sector

LDR

Sector Plan Land Use Classification

PGA

Growth Policy Plan Designation

S-F/Vacant Land

Existing Land Use

Septic (Y/N)

HPUD

Sewer Provider

NEKUD

Water Provider

REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan	<input type="checkbox"/> Use on Review / Special Use
	<input type="checkbox"/> Residential	<input type="checkbox"/> Non-Residential
	<input type="checkbox"/> Home Occupation (specify): _____	
SUBDIVISION	<input type="checkbox"/> Other (specify): _____	
	<input type="checkbox"/> Proposed Subdivision Name	Unit / Phase Number
	<input type="checkbox"/> Parcel Change	
ZONING	<input type="checkbox"/> Combine Parcels	<input type="checkbox"/> Divide Parcel
	Total Number of Lots Created: _____	
	<input type="checkbox"/> Other (specify): _____	
	<input type="checkbox"/> Attachments / Additional Requirements	
	<input checked="" type="checkbox"/> Zoning Change: PR	Proposed Zoning
	<input type="checkbox"/> Plan Amendment Change:	Proposed Plan Designation(s)
Single-Family Detached		5 DU/AC
<input type="checkbox"/> Proposed Property Use (specify)	Proposed Density (units/acre)	Previous Rezoning Requests
<input type="checkbox"/> Other (specify): _____		

STAFF USE ONLY	PLAT TYPE	FEE 1:	TOTAL:
	<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission		
	ATTACHMENTS	1312.50	
	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
	ADDITIONAL REQUIREMENTS	X	
<input type="checkbox"/> Design Plan Certification (Final Plat only)	FEE 3:		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan only)		X	
<input type="checkbox"/> Traffic Impact Study		1312.50	

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

[Signature]
Applicant Signature

Danny R. Kirby
Please Print

2/11/20
Date

605-206-4622
Phone Number

d.kirby@5881000.com
Email

[Signature]
Staff Signature

Marc Payne
Please Print

2/11/20
Date

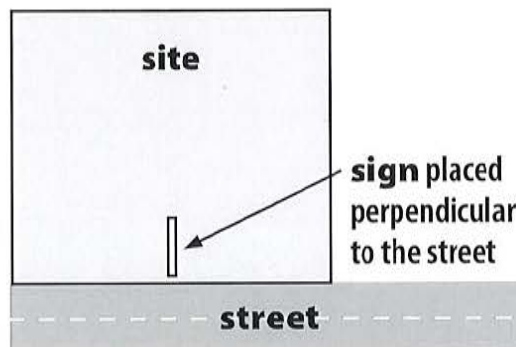
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

March 25th and April 10th
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Dg R Kirby

Printed Name: Danny R. Kirby

Phone: 865-206-4622 Email: dkirby@5881000.com

Date: 2-11-20

File Number: 4-B-20-RZ