

# REZONING REPORT

▶ **FILE #:** 2-H-20-RZ

**AGENDA ITEM #:** 15

**AGENDA DATE:** 2/13/2020

▶ **APPLICANT:** BEN MULLINS O/B/O GREGORY JONES & STEVEN OUSLEY

OWNER(S): Gregory Jones & Steven Ousley

TAX ID NUMBER: 40 133

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 4937 Wise Springs Rd.

▶ **LOCATION:** West side of Wise Springs Rd., north of Washington Pk.

▶ **APPX. SIZE OF TRACT:** 42.01 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Wise Springs Road is a local street with a pavement width of 18.6 feet and a right-of-way width of 50 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

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

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

▶ **EXISTING LAND USE:** Agricultural/Forestry/Vacant (vacant parcel)

▶ **DENSITY PROPOSED:** N/A

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Civic/Institutional and Agricultural - A (Agricultural)

South: Agricultural - A (Agricultural)

East: Agricultural - A (Agricultural)

West: Agricultural - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is between Washington Pike and Maloneyville Road, adjacent to the Knox County Sheriff's Office Intake Center and Detention Center. It is also surrounded on three sides by rural, agricultural and single family residential properties.

## STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) zoning with up to 1 du/ac because it is consistent with the Northeast County Sector Plan for A (Agricultural) and (Hillside Protection) overlay and it is consistent with the slope analysis.**

## 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. This area is demonstrated as being planned for A (Agricultural) and HP (Hillside Protection) in the Northeast County Sector Plan, which allows consideration of the requested PR (Planned Residential) zoning up to 1 du/ac.
2. This property is adjacent to an area of the Knox County Sheriff's Office Intake Center and Detention Center (See Exhibit A: Contextual Maps).

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. No adverse impacts are anticipated by the development of this parcel under the PR (Planned Residential) zone district.
2. Wise Springs is a local street and access is controlled by Knox County.

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 proposed rezoning is consistent with the existing Northeast County Sector plan designation of A (Agriculture) and HP (Hillside Protection) between Maloneyville Road and Washington Pike (See Exhibit A Contextual Maps).
2. PR (Planned Residential) zoning up to 1 du/ac does not appear to be in conflict with any other adopted plans in Knox County.

ESTIMATED TRAFFIC IMPACT: 468 (average daily vehicle trips)

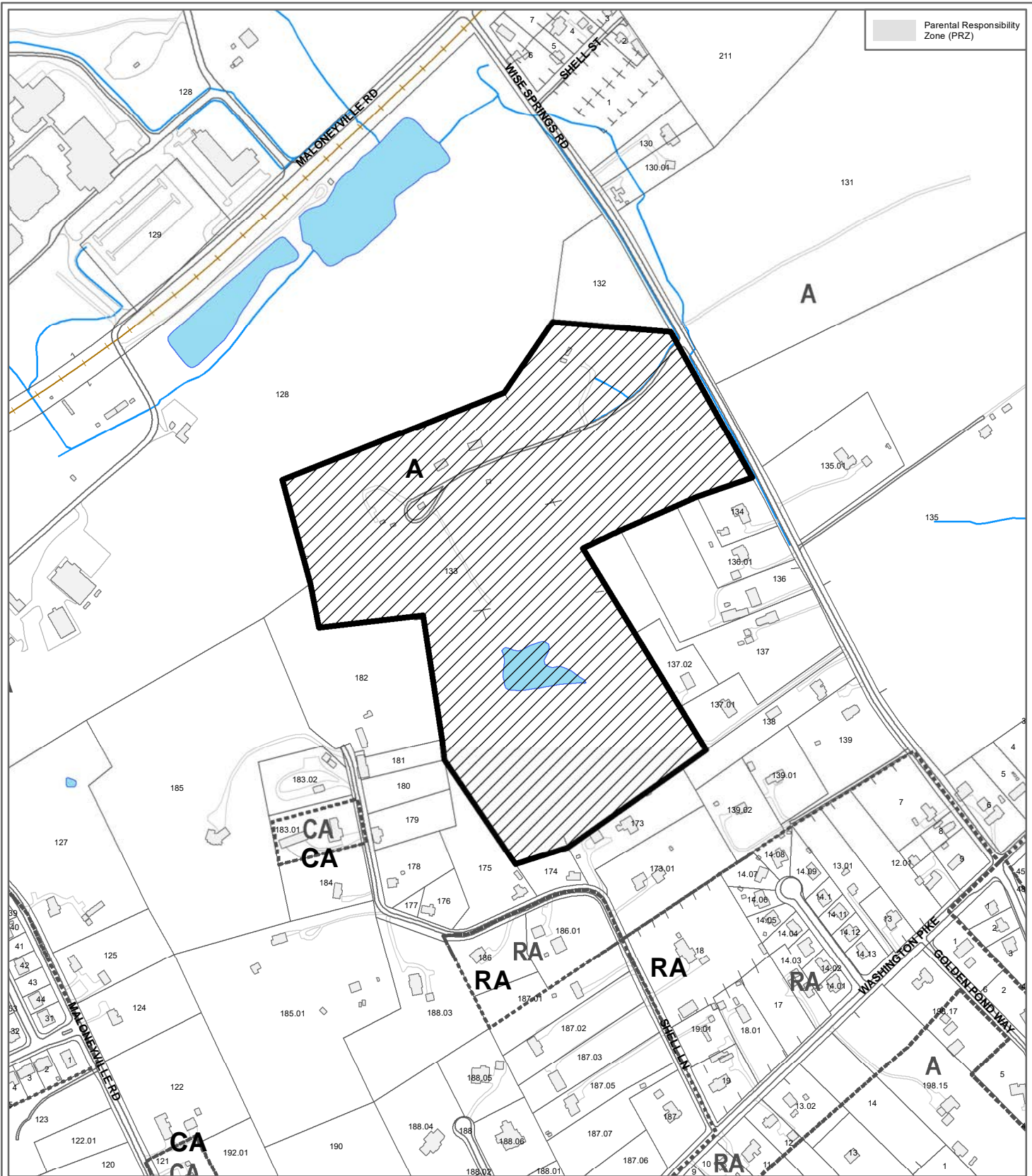
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 14 (public school children, grades K-12)

Schools affected by this proposal: Ritta Elementary, Holston 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 3/30/2020. 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.



**2-H-20-RZ  
REZONING**

From: A (Agricultural)

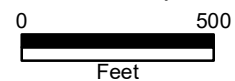
To: PR (Planned Residential)



Petitioner: Ben Mullins o/b/o Gregory Jones & Steven Ousley

Map No: 40

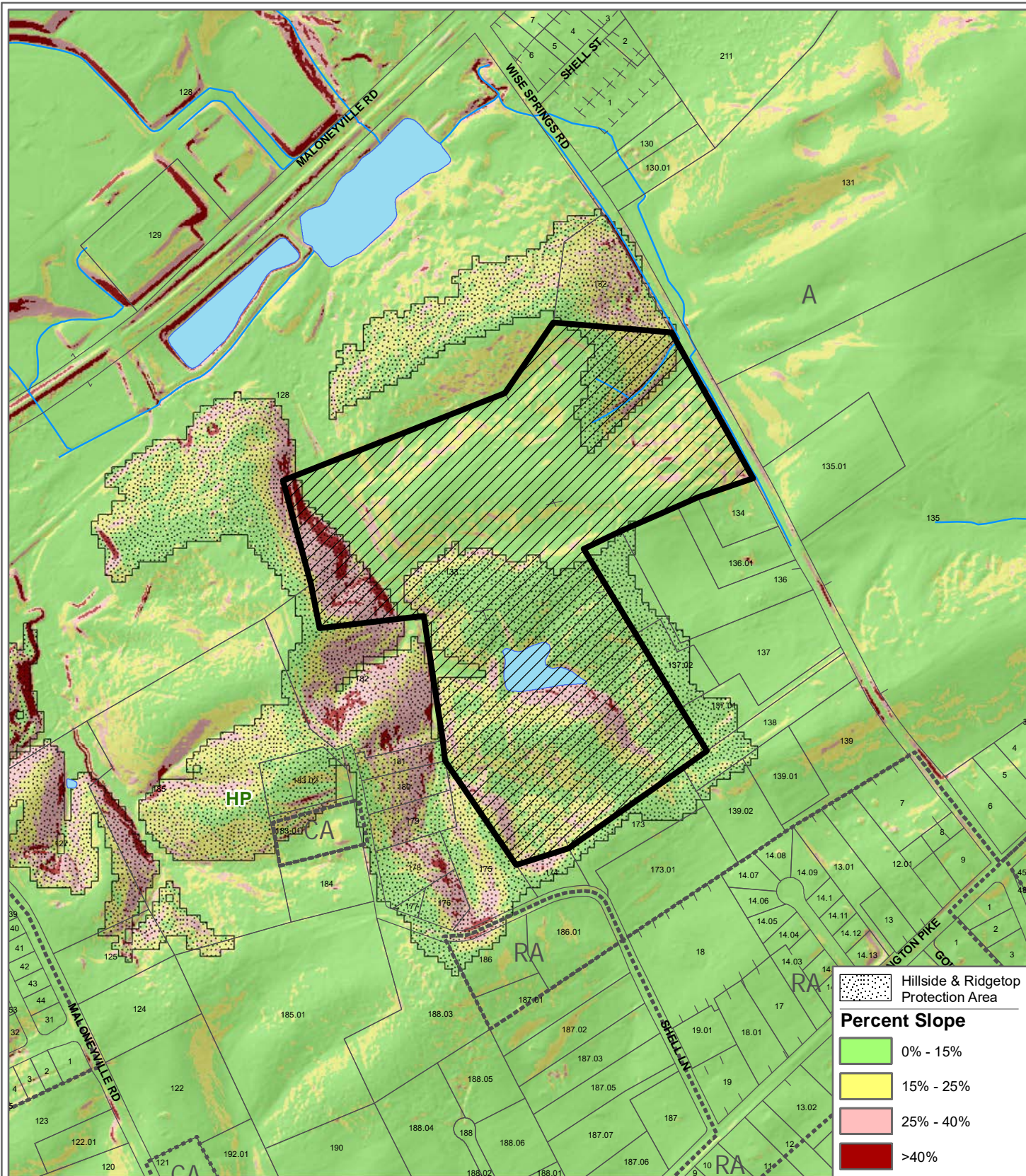
Jurisdiction: County



Original Print Date: 1/13/2020      Revised:  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

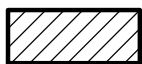






**2-H-20-RZ  
REZONING - SLOPE ANALYSIS**

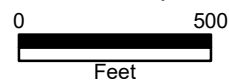
From: A (Agricultural)  
To: PR (Planned Residential)



Original Print Date: 1/16/2020      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Ben Mullins o/b/o Gregory Jones & Steven Ousley

Map No: 40  
Jurisdiction: County

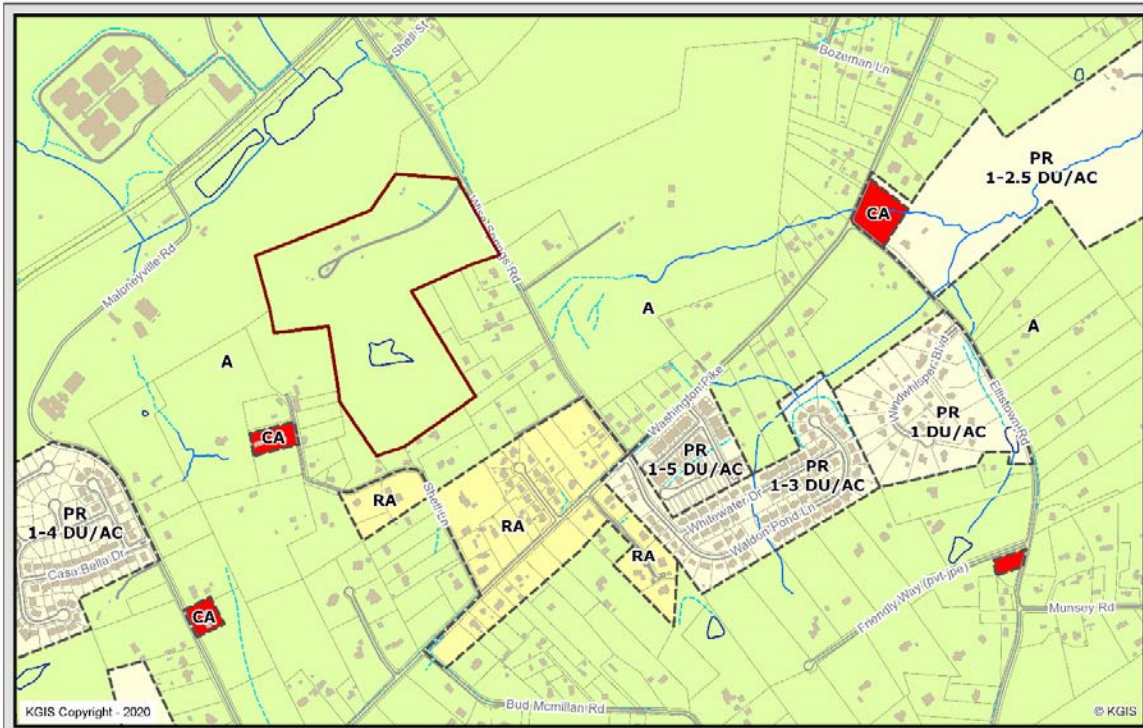


## 2-H-20-RZ Slope Analysis

<b>Non-Hillside Portions</b>			<b>Acres</b>
			18.67
<b>Hillside and Ridgetop Protection Area</b>			
<b>Value</b>	<b>Percent Slope</b>	<b>Count</b>	<b>Acres</b>
1	0%-15%	20154	11.57
2	15%-25%	12464	7.15
3	25%-40%	5922	3.40
4	>40%	1185	0.68
			<b>22.80</b>
<b>Ridgetop Area</b>			<b>0</b>
<b>Site Total</b>			<b>41.47</b>



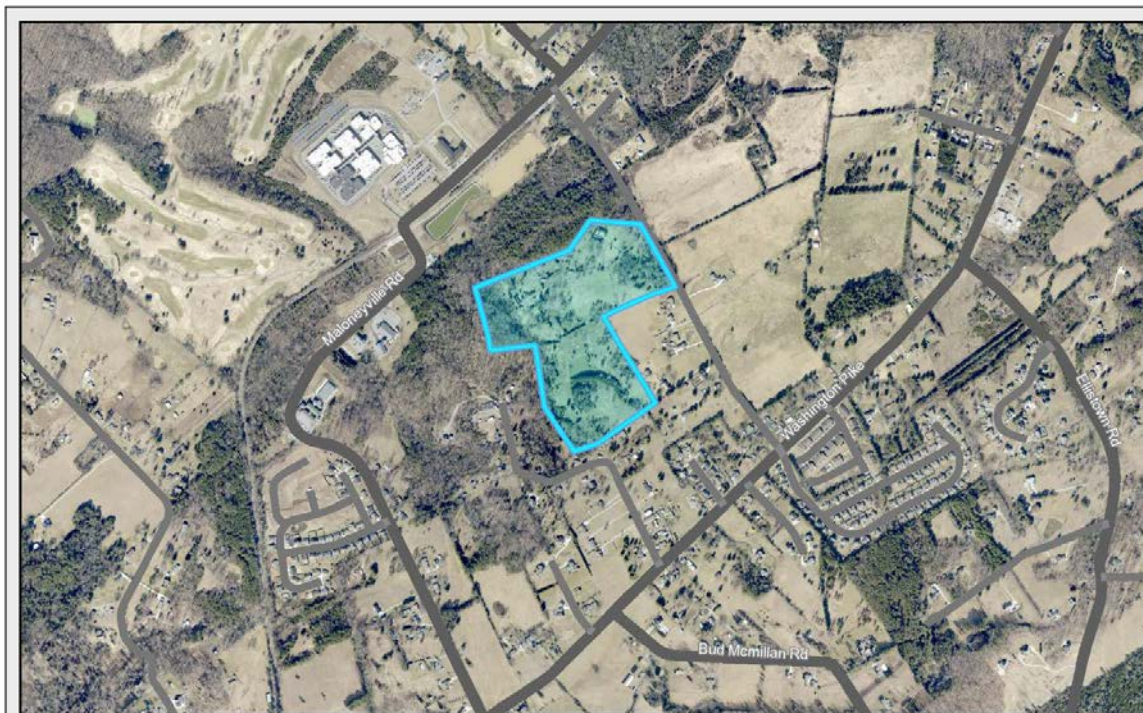
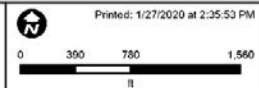
# 2-H-20-RZ: Exhibit A – Contextual Images



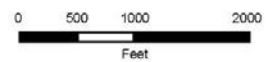
**2-H-20-RZ: Zoning Map**  
4937 Wise Springs Rd

Knoxville - Knox County - KUB Geographic Information System

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**2-H-20-RZ: Aerial Map**  
4937 Wise Springs Road

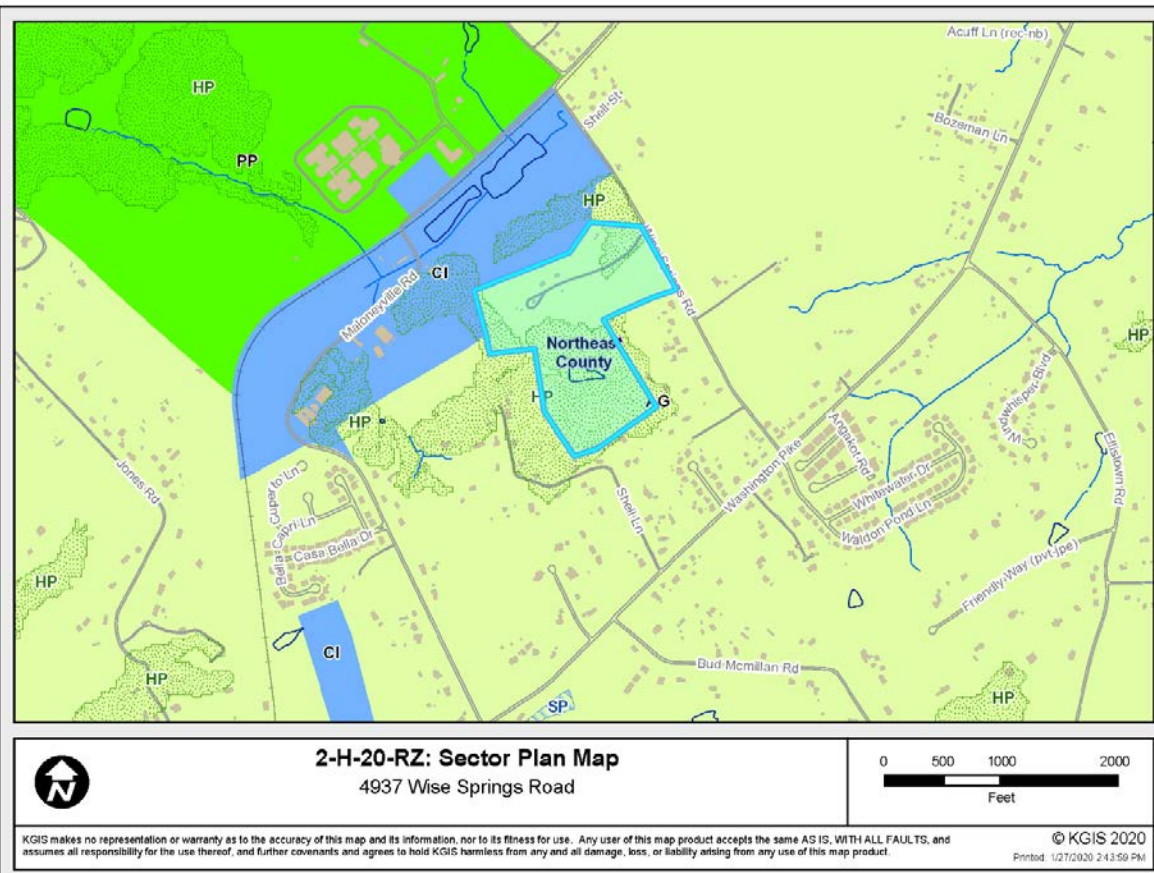
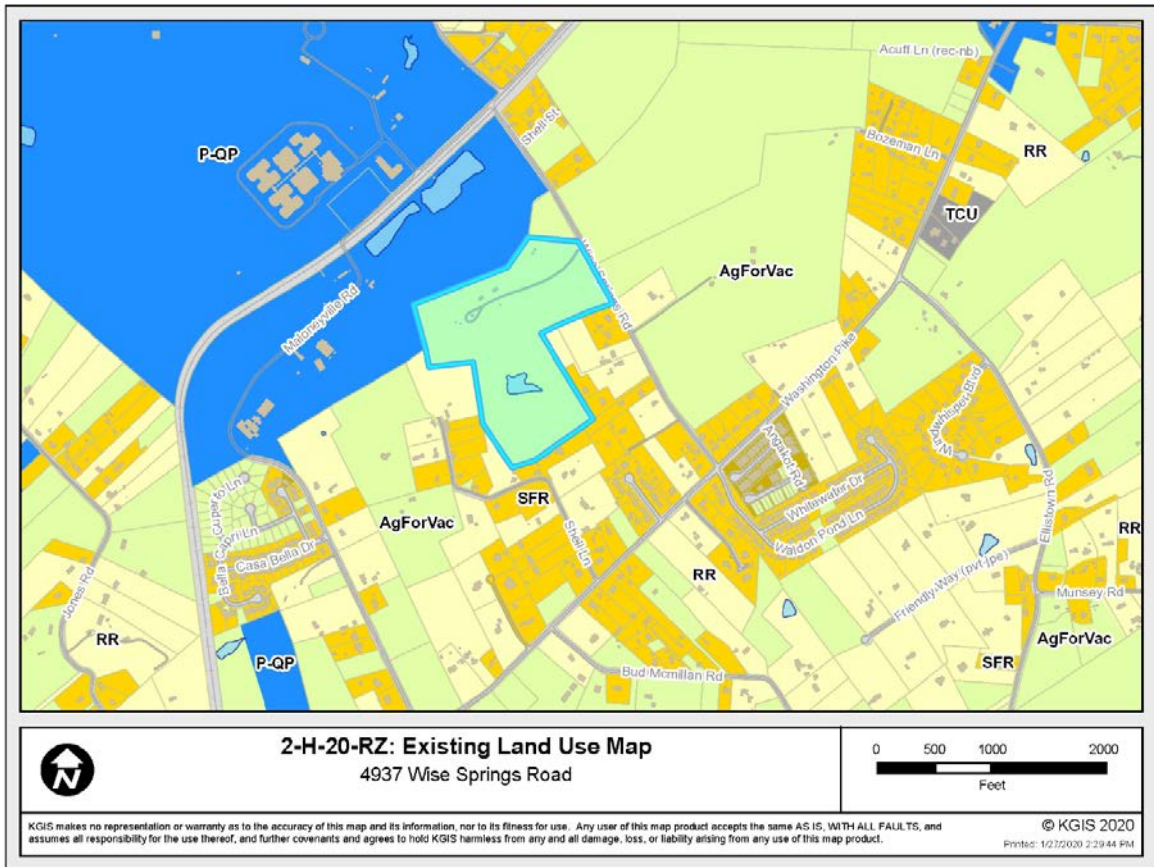


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# 2-H-20-RZ: Exhibit A – Contextual Images







# DEVELOPMENT REQUEST

## DEVELOPMENT

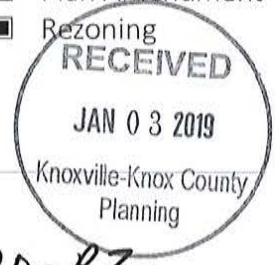
- Development Plan
- Planned Development
- Use on Review / Special Use

## SUBDIVISION

- Concept Plan
- Final Plat

## ZONING

- Plan Amendment
- Rezoning



Ben Mullins o/b/o Gregory Jones and Steven Ousley

Owner

Applicant Name

Affiliation

January 3, 2020

February 13, 2020

2-H-20-RZ

Date Filed

Meeting Date (if applicable)

File Numbers(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

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street, Suite 500

Knoxville

TN

37902

Address

City

State

Zip

865-546-9321

bmullins@fmsllp.com

Phone

Email

## CURRENT PROPERTY INFO

Gregory Jones and Steven Ousley

7523 Nevada LN., <sup>Corryton</sup> ~~Corryton~~ TN 37721

865-310-3261

Owner Name (if different)

Owner Address

Owner Phone

4937 Wise Springs Road

040 133

Property Address

Parcel ID

North East Knox County; North of Washington Pike, West of Wise Springs Rd

42.01

General Location

Tract Size

Knox County, District 8

A (Agricultural)

Jurisdiction (specify district above)

City  County

Zoning District

Northeast County

AG + HP

Rural Area

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Agricultural For Vacancy

N

KUB

KUB

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

# 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 Change: PR  
Proposed Zoning \_\_\_\_\_

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

Potential Boarding Home or other Residential Uses up to 1 dphc    ~~02/20/20~~    NA

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

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

ZONING

STAFF USE ONLY

**PLAT TYPE**

Staff Review     Planning Commission

**ATTACHMENTS**

Property Owners / Option Holders     Variance Request

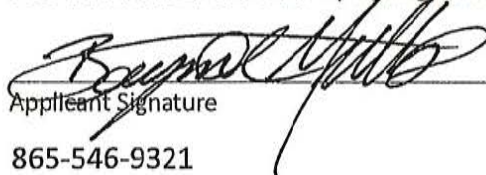

**ADDITIONAL REQUIREMENTS**

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

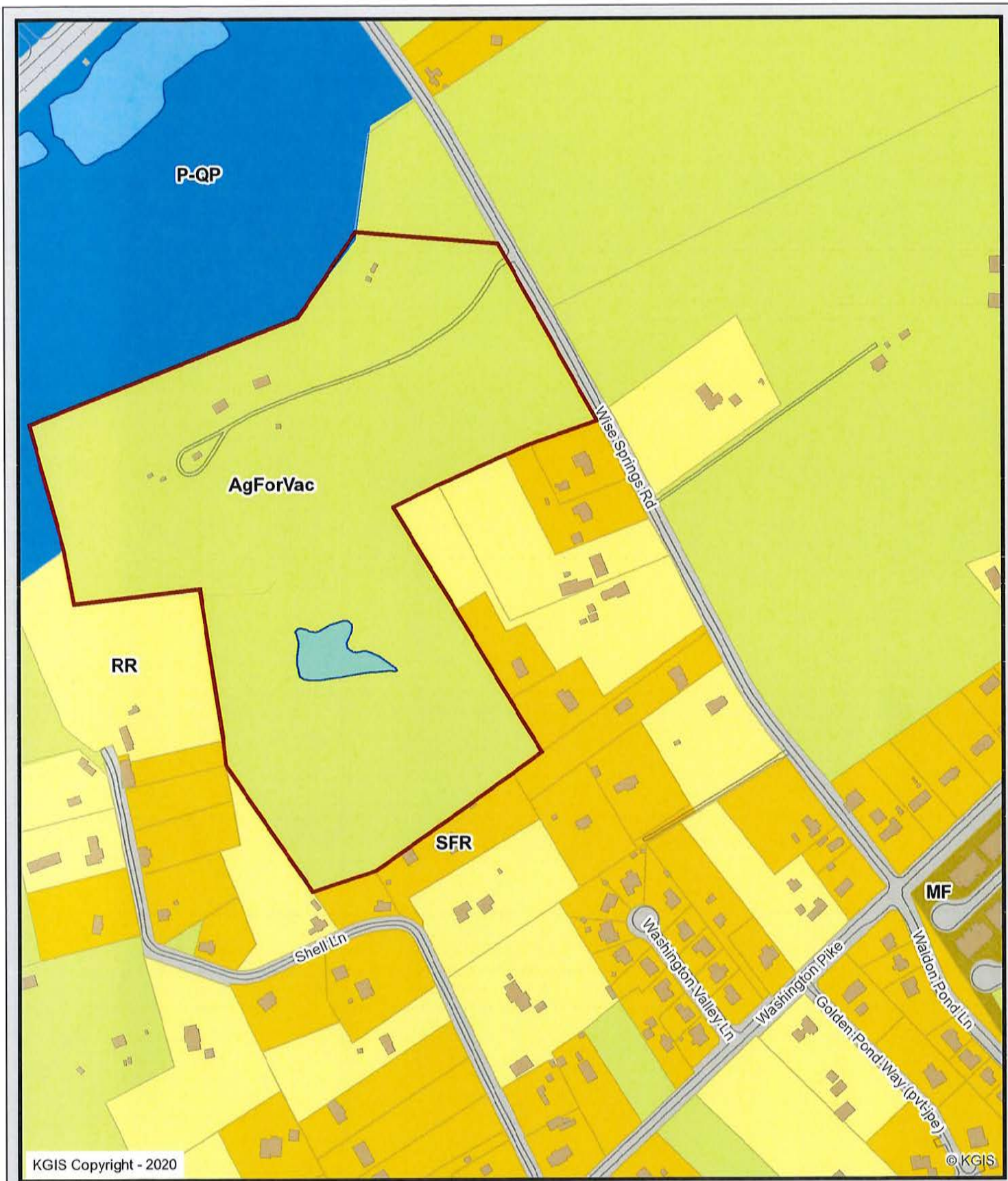
*80% late fee*

<b>FEE 1:</b>	0329, 2700.50	<b>TOTAL:</b>
<b>FEE 2:</b>	0329, 2160.40	
<b>FEE 3:</b>		
		<b>\$4860.90</b>

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

	Benjamin C. Mullins	Jan. 3, 2020
Applicant Signature	Please Print	Date
865-546-9321	bmullins@fmsllp.com	
Phone Number	Email	
	Thomas Brechler	1-3-20
Staff Signature	Please Print	Date



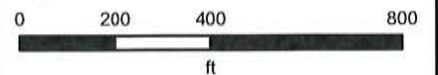


### Existing Land Use

#### Knoxville - Knox County - KUB Geographic Information System

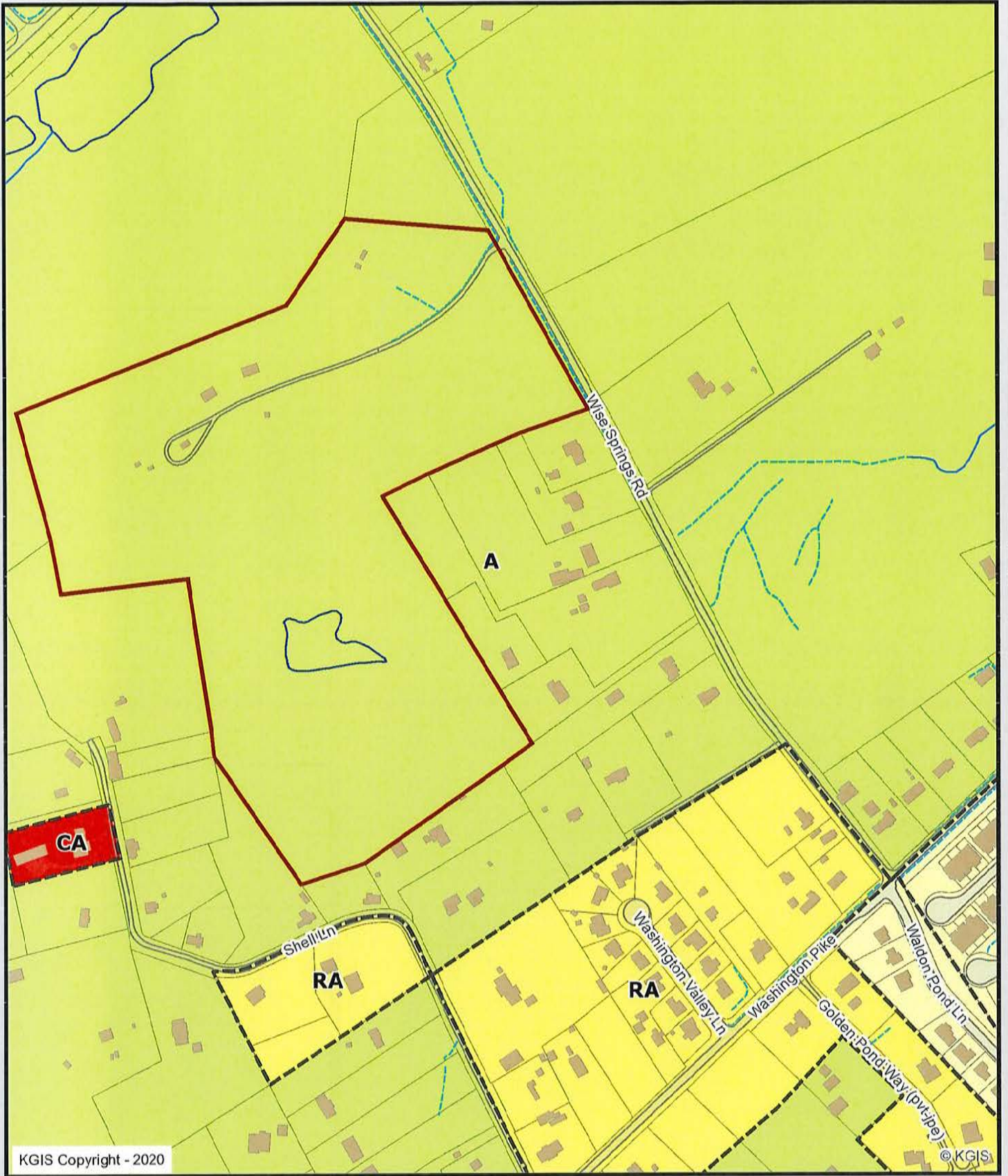


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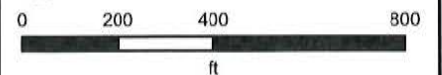


### Current Zoning

### Knoxville - Knox County - KUB Geographic Information System

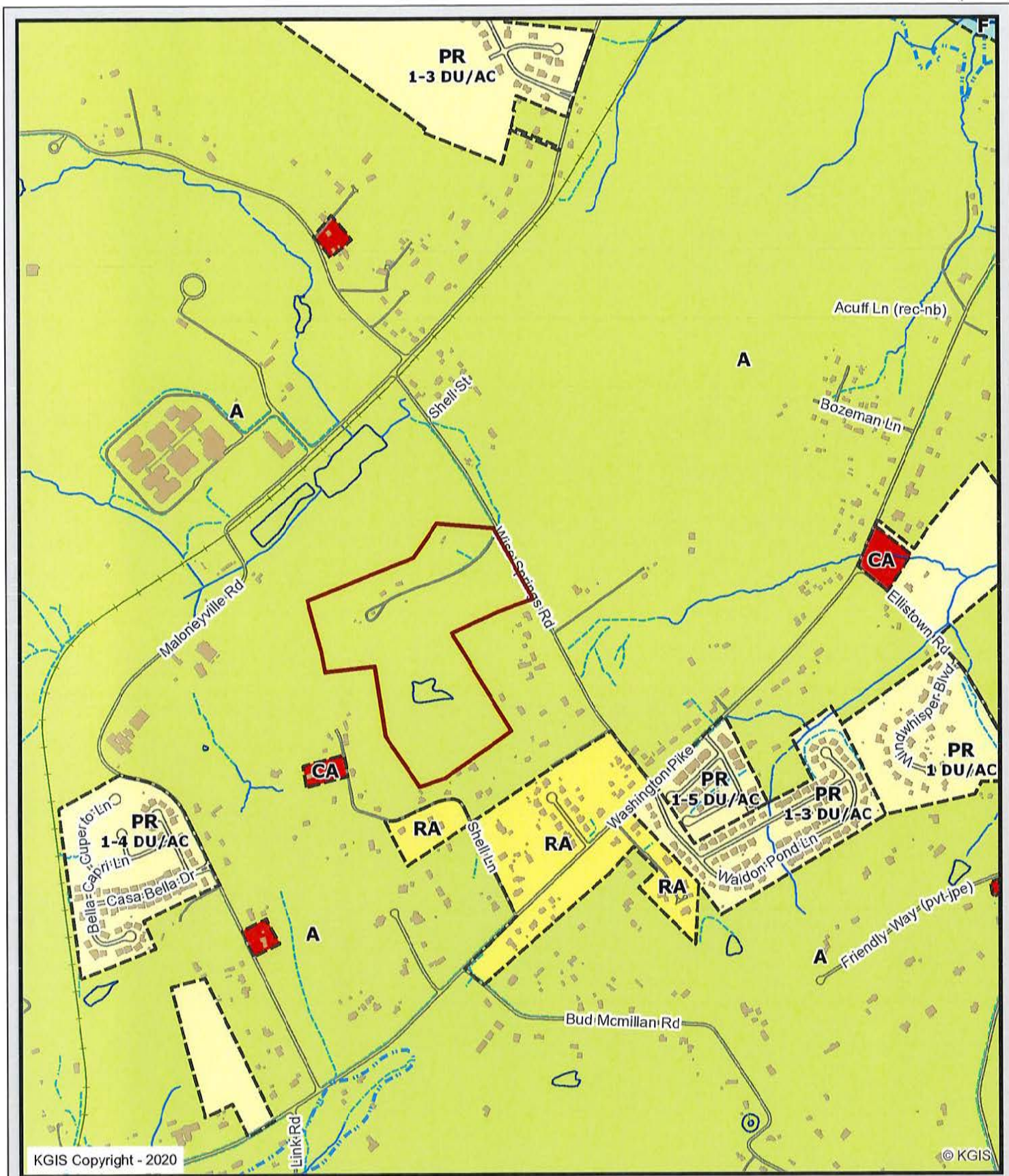


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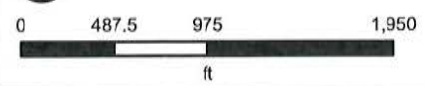
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### Other PR Zones in Area

4937 Wise Springs Rd



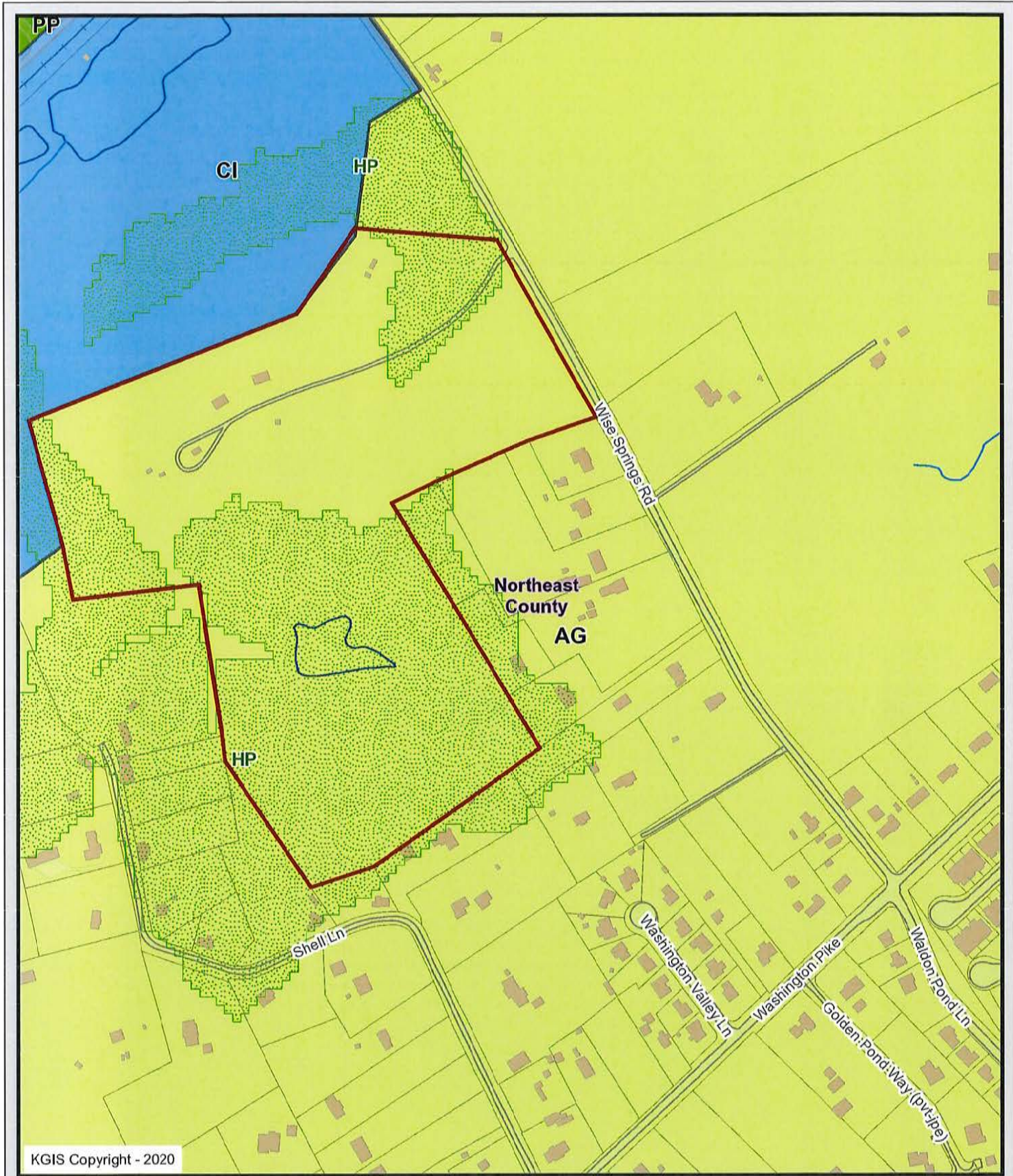
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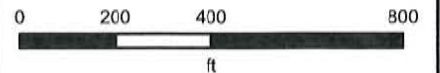
## Current Sector Plan

4937 Wise Springs Rd

### Knoxville - Knox County - KUB Geographic Information System

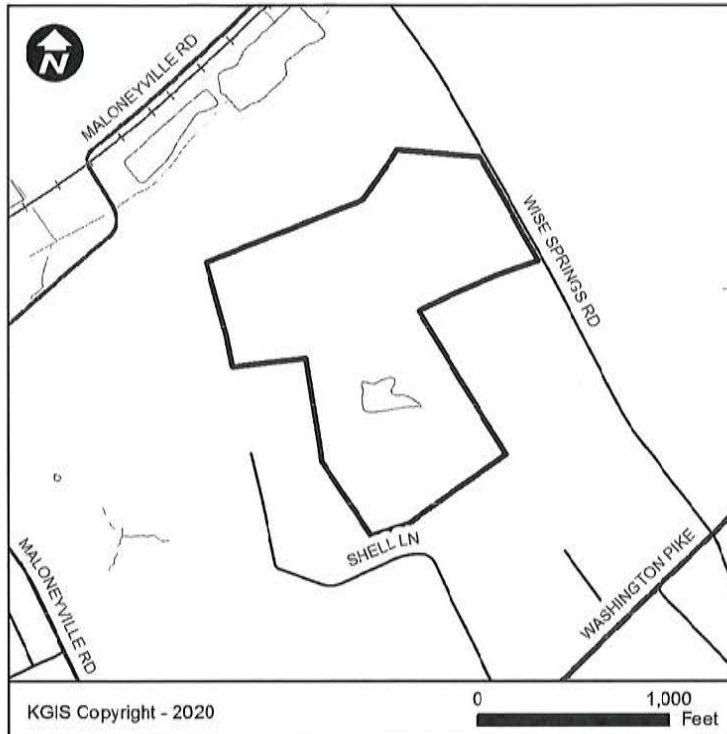


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**4937 WISE SPRINGS RD - Property Map and Details Report****Property Information**

Parcel ID: 040 133  
 Location Address: 4937 WISE SPRINGS RD  
 CLT Map: 40  
 Insert:  
 Group:  
 Condo Letter:  
 Parcel: 133  
 Parcel Type:  
 District: N8  
 Ward:  
 City Block:  
 Subdivision: J S HALL FARM PT  
 LOTS 14,10 & 1  
 ROLLBACK APPA-3502  
 Rec. Acreage: 42.01  
 Calc. Acreage: 0  
 Recorded Plat: 7 - 134  
 Recorded Deed: 20130712 - 0003441  
 Deed Type: Deed:Full Coven  
 Deed Date: 7/12/2013

**Address Information**

Site Address: 4937 WISE SPRINGS RD  
 KNOXVILLE - 37918  
 Address Type: DWELLING, SINGLE-FAMILY  
 Site Name:

**Owner Information**

JONES GREGORY ALLEN & OUSLEY JOHN STEVEN  
 7523 NEVADA LN  
 CORRYTON, TN 37721

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

**Jurisdiction Information**

County: KNOX COUNTY  
 City / Township:

**MPC Information**

Census Tract: 52.01  
 Planning Sector: Northeast County  
 Please contact Knox County Metropolitan Planning Commission (MPC) at (865) 215-2500 if you have questions.

**Political Districts**

Voting Precinct: 84  
 Voting Location: Ritta Elementary School  
 6228 WASHINGTON PIKE  
 TN State House: 19 Dave Wright  
 TN State Senate: 6 Becky Duncan Massey  
 County Commission: 8 Richie Beeler  
 (at large seat 10) Larsen Jay  
 (at large seat 11) Justin Biggs  
 School Board: 8 Mike McMillan

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

**School Zones**

Elementary: RITTA ELEMENTARY  
 Intermediate:  
 Middle: HOLSTON MIDDLE  
 High: GIBBS HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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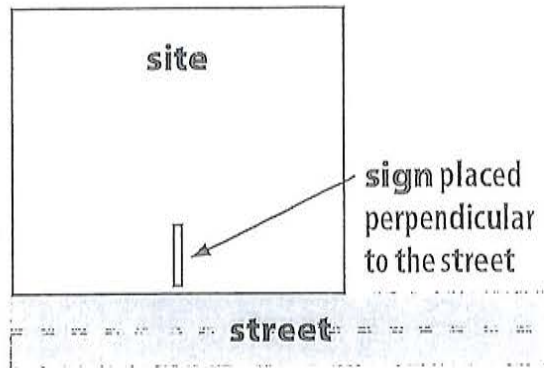
## REQUIRED SIGN POSTING AGREEMENT

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:

1/29/20 and 2/14/20  
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: *Benjamin C. Mullins*

Printed Name: Benjamin C. Mullins

Phone: 865-546-9321 Email: bmullins@fmsllp.com

Date: 1-3-20

File Number: 2-H-20-RZ