

# REZONING REPORT

► **FILE #:** 6-A-20-RZ

**AGENDA ITEM #:**

**AGENDA DATE:** 6/11/2020

► **APPLICANT:** BENJAMIN C. MULLINS O.B.O. VILLA COLLINA, LLC

OWNER(S): Villa Collina, LLC

TAX ID NUMBER: 121 G J 006

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 5628 Lyons View Pk.

► **LOCATION:** Southeast side of Lyons View Pk. northeast of its intersection with Harley Dr.

► **APPX. SIZE OF TRACT:** 8.2 acres

SECTOR PLAN: West City

GROWTH POLICY PLAN: Within City limits

ACCESSIBILITY: Lyons View Pike is a minor arterial with a pavement width of 20.5 feet and a right-of-way width that varies from 46 to 55 feet in front of this property.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tennessee River

► **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay), and F (Floodway Overlay)

► **ZONING REQUESTED:** AG (Agricultural), HP (Hillside Overlay), and F (Floodway Overlay)

► **EXISTING LAND USE:** Rural residential and water (Tennessee River)

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Rural residential, agricultural/forestry/vacant, and single family residential - RN-1 (Single Family Residential Neighborhood District) and HP (Hillside Protection Overlay)

South: Agricultural/forestry/vacant, and single family residential - RN-1 (Single Family Residential Neighborhood District) and HP (Hillside Protection Overlay)

East: Water (Tennessee River) - F (Floodway Overlay)

West: Rural residential - RN-1 (Single Family Residential Neighborhood District) and HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: Lyons View Pike is lined with large lot, single family detached homes. The lots are buffered from Lyons View Pike with dense landscaping so the lots and houses are not visible from the street. There are no driveways from Lyons View Pike in this area - lot access is provided by a series of private drives servicing 2 or 3 lots.

**STAFF RECOMMENDATION:** Approve AG (Agricultural) zoning because it is consistent with the West City Sector Plan's LDR (Low Density Residential) designation.

## 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 have been no significant changes in this area that would prompt a rezoning. However, the proposed zoning is less intense than the current zone, and no changes to the structure are expected as a result of this rezoning request.

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

1. The proposed amendment to AG zoning is intended to provide for a wide range of agricultural and related uses as well as residential uses with low population densities and other compatible uses which generally require large areas or open spaces.
2. Rezonings 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. The majority of the uses allowed in the Agricultural zone are compatible with surrounding area. The topography and grounds are not suited for those uses that are not compatible with the surrounding area, making them unlikely options for any future development.

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. There are no adverse impacts anticipated as a result of the intended use. There is ample room for guest parking and a tall privacy fence at the front of the property, and the adjacent houses to the side are located far apart from this one.
2. The existing building and grounds are to be utilized as is.

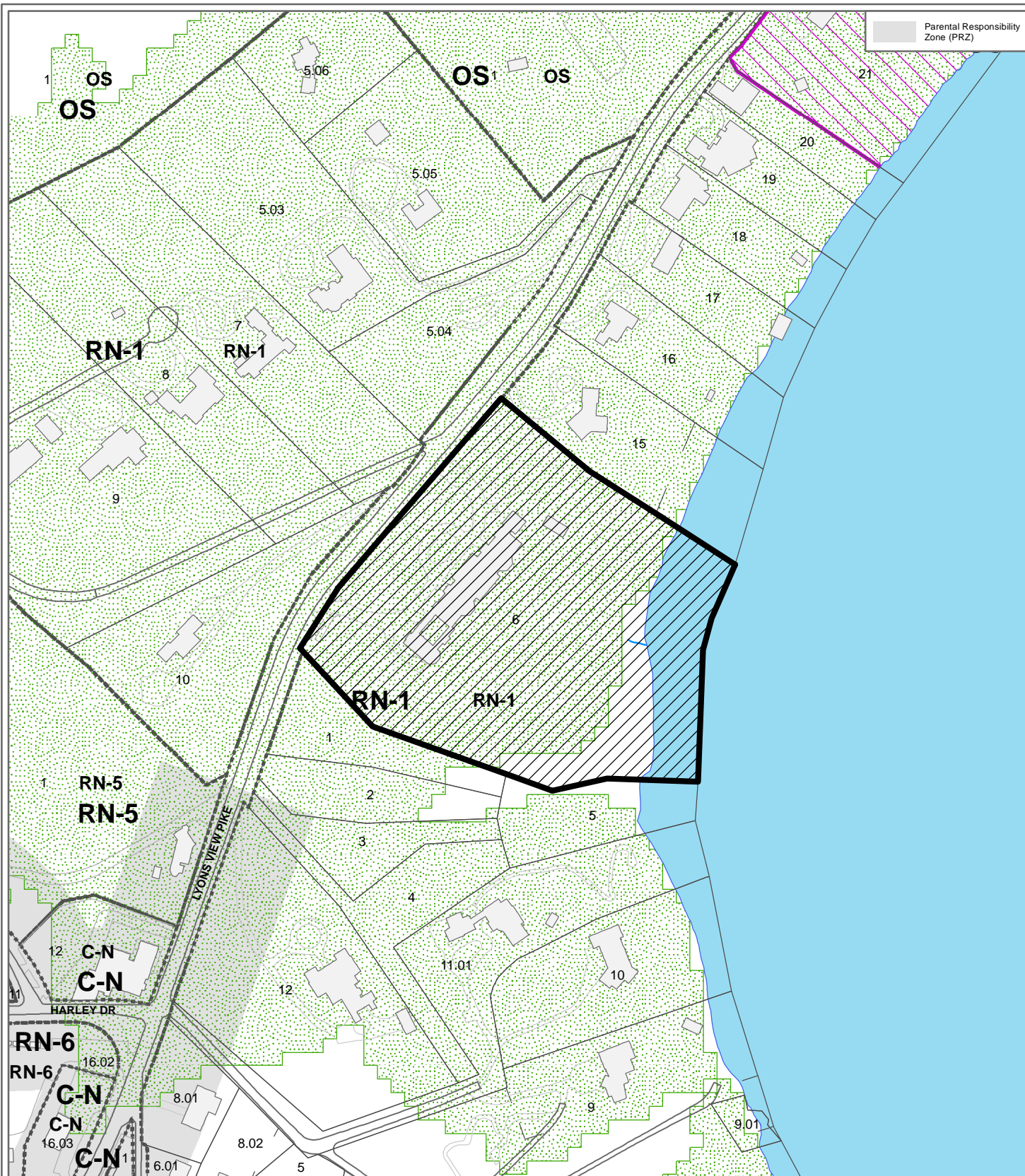
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The West City Sector Plan designation of LDR (Low Density Residential) supports AG (Agricultural) zoning.
2. The amendment to AG (Agricultural) is not in conflict with any other adopted plan.

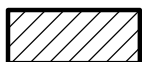
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 7/14/2020 and 7/28/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



### 6-A-20-RZ REZONING



From: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Area), and F (Floodway)  
To: AG (Agricultural), HP (Hillside Protection Area), and F (Floodway)

Petitioner: Benjamin C. Mullins o.b.o. Villa Collina, LLC

Map No: 121

Jurisdiction: City



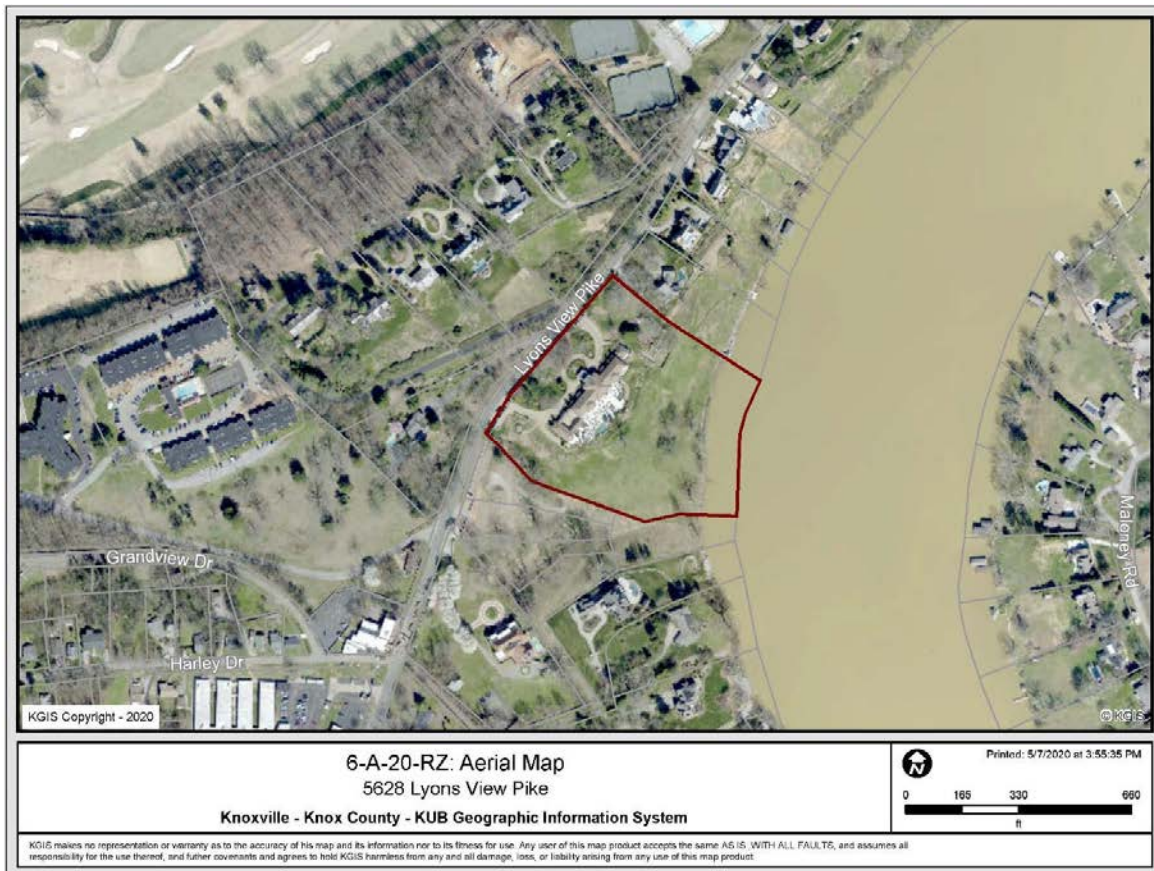
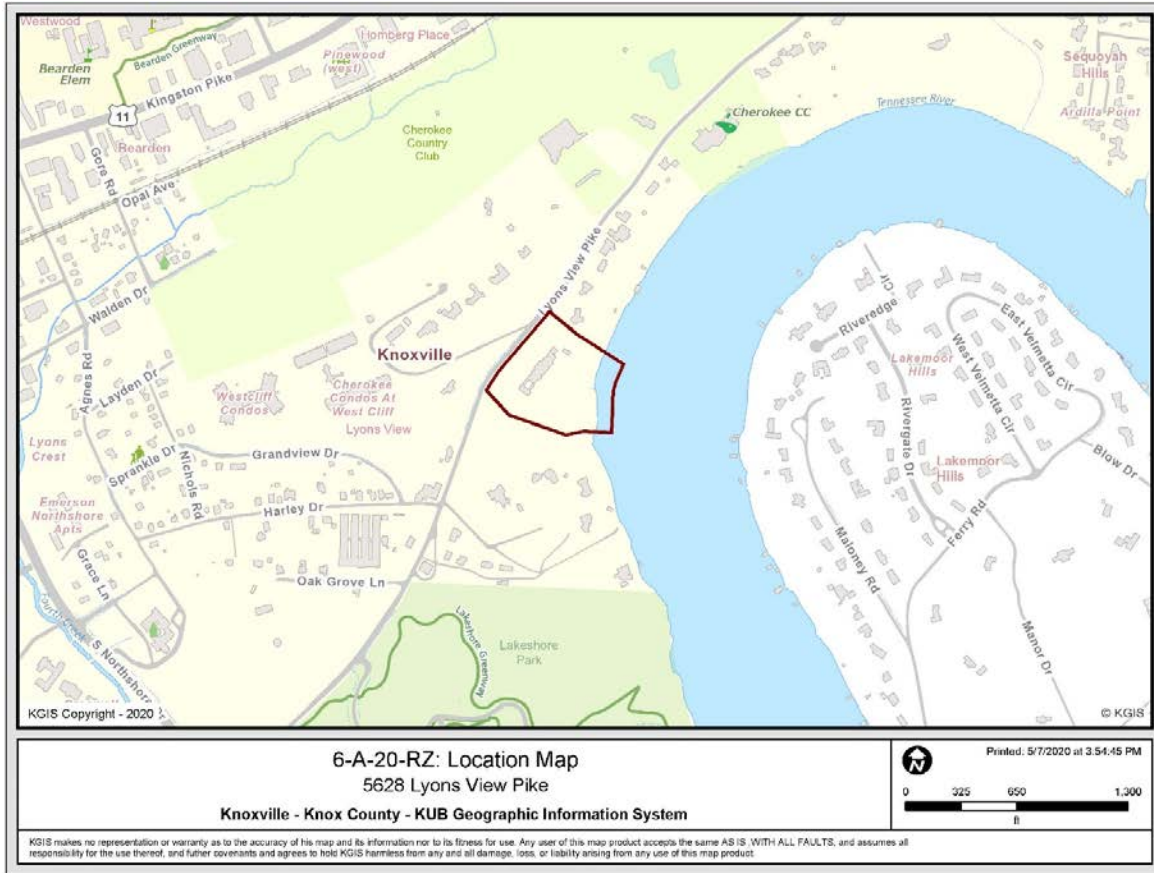
Original Print Date: 5/18/2020

Revised:

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

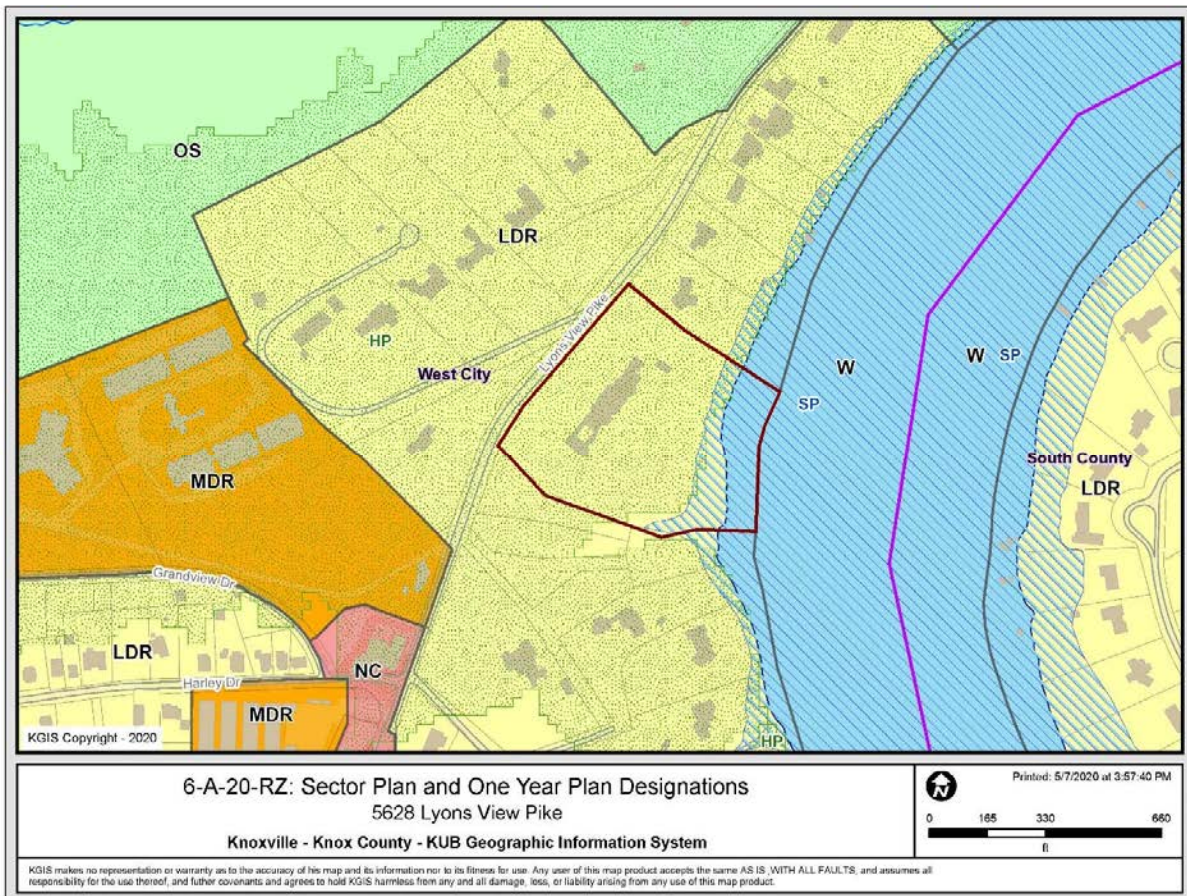
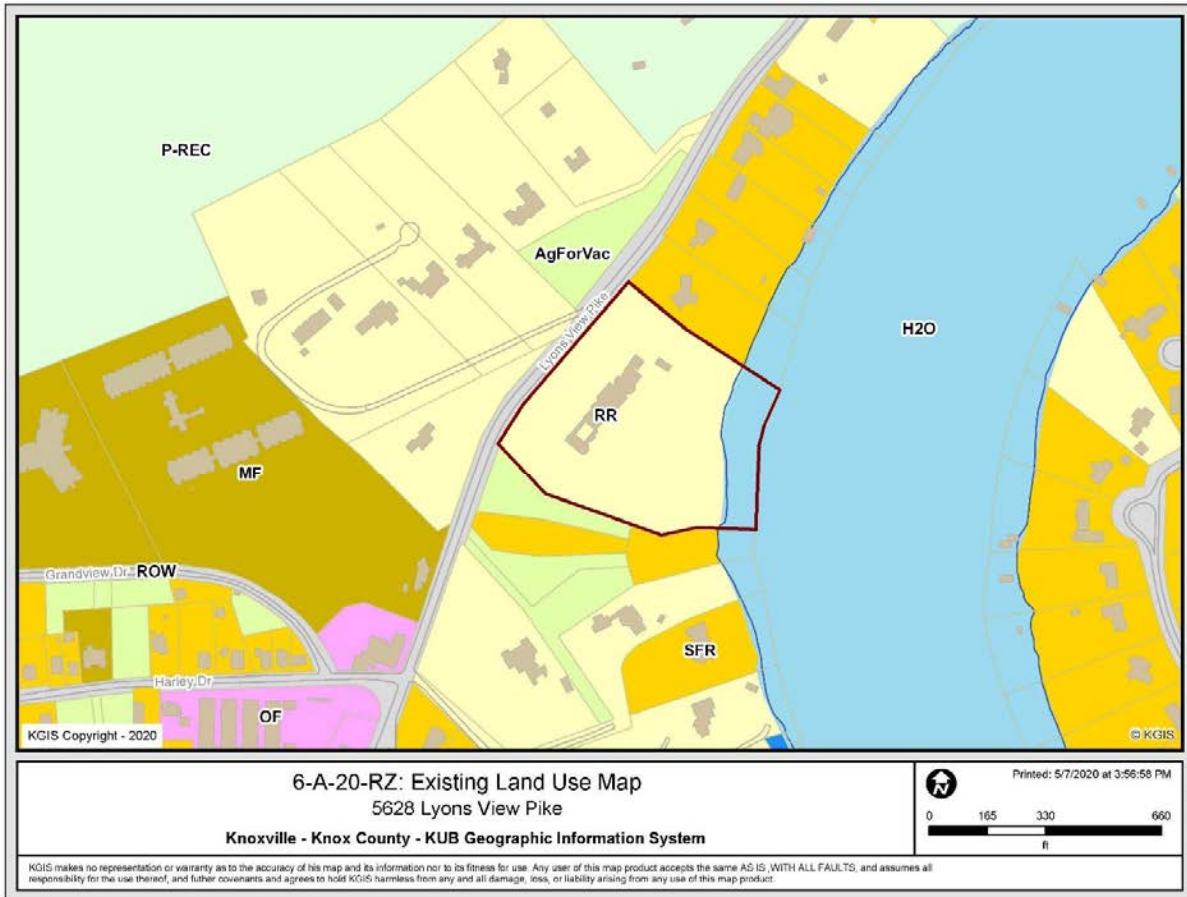


6-A-20-RZ  
EXHIBIT A. Contextual Images



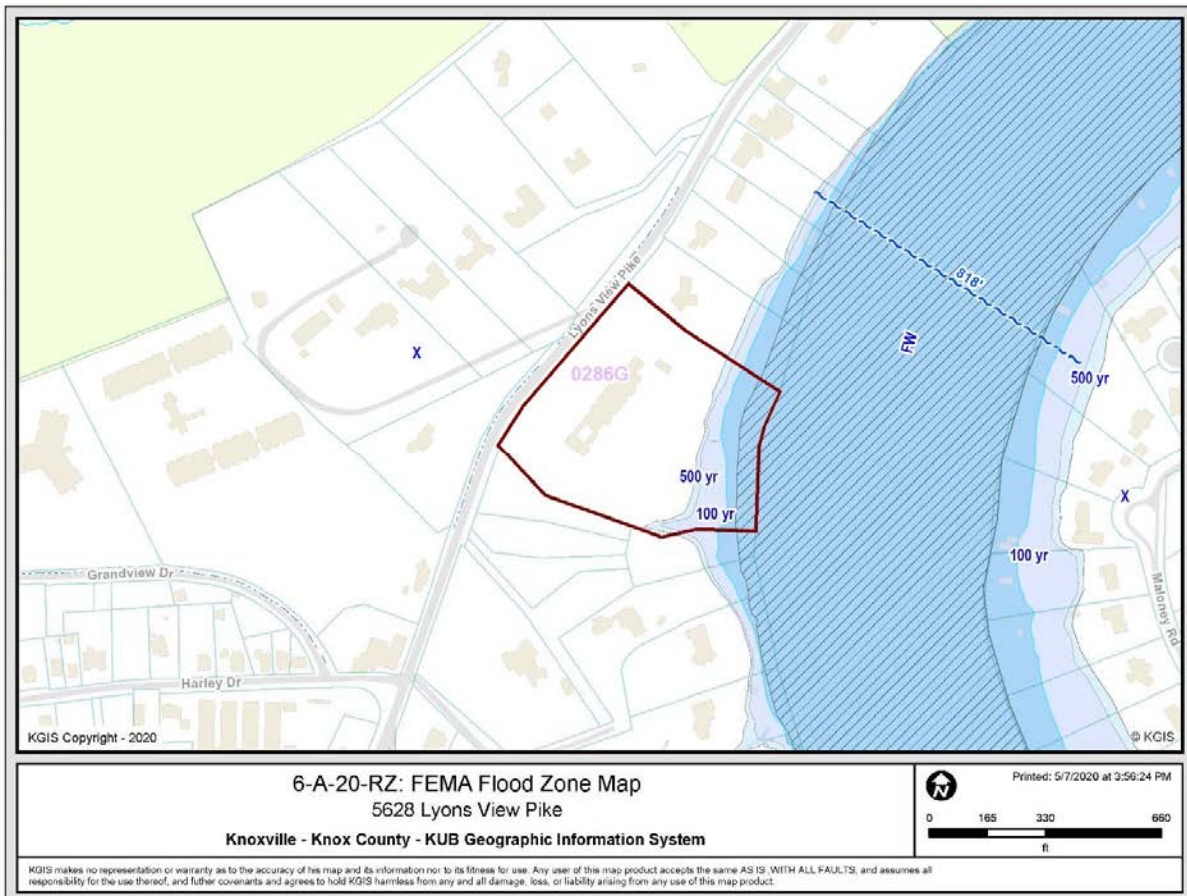
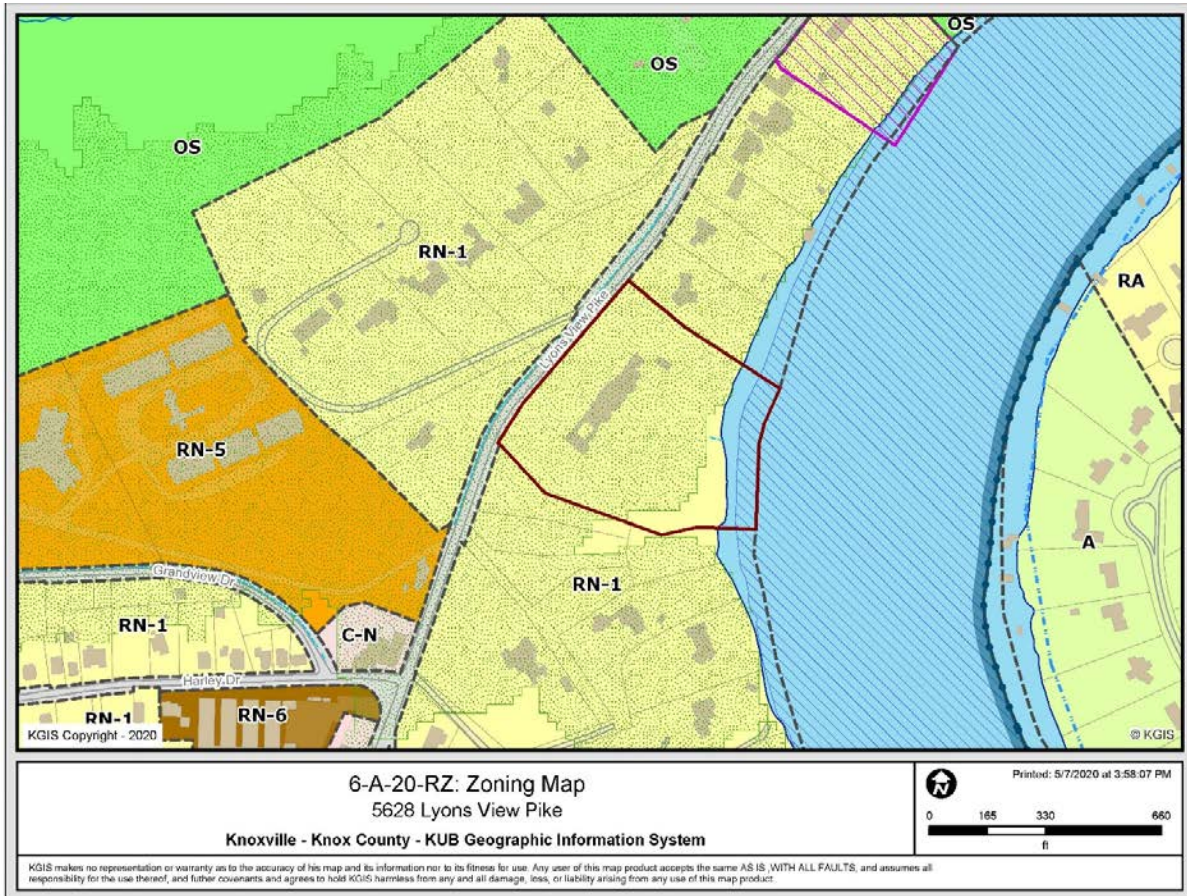


**6-A-20-RZ**  
**EXHIBIT A. Contextual Images**





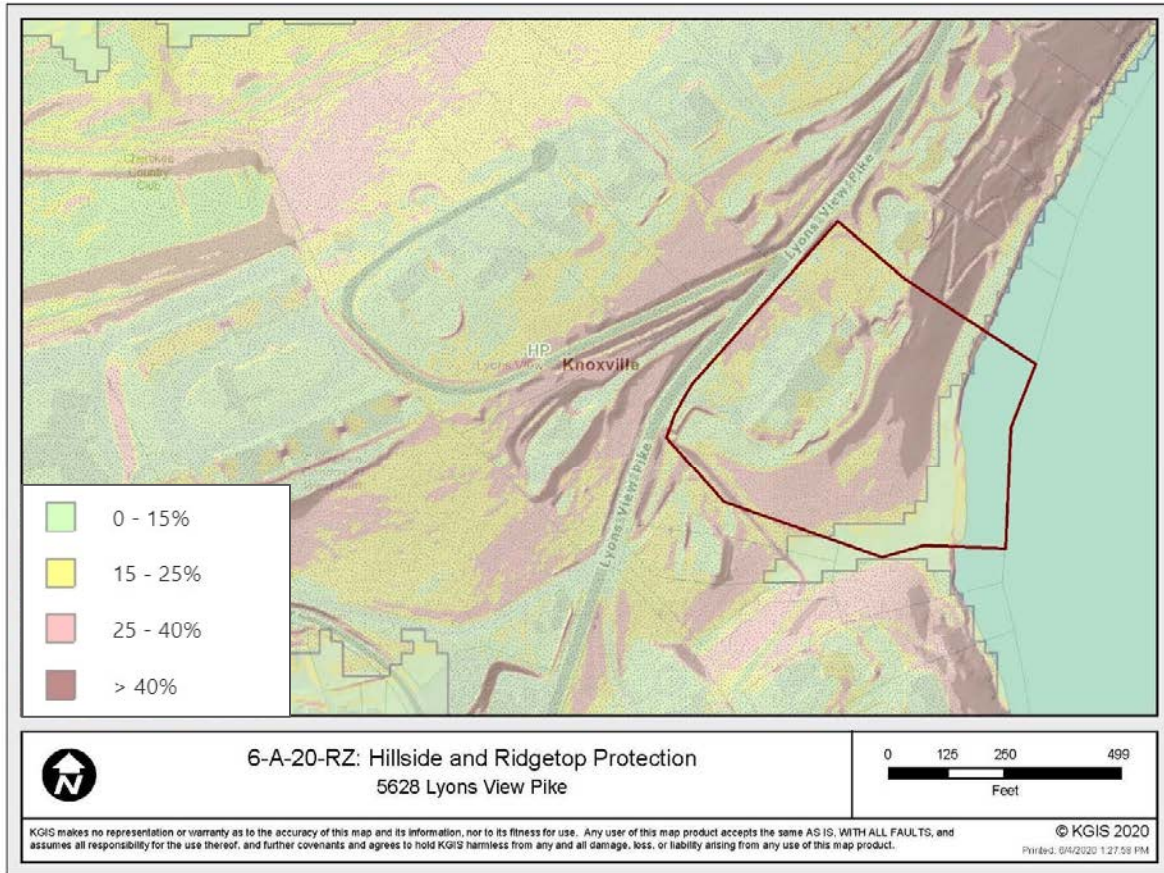
6-A-20-RZ  
EXHIBIT A. Contextual Images





## 6-A-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

Benjamin C. Mullins o/b/a Villa Collina, LLC

Owner

Applicant Name

Affiliation

April 17, 2020

June 11, 2020

6-A-20-RZ

Date Filed

Meeting Date (if applicable)

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

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

Villa Collina, LLC

5628 Lyons View Pk.

Owner Name (if different)

Owner Address

Owner Phone

5628 Lyons View Pk.

121GJ006

Property Address

Parcel ID

SE off Lyons View Pk. apprx. 720 ft NE of intersection with Harley Dr.

8.2 ac +/-

General Location

Tract Size

District 2 West City

RN-1/HP/F

Jurisdiction (specify district above)

☒ City ☐ County

Zoning District

LDR/HP/W

Low Density Residential

NA

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Rural Residential

Y

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

☒ Zoning Change: AG  
Proposed Zoning \_\_\_\_\_

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

NA

None Noted

Proposed Density (units/acre) \_\_\_\_\_

Previous Rezoning Requests \_\_\_\_\_

☐ Other (specify): None Noted

## 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

FEE 1:

0325 | 1010.00

FEE 2:

FEE 3:

TOTAL:

\$1010.00

## AUTHORIZATION

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

Benjamin C. Mullins Digitally signed by Benjamin C. Mullins  
Date: 2020.04.17 11:20:06 -04'00'

Benjamin C. Mullins

April 17, 2020

Applicant Signature

Please Print

Date

865-546-9321

bmullins@fmsllp.com

Phone Number

Email

Sherry Muchienzi

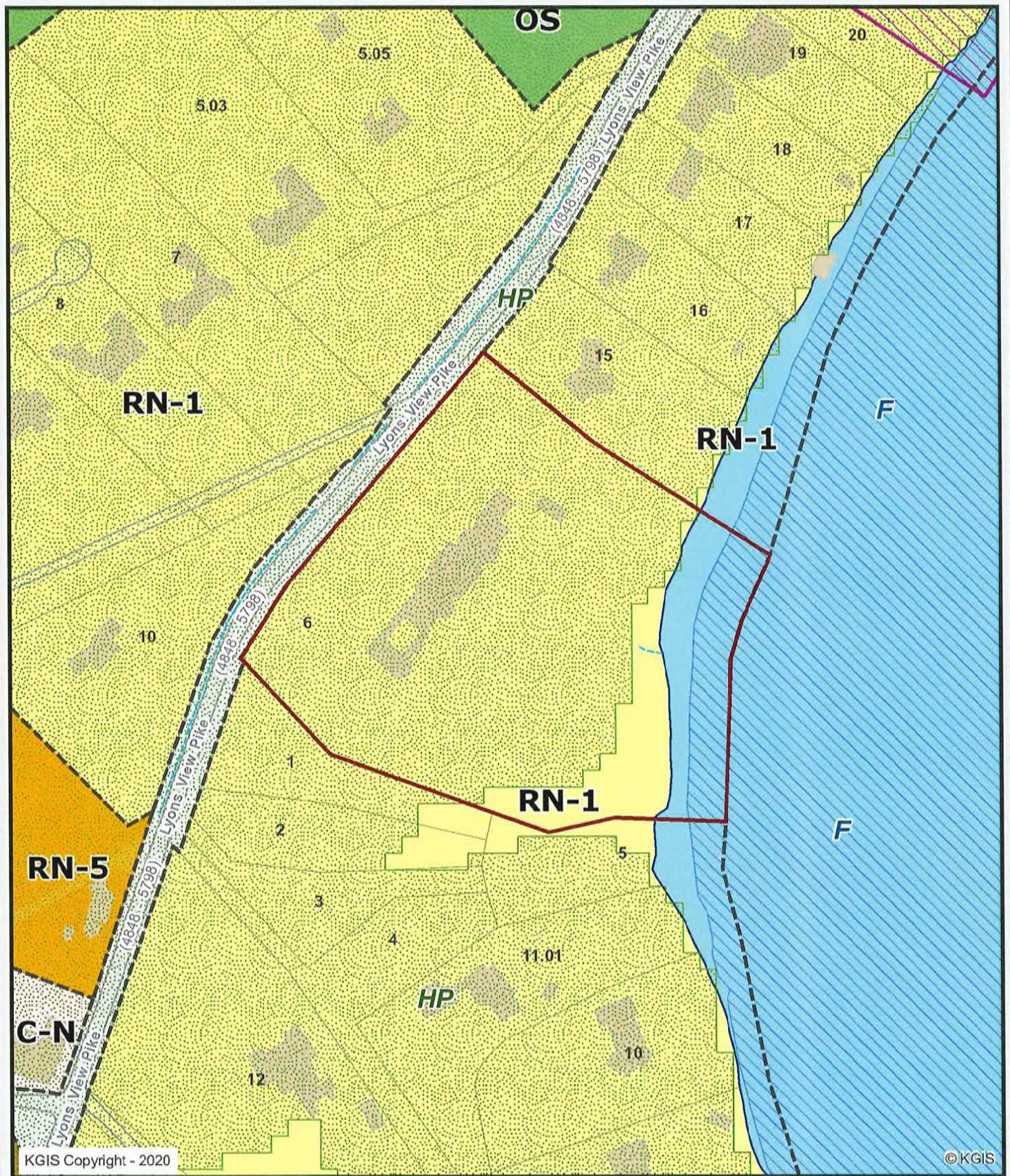
SHERRY MUCHIENZI

Staff Signature

Please Print

Date



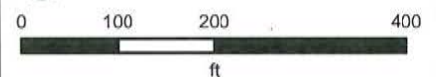


5628 Lyons View Pk.

Knoxville - Knox County - KUB Geographic Information System

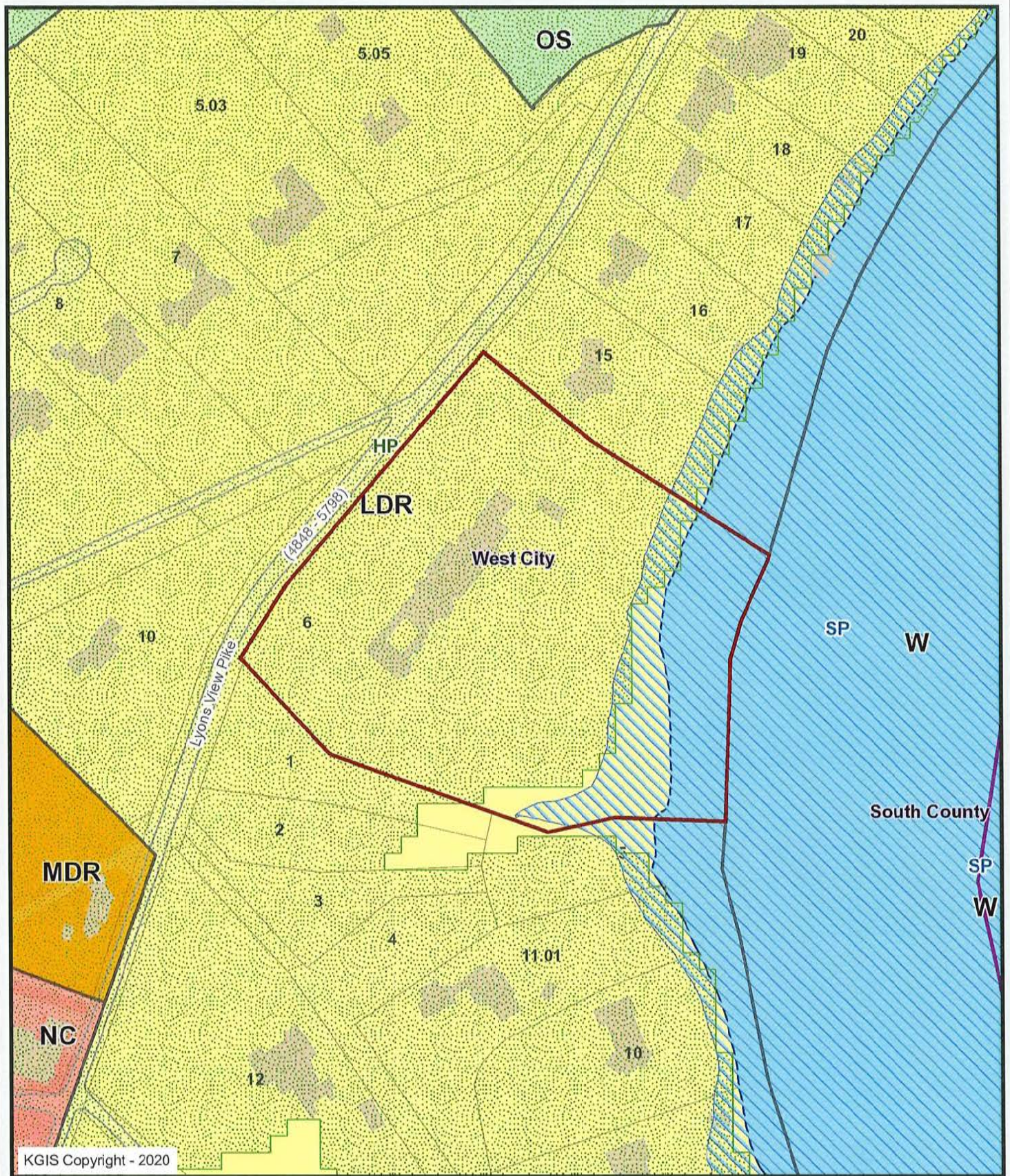


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