



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 8-O-21-RZ
8-D-21-SP

AGENDA ITEM #: 21
AGENDA DATE: 8/12/2021

► **APPLICANT:** RUSTY BITTLE
OWNER(S): Rusty Bittle / Hardin Valley Land Partners

TAX ID NUMBER: 117 02512 [View map on KGIS](#)
JURISDICTION: Commission District 6
STREET ADDRESS: 11420 Hardin Valley Rd.
► **LOCATION:** Southside of Hardin Valley Road, southeast of Steele Road intersection
► **TRACT INFORMATION:** 1.14 acres.
SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Rural Area
ACCESSIBILITY: Access is via Hardin Valley Road, a minor arterial with a pavement width of 72-ft and a right-of-way width of 88-ft.
UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District
WATERSHED: Conner Creek

► **PRESENT PLAN DESIGNATION/ZONING:** RC (Rural Commercial) & HP (Hillside Protection) / A (Agricultural)
► **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) & HP (Hillside Protection) / CA (General Business)
► **EXISTING LAND USE:** Agriculture/forestry/vacant

►
EXTENSION OF PLAN DESIGNATION/ZONING: No, area is shown as RC (Rural Commercial). Yes, an extension of CA (General Business) to the west.
HISTORY OF ZONING REQUESTS: None noted.
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Public-quasi/public / CI (Civic Institutional) / I (Industrial)
South: Agriculture/forestry/vacant / RR (Rural Residential) & HP (Hillside Protection) / A (Agriculture)
East: Rural residential / RC (Rural Commercial) & HP (Hillside Protection) / A (Agriculture)
West: Under construction / RC (Rural Commercial) & HP (Hillside Protection) / A (Agriculture)
NEIGHBORHOOD CONTEXT: This area of Hardin Valley Road near the intersection with Steele Road is a community center with schools and commercial facilities located in close proximity to single family residential neighborhoods and some remaining

STAFF RECOMMENDATION:

- ▶ **Deny GC (General Commercial) and HP (Hillside Protection) because it is not consistent with the Northwest County Sector Plan.**

- ▶ **Approve CR (Rural Commercial) zoning because it is consistent with the Northwest County Sector Plan.**

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Wastewater capacity has been recently expanded in this area, and electrical line improvements are currently being planned as well. A new middle school was also completed in 2018.
2. This area is within the Rural Area of the Growth Policy Plan, which does not recommend commercial zone districts other than CR (Rural Commercial).

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. There has been a recently completed expansion of wastewater capacity in this area by the West Knox Utility District. A study for forthcoming electrical line improvements by the West Knox Utility District and TVA is also underway.
2. Sidewalks along Hardin Valley Road make pedestrian connectivity between residential neighborhoods and commercial businesses more accessible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no significant errors or omissions in the plan for this property. The existing plan proposes Rural Commercial for this area of Hardin Valley Road, near the intersection with Steele Road leading toward the Pellissippi Parkway.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. The continued residential growth in the Hardin Valley area has precipitated commercial and office growth as well. The proposed rezoning continues an expansion of commercial uses, toward the Pellissippi Parkway Corridor.
2. The adjacent commercial strip under construction to the west is being developed with CA (General Business) zoning and has an approved consolidated access point for near the intersection with Steele Road and Hardin Valley Road.

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. There has been a recently completed expansion of wastewater capacity in this area by the West Knox Utility District and a new middle school opened for the Hardin Valley community in 2018.

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

1. The CR, Rural Commercial Zone, provides the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. It is intended to provide for the recurring shopping and personal service needs of nearby rural residential areas. This zoning should be placed on properties that are located at or near intersections of arterial and/or collector streets in order to maximize accessibility from surrounding areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by area residents. Development performance standards are included to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.

2. Development performance standards are included to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.

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. Performance standards within the CR zone are required to reduce adverse impacts of commercial uses in rural areas.

2. Additional CR zoning is not expected to create adverse impacts.

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:

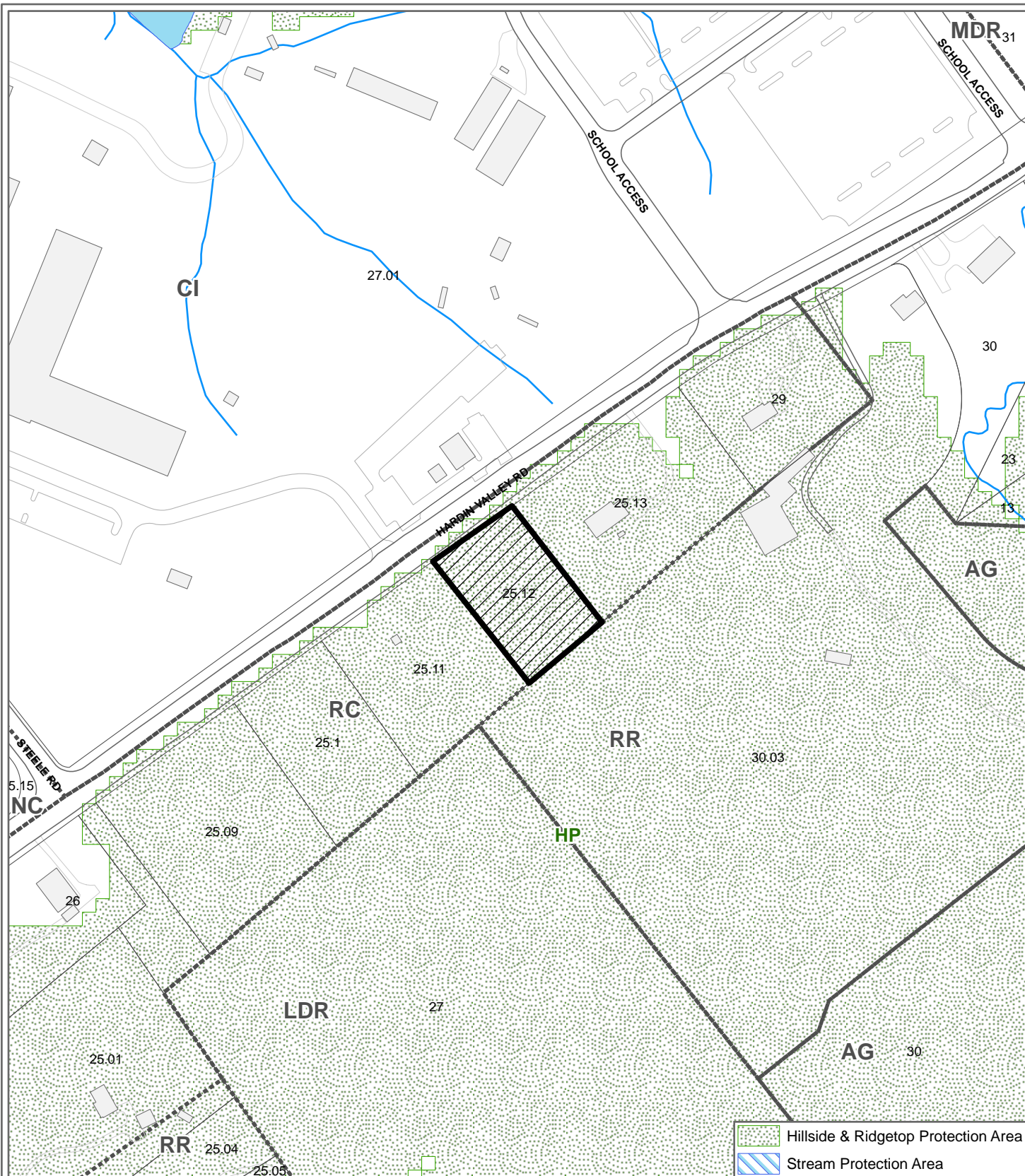
1. The proposed amendment is consistent with the Growth Policy Plan and Northwest County Sector Plan.

2. The proposed amendment is consistent with all other adopted plans.

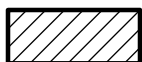
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/27/2021. 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.



8-D-21-SP / 8-O-21-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT



From: RC (Rural Commercial) & HP (Hillside Protection)
 To: GC (General Commercial) & HP (Hillside Protection)

Original Print Date: 7/7/2021
 Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

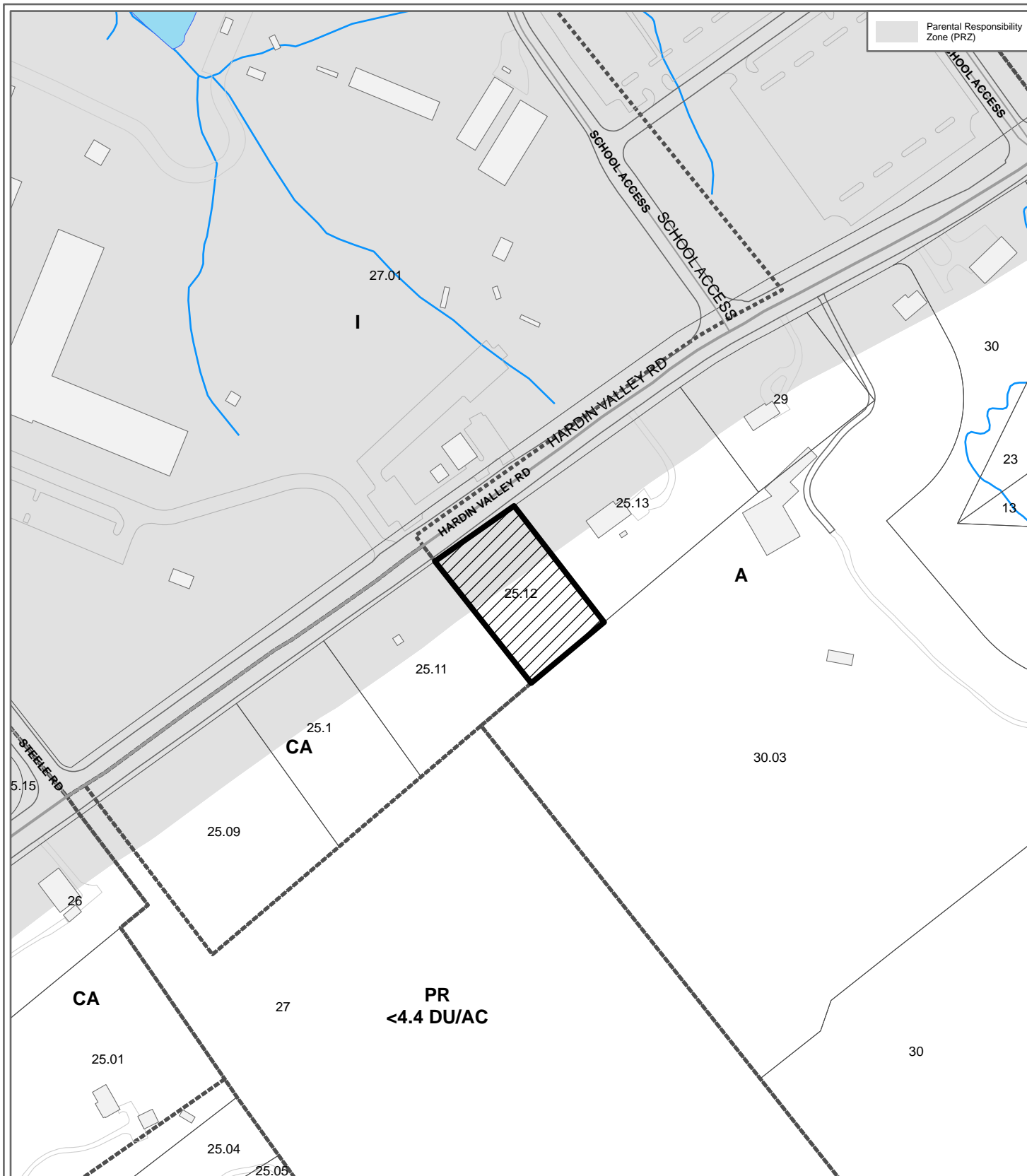
Revised:

Petitioner: Bittle, Rusty

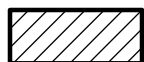
Map No: 117
 Jurisdiction: County

0 250
 Feet





**8-O-21-RZ
REZONING**



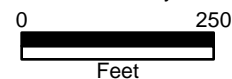
From: A (Agricultural)

To: CA (General Business)

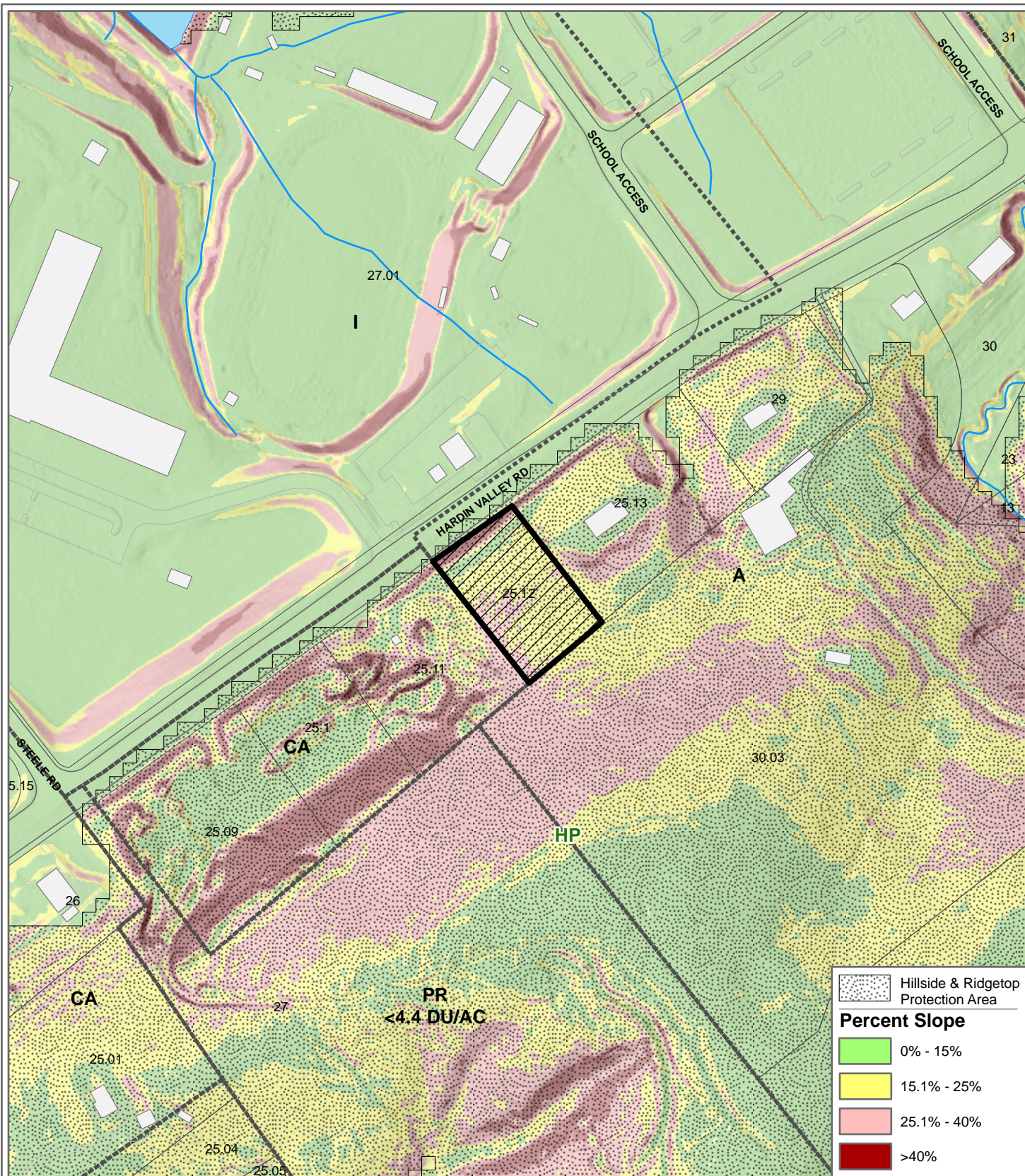
Petitioner: Bittle, Rusty

Map No: 117

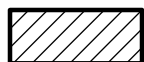
Jurisdiction: County



Original Print Date: 7/7/2021
 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



**8-O-21-RZ / 8-D-21-SP
SLOPE ANALYSIS**



From: A (Agricultural)

To: CA (General Business)

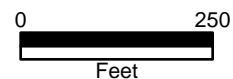
Original Print Date: 7/7/2021
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Bittle, Rusty

Map No: 117

Jurisdiction: County



8-O-21-RZ / 8-D-21-SP

	Acres
Non-Hillside Portions	0

Hillside and Ridgetop Protection Area

Value	Percent Slope	Count	Acres
1	0%-15%	157	0.09
2	15%-25%	1308	0.75
3	25%-40%	376	0.22
4	>40%	122	0.07
			1.13

Ridgetop Area	0
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Site Total	1.13
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CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	0	100%	0.0
0-15% Slope	0.09	100%	0.1
15-25% Slope	0.75	50%	0.4
25-40% Slope	0.22	20%	0.0
Greater than 40% Slope	0.07	10%	0.0
Ridgetops	0.00		
Subtotal: Sloped Land	1.13	Recommended disturbance budget within Hillside Protection Area (acres)	0.5
Total Acreage	1.13		0.5

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0	4.00	0.0
0-15% Slope	0.09	4.00	0.4
15-25% Slope	0.75	2.00	1.5
25-40% Slope	0.22	0.50	0.1
Greater than 40% Slope	0.07	0.20	0.0
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	1.13		2.0
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	1.13	1.76	2.0
Proposed Density (Applicant)	1.13	5.00	5.6

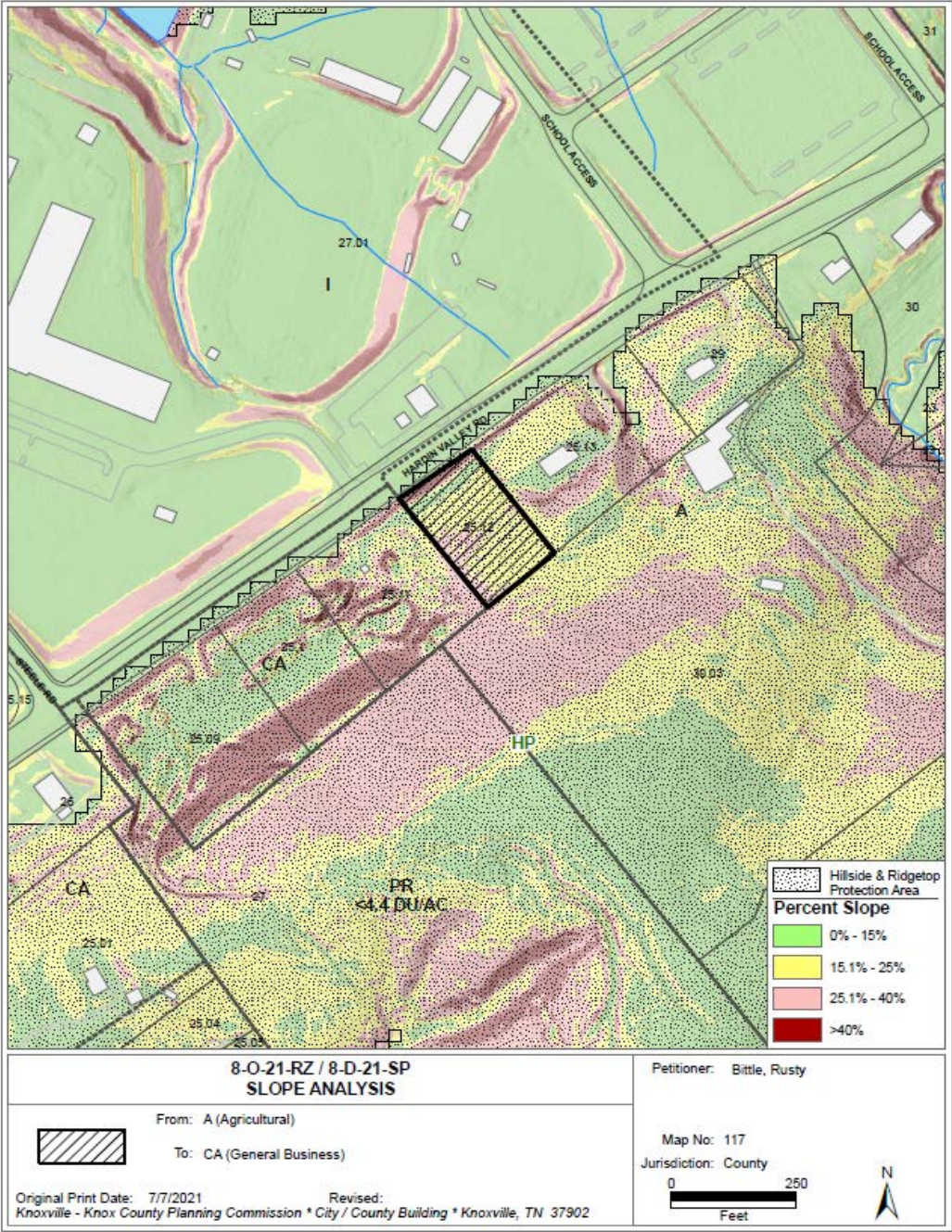


Exhibit A. 8-O-21-RZ / 8-D-21-SP Contextual Images

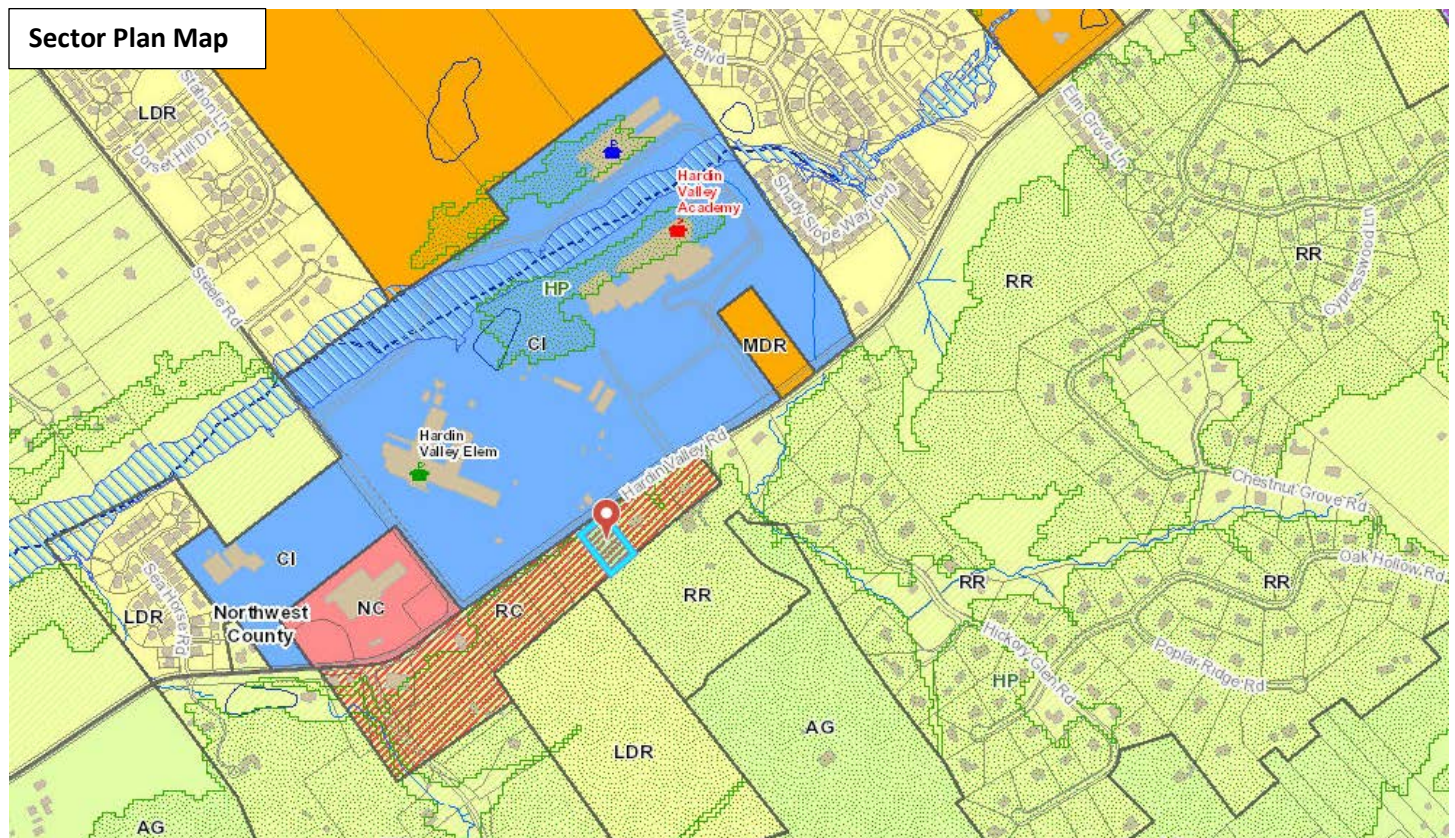
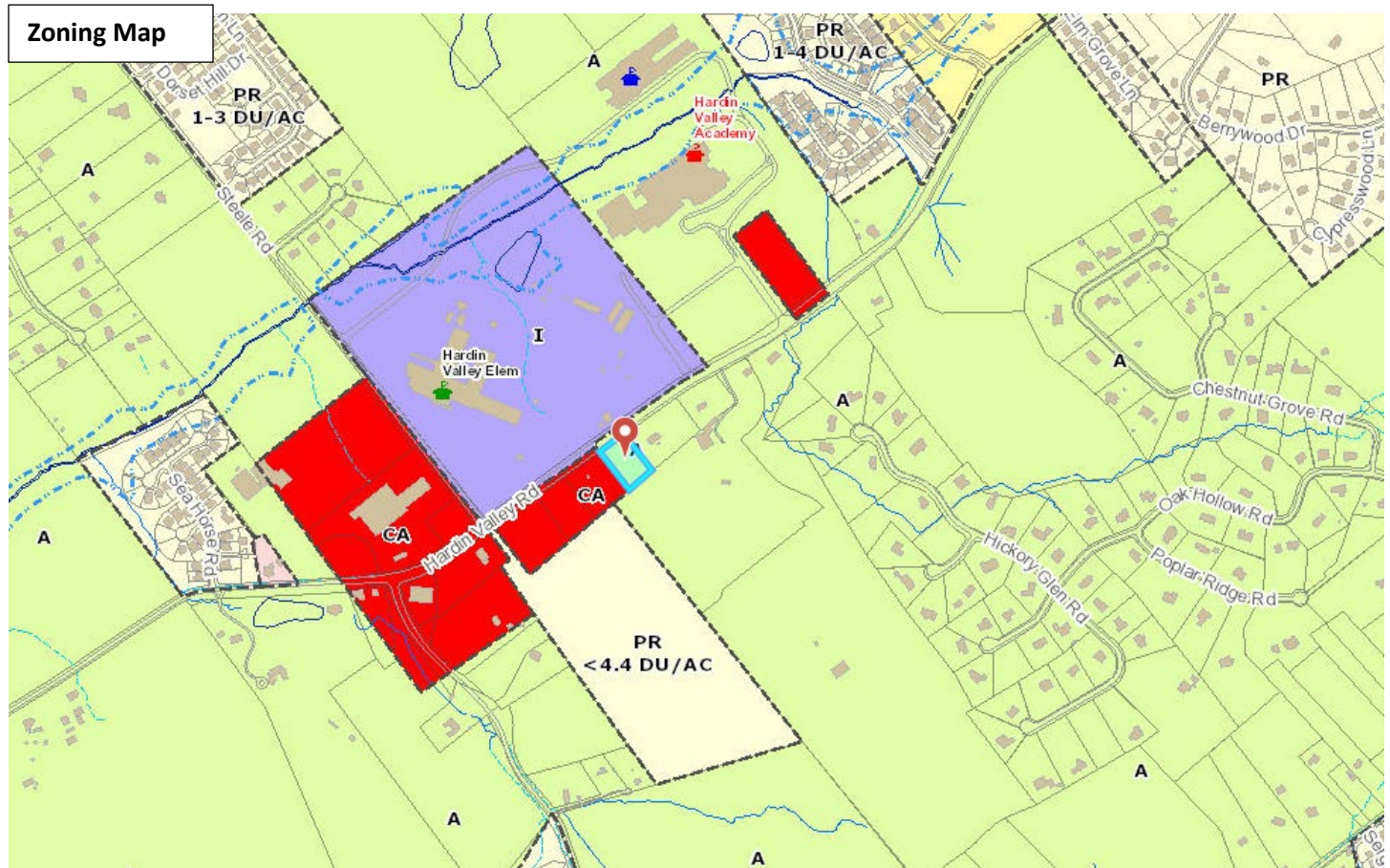


Exhibit A. 8-O-21-RZ / 8-D-21-SP Contextual Images

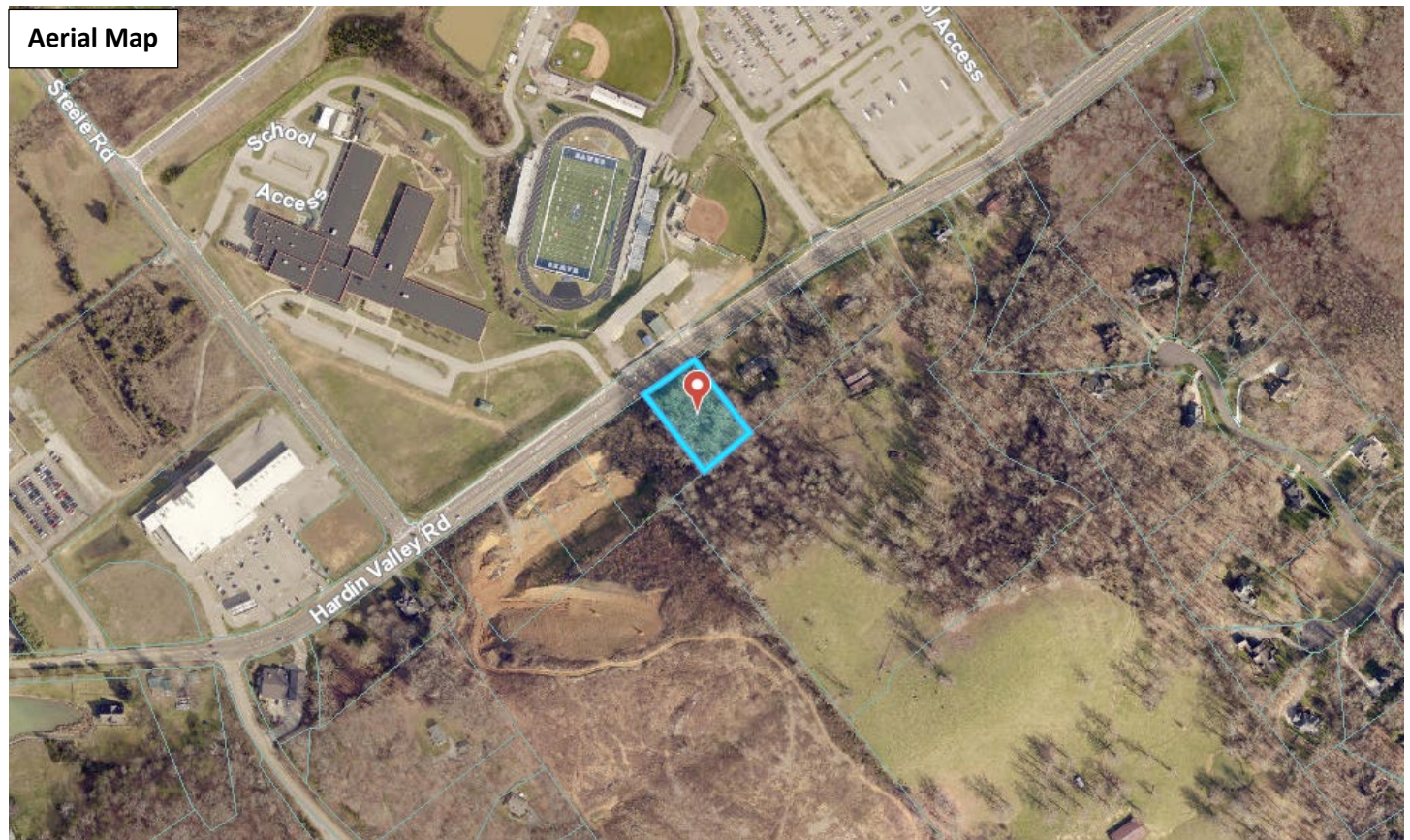
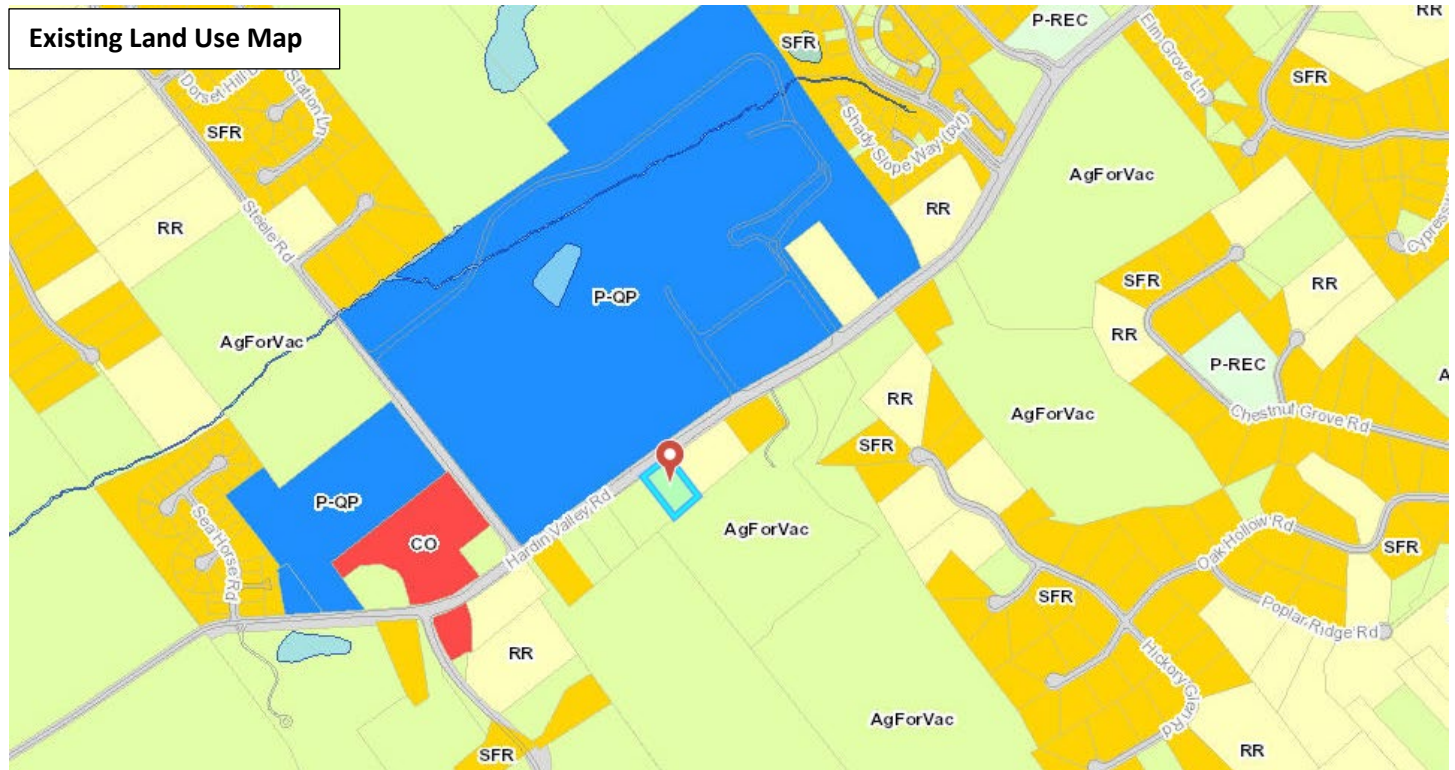


Exhibit A. 8-O-21-RZ / 8-D-21-SP Contextual Images

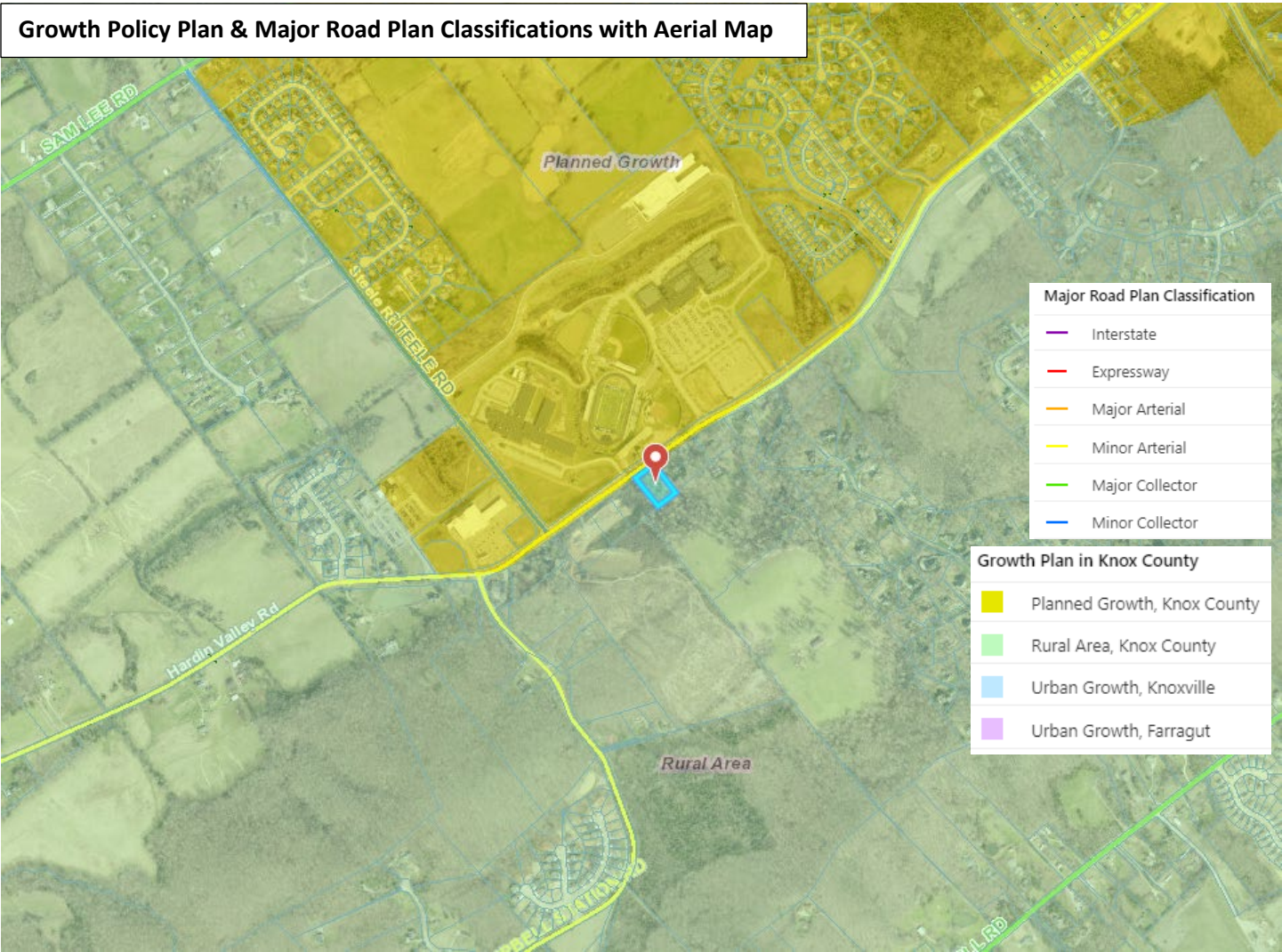


Exhibit A. 8-O-21-RZ / 8-D-21-SP Contextual Images

Subject property adjacent to existing CA zone construction – July 27, 2021





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

Rusty Bittl

Applicant Name

HVLP

Affiliation

7/1/21

Date Filed

August 18th

Meeting Date (if applicable)

File Number(s)

8-D-21-RZ
8-D-21-SP

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

Rusty Bittl

Name

HVLP

Company

10704 Hardin Valley Rd

Address

Knox

City

TN

State

37972

ZIP

865-202-0136

Phone

Rusty@hardinvalleyland.com

Email

CURRENT PROPERTY INFO

Owner Name (if different)

Owner Address

Owner Phone

11420 Hardin Valley Rd

Property Address

117 02512

Parcel ID

WKUP

Sewer Provider

WKUD

Water Provider

Septic (Y/N)

STAFF USE ONLY

S/S Hardin Valley Rd, SE of Steele Rd. intersection 1.14 acres

General Location

Tract Size

☐ City ☒ County

6th

District

A

Zoning District

Ag For Vac

Existing Land Use

northwest County

Planning Sector

RC & HP

Sector Plan Land Use Classification

Rural Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA
☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☒ Zoning ChangeProposed Zoning CA

Pending Plat File Number

☒ Plan Amendment ChangeProposed Plan Designation(s) GC & HP

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

☐ Other (specify) _____**STAFF USE ONLY****PLAT TYPE**

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

- ☐ Design Plan Certification (Final Plat)
☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

Total

0326 | 1000.00

Fee 2

+ 800.00 80%

Fee 3

0526 | 600.00
+ 480.00

80%

\$2880.00

AUTHORIZATION

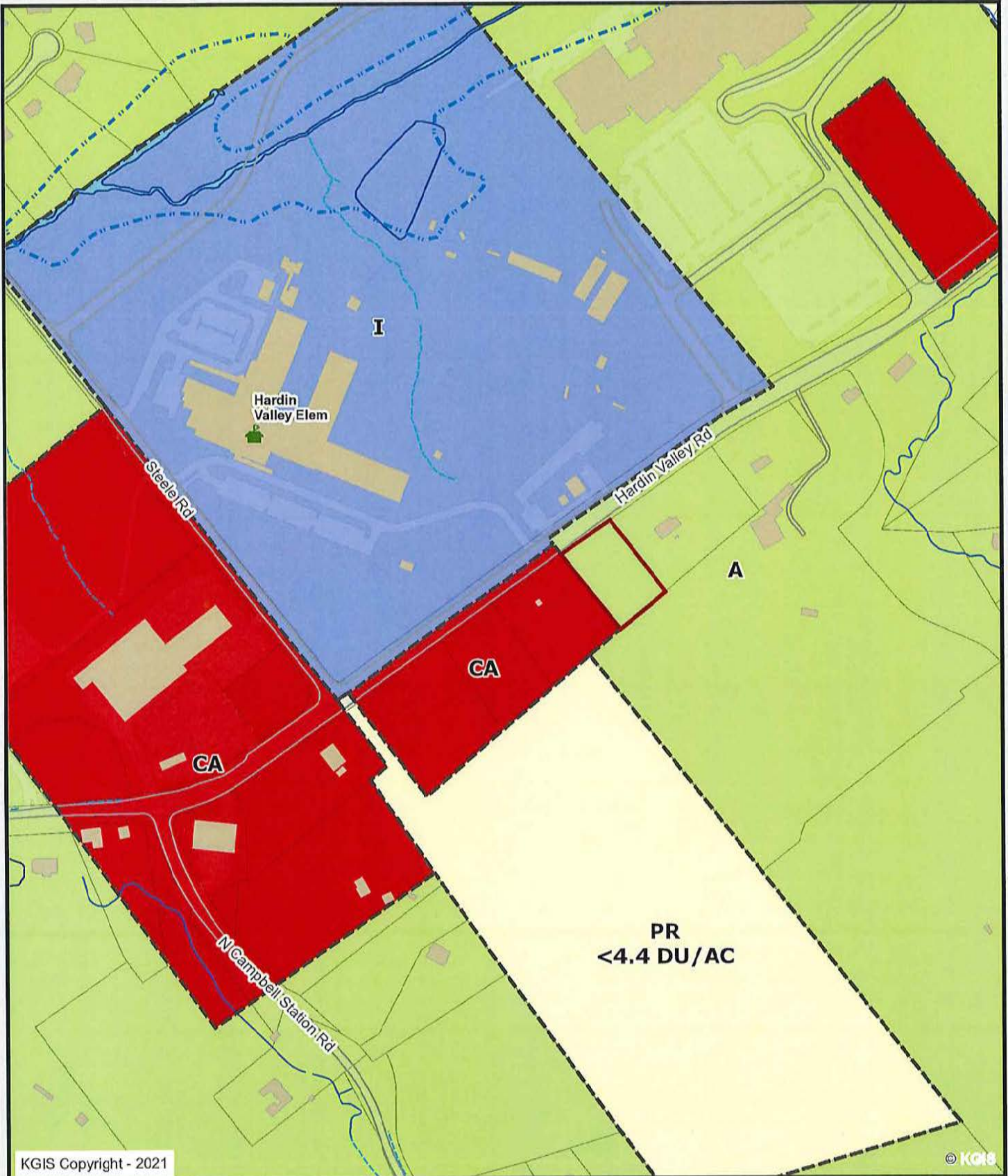
By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature [Signature]Please Print Pasty BetteDate 7/1/21

Phone Number _____

Email _____

Staff Signature Sherry MuchenziPlease Print SHERRY MUCHENZIDate 7/2/2021



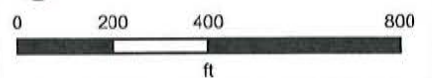
11420 Hardin Valley Rd.

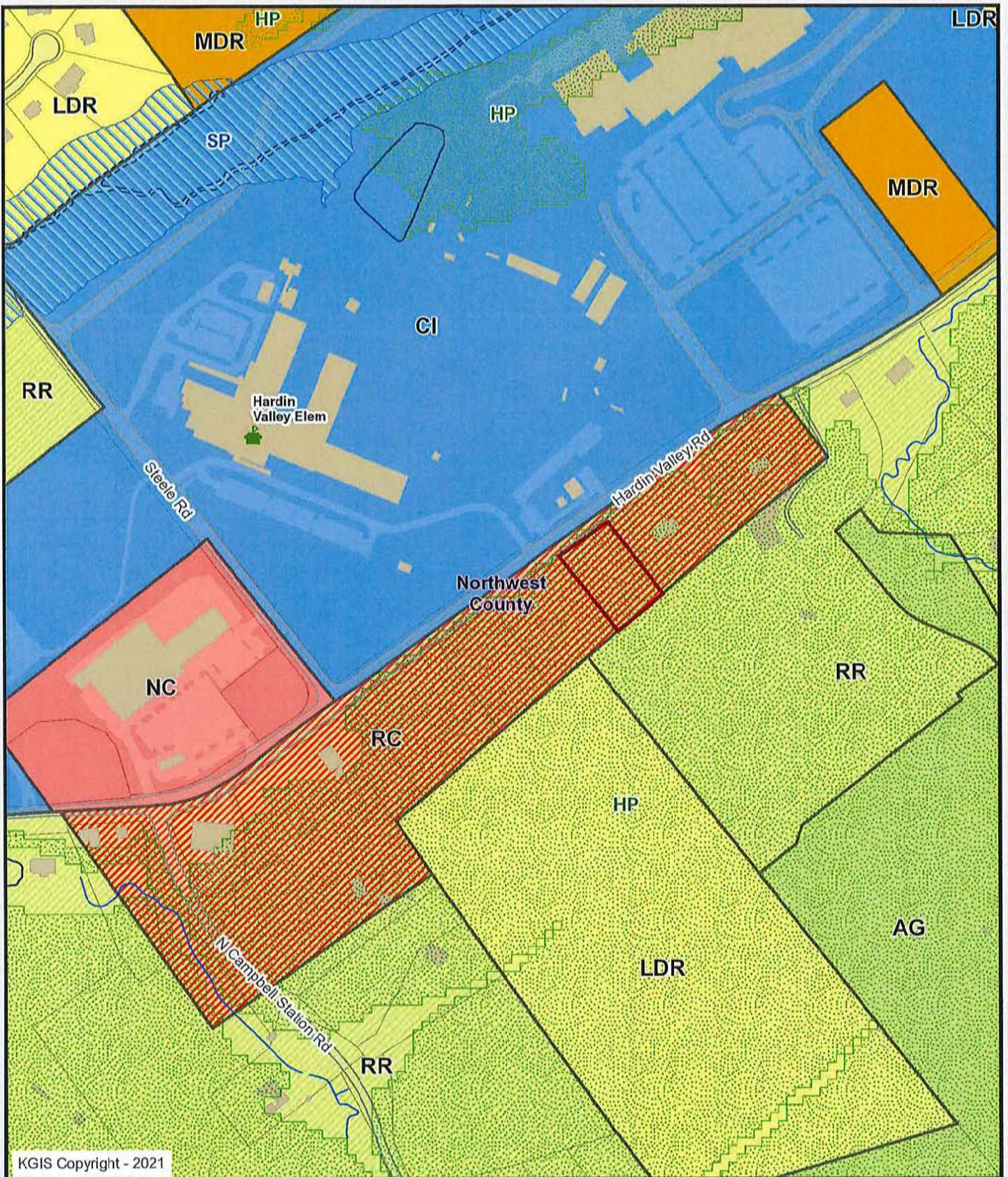
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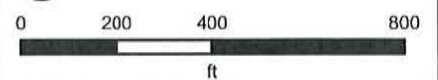


11420 Hardin Valley Rd.

Knoxville - Knox County - KUB Geographic Information System

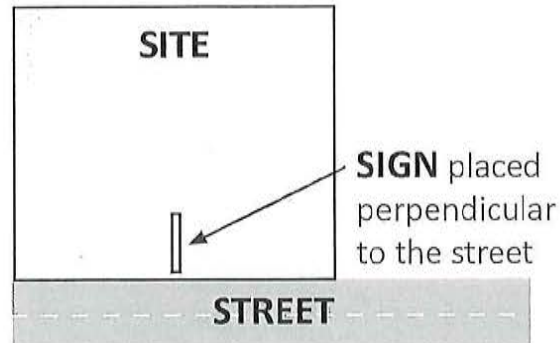


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

July 28 (Wed) and Aug 13 (Fri)
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Rusty Bittle

Date: 7/2/2021

File Number: 8-0-21-RZ / 8-D-21-SP

- ☒ Sign posted by Staff
☐ Sign posted by Applicant