

REZONING REPORT

► **FILE #:** 12-I-21-RZ

AGENDA ITEM #: 16

AGENDA DATE: 12/9/2021

► **APPLICANT:** **SAFE HARBOR RESIDENTIAL**

OWNER(S): Hardin Valley Farms, LLC

TAX ID NUMBER: 117 8 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 11636 Hardin Valley Rd.

► **LOCATION:** **South side of Couch Mill Road, east of E. Gallaher Ferry Road**

► **APPX. SIZE OF TRACT:** **131.7 acres**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Couch Mill Rd, a major collector, with a pavement width of 18-ft within a right-of-way width of 60-ft.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

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

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

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

► **DENSITY PROPOSED:** **up to 3 du/ac**

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant, single family residential, rural residential - A (Agricultural)

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

East: Agriculture/forestry/vacant, single family residential, rural residential - A (Agricultural)

West: Agriculture/forestry/vacant - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is primarily large agricultural lots with some single family homes.

STAFF RECOMMENDATION:

► **Approve PR (Planned Residential) zoning up to 2 du/ac because it is consistent with Northwest County Sector Plan and the Growth Policy Plan.**

COMMENTS:

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. The West Knox Utility District has recently added a new wastewater treatment facility to expand capacity in the Northwest County Sector.
2. New electrical transmission lines are being planned for this area by TVA to accommodate the growth and development in the Hardin Valley community.

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. If PR up to 2 du/ac is approved a possible total build-out of 263 single family residential dwelling units may be accommodated on the site meeting all other standards.
2. A Transportation Impact Letter was submitted on behalf of the applicant demonstrating a proposed build out of 279 single family dwellings and 114 townhomes.
3. The property appears to be agricultural, pasture land with several closed depressions noted on the topographical maps that could indicate the presence of sinkholes.
4. At the time of Use on Review, a traffic impact study will also be required if the Average Daily Traffic (ADT) for the proposed development exceeds 750.

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 staff recommended rezoning to PR up to 2 du/ac is consistent with RR (Rural Residential) for the Northwest County Sector Plan at this location and the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 3746 (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: 163 (public school children, grades K-12)

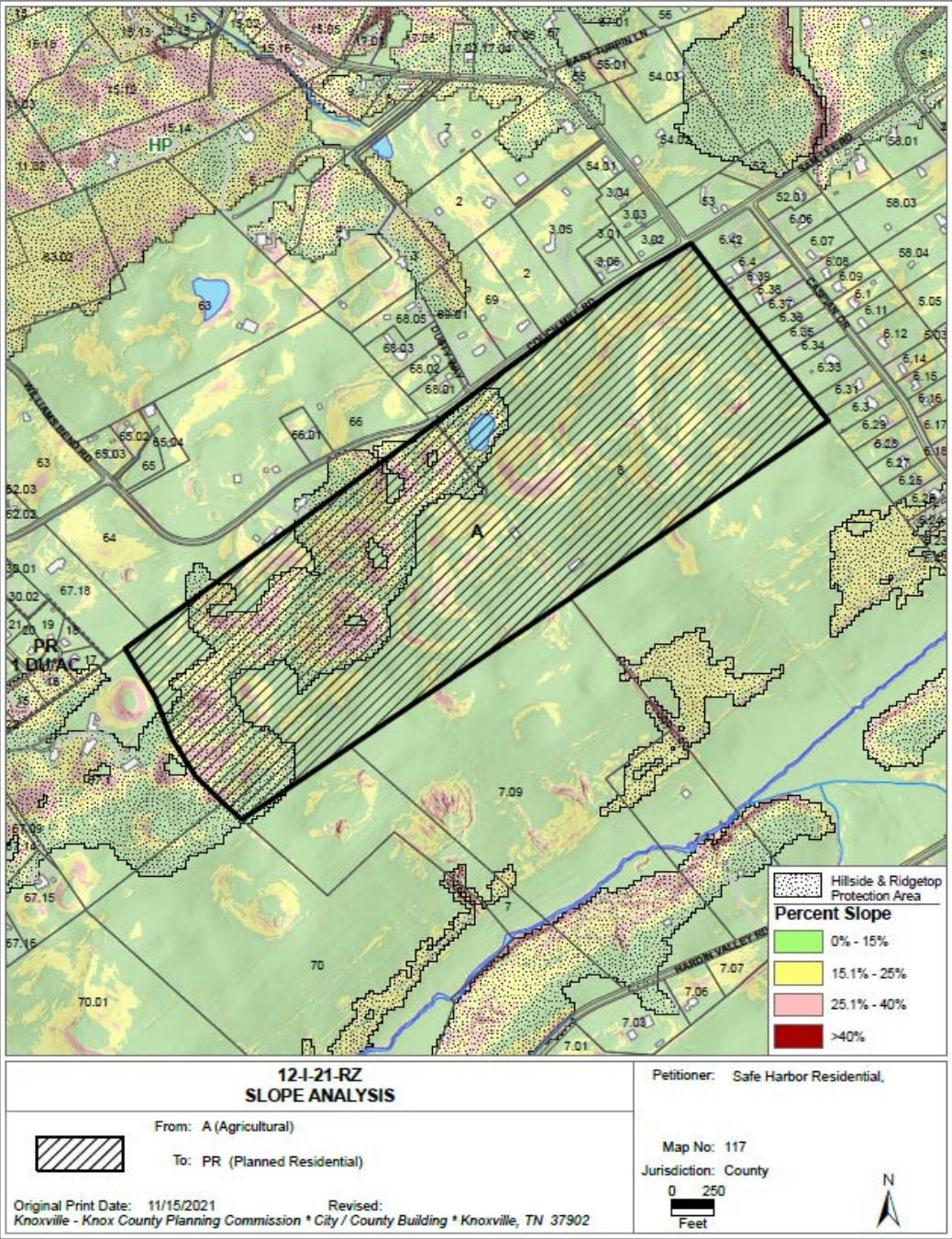
Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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 1/24/2022. 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.

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	93.57	100%	93.6
0-15% Slope	13.67	100%	13.7
15-25% Slope	15.44	50%	7.7
25-40% Slope	7.92	20%	1.6
Greater than 40% Slope	0.45	10%	0.0
Ridgetops	0		
Subtotal: Sloped Land	37.48	Recommended disturbance budget within Hillside Protection Area (acres)	23.0
Total Acreage	131.05		116.6

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	93.57	2.00	187.1
0-15% Slope	13.67	2.00	27.3
15-25% Slope	15.44	2.00	30.9
25-40% Slope	7.92	0.50	4.0
Greater than 40% Slope	0.45	0.20	0.1
Ridgetops	0	0.00	0.0
Subtotal: Sloped Land	37.48		62.3
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	131.05	1.90	249.4
Proposed Density (Applicant)	131.05	4.00	524.2



ROBERT L. KAHN
REGGIE E. KEATON
DONALD D. HOWELL
DEBRA L. FULTON
MICHAEL W. EWELL
JOHN M. LAWHORN
JAMES E. WAGNER
BEVERLY D. NELMS
MARY ELIZABETH MADDOX
BENJAMIN C. MULLINS
RICHARD T. SCRUGHAM, JR.
MATTHEW A. GROSSMAN
KEVIN A. DEAN
DANIEL P. ZYDEL
SHARON H. KIM
RICHARD E. GRAVES
REBEKAH P. HARBIN



client-centric & committed to success

Email: bmullins@fmsllp.com
Direct Fax: 865-541-4609

550 W. Main Street
Suite 500
Knoxville, Tennessee
37902

phone 865.546.9321
fax 865.637.5249
web fmsllp.com

ARTHUR G. SEYMOUR, JR.
(1945 - 2019)

of counsel
JASON T. MURPHY

November 19, 2021

Knoxville-Knox County Planning
City-County Building
400 Main Street, Suite 403
Knoxville, TN 37902

Via e-mail only:
dori.caron@knoxplanning.org

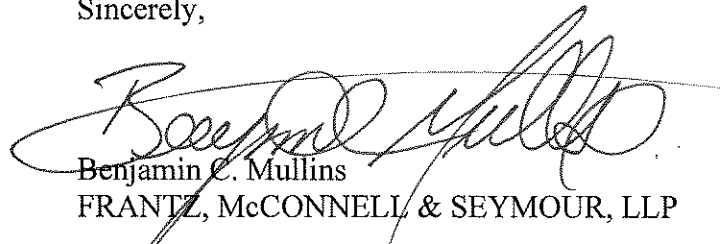
Attn: Dori Caron

Re: Agenda Item 16 – Safe Harbor Residential
12-I-21-RZ

Dear Ms. Caron:

Please note I will be representing the Applicant, Safe Harbor Residential, with regard to Agenda Item 16 (12-I-21-RZ) at the December 9, 2021 Knoxville-Knox County Planning Commission meeting. Please favor me a copy of any correspondence related to this Agenda Item.

Sincerely,



Benjamin C. Mullins
FRANTZ, McCONNELL & SEYMOUR, LLP

BCM:erl

Exhibit A. 12-I-21-RZ Contextual Images

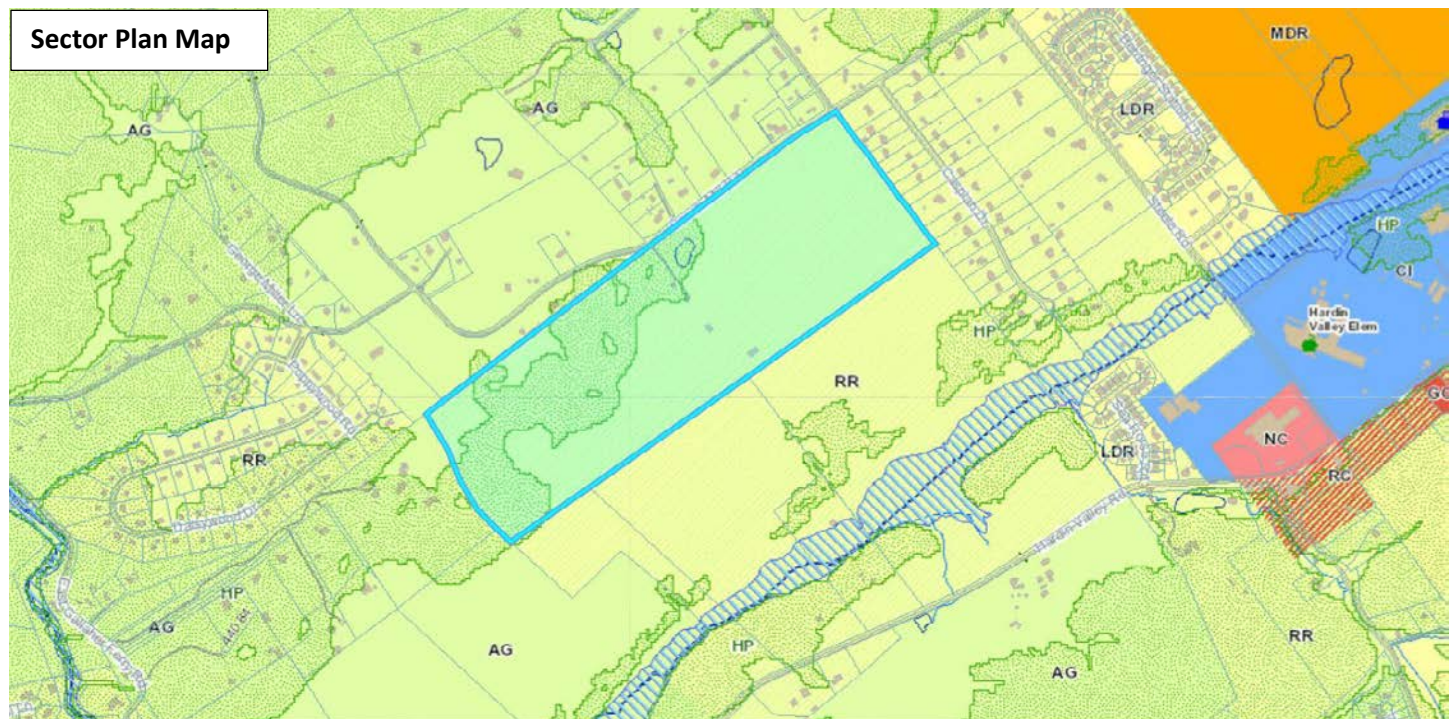
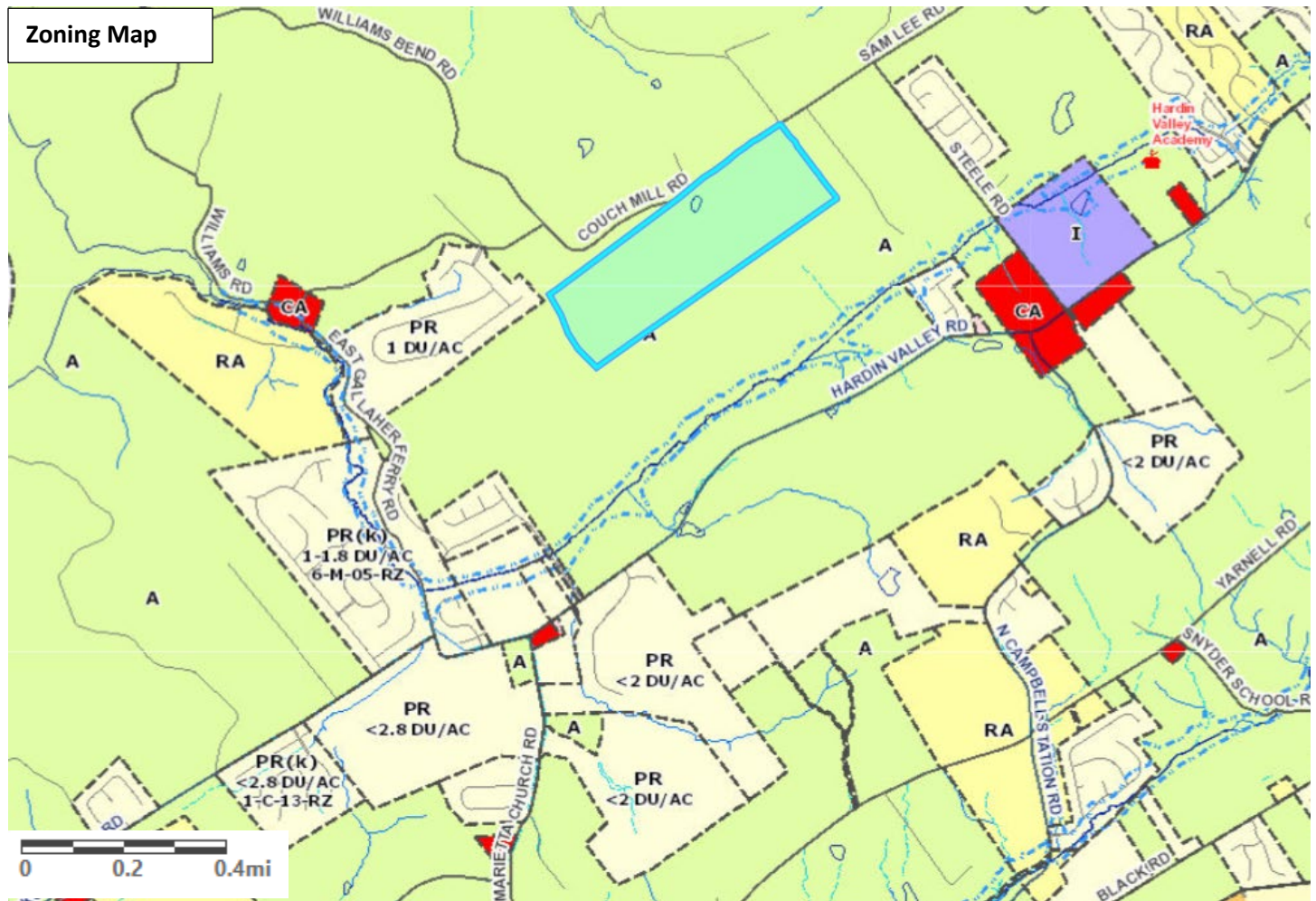


Exhibit A. 12-I-21-RZ Contextual Images

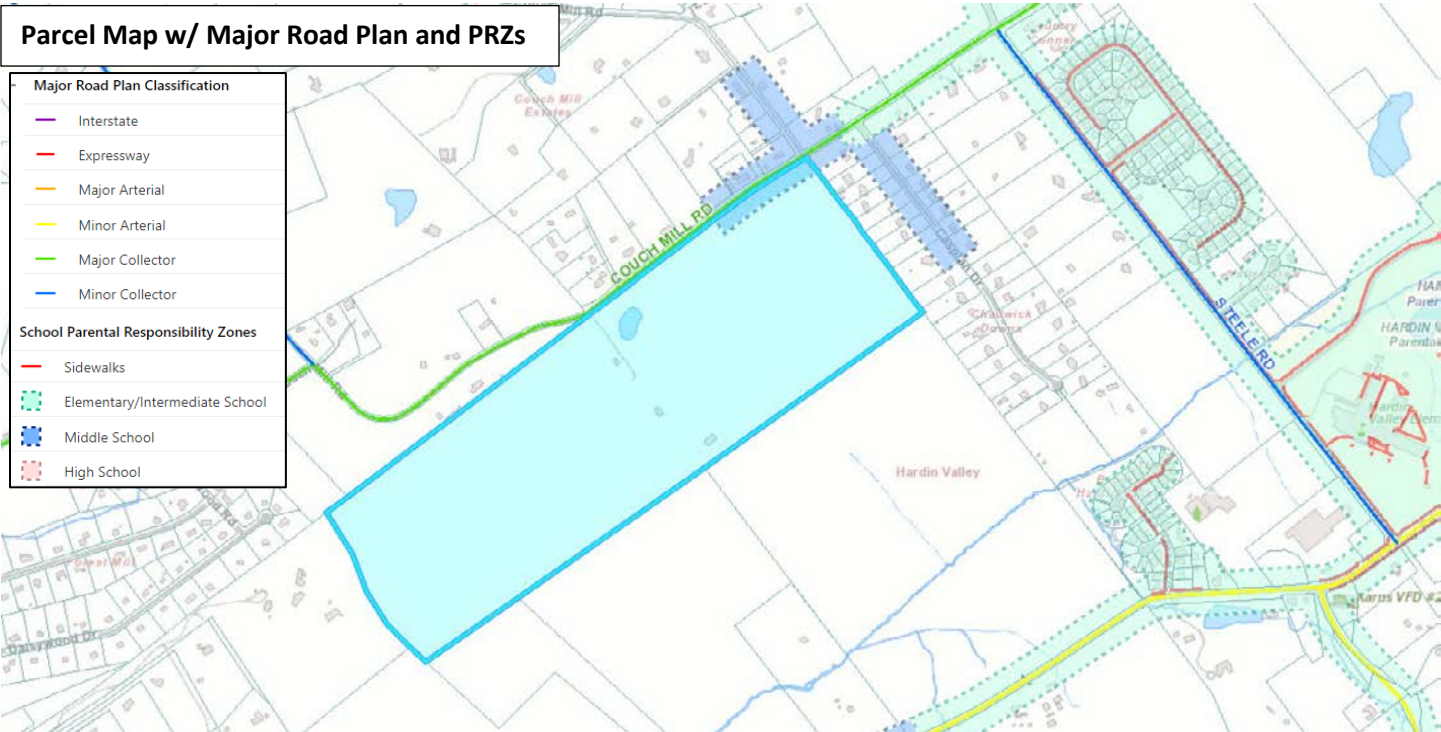
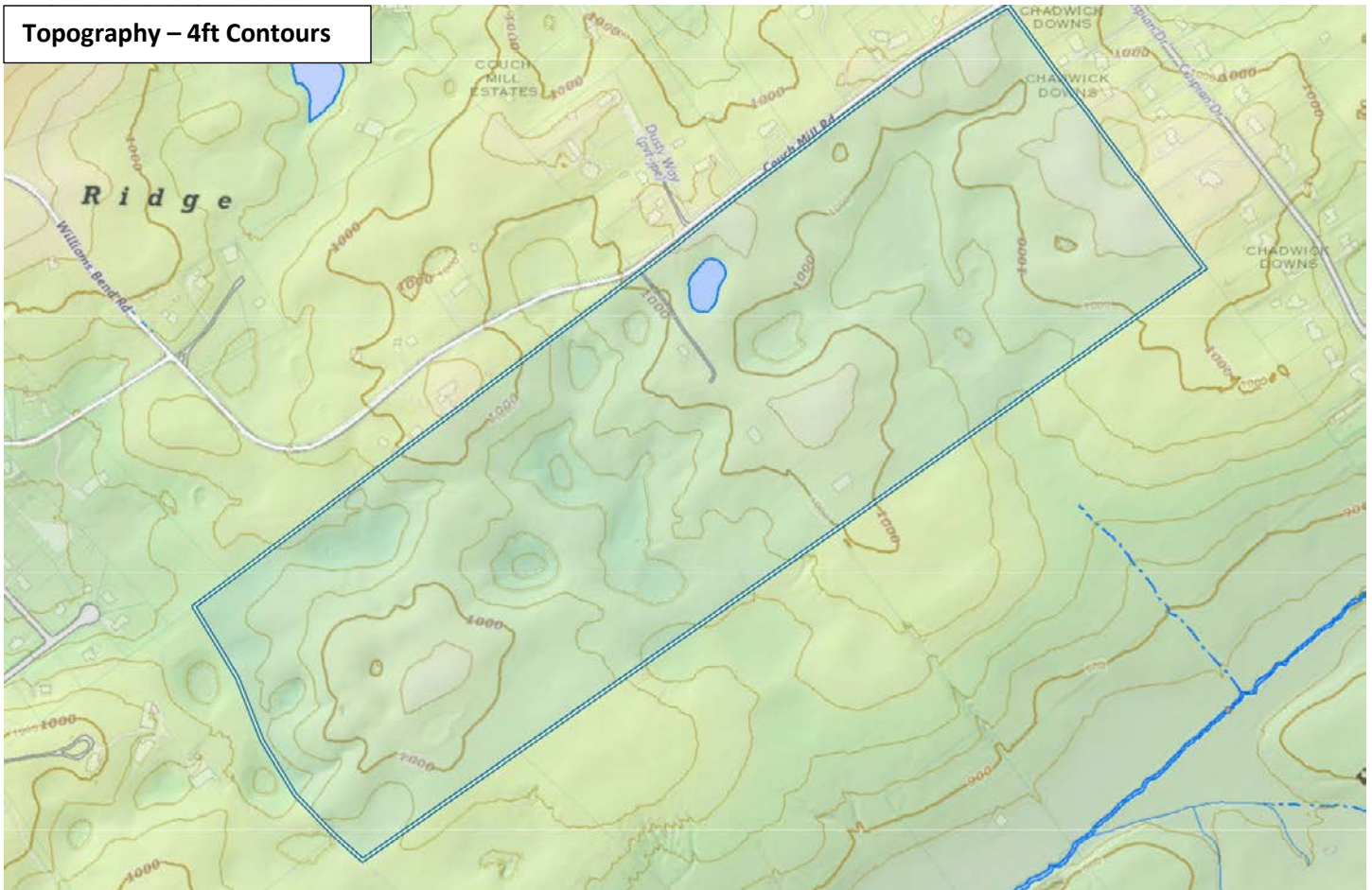


Exhibit A. 12-I-21-RZ Contextual Images

Topography – 4ft Contours





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

Applicant Name Safe Harbor Residential

Option Holder
Affiliation

Date Filed 10/25/21

Meeting Date (if applicable) 12/9/21

File Number(s)

12-I-21-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 David Harbin

Company Batson & Himes

Address 4334 Papermill Dr

City Knoxville

State TN

ZIP 37909

Phone 588-6472

Email harbin@bhn-p.com

CURRENT PROPERTY INFO

Owner Name (if different) Hardin Valley Farms, LLC

Owner Address 10226 Kingston Pike

Owner Phone

Property Address 11636 Hardin Valley Road

Parcel ID 117-Parcel 18 (Portman - see Map)

Sewer Provider WKUD

Water Provider WKUD

Septic (Y/N) N

STAFF USE ONLY

The property is located on the South Side of Couch Mill Rd.
East of E Galaher Ferry Rd

Tract Size 131.7 acres

☐ City ☒ County

District 6

Zoning District A

Existing Land Use Agriculture/Forestry/Vacant

Planning Sector Northwest County

Sector Plan Land Use Classification RR & HP

Growth Policy Plan Designation Rural Area

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 Change

Proposed Zoning

P-R

☐ Plan Amendment Change

Proposed Plan Designation(s)

3

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

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	
Fee 2		
325	\$5,000	\$5,000
Fee 3		

AUTHORIZATION

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

Applicant Signature

Please Print

Date

Phone Number

Email

Staff Signature

Please Print

Date

David Harbin

David Harbin

10/25/21

588-6472

harbin@bhn-p.com

Levan King Cranston

Oct 25 2021

DEVELOPMENT REQUEST

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify) _____☐ Attachments / Additional Requirements**ZONING REQUEST**☒ Zoning ChangeP-R
Proposed Zoning

Pending Plat File Number

☐ Plan Amendment Change

Proposed Plan Designation(s)

3
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
Fee 2 325 \$5,000	\$5,000
Fee 3	

AUTHORIZATION

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

Applicant Signature

Please Print

Date

Phone Number

Email

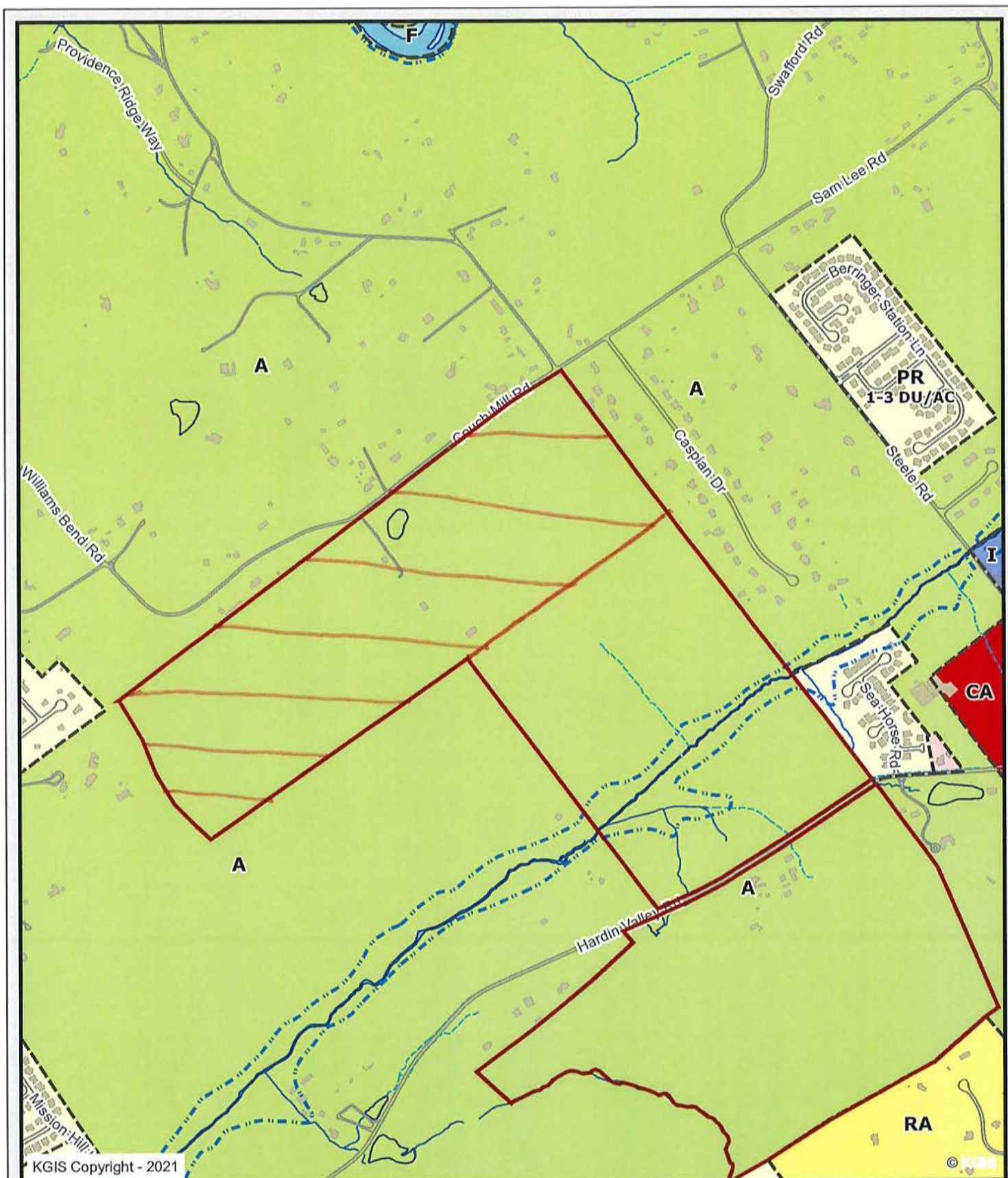
Staff Signature

Please Print

Date

Search By: Parcel Owner P
Enter Address:





Zoning Map

Knoxville - Knox County - KUB Geographic Information System

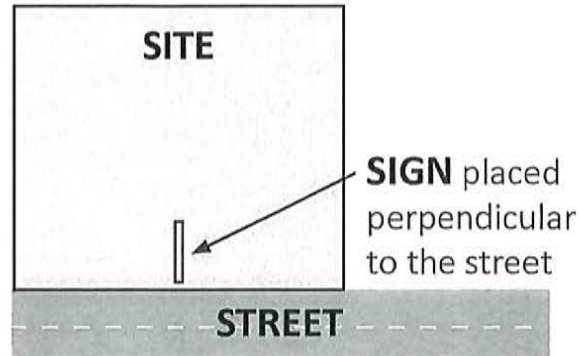
KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from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



Printed: 10/25/2021 at 2:09:37 PM

0 487.5 975 1,950
ft

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:

Nov. 24, 2021 and Dec 10, 2021
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Safe Harbor Residential

Date: 10/25/2021

File Number: 12-T-21-RZ

☒ Sign posted by Staff
☐ Sign posted by Applicant