

REZONING REPORT

▶ **FILE #:** 3-B-21-RZ **AGENDA ITEM #:** 9
 POSTPONEMENT(S): 3/11/2021, 4/8/2021 **AGENDA DATE:** 7/8/2021
 ▶ **APPLICANT:** KEVIN NELSON / PALMETTO HOMES, LLC
 OWNER(S): Kevin Cox

TAX ID NUMBER: 77 082 [View map on KGIS](#)
 JURISDICTION: County Commission District 6
 STREET ADDRESS: 3604 Henderson Rd.
 ▶ **LOCATION:** North side of Henderson Rd., northwest of W. Emory Rd. intersection
 ▶ **APPX. SIZE OF TRACT:** 7.4 acres
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Henderson Road is a minor collector with a 19-ft pavement width inside a 60-ft right-of-way.
 UTILITIES: Water Source: West Knox Utility District
 Sewer Source: West Knox Utility District
 WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural)
 ▶ **ZONING REQUESTED:** PR (Planned Residential)
 ▶ **EXISTING LAND USE:** Rural residential - there is a single family dwelling on the property
 ▶ **DENSITY PROPOSED:** 5 du/ac
 EXTENSION OF ZONE: No
 HISTORY OF ZONING: None noted for this property
 SURROUNDING LAND USE AND ZONING: North: Multifamily residential - OC (Civic and Institutional)
 South: Rural residential - RA (Low Density Residential)
 East: Agricultural/forestry/vacant - A (Agricultural)
 West: Agricultural/forestry/vacant - A (Agricultural)
 NEIGHBORHOOD CONTEXT: This area is comprised single family residential neighborhoods and some large agricultural and forested steep sloped lots.

STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) zoning up to 2.5 du/ac (dwelling units per acre) because it is consistent with the surrounding development and the Northwest County Sector Plan.**

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. The area is transitioning from large lot agricultural zoned parcels to single family residential lots.
2. There is an increased need for housing. The proposed rezoning would create an opportunity to meet this need.

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

1. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. This lot is challenged by steep topography.
2. Each planned unit development shall be compatible with the surrounding or adjacent zones.

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. This property is located in the Planned Growth Area of the Growth Policy Plan and this rezoning would continue the trend of PR zoning in the area.
2. The staff recommendation of 2.5 du/ac (dwelling units per acre), which could result in a maximum yield of 17 dwelling units, while the applicant requested rezoning of PR up to 5 du/ac would yield a maximum 35 dwelling units.
3. The parcel is approximately 7.1 acres and approximately 65% (or 4.6 acres) of the site is sloped greater than 15 percent. The recommended disturbance area within the Hillside Protection land use classification is 2.8 acres, while the overall disturbance area including the 1.2 acres outside of the HP is 4.0 acres. (See Slope Analysis for 3-B-21-RZ).
4. A tributary of Beaver Creek appears to be close to this property on the north side and near the frontage with Henderson Road.

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 Northwest County Sector Plan's land use designation of LDR (Low Density Residential)/HP (Hillside Protection) recommends a density based on a slope analysis which is PR (Planned Residential) up to 2.16 du/ac, however, the staff recommendation is 2.5 du/ac which would increase the maximum dwelling units from 15 to 17 total.
2. This property is within the Planned Growth Area of the Growth Policy Plan and appears to be serviced by both water and wastewater.

ESTIMATED TRAFFIC IMPACT: 396 (average daily vehicle trips)

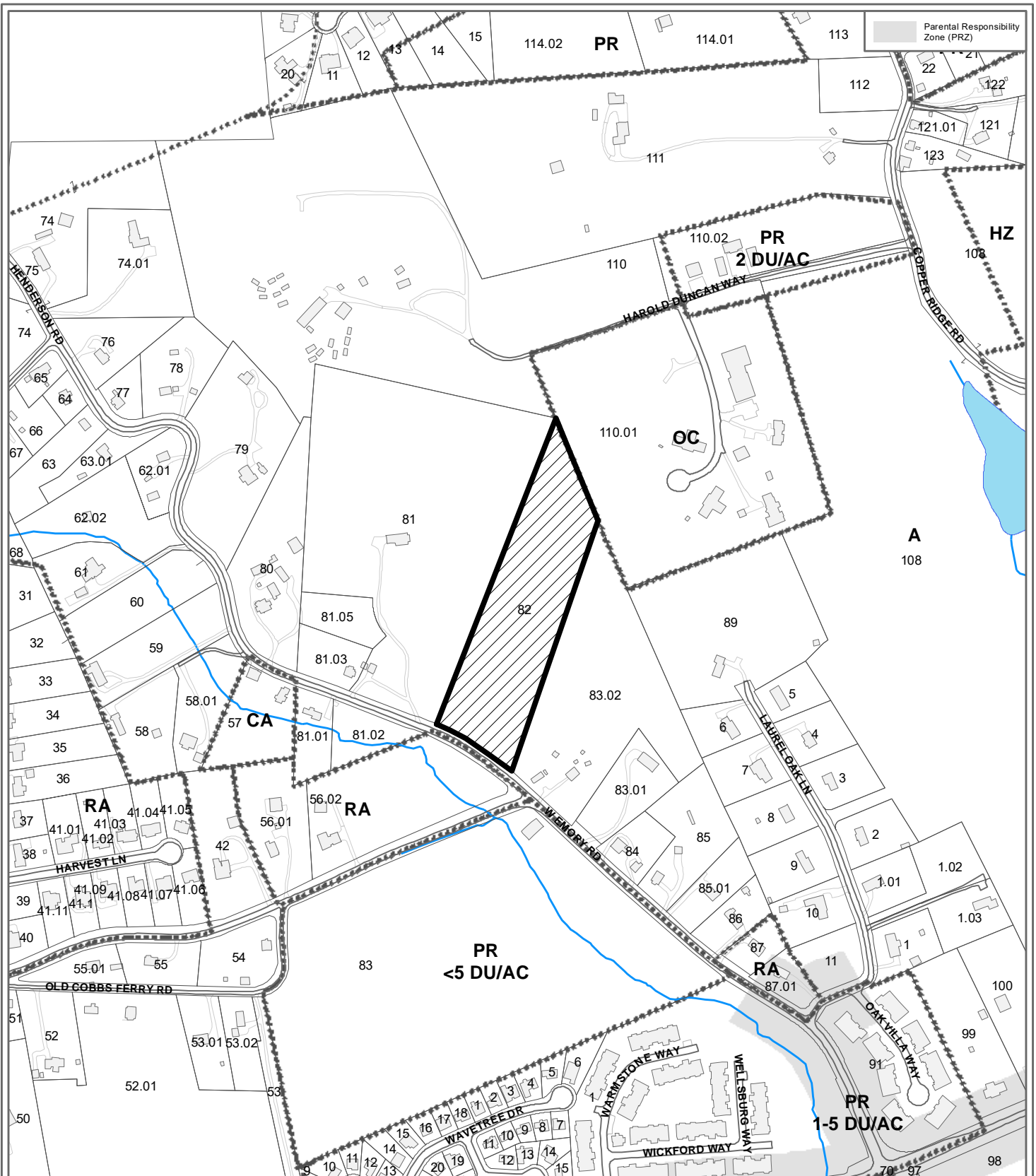
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 15 (public school children, grades K-12)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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 8/23/2021. 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.



**3-B-21-RZ
REZONING**

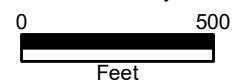
From: A (Agricultural)
To: PR (Planned Residential)



Petitioner: Nelson / Palmetto Homes, LLC,
Kevin

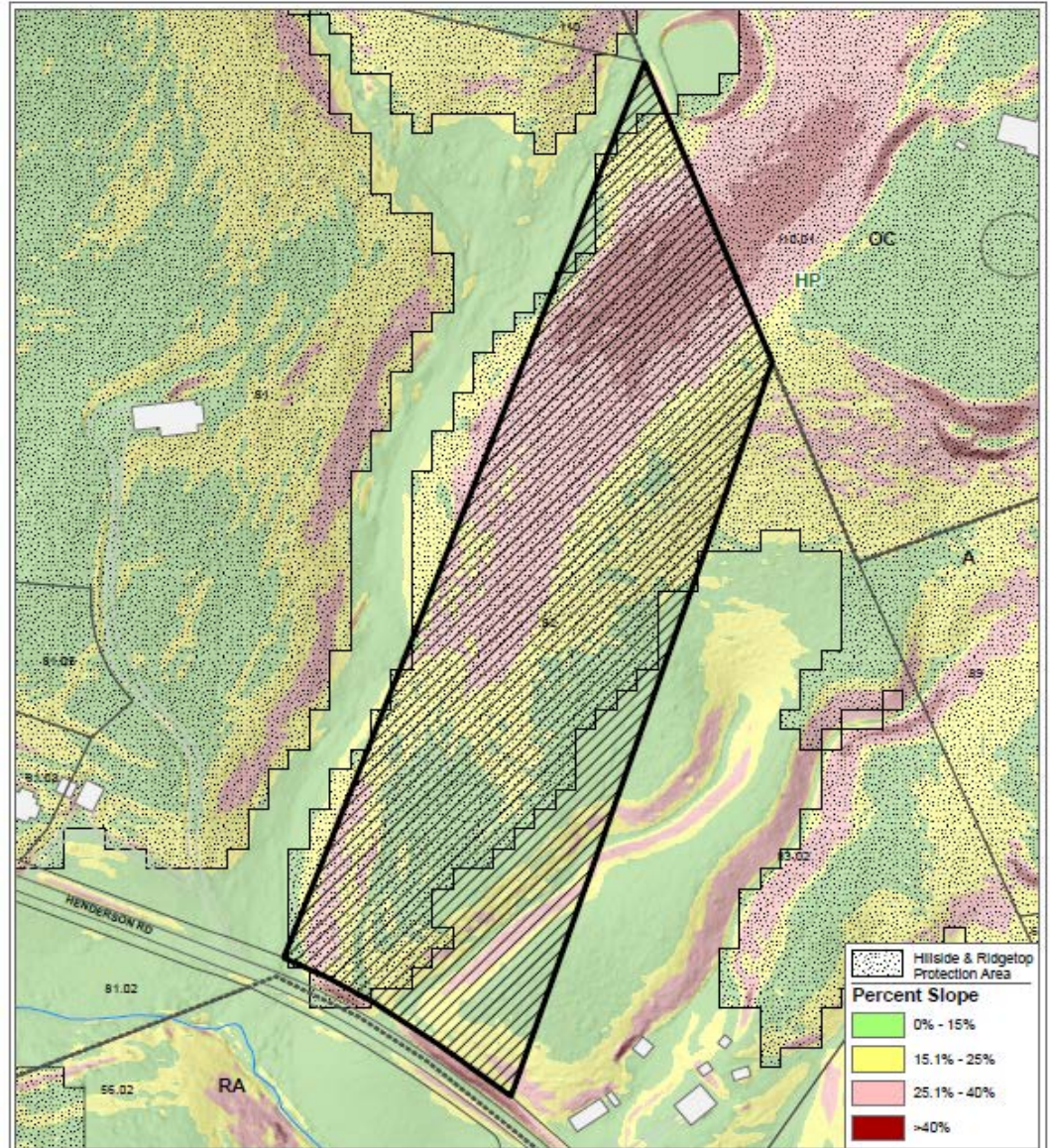
Map No: 77
Jurisdiction: County

Original Print Date: 2/5/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	1.16	100%	1.2
0-15% Slope	1.32	100%	1.3
15-25% Slope	2.2	50%	1.1
25-40% Slope	1.79	20%	0.4
Greater than 40% Slope	0.64	10%	0.1
Ridgetops	0		
Subtotal: Sloped Land	5.95	<i>Recommended disturbance budget within Hillside Protection Area (acres)</i>	2.8
Total Acreage	7.11		4.0

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	1.16	4.00	4.6
0-15% Slope	1.32	4.00	5.3
15-25% Slope	2.2	2.00	4.4
25-40% Slope	1.79	0.50	0.9
Greater than 40% Slope	0.64	0.20	0.1
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	5.95		10.7
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	7.11	2.16	15.3
Proposed Density (Applicant)	7.11	5.00	35.6



**3-B-21-RZ
SLOPE ANALYSIS**

From: A (Agricultural)
To: PR Planned Residential

Original Print Date: 2/16/2021 Revised: Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Nelson / Palmetto Homes, LLC, Kevin
Map No.: 77
Jurisdiction: County

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Feet

N

Exhibit A. 3-B-21-RZ Contextual Images

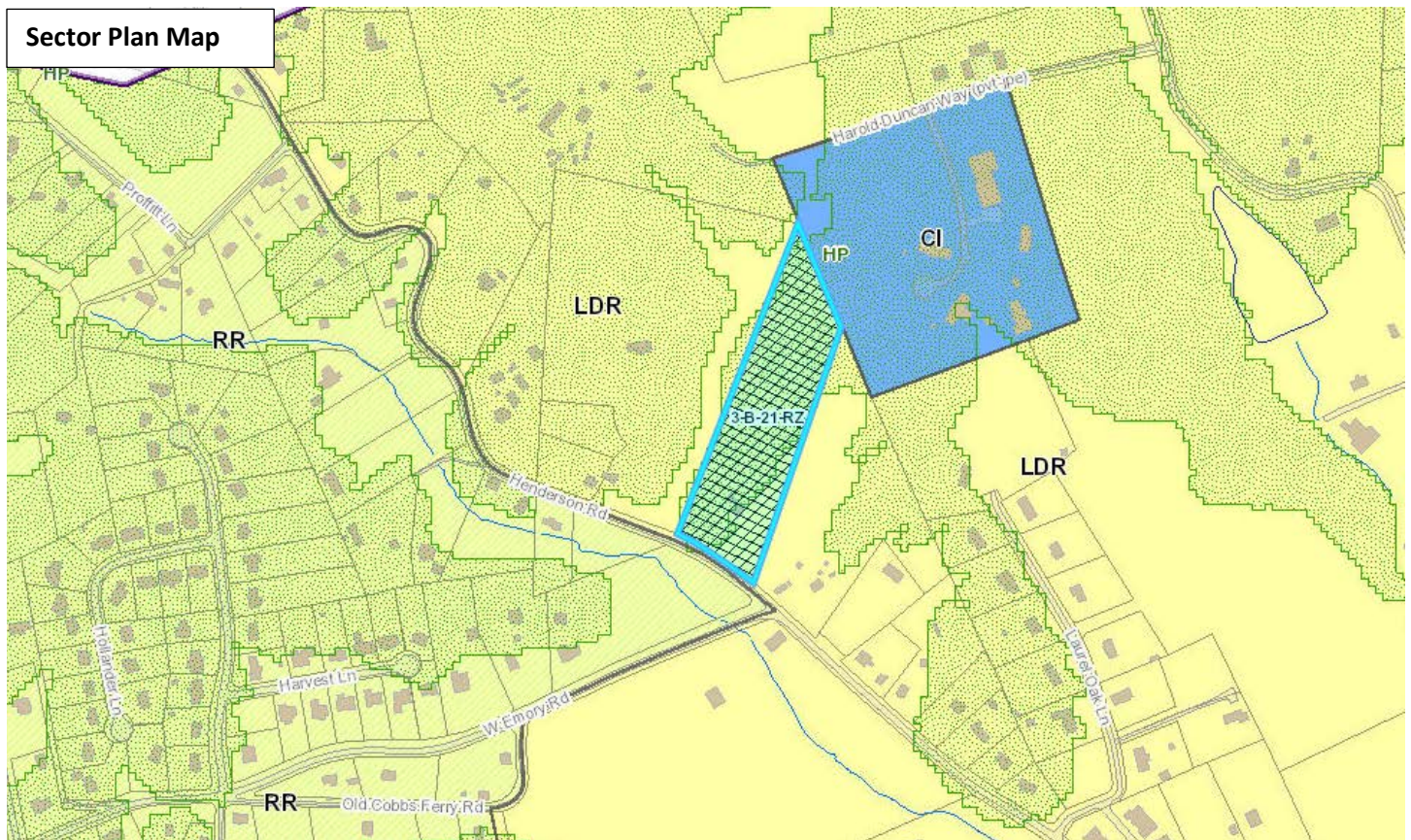
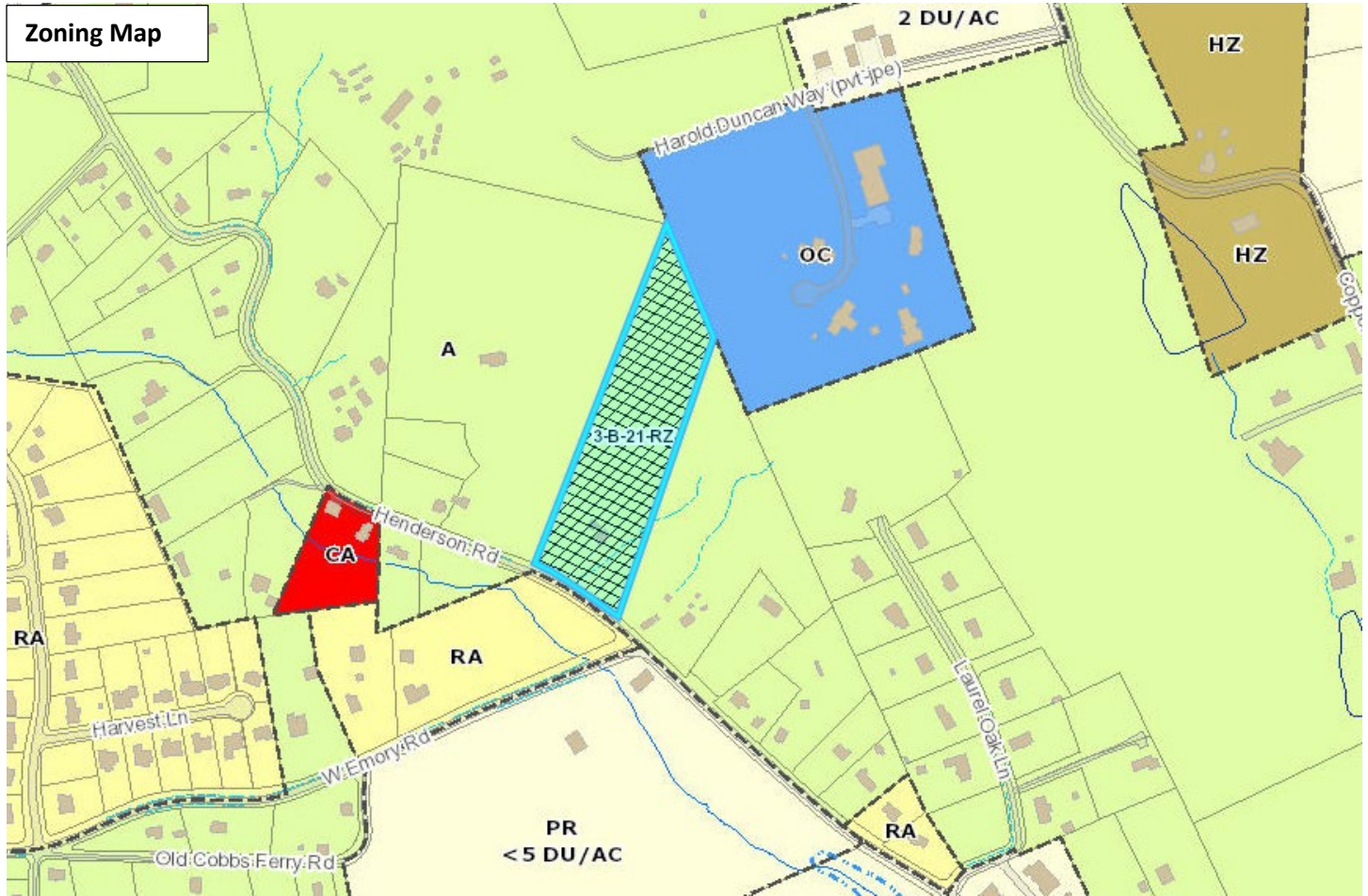
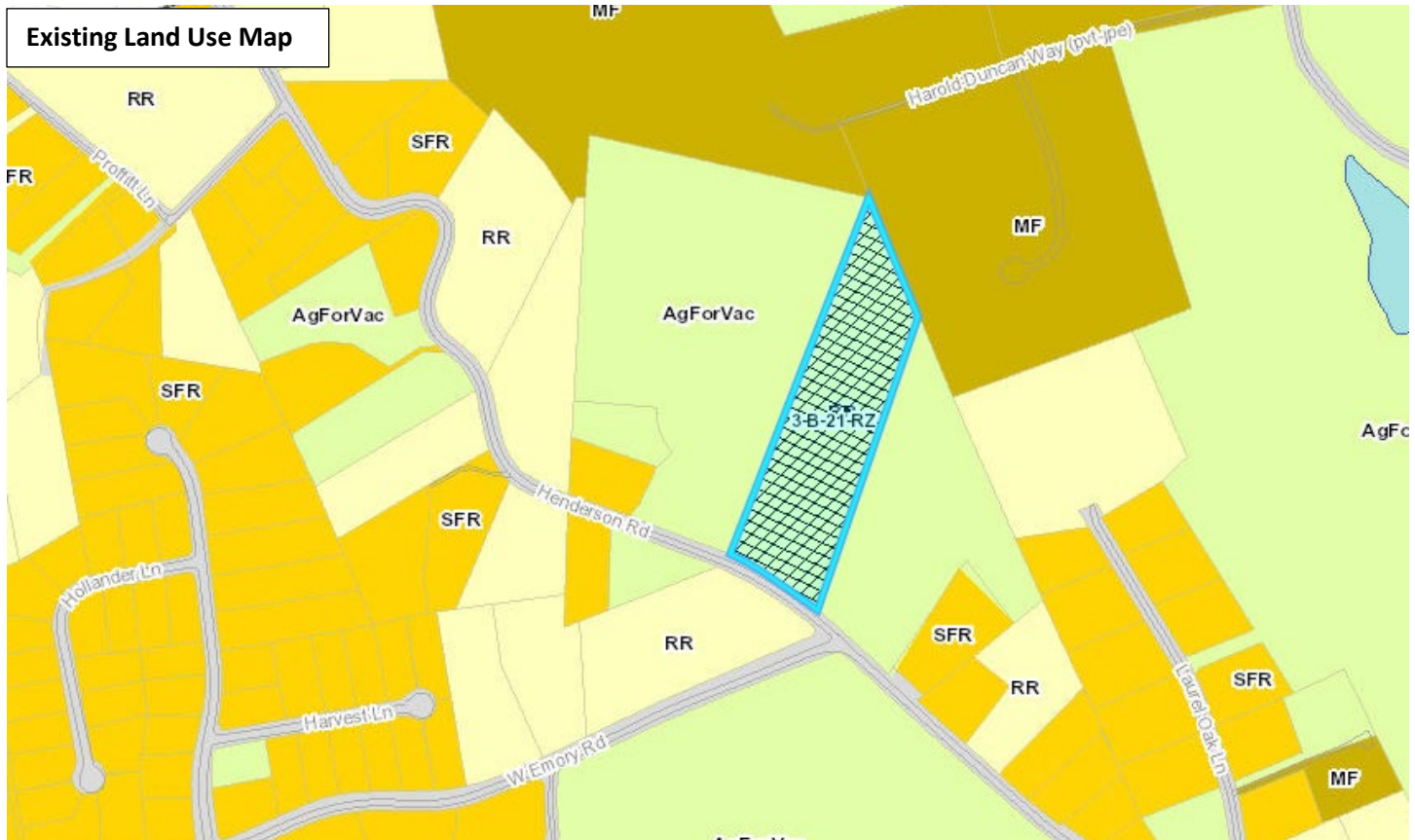


Exhibit A. 3-B-21-RZ Contextual Images





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

Kevin Nelson (Palmetto Homes LLC)
 Applicant Name Affiliation

1/21/21 3-11-2021 File Number(s)
 Date Filed Meeting Date (if applicable) 3-B-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

Kevin Nelson Palmetto Homes L.L.C.
 Name Company

242 Tracy Allison Ln. Clinton TN 37716
 Address City State ZIP

(865) 389-9692 Kevin Nelson 321@yahoo.com
 Phone Email

CURRENT PROPERTY INFO

Kevin Cox 9716 Clearwater Dr. (865) 591-0802
 Owner Name (if different) Owner Address Owner Phone

3604 Henderson Rd. 077 082
 Property Address Parcel ID

West Knox Utility West Knox Utility N
 Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

North side Henderson Rd approx 7.40 acres
 General Location Tract Size
northwest of W Emory Rd
intersection

City County 6th A. RR
 District Zoning District Existing Land Use

Northwest County LDR/HP Planned Growth
 Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

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

Related Rezoning File Number

Proposed Subdivision Name

Combine Parcels
 Divide Parcel
 Unit / Phase Number _____

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change

Proposed Zoning

Planned Residential (PR)

Plan Amendment Change

Proposed Plan Designation(s)

5

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
0325	600.00
Fee 2 (50 x 7.4 approx acres)	+ 370.00
Fee 3	
	\$970.00

AUTHORIZATION

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


Applicant Signature

Kevin Nelson
Please Print

1/21/21
Date

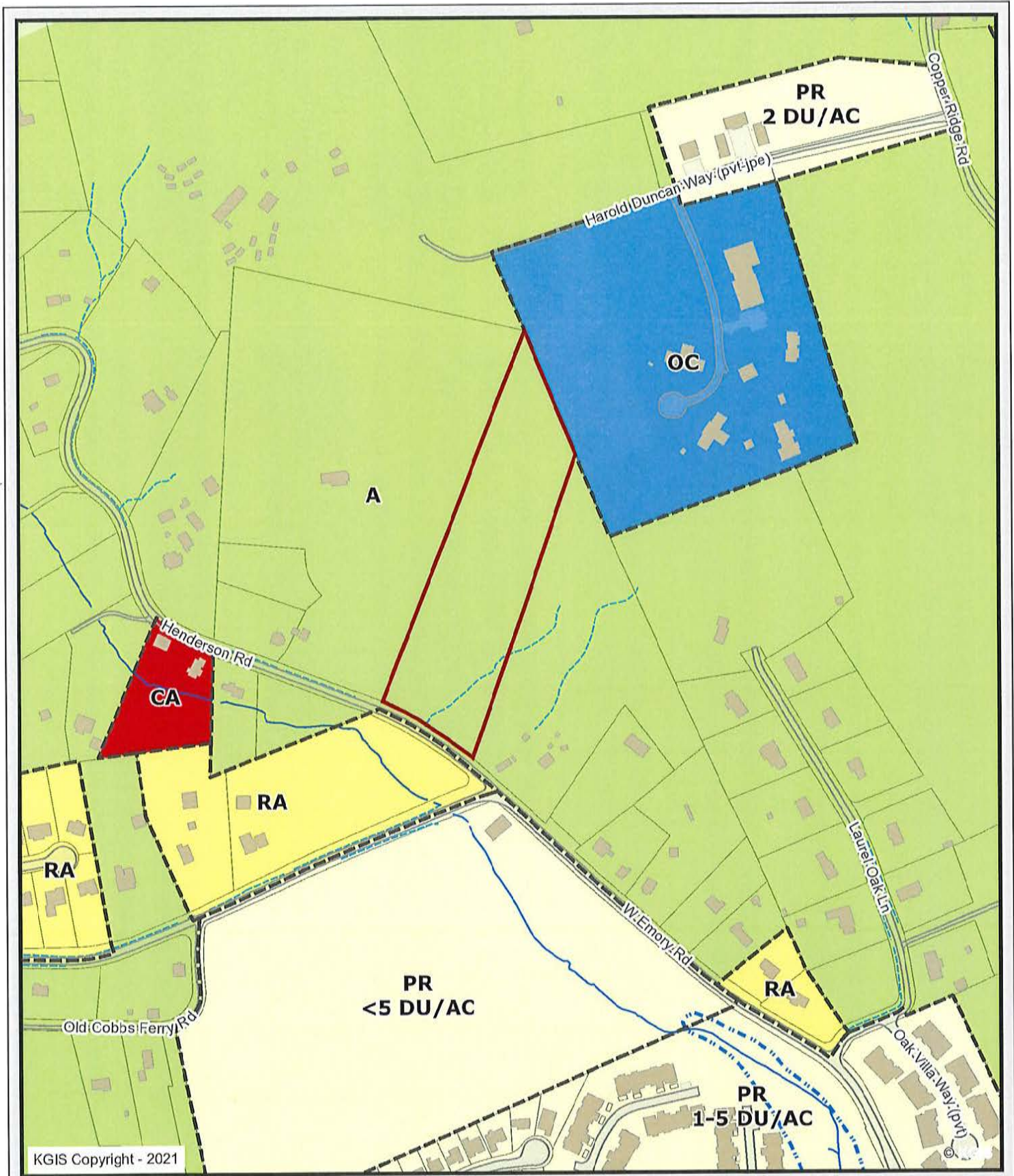
(865) 389-9692
Phone Number

Kevinnelson321@yahoo.com
Email


Staff Signature

SHERRY MUCHIENZI
Please Print

1/21/2021
Date



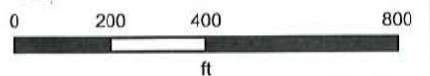
3604 Henderson Rd.

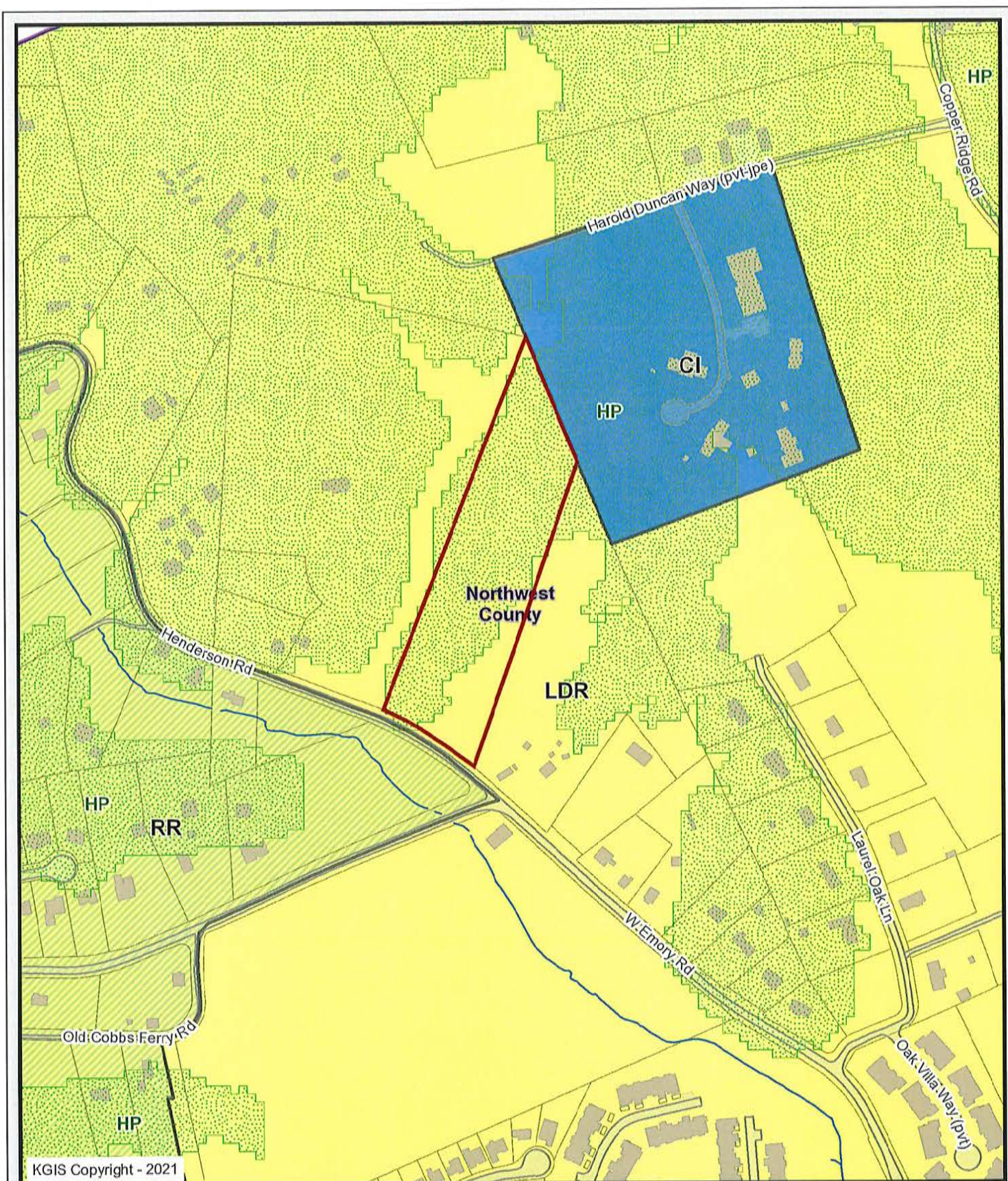
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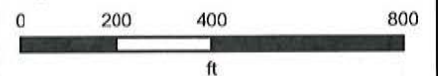
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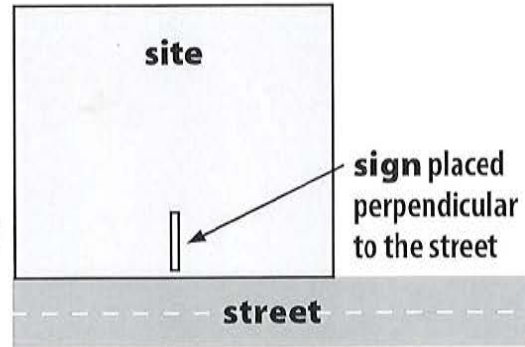
REQUIRED SIGN POSTING AGREEMENT

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:

Feb 24th (Wed) and March 12th (Fri)
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: [Handwritten Signature]

Printed Name: Kevin Nelson

Phone: (865) 389-9692 Email: Kevinnelson321@yahoo.com

Date: 1/21/2021

File Number: 3-A-21-RZ