



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 7-F-21-RZ

AGENDA ITEM #: 17

7-C-21-SP

AGENDA DATE: 7/8/2021

► **APPLICANT:** HOMESTEAD LAND HOLDINGS, LLC

OWNER(S): Barbara S. Long

TAX ID NUMBER: 129 12607 & 116 07002

[View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 0 & 11902 Hardin Valley Rd.

► **LOCATION:** East of and adjacent to Vining Mill Subdivision

► **TRACT INFORMATION:** 12.65 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with a 22' pavement width within a 60' right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

► **PRESENT PLAN DESIGNATION/ZONING:** AG (Agricultural) & HP (Hillside Protection) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & HP (Hillside Protection) / PR (Planned Residential)

► **EXISTING LAND USE:** Rural residential, Agricultural/forestry/vacant

► **DENSITY PROPOSED:** 2 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, LDR and PR up to 2 du/ac are adjacent to the west.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Agricultural/forestry/vacant / AG (Agriculture) & HP (Hillside Protection) / A (Agriculture)

South: Agricultural/forestry/vacant / AG (Agriculture), LDR (Low Density Residential) & HP (Hillside Protection) / PR (Planned Residential), A (Agriculture)

East: Agricultural/forestry/vacant / AG (Agriculture) & HP (Hillside Protection) / A (Agriculture)

West: Single family residential, Agricultural/forestry/vacant / AG (Agriculture), LDR (Low Density Residential) & HP (Hillside Protection) / PR (Planned Residential),

NEIGHBORHOOD CONTEXT: This area is transitioning from large, agricultural lots to single family residential. This side of Hardin Valley is characterized by forested, steep slopes.

STAFF RECOMMENDATION:

- **Approve RR (Rural Residential) / HP (Hillside Protection) because it is consistent with the Growth Policy Plan.**

- **Approve PR (Planned Residential) zoning up to 2 du/ac consistent with the Growth Policy 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. The West Knox Utility District has recently added a new wastewater treatment facility to expand capacity in the Northwest County Sector.
2. The Hardin Valley Mobility Plan adopted in 2019 prioritized improvement projects in the Hardin Valley area.

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

1. There have been no new road improvements in this area.
2. There has been a recently completed expansion of wastewater capacity in this area by the West Knox Utility District and a new middle school built for the Hardin Valley community by Knox County Schools. A study for forthcoming electrical line improvements by the West Knox Utility District and TVA is also underway.
3. While utility infrastructure does support additional residential growth in the area, the adopted Growth Policy Plan does not support residential densities greater than 2 du/ac, thus the Rural Residential is the maximum residential land use classification that staff can support at this location.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no obvious or significant errors or omissions in the plan regarding these parcels. The 2016 update of the Northwest County Sector Plan took into consideration that this area is within the Rural Area of the Growth Policy Plan, which is intended to remain rural through limiting residential density growth and development of commercial and industrial land uses.
2. Zoning for residential densities in the general area are approximately 2 du/ac, which aligns with the recommended Rural Residential land use classification.
3. The slope analysis yields a recommended density of 1.7 du/ac, the RR (Rural Residential) land use classification is consistent with the maximum recommended residential density in the Hillside Protection (HP) Overlay land use classification

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

1. The Rural Residential land use classification allows consideration of additional residential density at this location up to 2 dwelling units per acre and the majority of the surrounding residential densities are within that range as well.
2. The slope analysis for the property also recommends a reduced density up to 1.7 du/ac.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

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 area.

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 25 single family residential dwelling units may be accommodated on the site meeting all other standards.
2. A Transportation Impact Letter was not required because this area of Hardin Valley Road has recently been studied through three traffic impact letters submitted as part of three rezonings and plan amendments within 0.2 miles west of this property for cases 1-G-21-RZ/1-G-21-SP, 5-F-21-RZ, and 6-E-21-RZ / 6-B-21-SP.
3. The property is characterized by forested steep slopes on the south side of the property. The slope analysis for this case yields a recommended residential density of 1.7 du/ac and the recommended disturbance area within the HP (Hillside Protection) area identified on the site is 4.8 acres of the 9.8 acres since 65% of the site consists of slopes greater than 15%. However, the site also has 2.82 acres outside of the HP overlay that is relatively flat, where 100% disturbance is assumed.

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 the recommended plan amendment to RR (Rural Residential) for the Northwest County Sector Plan at this location and the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 247 (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: 9 (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 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.

***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST COUNTY SECTOR PLAN***

WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northwest County Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Homestead Land Holdings, LLC has submitted an application for an amendment to the Northwest County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Agriculture and Hillside Protection to Rural Residential and Hillside Protection consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing on July 8, 2021, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northwest County Sector Plan, with its accompanying staff report and map, file #7-C-21-SP.

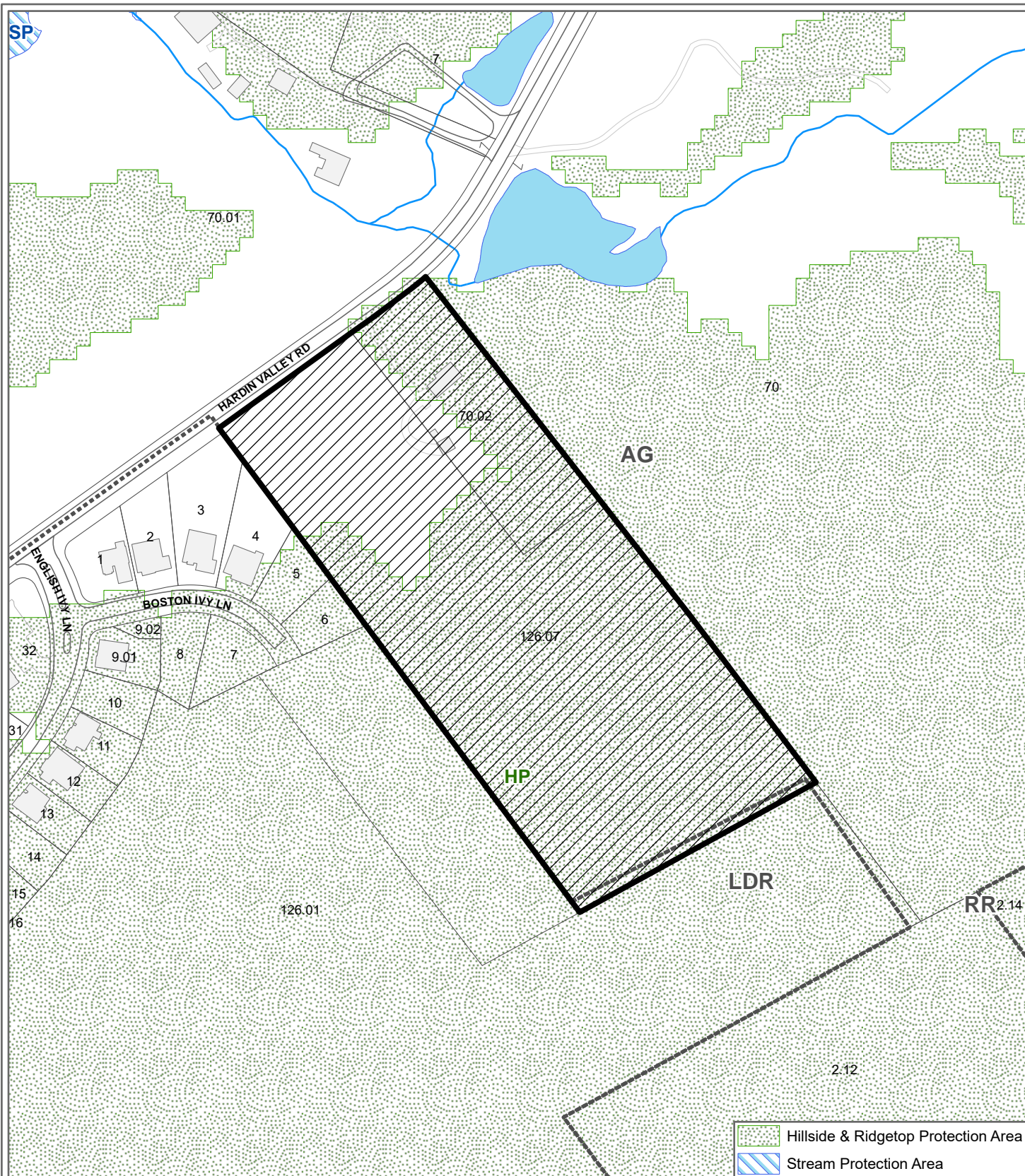
SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

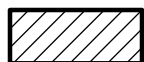
Date

Chairman

Secretary



**7-C-21-SP / 7-F-21-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**



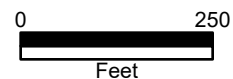
From: AG (Agricultural) & HP (Hillside Protection)

To: LDR (Low Density Residential) & HP (Hillside Protection)

Petitioner: Homestead Land Holdings, LLC

Map No: 129

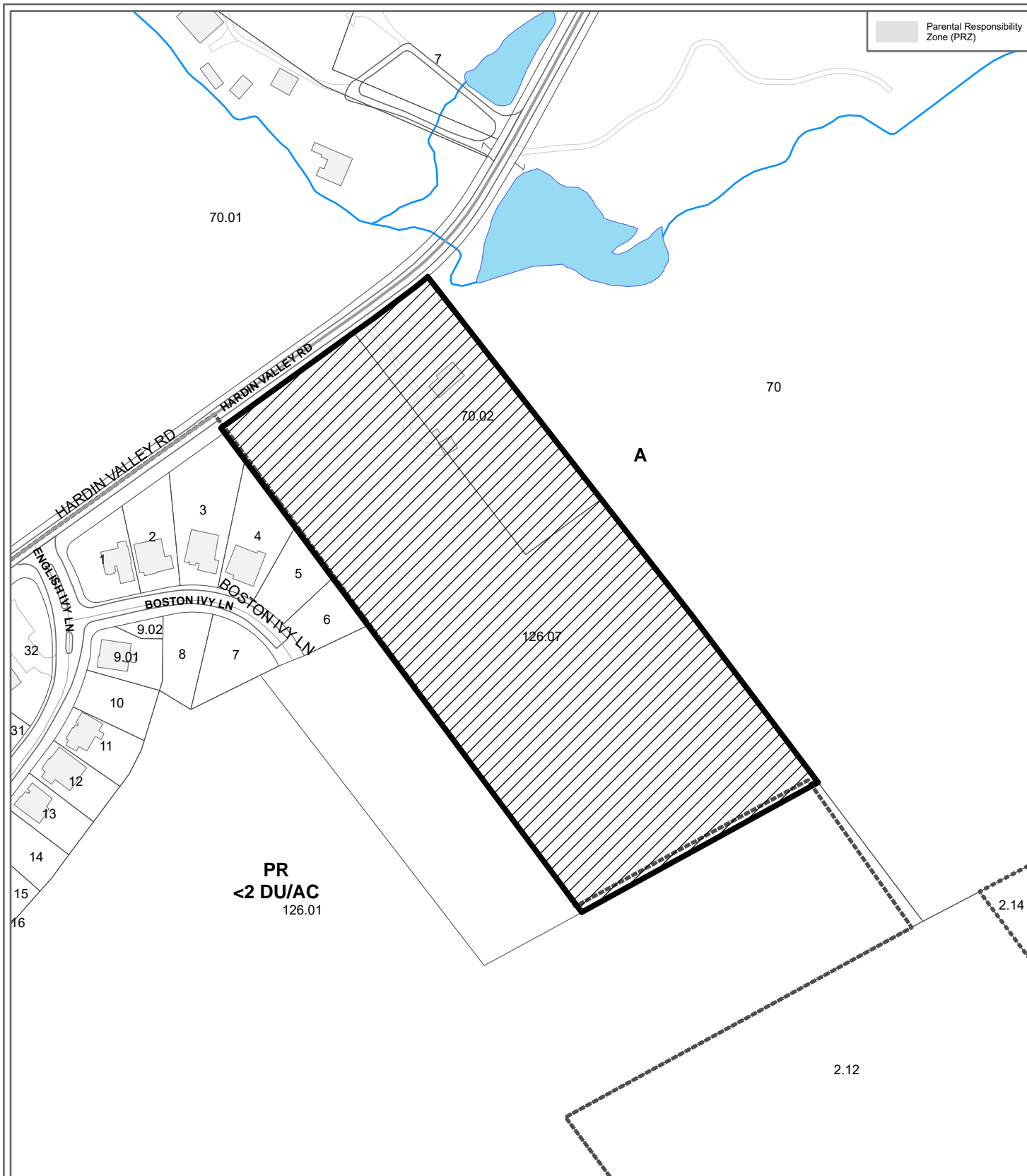
Jurisdiction: County



Original Print Date: 6/8/2021

Revised:

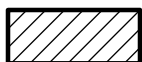
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902



7-F-21-RZ REZONING

From: A (Agricultural)

To: PR (Planned Residential)



Petitioner: Homestead Land Holdings, LLC

Map No: 129

Jurisdiction: County

0 250
Feet



Original Print Date: 6/8/2021

Revised:

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

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	2.82	100%	2.8
0-15% Slope	1.44	100%	1.4
15-25% Slope	5.63	50%	2.8
25-40% Slope	2.79	20%	0.6
Greater than 40% Slope	0.01	10%	0.0
Ridgetops	0.00		
Subtotal: Sloped Land	9.87	Recommended disturbance budget within Hillside Protection Area (acres)	4.8
Total Acreage	12.69		7.6

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	2.82	2.00	5.6
0-15% Slope	1.44	2.00	2.9
15-25% Slope	5.63	2.00	11.3
25-40% Slope	2.79	0.50	1.4
Greater than 40% Slope	0.01	0.20	0.0
Ridgetops	0.00	3.00	0.0
Subtotal: Sloped Land	9.87		15.5
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	12.69	1.67	21.2
Proposed Density (Applicant)	12.69	2.00	25.4

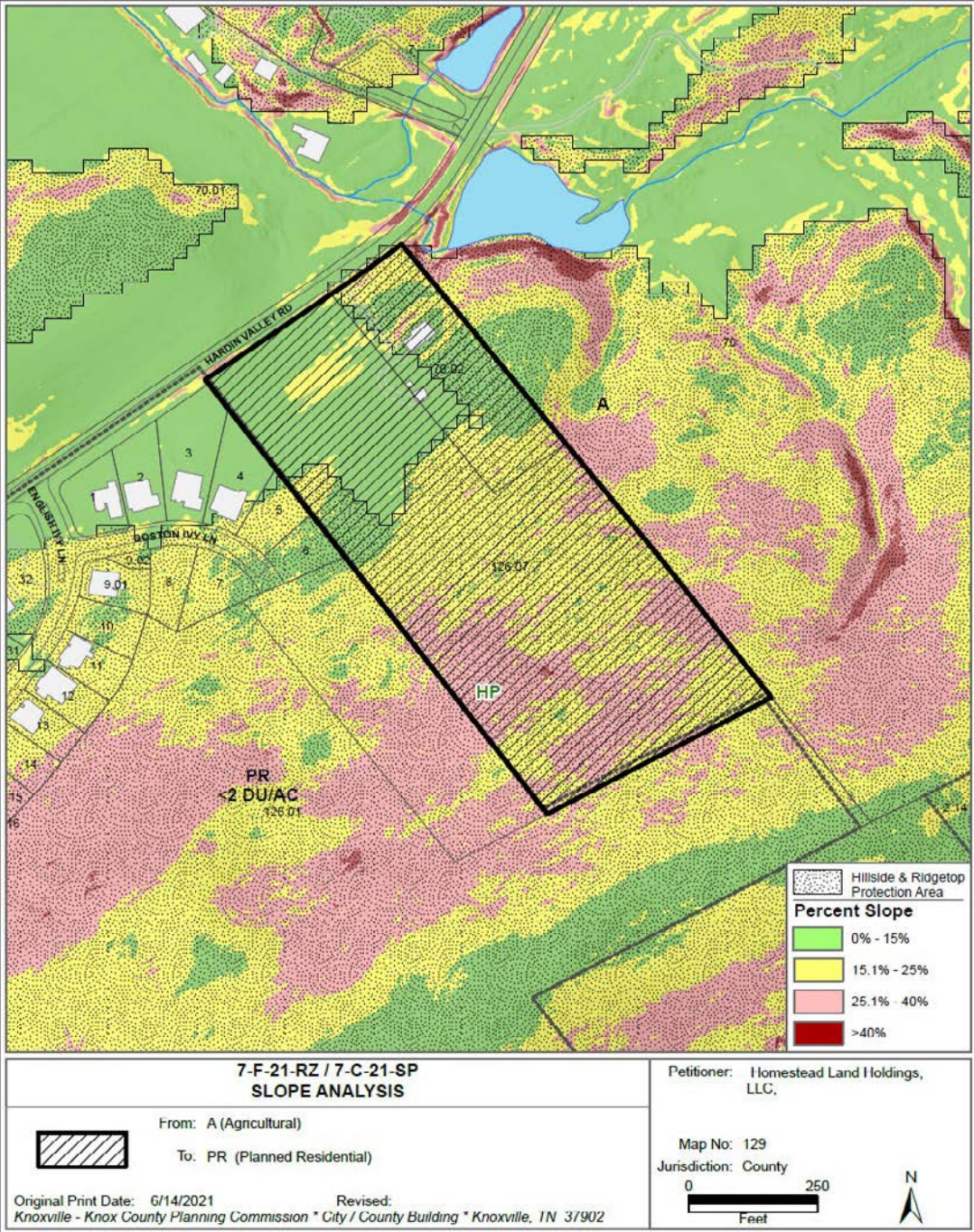
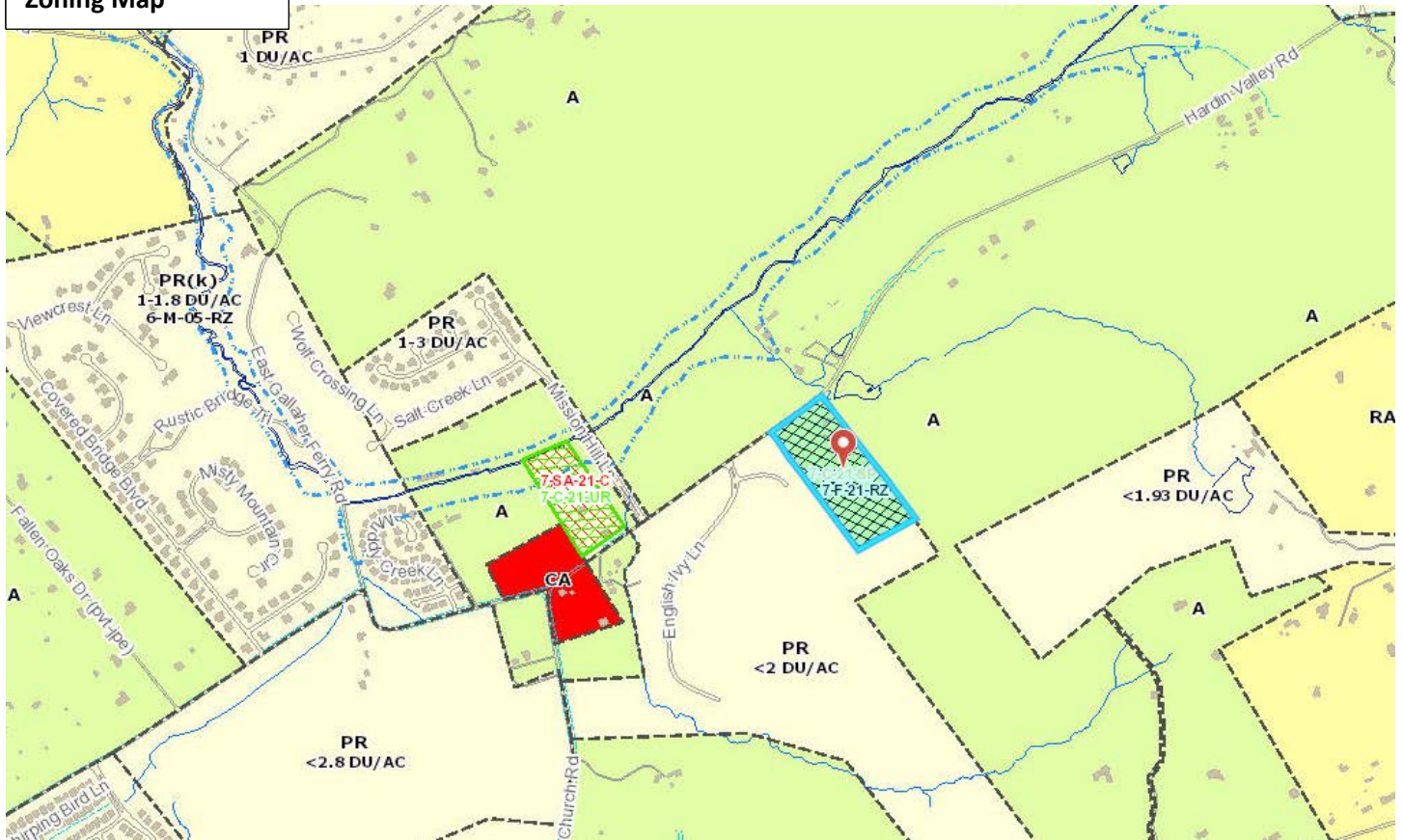


Exhibit B. 7-F-21-RZ / 7-C-21-SP Contextual Images

Zoning Map



Sector Plan Map

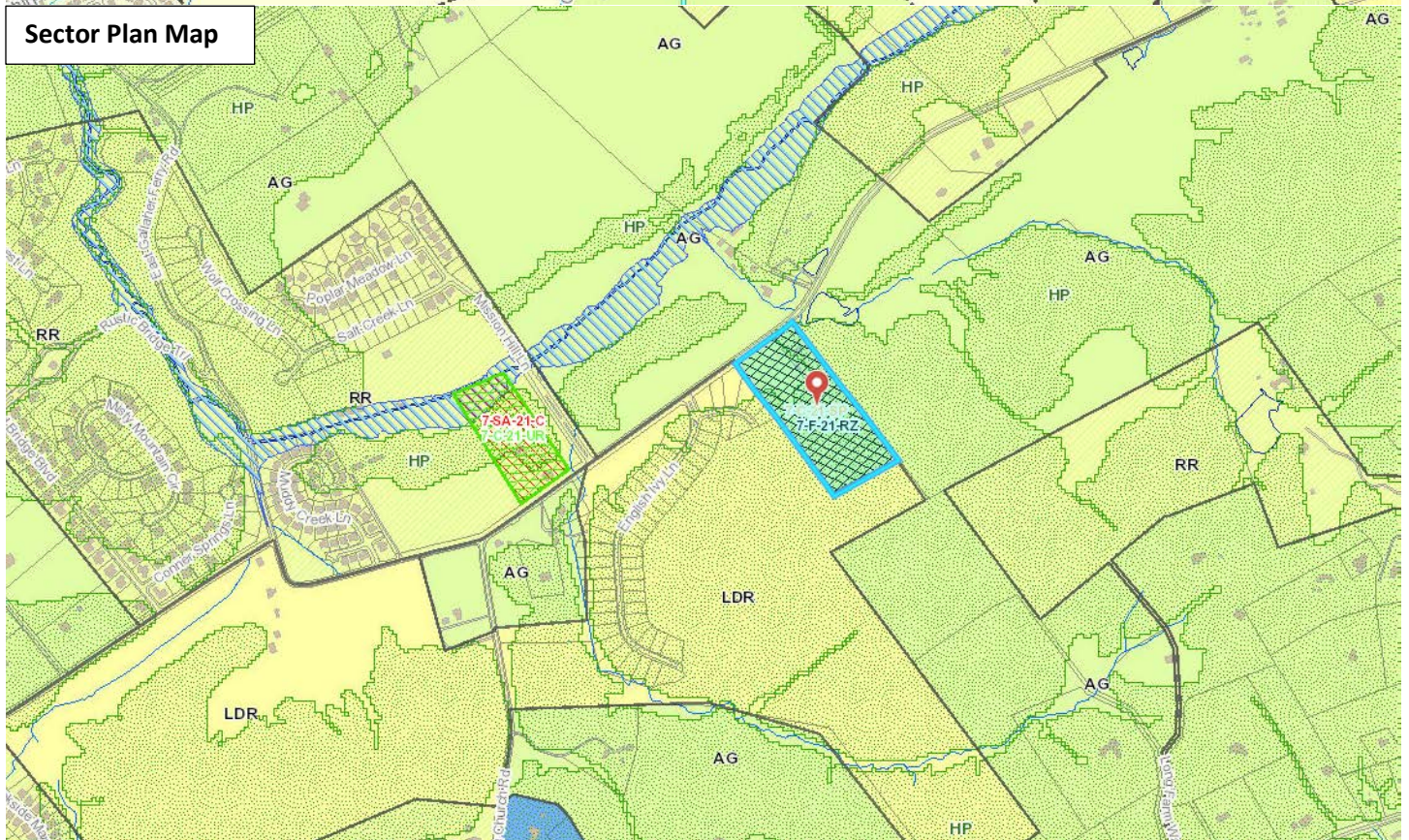
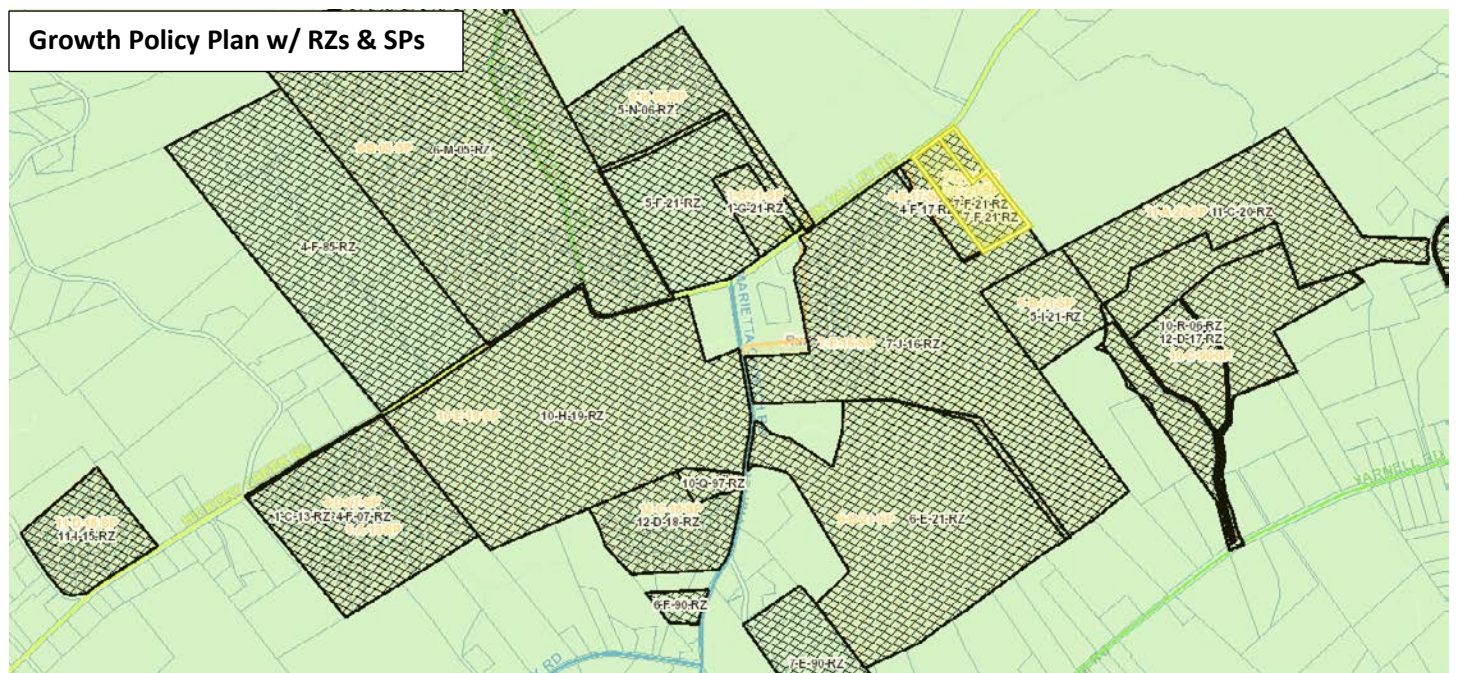
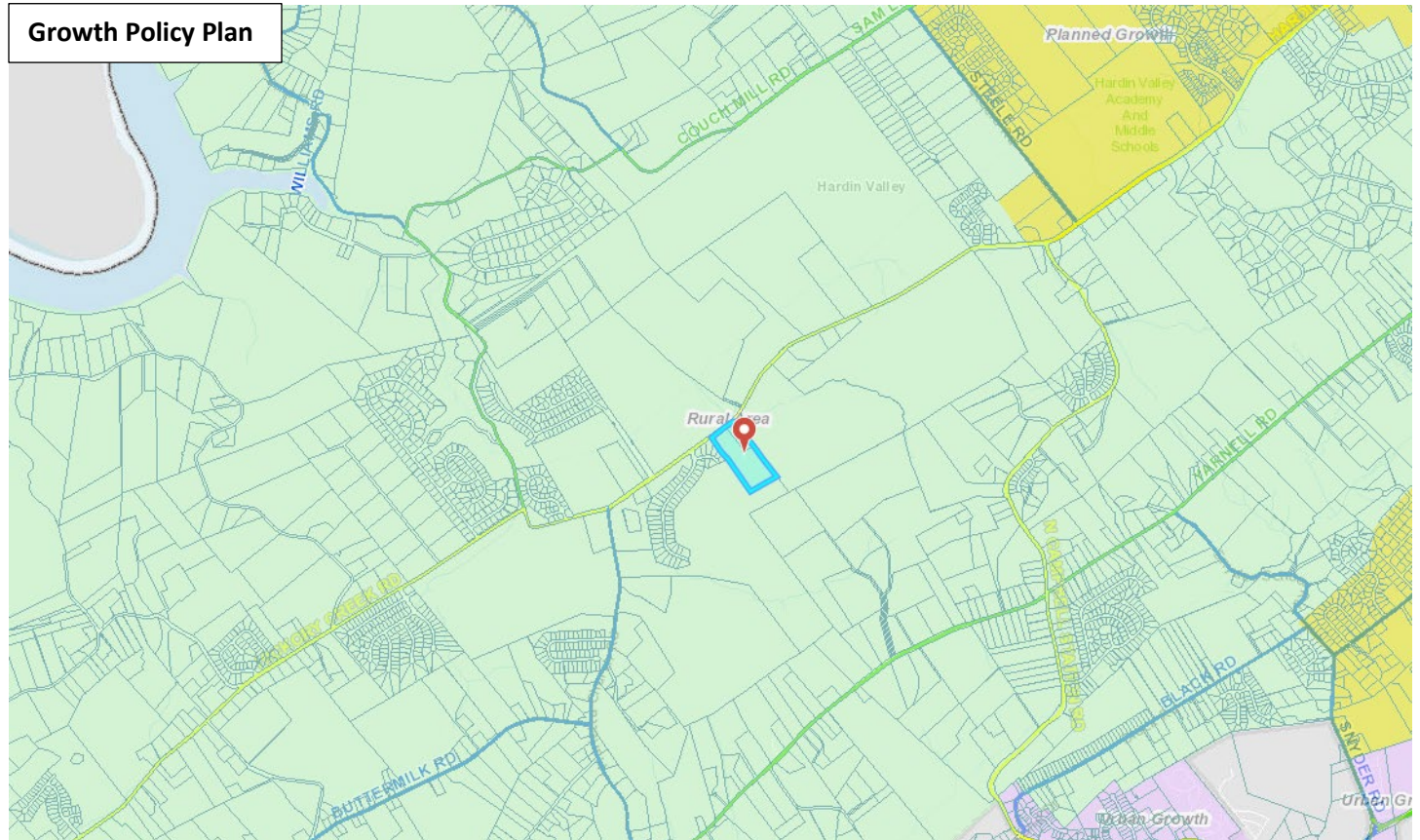


Exhibit B. 7-F-21-RZ / 7-C-21-SP Contextual Images



Exhibit B. 7-F-21-RZ / 7-C-21-SP Contextual Images





DEVELOPMENT REQUEST

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

Homestead Land Holdings, LLC

Applicant Name	Affiliation		
May 24, 2021	July 8, 2021	7-F-21-RZ_7-C-21-SP	
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

Russell N. Rackley, PE		Rackley Engineering		
Name		Company		
PO Box 30456		Knoxville	TN	37930
Address		City	State	Zip
865-622-6560		rnrackley@rackleyengineering.com		
Phone		Email		

CURRENT PROPERTY INFO


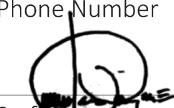
Barbara S Long		11902 Hardin Valley Rd	
Owner Name (if different)	Owner Address		Owner Phone
0 Hardin Valley Rd; 11902 Hardin Valley Rd	12912607; & 11607002		
Property Address	Parcel ID		
East of and adjacent to Vining Mill s/d	12.65		
General Location	Tract Size		
District 6	A		
Jurisdiction (specify district above)	<input type="checkbox"/> City <input checked="" type="checkbox"/> County	Zoning District	
NW County	AG & HP	Rural	
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation	
AgForVac & RR Vacant; single family home	N WKUD	WKUD	
Existing Land Use	Septic (Y/N)	Sewer Provider	Water Provider

REQUEST

	DEVELOPMENT	SUBDIVISION	ZONING
<input type="checkbox"/>	Development Plan	<input type="checkbox"/> Use on Review / Special Use	
<input type="checkbox"/>	Residential	<input type="checkbox"/> Non-Residential	
<input type="checkbox"/>	Home Occupation (specify): _____		
<input type="checkbox"/>	Other (specify): _____		
<input type="checkbox"/>	Proposed Subdivision Name _____ Unit / Phase Number _____		
<input type="checkbox"/>	Parcel Change		
<input type="checkbox"/>	Combine Parcels	<input type="checkbox"/> Divide Parcel	Total Number of Lots Created: _____
<input type="checkbox"/>	Other (specify): _____		
<input type="checkbox"/>	Attachments / Additional Requirements		
<input checked="" type="checkbox"/>	Zoning Change:	PR<2	Proposed Zoning
<input checked="" type="checkbox"/>	Plan Amendment Change:	LDR & HP (currently AG)	Proposed Plan Designation(s)
	2	None known	
	Proposed Density (units/acre)	Previous Rezoning Requests	
<input type="checkbox"/>	Other (specify): None known		

STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission		FEE 1: 0325 1,232.50		TOTAL: 2,032.50
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		FEE 2: 0527 800.00		
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification <i>(Final Plat only)</i> <input type="checkbox"/> Use on Review / Special Use <i>(Concept Plan only)</i> <input type="checkbox"/> Traffic Impact Study		FEE 3: 		

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

	Russell N Rackley	May 24, 2021
Applicant Signature	Please Print	Date
865-850-1535	Rnrackley@rackleyengineering.com	
Phone Number	Email	
	Marc Payne	5/24/2021 L.E.
Staff Signature	Please Print	Date