

REZONING REPORT

► **FILE #:** 5-G-21-RZ **AGENDA ITEM #:** 11
 POSTPONEMENT(S): 5/13/2021 **AGENDA DATE:** 6/10/2021
 ► **APPLICANT:** JENKINS BUILDERS, INC.
 OWNER(S): Jenkins Builders, Inc.

TAX ID NUMBER: 49 06701 [View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 0 Old Tazewell Pk.

► **LOCATION:** Eastern side of Old Tazewell Pike, western side of Murphy Road

► **APPX. SIZE OF TRACT:** 8.7 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: This property has frontage along Old Tazewell Pike and Murphy Road. Old Tazewell Pike is a local road with a 16.3-ft pavement width inside a 50-ft right-of-way. Murphy Road is a major collector with a 34.1-ft pavement width inside a 70-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

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

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

► **EXISTING LAND USE:** Undeveloped land

► **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: Yes, PR zoning is adjacent to the east

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Public-quasi public land and rural residential - A (Agricultural)

South: Single family residential - A (Agricultural)

East: Single family residential - PR (Planned Residential) with up to 3 du/ac and A (Agricultural)

West: Single family residential and rural residential - A (Agricultural) and RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This is an area that has been transitioning from Agricultural to Planned Residential zoning since the late 1980s. The property behind this one consists of single family dwellings in the PR zone with up to 3 du/ac approved in 2002.

STAFF RECOMMENDATION:

► Approve PR zoning with up to 3 du/ac because it is consistent with the Growth Policy Plan, the sector plan, and surrounding development.

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. This area has been transitioning steadily from Agricultural zoning to residential subdivisions since the 1980s.

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.
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. The property is within the County's Rural Area at the boundary line of the Rural Area and Urban Growth Boundary. Surrounding residential properties zoned PR in the Rural Area have a density of up to 3 du/ac in the surrounding area, while the surrounding properties across Murphy Road within the Urban Growth Boundary have properties zoned RB and PR, the latter having densities ranging from 4 to 7 dwelling units per acre.
2. Built at the requested 5 du/ac, the development could accommodate up to 43 single family dwellings. Built at the recommended 3 du/ac, the development could accommodate up to 26 single family dwellings.
3. The property is not in a Parental Responsibility Zone, so no sidewalks would be required.
4. The lots have access to sewer lines.

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. This property is designated LDR (Low Density Residential) in the North City Sector Plan. This designation is not consistent with the Growth Policy Plan, which does not support the LDR (Low Density Residential) land use classification within the County's Rural Area. For this reason, staff is following the Growth Policy Plan and recommending a density of 3 du/ac. This is consistent with surrounding properties zoned PR in the Rural Area, none of which are over 3 du/ac.
2. The Growth Policy Plan requires a Traffic Impact Letter (TIL) in the County's Rural Area to show that the new developments will not unreasonably impair traffic flow along the arterial roads through the adjacent Planned Growth Area. In this case, the adjacent land is in the Urban Growth Boundary, not the Planned Growth Area, so a TIL will not be required.
3. The North City Sector Plan recommends rezoning to RA (Low Density Residential) and PR (Planned Residential). This change is recommended to reflect the existing low density residential land use that is predominately established in this area.

ESTIMATED TRAFFIC IMPACT: 478 (average daily vehicle trips)

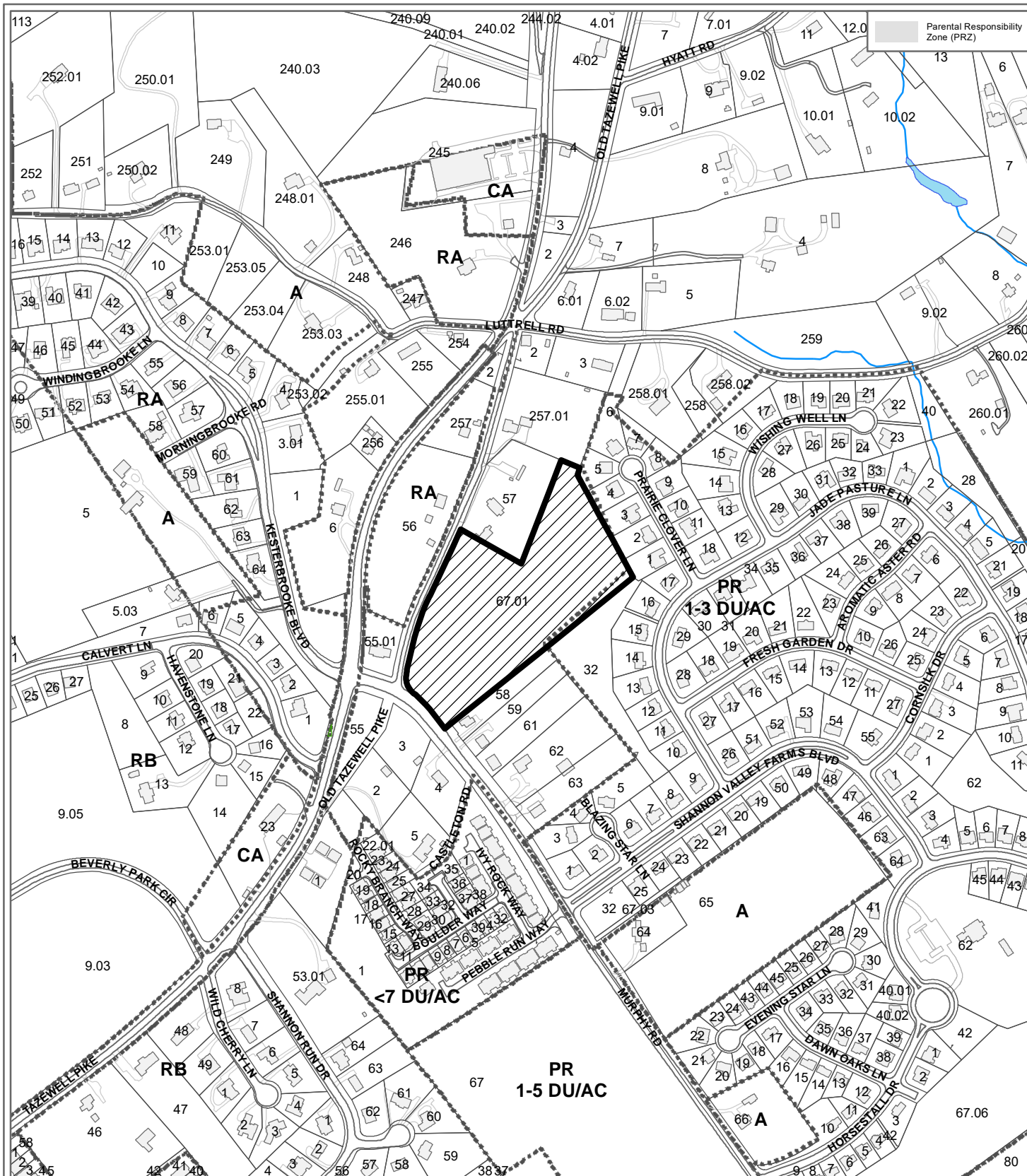
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate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

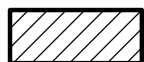
Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs High.

- 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 7/26/2021. 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.



5-G-21-RZ REZONING



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

Original Print Date: 4/7/2021
Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

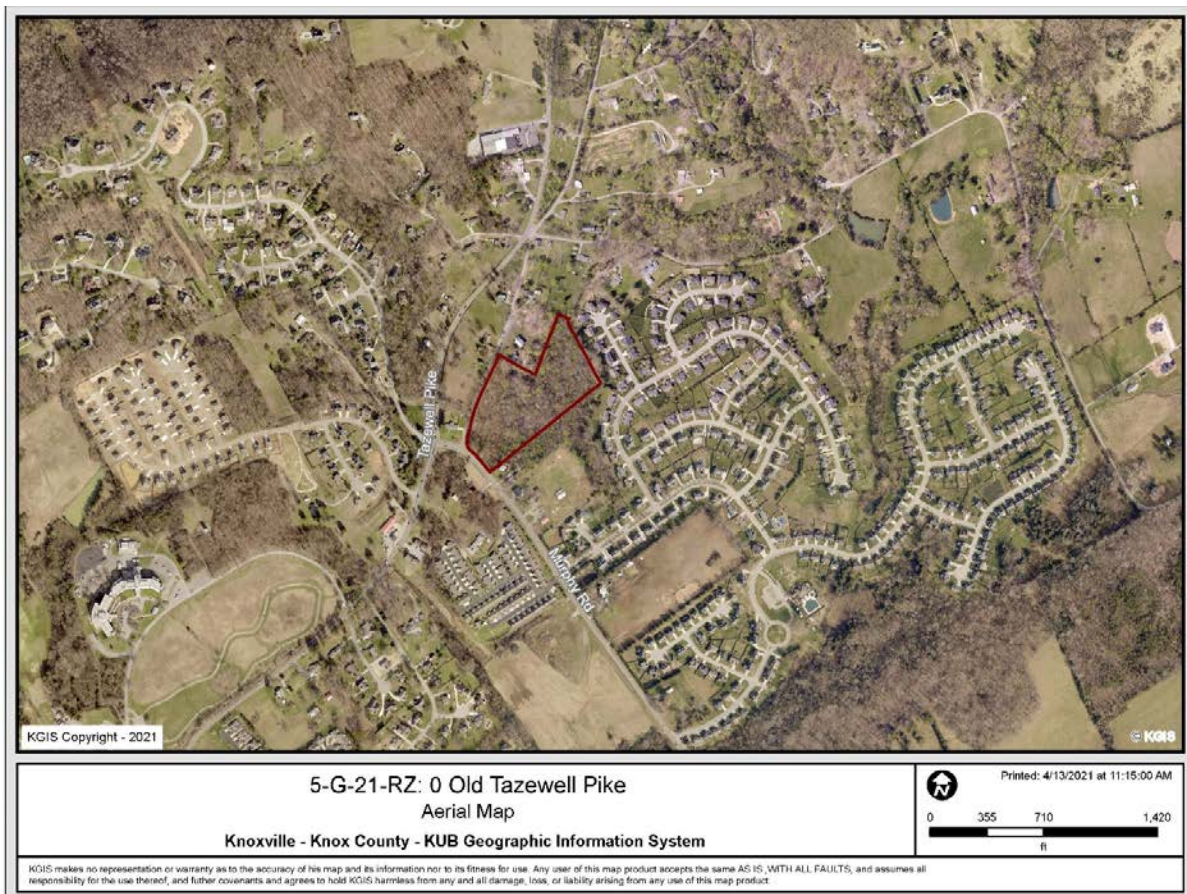
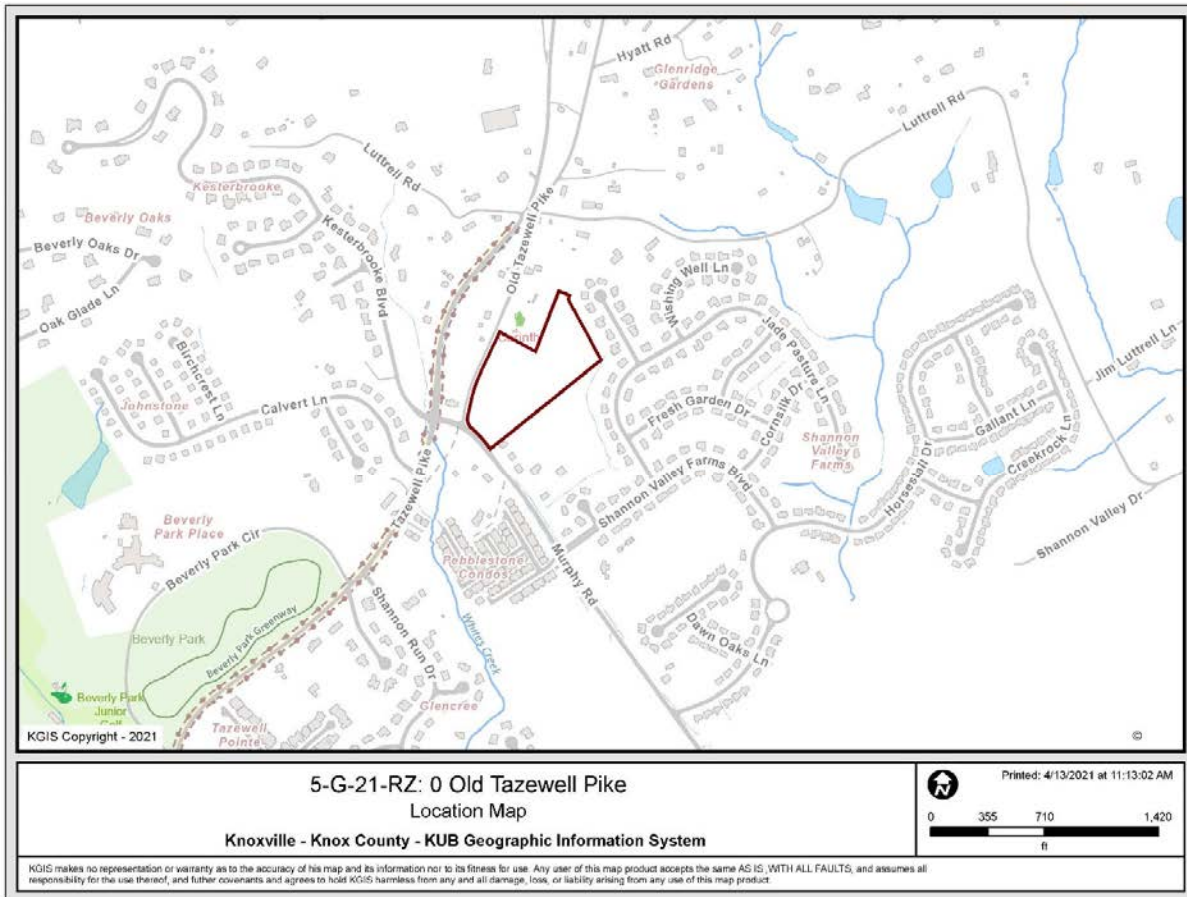
Petitioner: Jenkins Builders, Inc.

Map No: 49
Jurisdiction: County

0 500
Feet

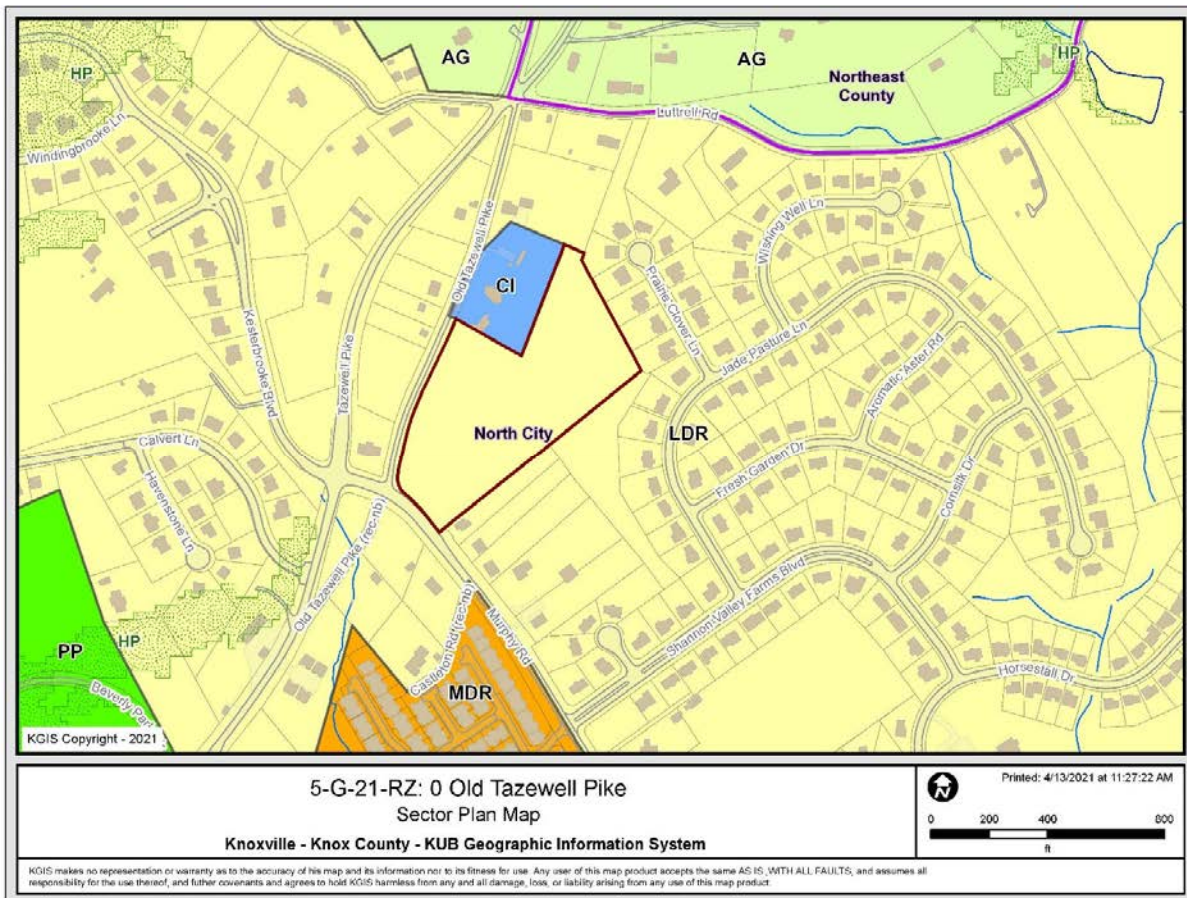
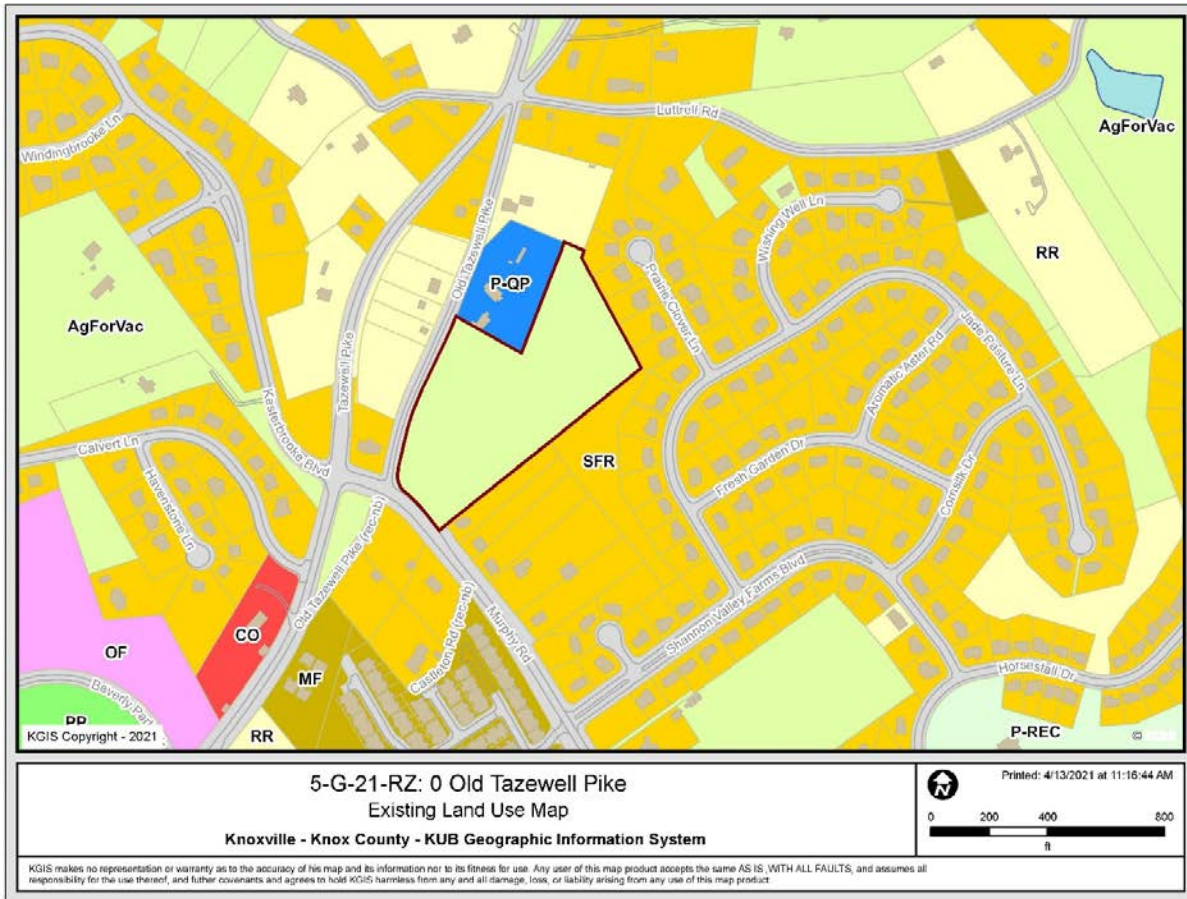


5-G-21-RZ
EXHIBIT A. Contextual Images

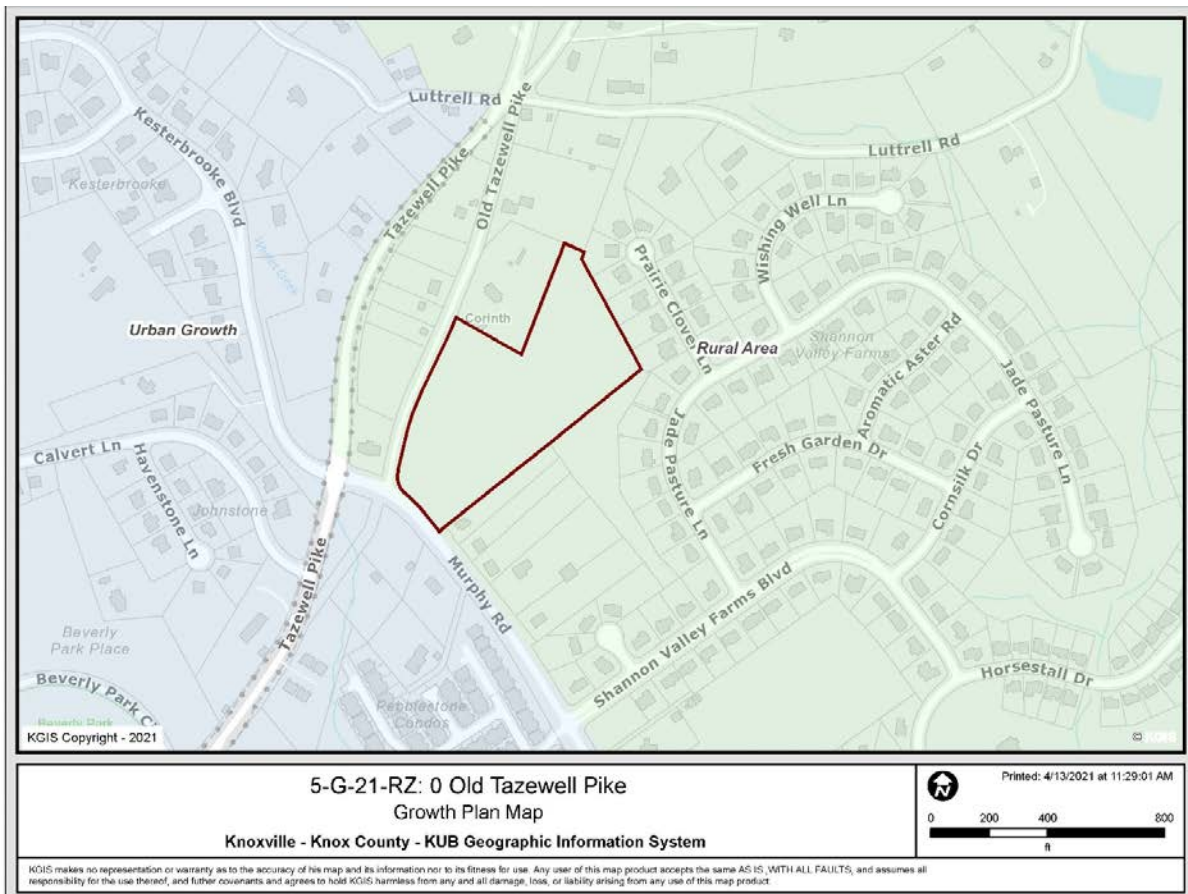
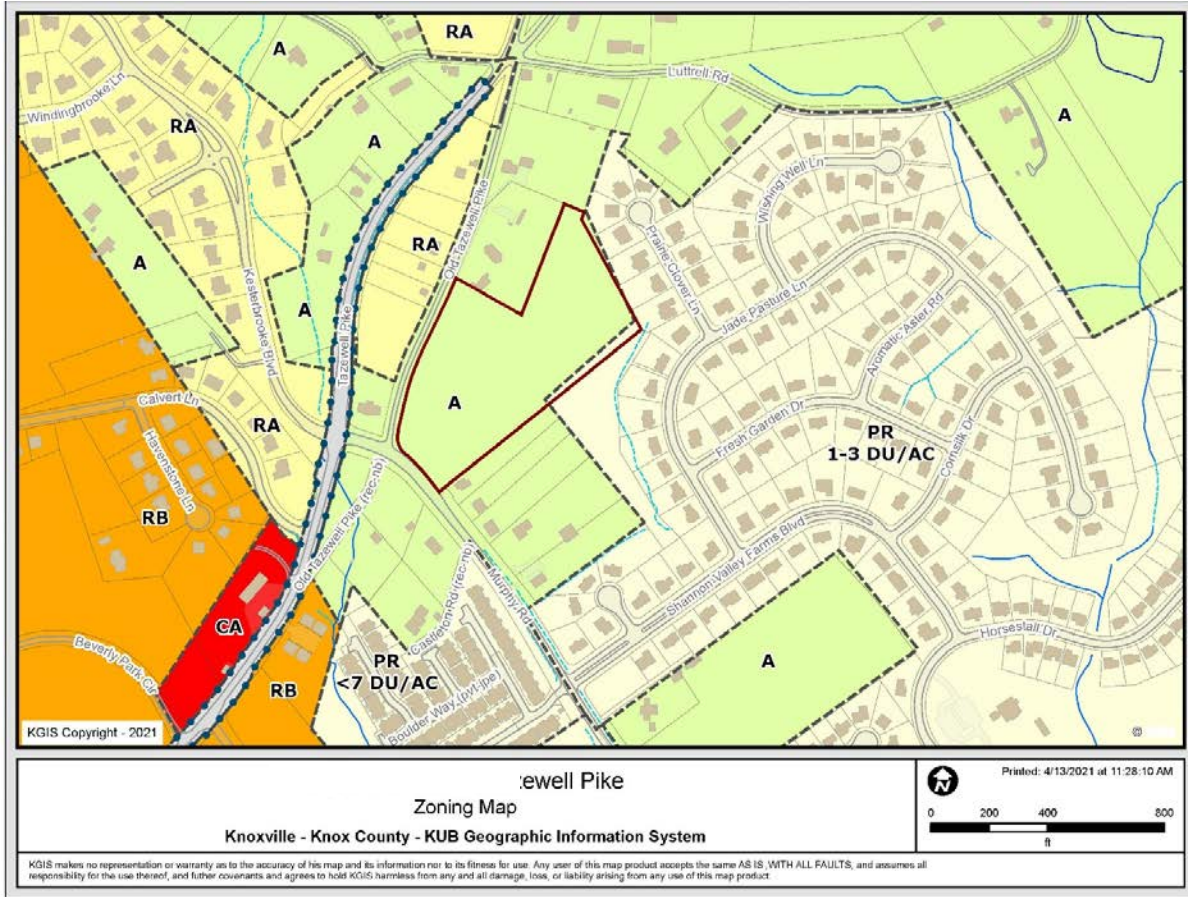


5-G-21-RZ

EXHIBIT A. Contextual Images



5-G-21-RZ
EXHIBIT A. Contextual Images



BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS AND LAND SURVEYORS
4334 Papermill Road
Knoxville, Tennessee 37909
Phone (865) 588-6472
Fax (865) 588-6473

April 30, 2021

Ms. Michelle Portier
Knoxville Knox County Planning (KKCP)

Dear Ms. Portier

We request the following at the May 13, 2021 KKCP meeting:

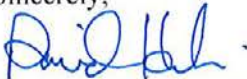
Please postpone consideration of the following Rezoning Request:

- Jenkins Builders, Inc. – Old Tazewell Pike (5-G-21-RZ)

Until the June 10, 2021 KKCP meeting.

Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Harbin".

David Harbin PE, RLS



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

JENKINS BUILDERS, INC
Applicant Name

Affiliation

File Number(s)

3/29/21
Date Filed

5/13/21
Meeting Date (if applicable)

5-G-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

DAVID HARBIN
Name

BATSON, HIMES, NORVELL & POE
Company

4334 PAPERMILL DRIVE
Address

KNOXVILLE
City

TN
State

37909
ZIP

865-588-6472
Phone

harbin@bhn-p.com
Email

CURRENT PROPERTY INFO

Jenkins Builders, Inc
Owner Name (if different)

5328 TURTLE POINT LN
Owner Address

Owner Phone

0 OLD TAZEWELL PIKE
Property Address

MAP 49 PARCEL 67.01
Parcel ID

480 HPUD
Sewer Provider

NORTH EAST KNOX UTILITY
Water Provider

N
Septic (Y/N)

STAFF USE ONLY

Eastern side of Old Tazewell Pike, western side of Murphy Rd
General Location

8.70 ac
Tract Size

☐ City ☒ County 8th
District

A
Zoning District

agricultural/forestry/vacant
Existing Land Use

North City
Planning Sector

LDR
Sector Plan Land Use Classification

Rural Area
Growth Policy Plan Designation

DEVELOPMENT REQUEST

Related City Permit Number(s)

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

☐ Residential ☐ Non-Residential

Home Occupation (specify)

Other (specify)

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number

☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify)

☐ Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

☒ Zoning Change **PLANNED RESIDENTIAL**
Proposed Zoning

☐ 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

\$1,035.00

\$1,035.00

Fee 2

Fee 3

AUTHORIZATION

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


Applicant Signature

David Harbin
Please Print

3/29/2021
Date

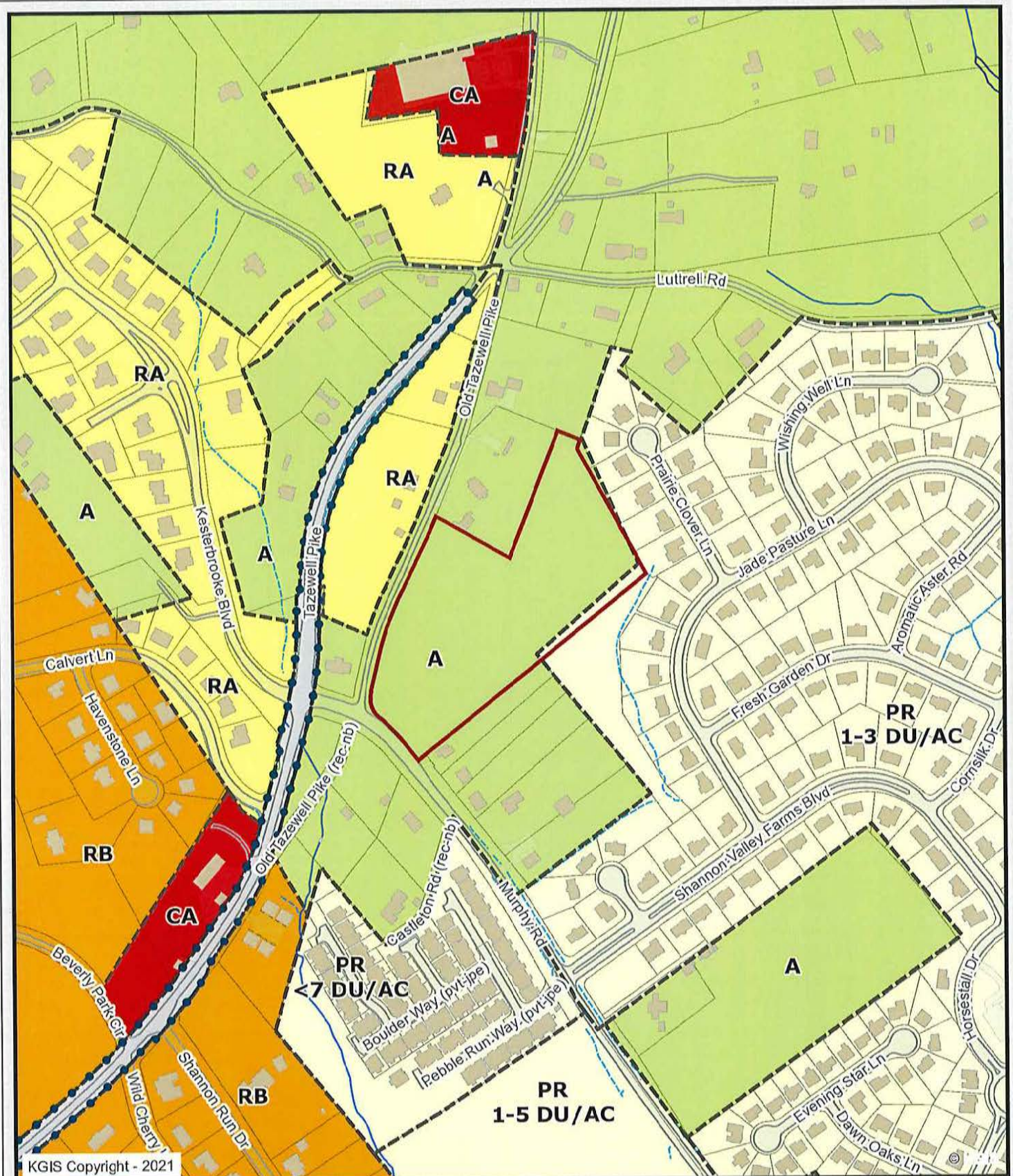
865-588-6472
Phone Number

harbin@bhn-p.com
Email


Staff Signature

Michelle Portier
Please Print

3/29/2021 AK
Date



Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

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