

REZONING REPORT

► **FILE #:** 3-B-21-RZ

AGENDA ITEM #: 16

AGENDA DATE: 3/11/2021

► **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 2.16 du/ac (dwelling units per acre) because it is consistent with the slope analysis, 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 slope analysis yields a recommended density of 2.16 du/ac (dwelling units per acre), which could result in a maximum yield of 15 dwelling units, while the applicant requested rezoning of PR up to 5 du/ac would yield a maximum 35 dwelling units.
3. 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.
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)

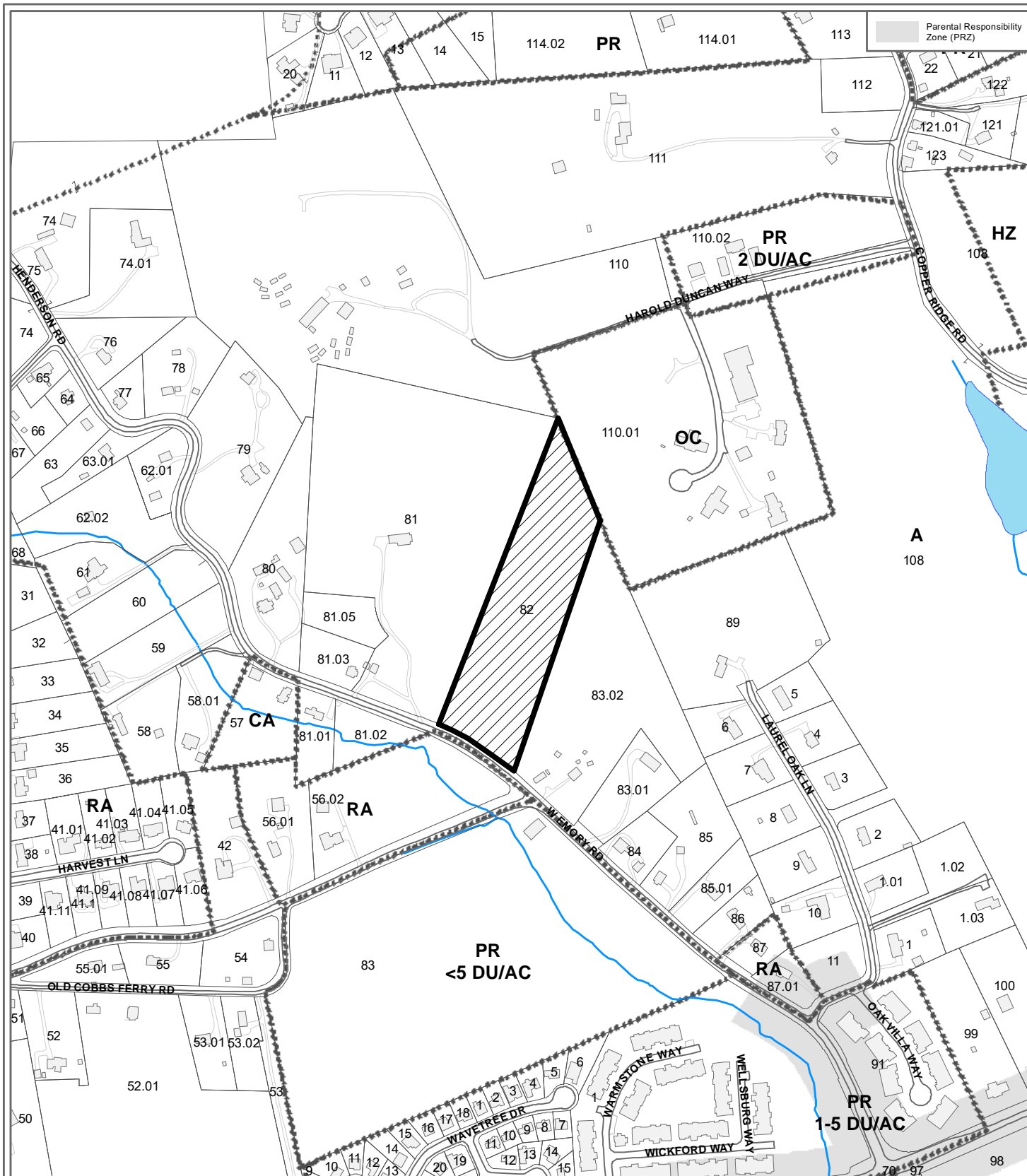
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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 4/26/2021. 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.



3-B-21-RZ REZONING



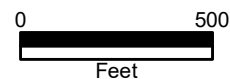
From: A (Agricultural)

To: PR (Planned Residential)

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

Petitioner: Nelson / Palmetto Homes, LLC,
 Kevin

Map No: 77
 Jurisdiction: County



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

From Hillside & Ridgetop Protection Plan, page 33

LOW DENSITY AND RURAL RESIDENTIAL USES

Density and Land Disturbance Guidelines

As proposals for changes to the zoning map and development plans/concept plans are considered, the following factors are recommended to determine the overall allowable density for residential rezonings and the overall land disturbance allowable in new development or subdivisions for those portions of parcels that are within the Hillside and Ridgetop Protection Area. These factors should be codified as regulations in the future. The areas of the Growth Policy Plan referenced below are presented on page 18.

Table 3: Residential Density and Land Disturbance Guidelines
for Recommendations on Changes to the Zoning Map and Development Plan/
Concept Plan Review within the Hillside and Ridgetop Protection Area
that is within the Urban Growth and the Planned Growth Area

Percent of Slope	Recommended Maximum Density Factor*	Recommended Maximum Land Disturbance Factor**
0 - 15	Knox County: 5 dua City of Knoxville: 6 dua	100%
15 - 25	2 dua	50%
25 - 40	0.5 dua	20%
40 or more	0.2 dua	10%
Ridgetops***	***	***

dua: dwelling units per acre

* These factors should be considered guidelines to determine an overall recommended residential density for requests for changes to the zoning map to planned residential (RP-1 in the city and PR in the county) zone districts that are considered by the Metropolitan Planning Commission prior to being considered by the appropriate legislative body. The resulting zone district development right would be considered a budget for dwelling units to be applied over the entire proposed development.

** Until such time as regulations are codified by the appropriate legislative body, these factors should be considered guidelines to determine an overall recommended land disturbance area for development plans and concept plans that are considered for approval by the Metropolitan Planning Commission. The overall land disturbance area would be considered a budget for land disturbance to be applied over the entire proposed development.

*** Ridgetops are generally the more level areas on the highest elevations of a ridge. Because the shapes of Knox County ridges are so varied (see pages 8 – 9), the ridgetop area should be determined on a case-by-case basis with each rezoning and related development proposal.

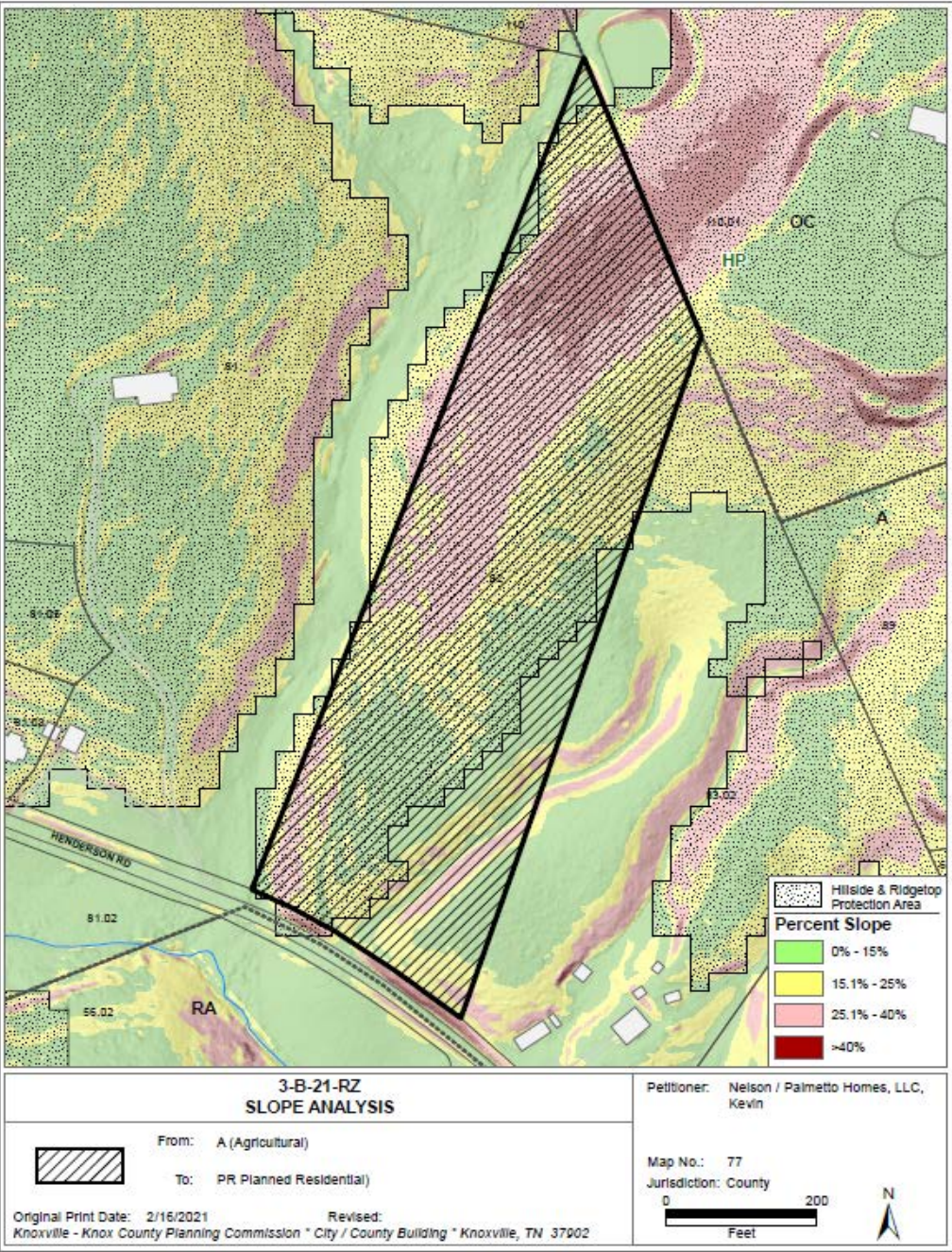


Exhibit A. 3-B-21-RZ Contextual Images

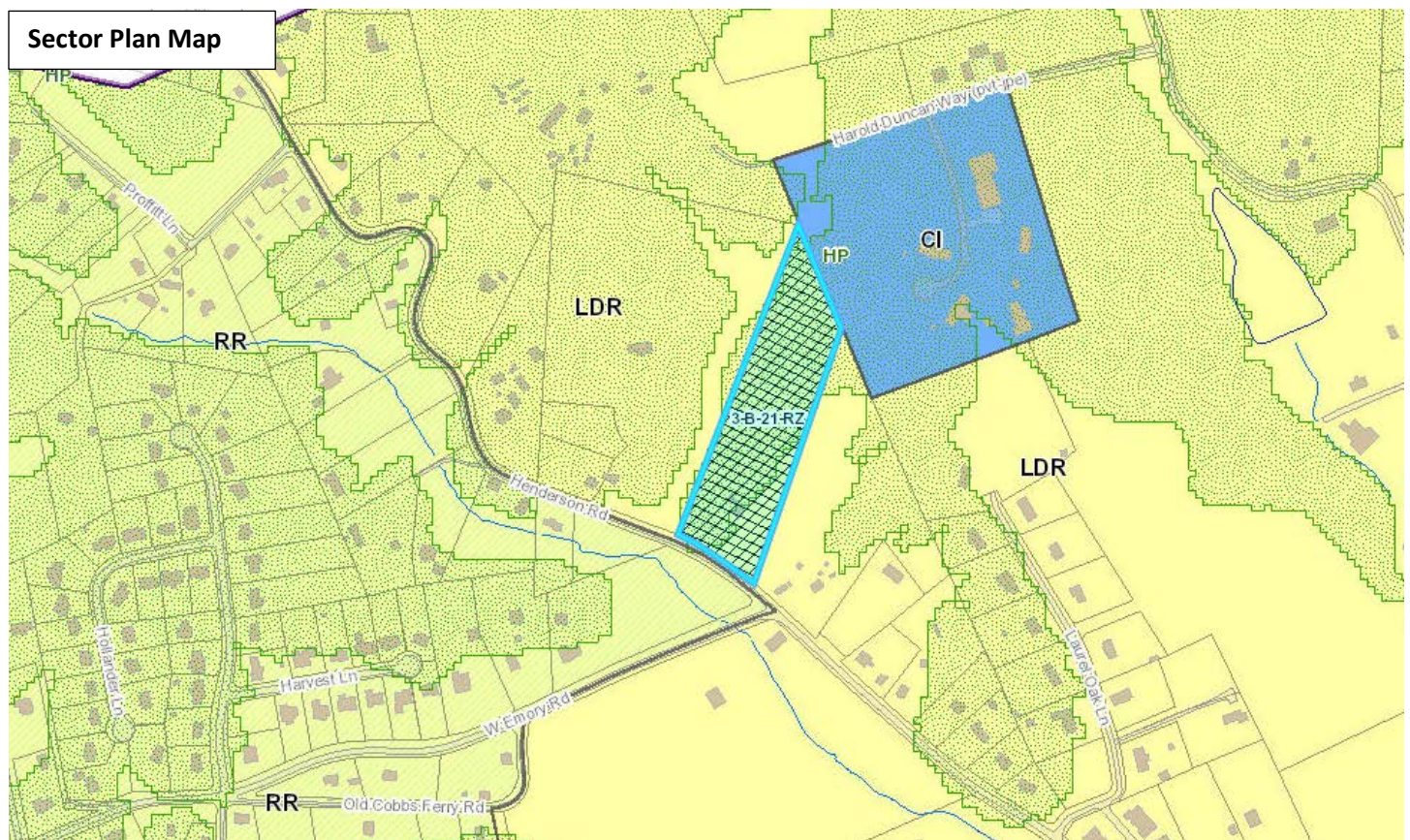
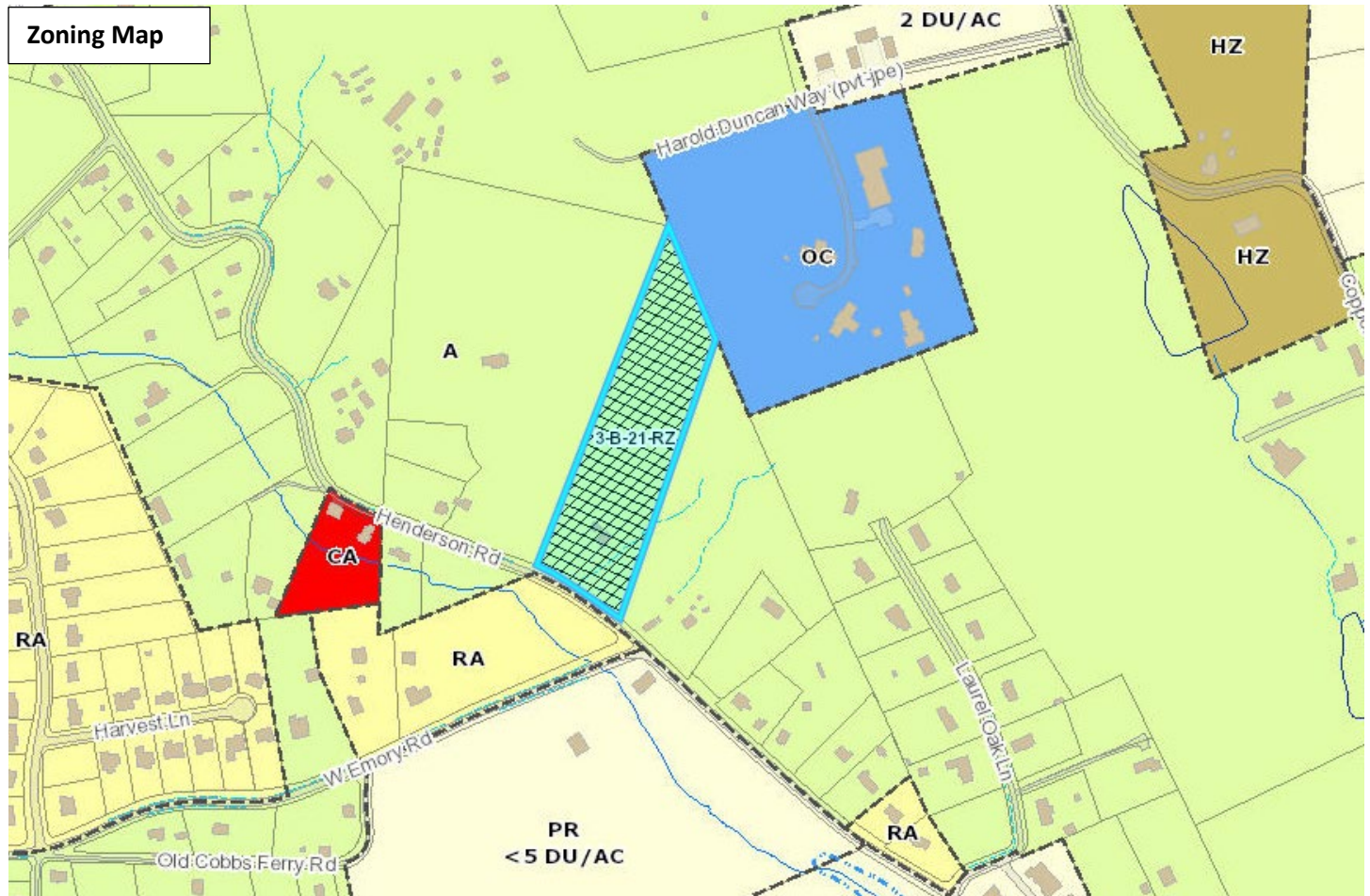
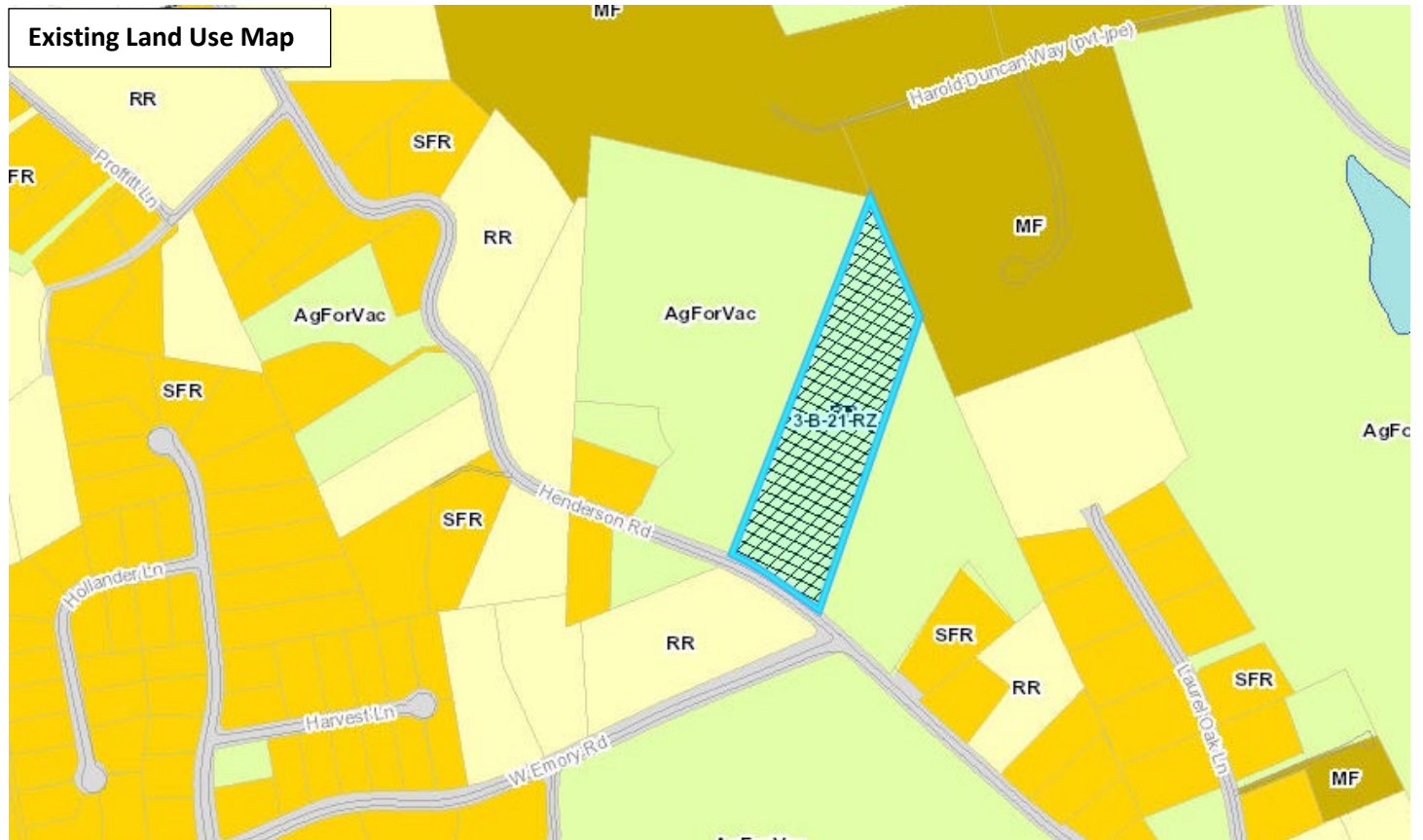


Exhibit A. 3-B-21-RZ Contextual Images





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

Date Filed

3-11-2021

Meeting Date (if applicable)

File Number(s)

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

Name

Palmetto Homes L.L.C.

Company

242 Tracy Allison Ln.

Address

Clinton

City

TN

State

37716

ZIP

(865) 389-9692

Phone

Kevin Nelson 321@yahoo.com

Email

CURRENT PROPERTY INFO

Kevin Cox

Owner Name (if different)

9716 Clearwater Dr.

Owner Address

(865) 591-0302

Owner Phone

3604 Henderson Rd.

Property Address

077 082

Parcel ID

West Knox Utility

Sewer Provider

West Knox Utility

Water Provider

N

Septic (Y/N)

STAFF USE ONLY

North side Henderson Rd
General Location, Northwest of Emory Rd
intersection

General Location

approx 7.40 acres

Tract Size

☐ City ☒ County

District

6th

Zoning District

A

Existing Land Use

RR

Northwest County

Planning Sector

LDR/HP

Sector Plan Land Use Classification

Planned Growth

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 Change

Proposed Zoning

Planned Residential (PR)

☐ Plan Amendment Change

Proposed Plan Designation(s)

Proposed Density (units/acre)

5

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

0325

600.00

Fee 2

(50 x 7.4)
approx

+ 370.00

Fee 3

Total

\$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

Date

1/21/21

Phone Number

(865) 389-9692

Email

Kevinnelson321@yahoo.com

Staff Signature

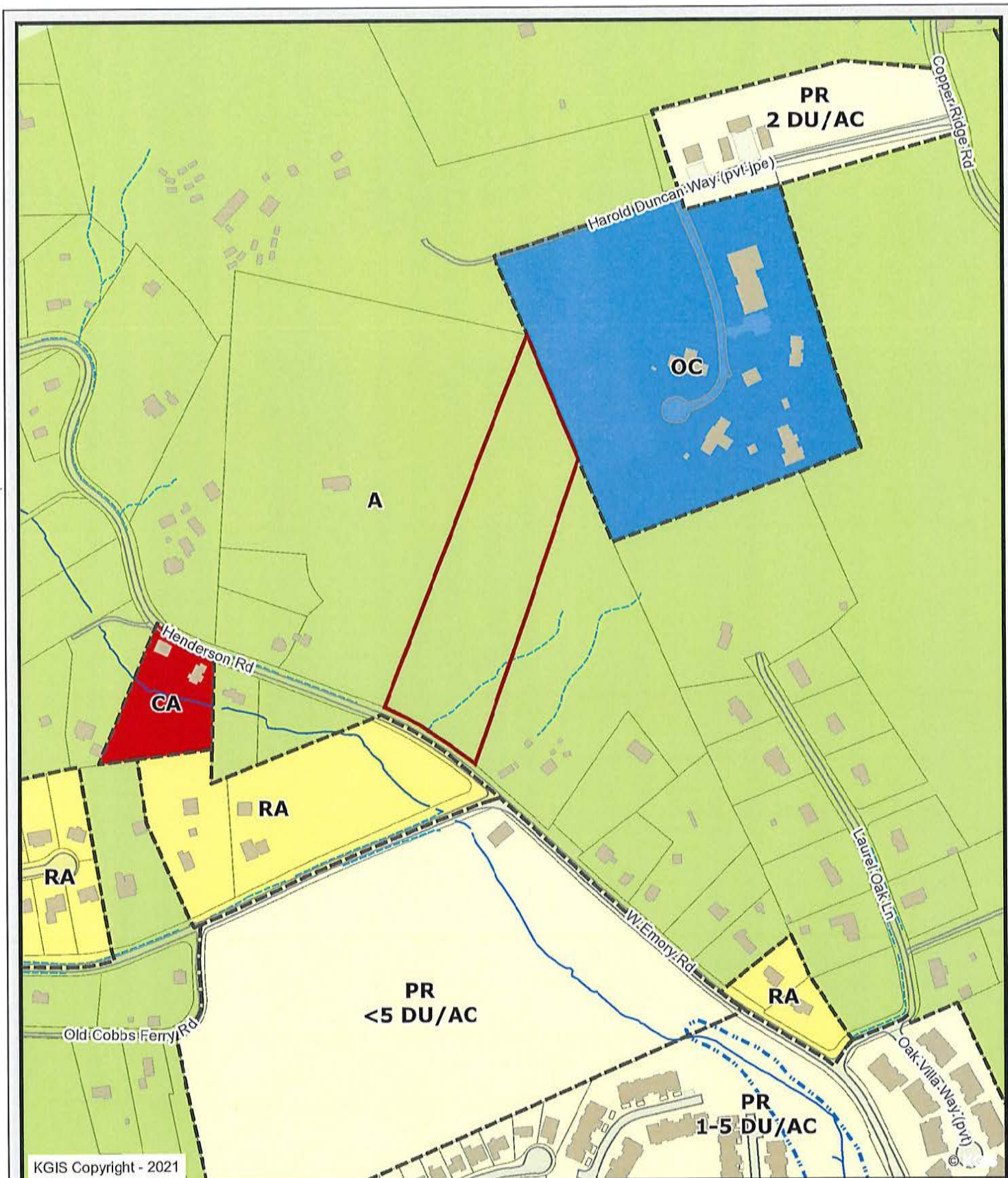
Sherry Muchienzi

Please Print

SHERRY MUCHIENZI

Date

1/21/2021



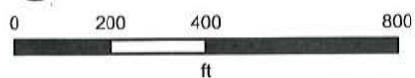
3604 Henderson Rd.

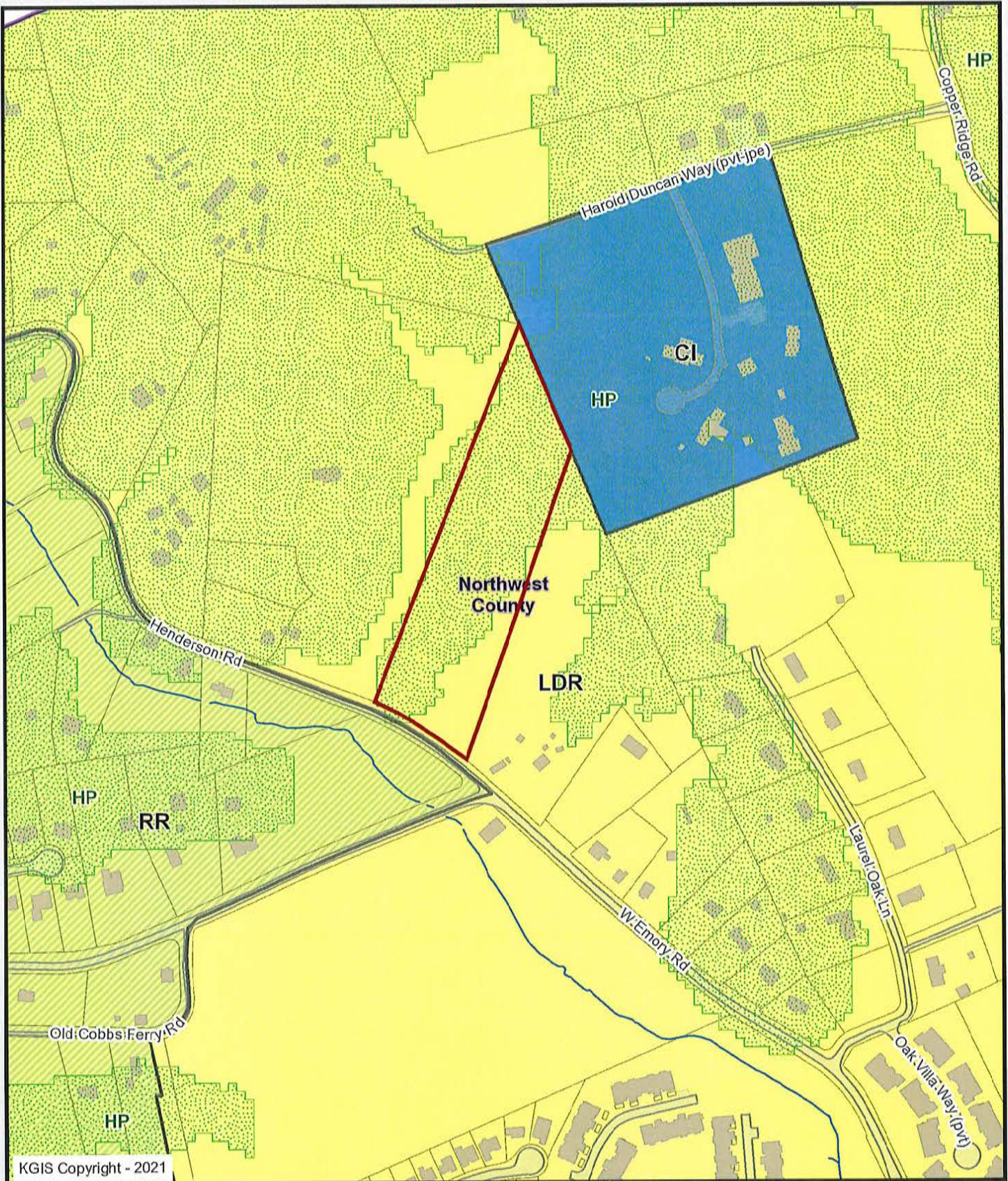
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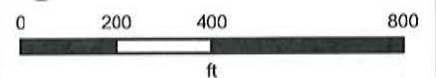
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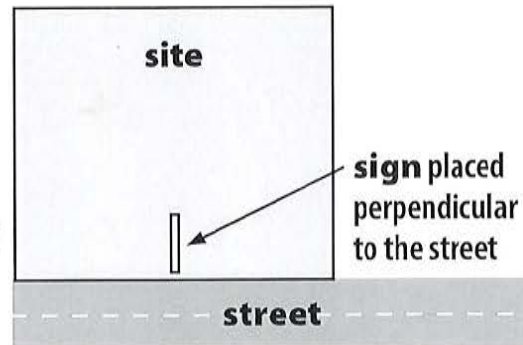
REQUIRED SIGN POSTING AGREEMENT

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: [Signature]

Printed Name: Kevin Nelson

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

Date: 1/21/2021

File Number: 3-A-21-RZ