

REZONING REPORT

▶ **FILE #:** 5-E-21-RZ

AGENDA ITEM #: 19

AGENDA DATE: 5/13/2021

▶ **APPLICANT:** EVA MILLWOOD

OWNER(S): Eva Millwood

TAX ID NUMBER: 109 L D 006

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 4507 Sevierville Pk.

▶ **LOCATION:** **South side of Sevierville Pike, southeast side of E. Red Bud Road**

▶ **APPX. SIZE OF TRACT:** **10.92 acres**

SECTOR PLAN: South City

GROWTH POLICY PLAN: Inside City Limits

ACCESSIBILITY: Access is via Sevierville Pike, a major collector, with pavement width of 21-ft within a right-of-way width of 52-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Toll Creek

▶ **PRESENT ZONING:** **RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection)**

▶ **ZONING REQUESTED:** **AG (Agricultural) / HP (Hillside Protection)**

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

▶
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-1 (Single family residential neighborhood) / HP (Hillside Protection)

South: Public park, Multifamily - RN-3 (General residential neighborhood) / HP (Hillside Protection)

East: Agriculture/forestry/vacant - RN-1 (Single family residential neighborhood) / HP (Hillside Protection)

West: Agriculture/forestry/vacant - RN-1 (Single family residential neighborhood) / HP (Hillside Protection)

NEIGHBORHOOD CONTEXT: This area is characterized by forested, steep sloped topography with large, vacant lots with some single family residential and multi-family residential uses. The Urban Wilderness park and trail system is adjacent to this property.

STAFF RECOMMENDATION:

▶ **Approve AG (Agricultural) / HP (Hillside Protection Overlay) zoning because it is compatible with the surrounding development.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3: 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 GENERALLY:

1. In the last decade, the Urban Wilderness Trail System has developed adjacent to this property and an adjacent City of Knoxville owned property zoned NA (Natural Areas) which is intended to preserve and protect recreational and conservation open space. The NA District is intended to preserve and enhance areas as permanent open space that contributes to the creation of a network of lands that provide safe and enjoyable areas and routes for non-intensive recreational opportunities and is protective of natural resources.

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

1. The AG (Agricultural Zoning) district is intended to provide for agricultural uses that comprise an important part of the economy of Knoxville. The intent is to permit lands best suited for agriculture to be used for agriculture purposes, and prevent the encroachment of incompatible land uses on farm lands and protect the physical and economic well-being of agricultural operations.

2. The HP (Hillside Protection Overlay) zoning district identifies hillsides that constitute significant natural topographic features of the City. In addition, when development occurs on hillsides, there are potential serious consequences, such as increased erosion, fire, or flood hazards, and property damage from extensive soils slippage and subsidence. In order to protect hillsides and hillside development, the HP Hillside Protection Overlay District is established. A Certificate of Appropriateness is required for development in the HP Overlay areas.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. AG (Agriculture)/HP (Hillside Protection) zoned areas are interspersed with the RN-1 (Single Family Residential Neighborhood)/HP (Hillside Protection) and NA (Natural Area)/HP (Hillside Protection) zone districts in this steep sloped forested area.

2. The range of uses permitted and minimum lot sizes for both the AG and RN-1 zone districts is attached as part of Exhibit A and demonstrates that residential development potential is reduced under the AG zoning, limiting lot sizes to 5 acres. The number of uses permitted is reduced under the AG zone districts, and uses that may have impacts are considered "Special Uses" and would require additional review and as well as use standards.

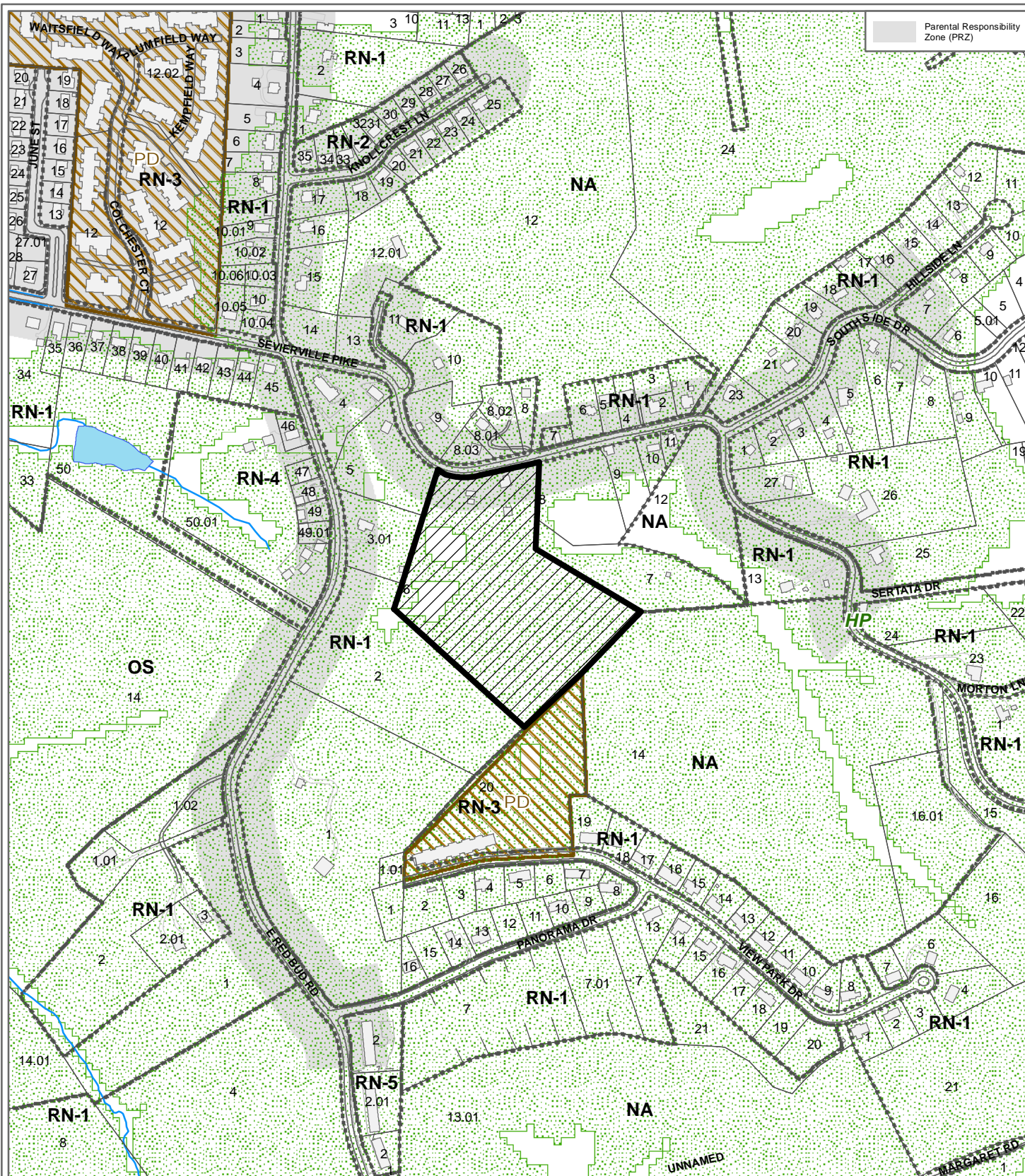
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The AG (Agricultural) zone district lessens the residential development potential in a steep sloped, forested hillside area, is adjacent to public land and a trail system and is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 6/15/2021 and 6/29/2021. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**5-E-21-RZ
REZONING**

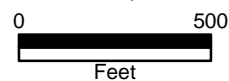
Petitioner: Millwood, Eva



From: RN-1 (Single-Family Residential Neighborhood) / HP (Hillside Protection)
To: AG (Agricultural) / HP (Hillside Protection)

Map No: 109
Jurisdiction: City

Original Print Date: 4/12/2021
Revised:
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902





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

Eva Millwood

Owner

Applicant Name

Affiliation

3/24/2021

5/13/2021

Date Filed

Meeting Date (if applicable)

File Number(s)

5-E-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

Eva Millwood

Name

Company

408 E Red Bud Rd

Knoxville

TN

37920

Address

City

State

ZIP

865-441-5067

evamillwood@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Eva Millwood and Bryan Foster

408 E Red Bud Rd

865-441-5067

Owner Name (if different)

Owner Address

Owner Phone

4507 Sevierville Pike

109LD006

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

south side Sevierville Pk., southeast side of E. Rd Bud Rd., southwest

10.92 acres

General Location

or their intersection

Tract Size

City County

1st
District

RN-1 / HP
Zoning District

Vacant
Existing Land Use

South City

Planning Sector

LDR

Sector Plan Land Use Classification

N/A

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 _____

Combine Parcels
 Divide Parcel
 _____ Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

- Zoning Change
 Agricultural
 Proposed Zoning

Plan Amendment Change
 Proposed Plan Designation(s)

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 |
|-----------------------|----------|-----------|
| 0325 | 600.00 + | |
| Fee 2 | | |
| (\$50 x 10.02 ac) | 546.00 | |
| Fee 3 | | |
| | | \$1146.00 |

AUTHORIZATION

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

Eva Millwood
Applicant Signature

Eva Millwood

3/24/2021

Please Print

Date

865-441-5067

evamillwood@gmail.com

Phone Number

Email

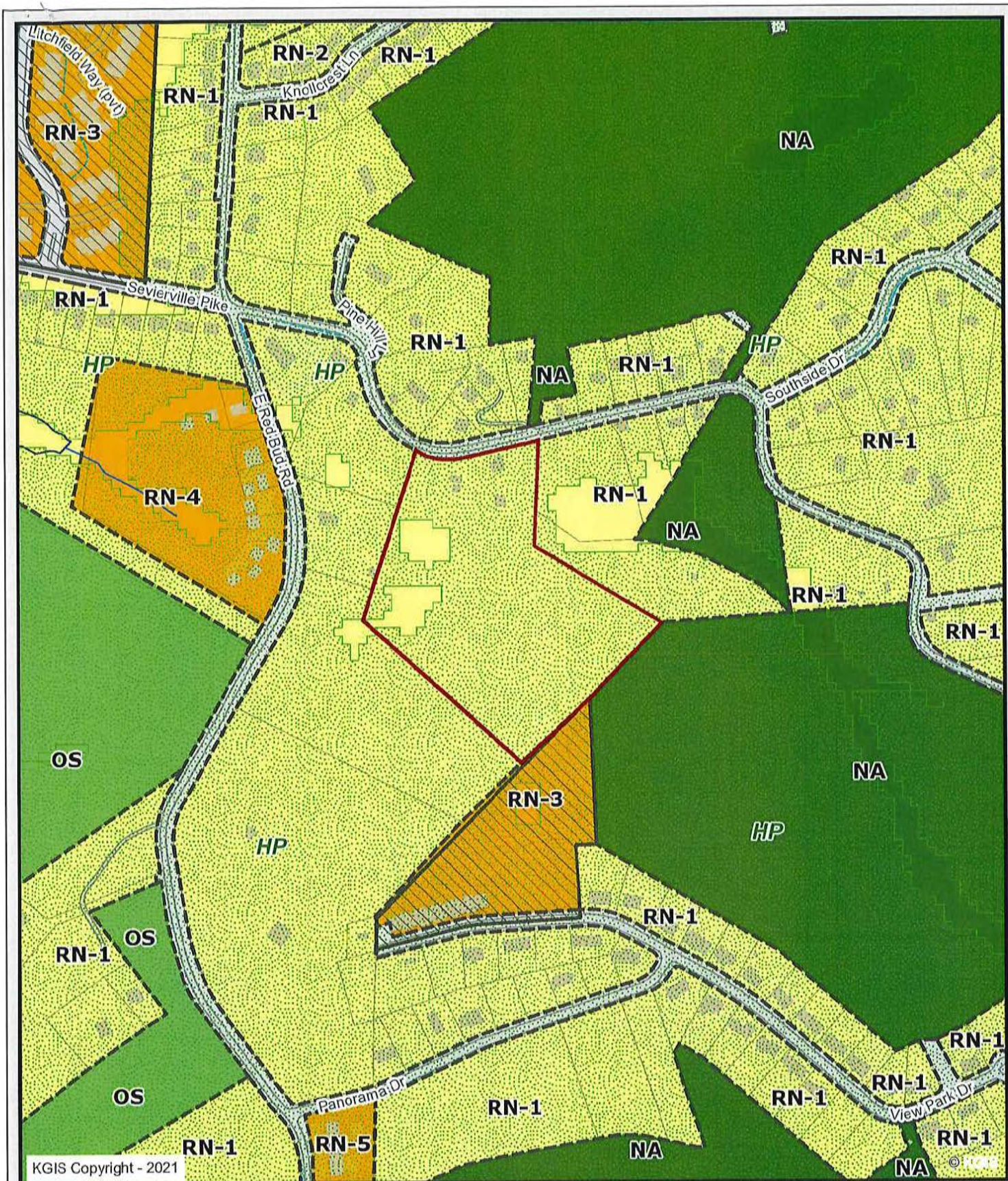
Sherry Michienzi
Staff Signature

Sherry Michienzi

3/25/2021 *Sum*

Please Print

Date



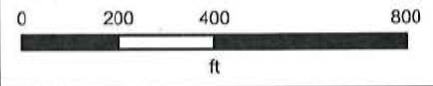
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4507 Sevierville Pk.



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