

REZONING REPORT

► **FILE #:** 8-G-21-RZ **AGENDA ITEM #:** 9

POSTPONEMENT(S): 8/12/2021 **AGENDA DATE:** 9/9/2021

► **APPLICANT:** NELSON FARM DEVELOPMENT LLC

OWNER(S): Narvil Mitchell Nelson

TAX ID NUMBER: 67 131

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 4114 W. Beaver Creek Dr.

► **LOCATION:** Southeast side of W. Beaver Creek Drive, southwest of Clinton Highway, east of Evanel Way

► **APPX. SIZE OF TRACT:** 8.1 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W Beaver Creek Drive, a major collector with a pavement width of 20-ft. within a right-of-way width of 70-ft.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

► **EXISTING LAND USE:** Rural residential

► **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - RA (Low Density Residential)

South: Rural residential - A (Agriculture)

East: Rural residential - A (Agriculture)

West: Single family residential - RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is within 1/3 of a mile of the commercial corridor along Clinton Highway and adjacent to Powell Levi Park. This area is comprised primarily of single family residential and multi-family residential uses closer to Clinton Highway.

STAFF RECOMMENDATION:

► Approve PR (Planned Residential) up to 3.5 du/ac because it is consistent with the surrounding development and the sector plan.

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. The demand for housing continues to grow in Knox County. This rezoning allows for additional residential development opportunity between an existing single family residential neighborhood and a park.

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

1. The PR (Planned Residential) zone district 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.
3. The narrowness of the lot presents some design challenges for residential development at this location, as does the proximity to the adjacent drive.

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 review of a development plan, as required by the PR zone district, will mitigate potential adverse impacts through the review of a site plan.
2. Steep slopes do not appear to be present on this site. A very small portion of floodplain of Beaver Creek is located along the frontage with W. Beaver Creek Drive.
3. Additional PR zoning in this area is not expected to create adverse effects since it provides for development plan review.

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 proposed amendment is consistent with the Growth Policy Plan and Northwest County Sector Plan.
2. The proposed amendment is consistent with all other adopted plans.

ESTIMATED TRAFFIC IMPACT: 448 (average daily vehicle trips)

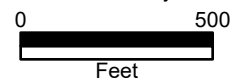
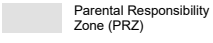
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 16 (public school children, grades K-12)

Schools affected by this proposal: Powell Elementary, Powell 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 10/25/2021. 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.



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REGGIE E. KEATON
DONALD D. HOWELL
DEBRA L. FULTON
MICHAEL W. EWELL
JOHN M. LAWHORN
JAMES E. WAGNER
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ARTHUR G. SEYMOUR, JR.
(1945 - 2019)

of counsel
JASON T. MURPHY

September 8, 2021

Knoxville-Knox County Planning
City-County Building
400 Main Street, Suite 403
Knoxville, TN 37902

Via e-mail only:
dori.caron@knoxplanning.org

Attn: Dori Caron

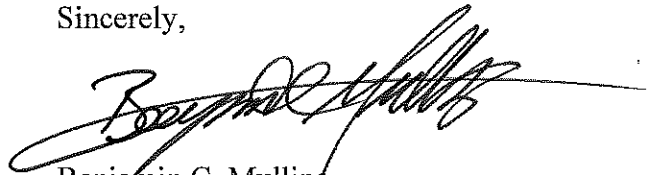
Re: September 9, 2021 Planning Commission Meeting - Agenda Item No. 9
File No. 8-G-21-RZ

Dear Dori:

Please allow this letter to serve as formal notice that I will be speaking on behalf of the applicant, Nelson Farm Development, LLC on Thursday. The applicant's representative, John Nelson, is ill; however, since this was postponed once before, they would like to proceed on Thursday with me stepping in. Please let me know if you need anything more formal from me regarding my representation.

Thank you for your assistance in this matter.

Sincerely,



Benjamin C. Mullins
FRANTZ, McCONNELL & SEYMOUR, LLP

BCM:erl



Request to Postpone • Table • Withdraw

Name of Applicant: Nelson Farm Development LLC

AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 8-G-21-RZ

Date Scheduled for Planning Review: August 12, 2021

Date Request Filed: 8/6 ~~June 24, 2021~~

Request Accepted by: Sherry Michienzi

PAID

REQUEST

☒ Postpone

Please postpone the above application(s) until:

September 9, 2021

DATE OF FUTURE PUBLIC MEETING

☐ Table

Please table the above application(s).

☐ Withdraw

Please withdraw the above application(s).

State reason for request:

Require additional time with PE and surveyor to optimize plans for the immediate area.

Eligible for Fee Refund? ☐ Yes ☐ No

Amount: _____

Approved by: _____

Date: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: [Signature]

PLEASE PRINT

Name: John R. Thompson (Authorized Representative)

Address: PO Box 1479

City: Powell State: TN Zip: 37849

Telephone: 865-254-7444

Fax: N/A

E-mail: jrtjrs@bellsouth.net

PLEASE NOTE

Consistent with the guidelines set forth in Planning's *Administrative Rules and Procedures*:

POSTPONEMENTS

Any first time (new) Planning application is eligible for one automatic postponement. This request is for 30 days only and does not require Planning approval if received no later than 3:30 p.m. on the Friday prior to the Planning Commission meeting. All other postponement requests must be acted upon by Planning before they can be officially postponed to a future public meeting.

TABLINGS

Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled.

WITHDRAWALS

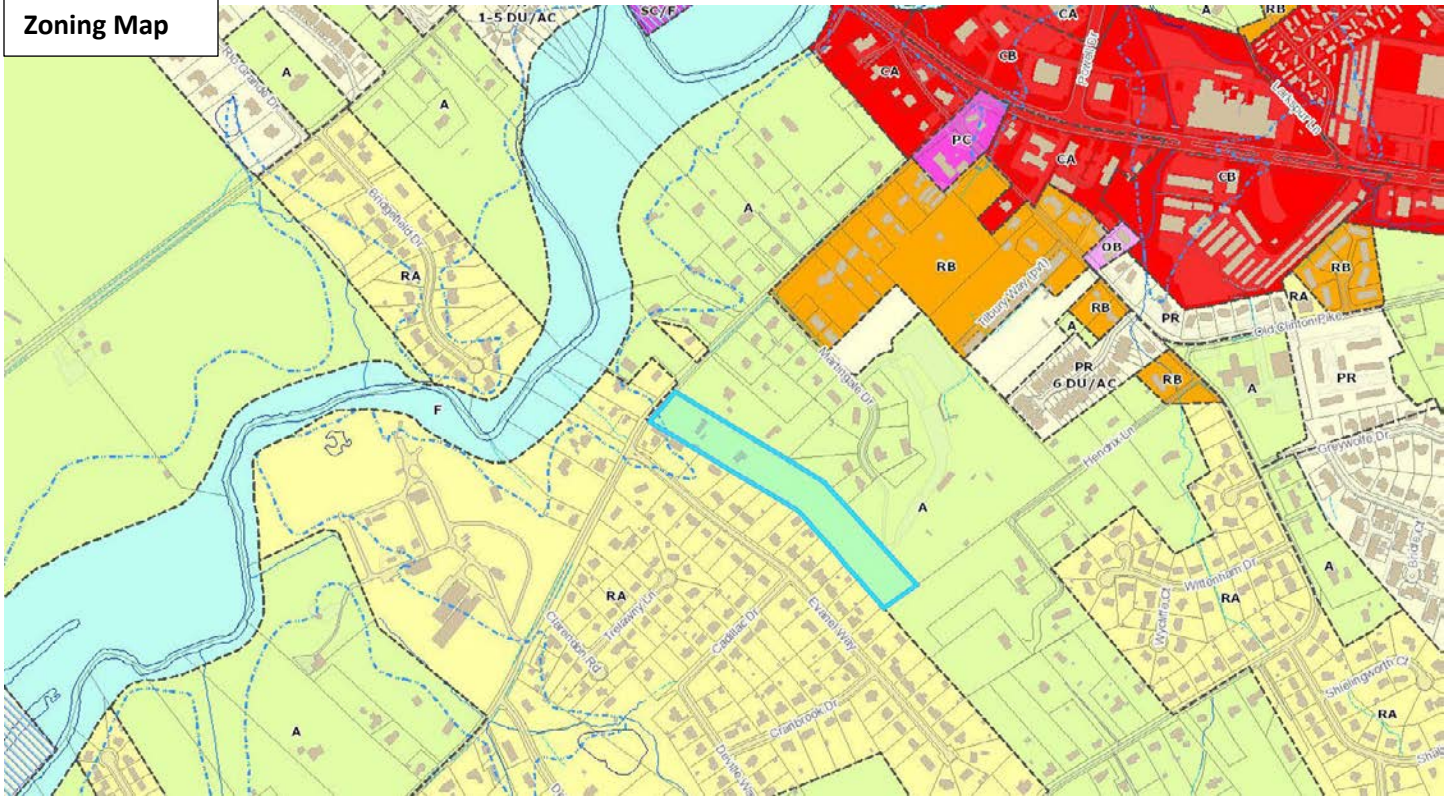
Any item is eligible for automatic withdrawal. A request for withdrawal must be received no later than 3:30p.m. on the Friday prior to the Planning Commission meeting. Withdrawal requests that do not meet these guidelines must be acted upon by Planning Commission before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:

Application withdrawal with fee refund will be permitted only if a written request is received prior to public notice. This request must be approved by either the Executive Director, or the Planning Services Manager. Applications may be withdrawn after this time, but without fee refund.

Exhibit A. 8-G-21-RZ Contextual Images

Zoning Map



Sector Plan Map

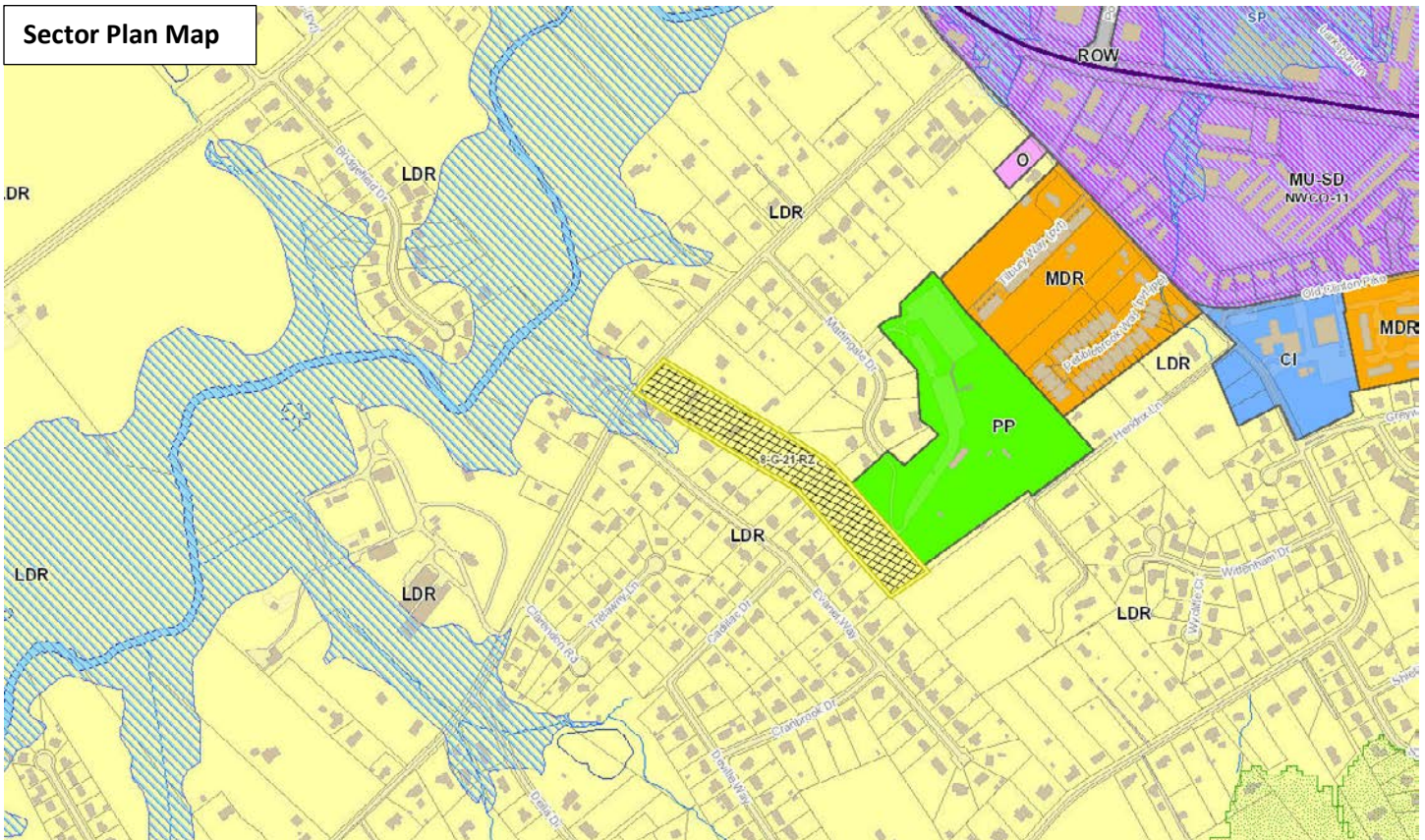
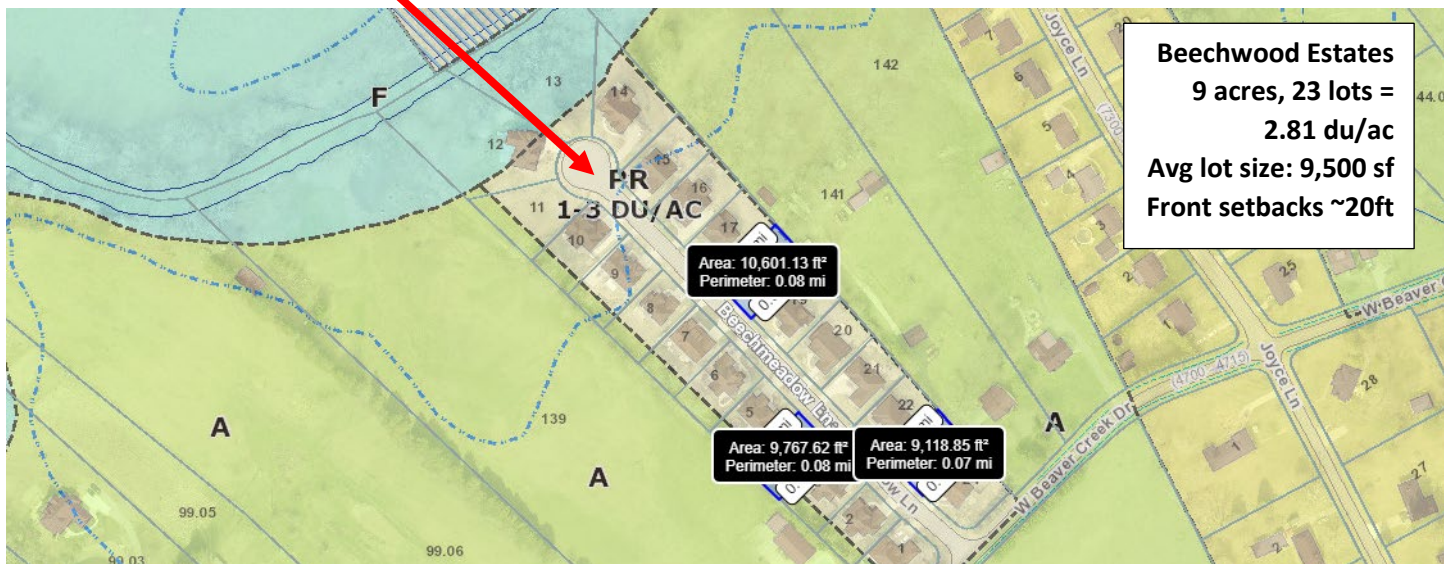
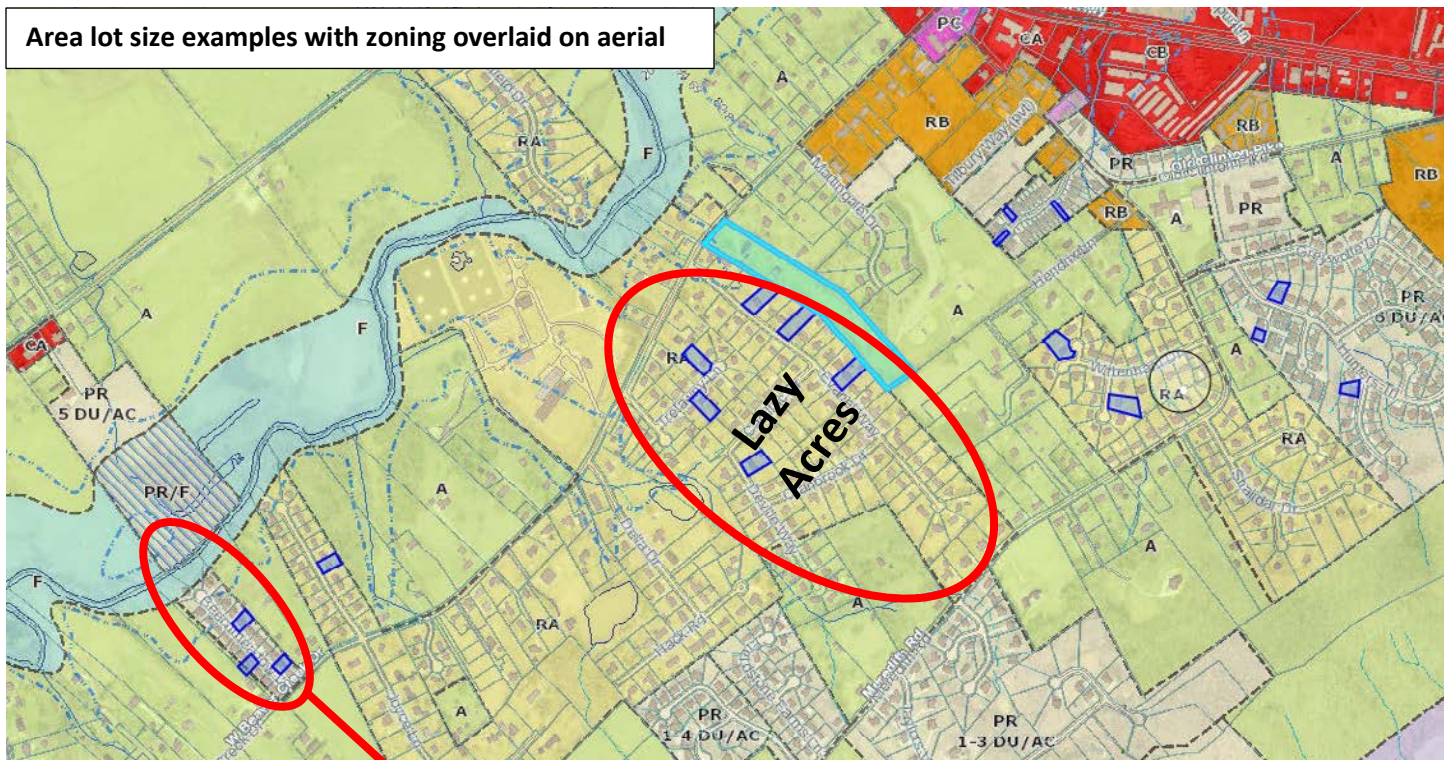


Exhibit A. 8-G-21-RZ Contextual Images



Exhibit A. 8-G-21-RZ Contextual Images

Area lot size examples with zoning overlaid on aerial



Google Street View – Beechwood Estates - PR zone@ 2.8 du/ac



Exhibit A. 8-G-21-RZ Contextual Images

Google Street View – Lazy Acres – RA zoning



Avg lot size: 23,500 sf
Front setbacks ~60ft



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

Nelson Farm Development LLC

Developer

Applicant Name

Affiliation

6/24/2021

August 12, 2021

File Number(s)

Date Filed

Meeting Date (if applicable)

8-G-21-RZ - revised

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

John R. Thompson (Authorized Representative)

Nelson Farm Development LLC

Name

Company

PO Box 1479

Powell

TN

37849

Address

City

State

ZIP

865-254-7444

jrtjrs@bellsouth.net

Phone

Email

CURRENT PROPERTY INFO

Narvil Mitchell Nelson

3913 Meredith Road

865-556-1730

Owner Name (if different)

Owner Address

Owner Phone

4114 West Beaver Creek

067 131

Property Address

Parcel ID

Hallsdale Powell

Hallsdale Powell

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southeast side of W. Beaver Creek
General Location

8.10 acres
Tract Size

☐ City ☒ County
 6th District

A
 Zoning District

RR
 Existing Land Use

Northwest County
 Planning Sector

LDR & SPA
 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)

Related City Permit Number(s)

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

Proposed Zoning

 PR *7/2/21*
☐ Plan Amendment Change

Proposed Plan Designation(s)

5/1
5 UNITS/ACRE

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

(base fee)

Total

325

600.00

Fee 2

(\$50 x 8.1

acres)

405.00

Fee 3

\$1005.00

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

John R. Thompson (Authorized Representative)
 Applicant Signature

865-254-7444

Phone Number

Sherry Michienzi
 Staff Signature

Nelson Farm Development LLC

Please Print

jrtjrs@bellsouth.net

Email

Sherry Michienzi

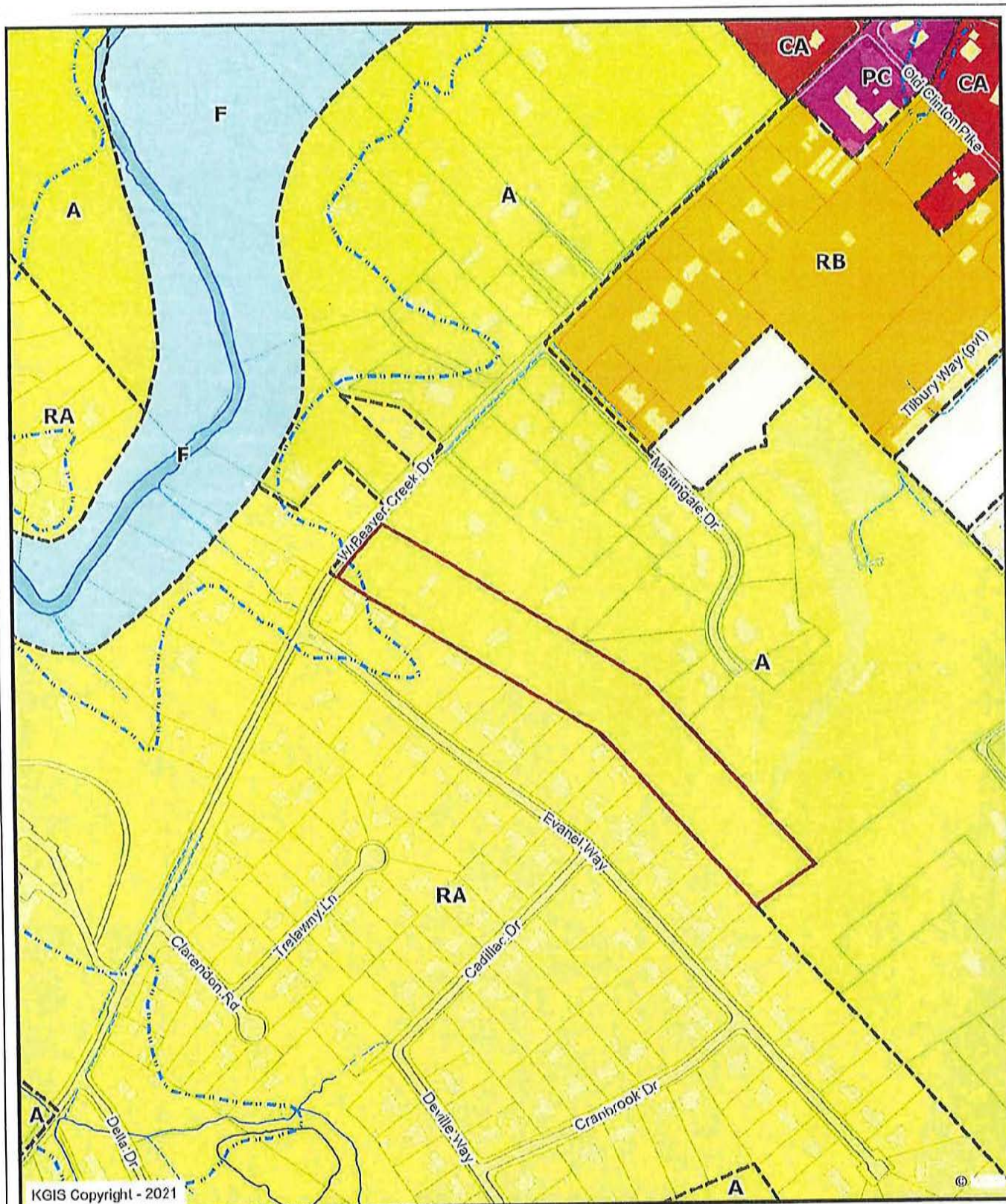
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6/24/21

Date

6/28/2021 swm

Date



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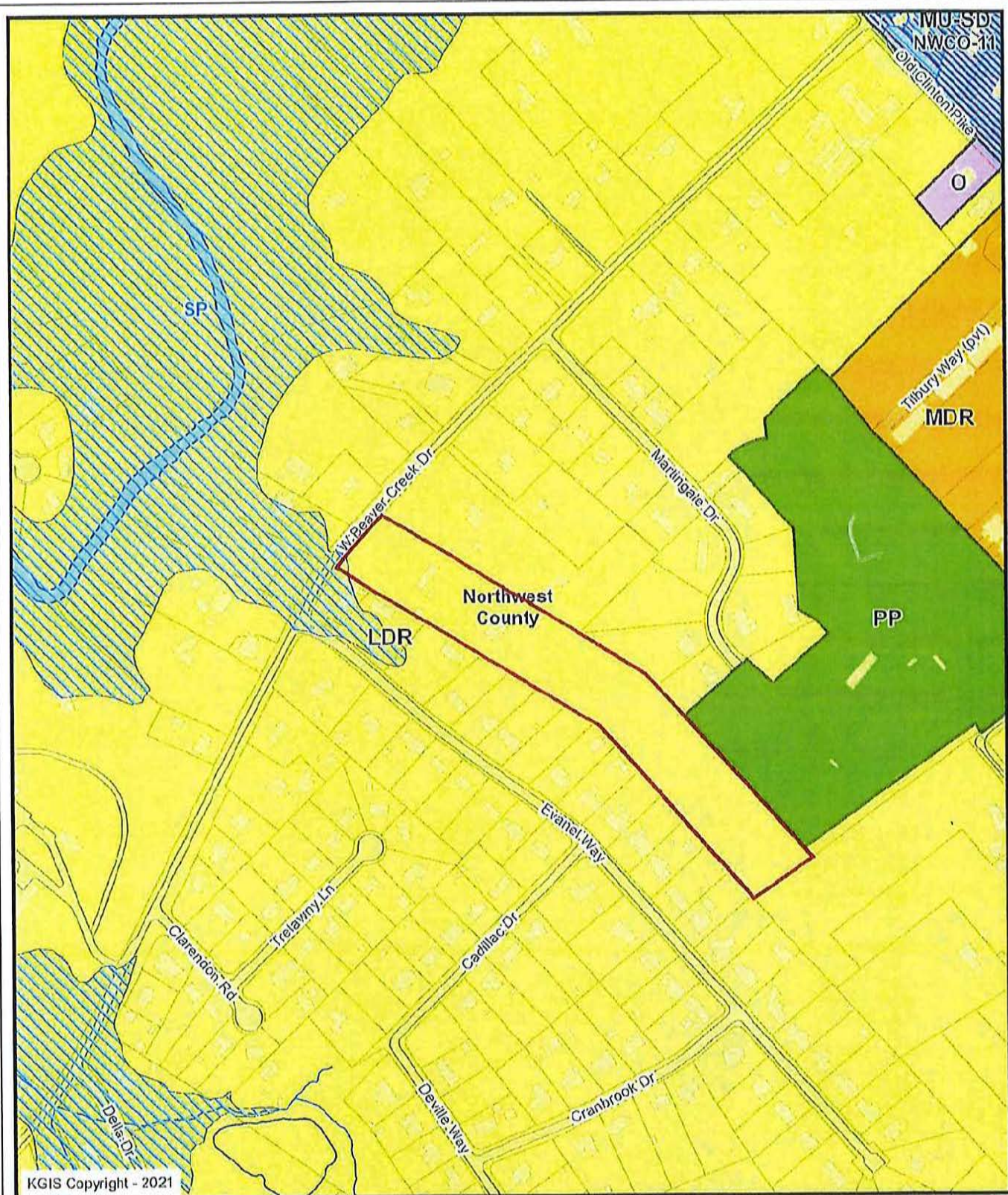
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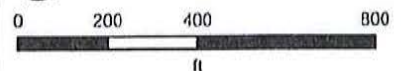
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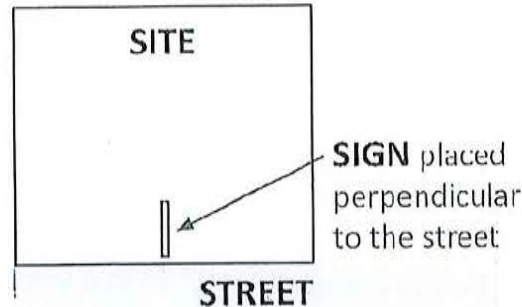
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Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

July 28 (Wed) and Aug 13 (Fri)
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Nelson Farm Develop. LLC

Date: 6/28/21

File Number: 8-G-21-RZ



Sign posted by Staff



Sign posted by Applicant