



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 9-I-21-RZ **AGENDA ITEM #:** 16
9-B-21-SP **AGENDA DATE:** 9/9/2021

► **APPLICANT:** HOMESTEAD LAND HOLDINGS, LLC
OWNER(S): Barbara S. Long & Ronald Donahue

TAX ID NUMBER: 129 12603, 12604 & 12605 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 11952 , 12054 & 12044 Hardin Valley Rd.

► **LOCATION:** Southeast corner of intersection of Marietta Church Road and Hardin Valley Road

► **TRACT INFORMATION:** 12.76 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Hardin Valley Road, a minor arterial with a 22-ft pavement width within a 70-ft right-of-way, and Marietta Church Rd., a minor collector with a 19-ft pavement width within a 60-ft 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) & LDR (Low Density Residential) & HP (Hillside Protection) / A (Agricultural) & CA (General Business) & PR (Planned Residential)

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

► **EXISTING LAND USE:** Agriculture/forestry/vacant, single family residential

► **DENSITY PROPOSED:** up to 3 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Agriculture/forestry/vacant, rural residential / RR (Rural Residential) & HP (Hillside Protection) & SP (Stream Protection) / PR (Planned Residential) up to 3 du/ac

ZONING

South: Agriculture/forestry/vacant / LDR (Low Density Residential) & HP (Hillside Protection) / PR (Planned Residential) up to 2 du/ac

East: Single family residential / LDR (Low Density Residential) & HP (Hillside Protection) / PR (Planned Residential) up to 3 du/ac

West: Rural residential, agriculture/forestry/vacant / AG (Agriculture) / A (Agriculture)

NEIGHBORHOOD CONTEXT: This area is transitioning from large, agricultural lots to single family residential. Steep slopes are also in the vicinity.

STAFF RECOMMENDATION:

- ▶ **Approve RC (Rural Commercial) & HP (Hillside Protection) for a portion of parcel 129 12604 (12054 Hardin Valley Road) and RR (Rural Residential) and HP (Hillside Protection) for a portion of parcel 129 12604 (12054 Hardin Valley Road), a portion of 129 12603 (12603 Hardin Valley Road), and 129 12605 (11952 Hardin Valley Road) because of the expansion of utilities in this area.**
- ▶ **Approve CR (Rural Commercial) for a portion of parcel 129 12604 (12054 Hardin Valley Road) and PR (Planned Residential) up to 2 du/ac for a portion of parcel 129 12604 (12054 Hardin Valley Road) and a portion of 129 12605 (11952 Hardin Valley Road) and a portion of 129 12603 (12603 Hardin Valley Road) because of the expansion of utilities in this area.**

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. This area is transitioning from a primarily large lot agricultural area to residential neighborhoods.
3. Rezoning accommodations for this residential growth have already occurred to the adjacent areas to the south and east.

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

1. 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.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The existing sector plan did not recognize the CA (General Business) zoning because this area is in the Rural Area of the Growth Policy Plan and only allows consideration of the CR (Rural Commercial) zone districts, which is only recommended by the RC (Rural Commercial) land use classification.

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

1. The properties around the intersection of Hardin Valley Road and Marietta Church Road began transitioning from large lot agricultural areas to residential neighborhoods starting in 2006, and adjacent rezonings have occurred to allow for additional residential neighborhood growth in the last several months.

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. There has been a recently completed expansion of wastewater capacity in this area by the West Knox Utility District and a new middle school opened for the Hardin Valley community in 2018.

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

1. The CR, Rural Commercial Zone, provides the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. It is intended to provide for the recurring shopping and personal service needs of nearby rural residential areas. This zoning should be placed on properties that are located at or near intersections of arterial and/or collector streets in order to maximize accessibility from surrounding areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by area residents. Development performance standards are included to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.
2. Development performance standards are included to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.
3. 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.
4. 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. Performance standards within the CR zone are required to reduce adverse impacts of commercial uses in rural areas.
2. A site plan for PR zoned areas is required to be reviewed by the Planning Commission as part of a use-on-review. This public site plan review will allow the Planning Commission to evaluate the development plan and ensure compatibility with surrounding zones.
- 3.. Additional CR and PR zoning is not expected to create adverse impacts.

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 proposed amendments to the Northwest County Sector Plan.
2. The proposed amendment is consistent with all other adopted plans.

ESTIMATED TRAFFIC IMPACT: 354 (average daily vehicle trips)

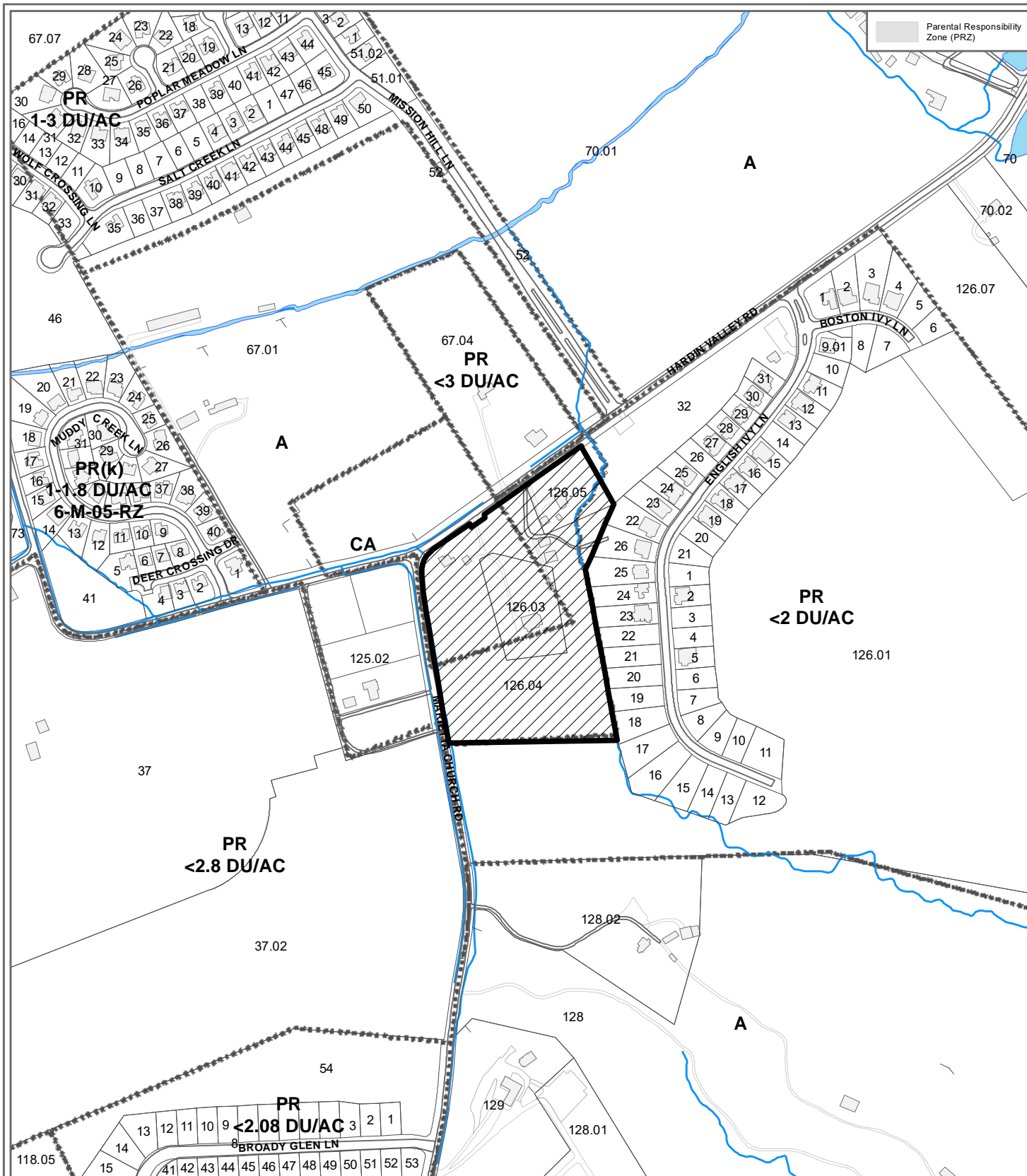
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 13 (public school children, grades K-12)

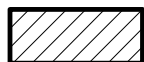
Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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 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.



9-I-21-RZ REZONING



From: A (Agricultural) & CA (General Business) & PR (Planned Residential)
To: CA (General Business) & PR (Planned Residential)

Petitioner: Homestead Land Holdings, LLC

Map No: 129

Jurisdiction: County

0 500
Feet



Original Print Date: 8/4/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

**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 for RC (Rural Commercial) and HP (Hillside Protection) for a portion of parcel 129 12604 (12054 Hardin Valley Road) and RR (Rural Residential) and HP (Hillside Protection) for a portion of parcel 129 12604 (12054 Hardin Valley Road), a portion of 129 12603 (12603 Hardin Valley Road), and 129 12605 (11952 Hardin Valley Road) 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 September 9, 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 #9-B-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

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	3.64	100%	3.6
0-15% Slope	2.59	100%	2.6
15-25% Slope	2.55	50%	1.3
25-40% Slope	1.03	20%	0.2
Greater than 40% Slope	0.62	10%	0.1
Ridgetops	0		
Subtotal: Sloped Land	6.79	Recommended disturbance budget within Hillside Protection Area (acres)	4.1
Total Acreage	10.43		7.8

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	3.64	2.00	7.3
0-15% Slope	2.59	4.00	10.4
15-25% Slope	2.55	2.00	5.1
25-40% Slope	1.03	0.50	0.5
Greater than 40% Slope	0.62	0.20	0.1
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	6.79		16.1
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	10.43	2.24	23.4
Proposed Density (Applicant)	10.43	3.00	31.3

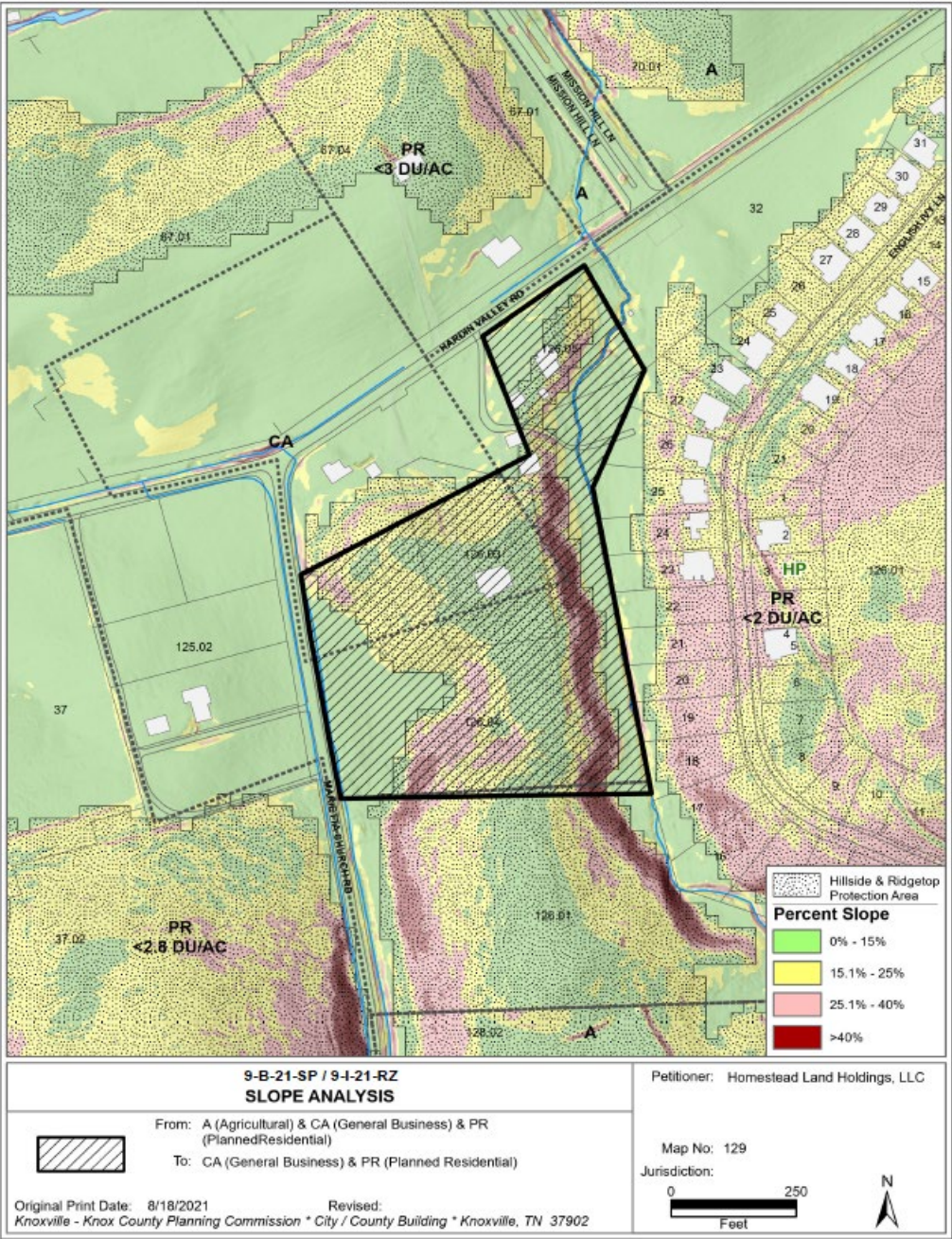


Exhibit B. 9-B-21-SP / 9-I-21-RZ Contextual Images

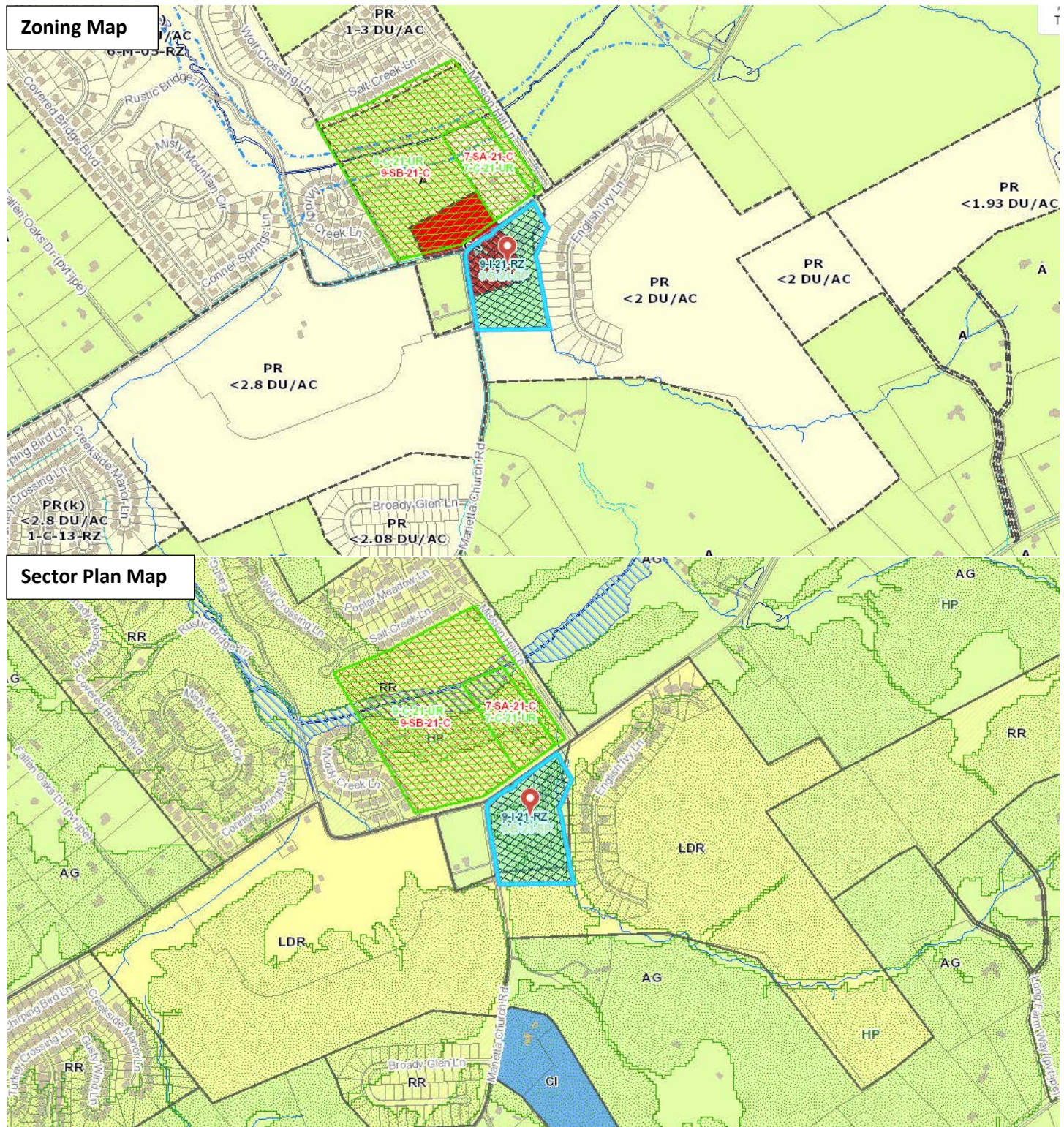
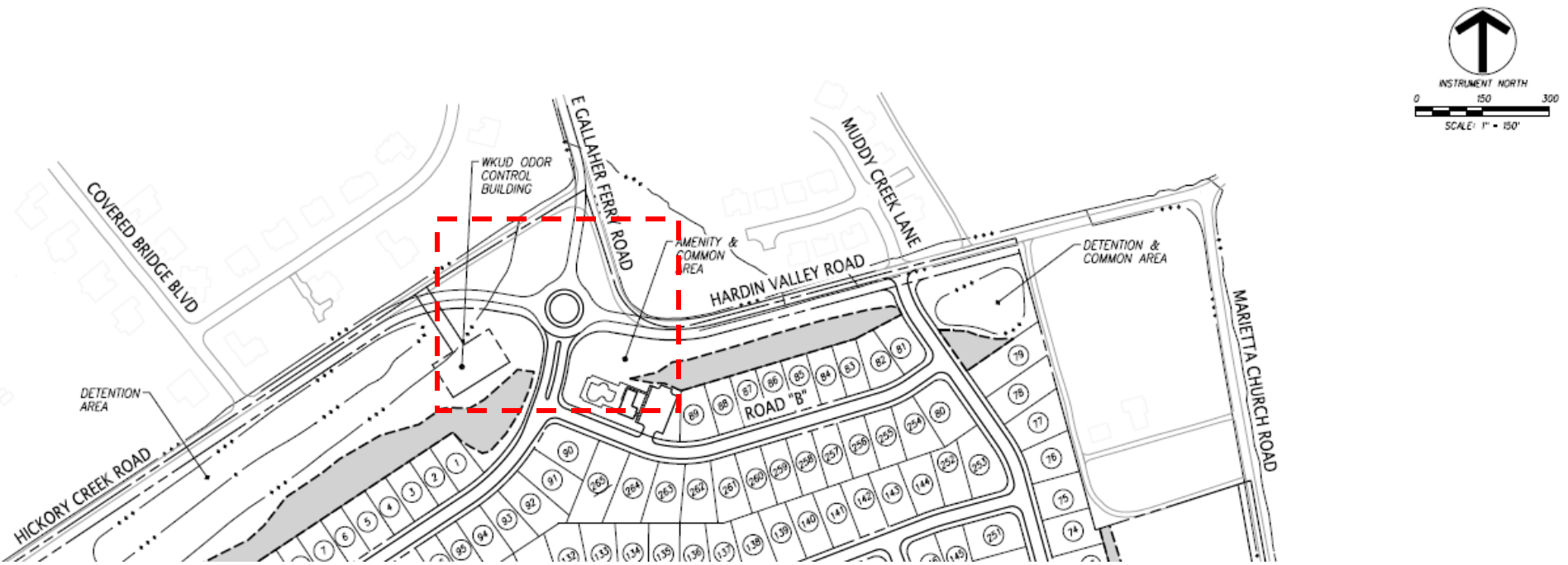


Exhibit B. 9-B-21-SP / 9-I-21-RZ Contextual Images



Exhibit B. 9-B-21-SP / 9-I-21-RZ Contextual Images

Roundabout proposed at Hardin Valley Road / E. Gallaher Ferry Road Intersection (Case: 8-SC-20-C / 8-E-20-UR)



FULGHUM
FM
MACINDOE
& ASSOCIATES, INC.

10330 HARDIN VALLEY ROAD
SUITE 201
KNOXVILLE, TN 37932
OFFICE: 865.690.6419
FAX: 865.690.6448
www.fulghummacindoe.com

PRELIMINARY
NOT FOR
CONSTRUCTION

LOCAL PROPERTY SUBDIVISION
12140 HARDIN VALLEY ROAD
KNOXVILLE, TENNESSEE 37932



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

July 26, 2021

Date Filed

September 9, 2021

Meeting Date (if applicable)

Affiliation

9-I-21-RZ / 9-B-21-SP

File Number(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

PO Box 30456

Address

865-622-6560

Phone

Company

Knoxville

City

TN

State

37930

Zip

rnrackley@rackleyengineering.com

Email

CURRENT PROPERTY INFO

Barbara S Long; Ronald Donahue

11902 & 12044 Hardin Valley Rd

Owner Name (if different)

Owner Address

Owner Phone

11952, 12054, & 12044 Hardin Valley Rd

12912603, 12912604, 12912605

Property Address

Parcel ID

SE corner of intersection of Marietta Church Rd and Hardin Valley Rd

12.76

General Location

Tract Size

District 6

A & CA and PR <2du/ac

Jurisdiction (specify district above)

☐ City ☒ County

Zoning District

NW County

AG (hp) LDR (hp)

Rural

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Vacant; single family home

N

WKUD

WKUD

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify):

☐ Other (specify):

SUBDIVISION

☐ Proposed Subdivision Name

Unit / Phase Number

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created:

☐ Other (specify):

☐ Attachments / Additional Requirements

☒ Zoning Change:

CA & PR<3 (Mr. Rackley did not specify area of specific zoning change)

Proposed Zoning

☒ Plan Amendment Change:

~~Planned Growth~~

Proposed Plan Designation(s)

2

None known (Southernmost portion requested sector plan change 7-E-16-SP) mp

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify):

None known (A portion of the Northeast of the property was part of 7-J-16-RZ) mp

(requesting reduction of CA portion of property down to 2.5 ac.- map provided)

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only)

☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

FEE 1:

0325

\$1,113.00

FEE 2:

0527

\$800.00

FEE 3:

TOTAL:

\$1,913.00

AUTHORIZATION

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



Russell N Rackley

July 26, 2021

Applicant Signature

Please Print

Date

865-850-1535

Rnrackley@rackleyengineering.com

Phone Number

Email

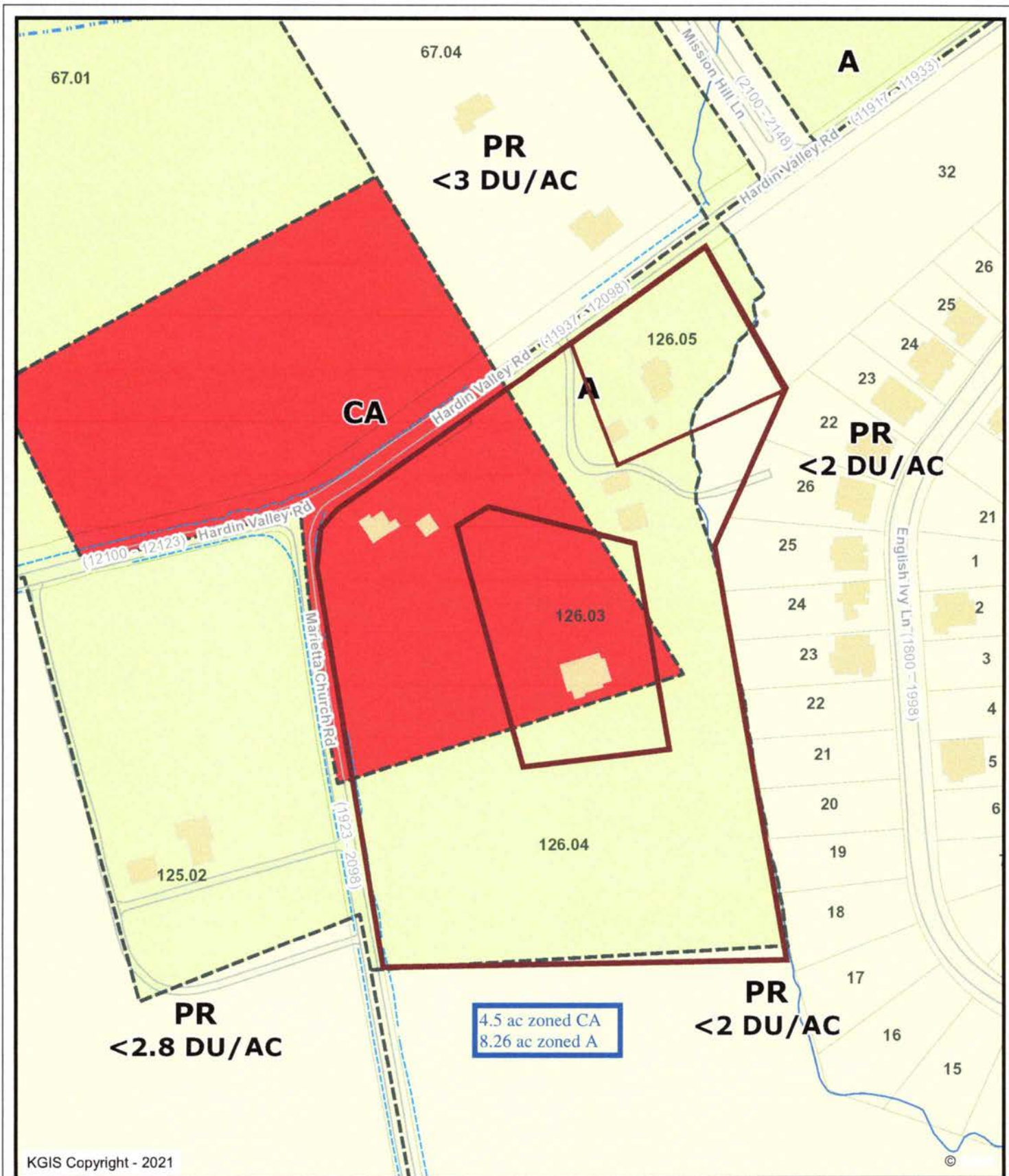
Marc Payne

swm 7/26/2021

Staff Signature

Please Print

Date

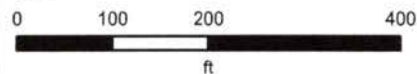


Long Property
EXISTING ZONING
MAP

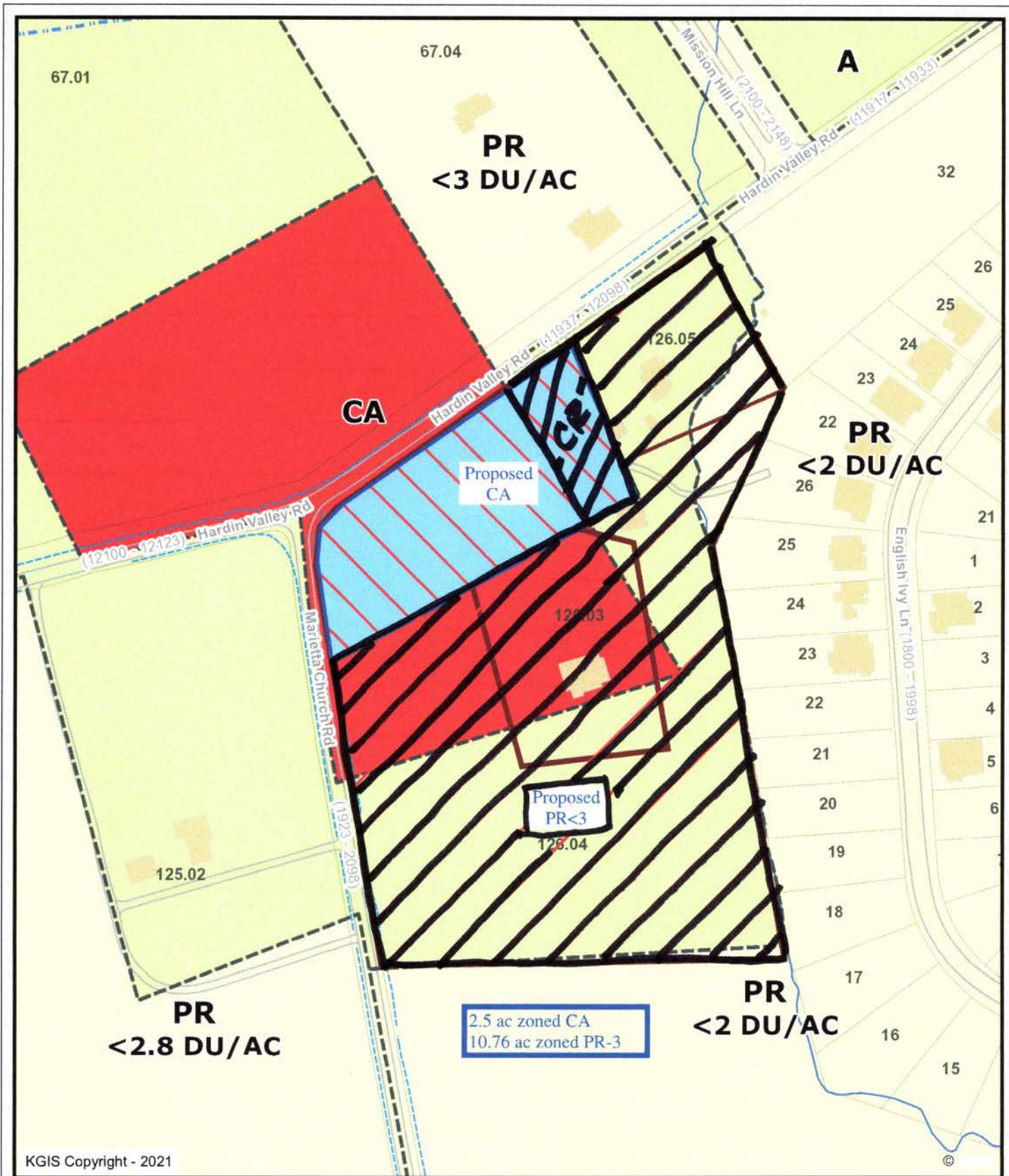
Knoxville - Knox County - KUB Geographic Information System



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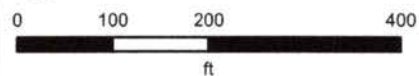


Long Property
PROPOSED ZONING
CHANGE

Knoxville - Knox County - KUB Geographic Information System

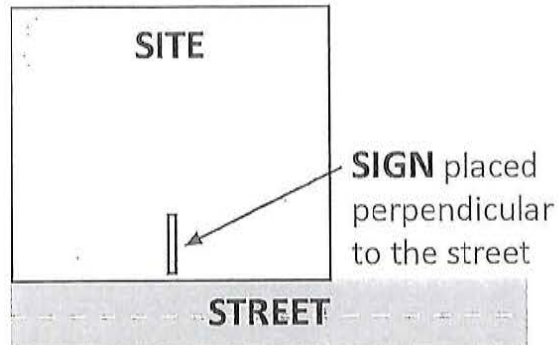


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, 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:

Aug 25 (Wed) and Sept 10 (Fri)
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Russell Rackley
Homestead Holdings

Date: 7/26/2021

File Number: 9-I-21-RZ / 9-B-21-SP

☒ Sign posted by Staff
☐ Sign posted by Applicant