



# 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.

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**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 (12044 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 (12044 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.