

PLAN AMENDMENT/ REZONING REPORT

► FILE #: 8-C-22-RZ		AGENDA ITEM #: 11	
8-A-22-SP		AGENDA DATE: 8/11/2022	
APPLICANT:	BENJAMIN C. MULLINS		
OWNER(S):	N. H. Siddiqi Pensco Trust Co.		
TAX ID NUMBER:	141 079 (PART OF)	View map on KGIS	
JURISDICTION:	Commission District 5		
STREET ADDRESS:	0 PALESTINE LN		
► LOCATION:	Eastern terminus of Palenstine Ln, s in the Town of Farragut)	outh of Pellissippi Pkwy (partially	
► TRACT INFORMATION:	41.08 acres. Portion of property out	side of Town of Farragut	
SECTOR PLAN:	Southwest County		
GROWTH POLICY PLAN:	Planned Growth Area		
ACCESSIBILITY:	Access is via Palestine Lane, a local st within a 42-ft right-of-way.	reet with a 15-ft pavement width	
UTILITIES:	Water Source: First Knox Utility Distr	rict	
	Sewer Source: First Knox Utility Distr	rict	
WATERSHED:	Hickory Creek		
PRESENT PLAN DESIGNATION/ZONING:	GC (General Commercial), HP (Hillsi (Planned Commercial) (k)	de and Ridgetop Protection) / PC	
PROPOSED PLAN DESIGNATION/ZONING:	MDR (Medium Density Residential), Protection) / PR (Planned Residentia		
EXISTING LAND USE:	Agriculture/Forestry/Vacant Land		
DENSITY PROPOSED:	12 du/ac		
EXTENSION OF PLAN DESIGNATION/ZONING:	No		
HISTORY OF ZONING REQUESTS:	6-N-01-RZ: A to PC		
SURROUNDING LAND USE,	North: Right-of-way - Right-Of-Way -	A (Agricultural)	
PLAN DESIGNATION, ZONING	South: Single family residential - Farra Residential)	agut - FAR R-2 (Farragut Low Density	
	East: Single family residential - Farra Residential)	agut - FAR R-2 (Farragut Low Density	
		vacant - GC (General Commercial) & - PC (Planned Commercial), PR	

PAGE #:

STAFF RECOMMENDATION:

Deny the proposed sector plan amendment to MDR (Medium Density Residential) and HP (Hillside Protection) because it does not meet the location criteria for MDR and is incompatible with adjacent land uses and topographic constraints.

Deny the proposed PR (Planned Residential) zoning because it is incompatible with the sector plan, topographic constraints and adjacent land uses.

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. Since Southwest County Sector Plan was adopted in 2016, a large trucking facility has been built near the subject property. This change of conditions makes the area less compatible with the proposed land use change from GC (General Commercial) to MDR (Medium Density Residential).

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

1. There are no new roads that make development more feasible here at this time. The sector plan identifies the nearby I-40/75 interchange at Watt Road as one needing reconfiguration in order to improve safety, capacity and operations.

2. First Utility District (FUD) has indicated that sewer is not currently available at this property, as shown in Exhibit A. Sewer access would require a 3,500-ft line extension and possible offsite improvements. FUD has not accounted for the proposed residential zoning, and such development would impact their system capacity and require additional upgrades.

3. The subject parcel does not currently have direct access to Palestine Ln, and the section of Palestine Ln near the parcel is undeveloped as a narrow dirveway. If the applicant were to gain access to Palestine Ln through a neighboring property, it would be through some of the steepest areas of the subject parcel which would present engineering and environmental challenges.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no significant errors or omissions in the sector plan that pertain to this property.

2. The location criteria for the MDR land use designation include stipulations that it be on a site with less than 15% slopes and that it be along a corridor served (or proposed to be served) by transit. Almost 80% of site has slopes greater than 15%, and the property's access on Palestine Lane is primarily used by large trucking terminals. These property features are incompatible with the MDR designation.

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

1. There are no trends occurring that warrant a residential increase to MDR at this location. Development in this area can be characterized as heavy commercial trucking facilities, which is not conducive to dense residential development as proposed.

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 main change of conditions that has occurred at this location in the County is a trucking facility that was developed on Palestine Lane in 2018. This development increases incompatibility with the proposed PR zoning as it increases hazardous conditions for residential drivers in an area identified as needing roadway safety improvements.

2. The subject property borders Farragut, and there has been nearby low density residential expansion in less-

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sloped regions inside the Farragut boundary since the late 1990s. These subdivisions connect to a street network designed to accommodate residential traffic, with access to multiple major collector and arterial roads to the south. Such access is not available to the subject property, and the topographic conditions are very different as well.

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

1. PR zoning is intended to accommodate methods of land development that encourage more imaginative solutions to environmental design problems. The proposed PR density of 12 dwelling units per acre could result in the development of up to 492 homes on the subject property. Most of the property is within the Hillside Protection (HP) area with approximately 70% comprised of steep slopes greater than 15%. The recommended disturbance budget is 18.43 acres of the 41-acre site.

2. The Zoning Ordinance states that the PR zone must be compatible with surrounding or adjacent zones. The neighboring PC (Planned Commercial) and CB (Business and Manufacturing) zones that share access to Palestine Lane have been developed into three major trucking terminals, which are incompatible with the proposed residential zoning. This high volume of trucking traffic in combination with the estimated 4,500+ daily trips that are estimated to stem from PR development at 12 du/ac could create unsafe driving conditions on this narrow, local road.

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 proposed PR zoning at 12 du/ac could negatively impact the surrounding road network by adding significant traffic volume to an area the Southwest County Sector Plan identified as needing upgrades to improve safety, capacity and operations. Reconfiguration and improvements of the I-40/75 interchange at Watt Road are not anticipated to start until 2026. Until those improvements are made, dense residential development so close to the interchange is inadvisable.

2. This property's topographic constraints are significant. The slope analysis recommends leaving 55 percent of the site undisturbed. When the subject parcel was included in a 2001 rezoning request to change the zoning district from A (Agricultural) to PC (Planned Commercial), staff recommendation was to deny PC zoning for the subject parcel in particular. Staff asserted that the majority of the parcel "is characterized by moderate to steep slopes and would not be suitable for commercial development. The slopes range from 16 to 30%. This parcel is identified on the sector plan primarily for slope protection and low density residential development" (Case 6-N-01-RZ).

3. The County Commission utlimately approved PC zoning on the subject parcel in 2001 with conditions that a 300-ft vegetative buffer be maintained along the southern border with the Saddle Ridge Subdivision and a 100-foot vegetative buffer along the Fox Run Subdivision and the Farragut boundary line. The property has since been cleared for logging. Any future rezonings for the property should condition a re-planting of the vegetated tree buffer to protect the adjacent low density residential neighborhoods.

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 PR zoning up to 12 du/ac is inconsistent with the Southwest County Sector Plan.

ESTIMATED TRAFFIC IMPACT: 4503 (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: 203 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Farragut 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 9/26/2022. 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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Request to Postpone · Table · Withdraw

Benjamin C. Mullins 8/8/2022 Applicant Name (as it appears on the current Planning Commission agenda) Date of Request File Number(s) 8/11/2022 8-C-22-RZ / 8-A-22-SP Scheduled Meeting Date POSTPONE SostPone: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled. SELECT ONE: SO days 60 days 90 davs Postpone the above application(s) until the 9/8/2022 Planning Commission Meeting. WITHDRAW WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than noon on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received prior to public notice and the request is approved by the Executive Director or Planning Services Manager. *The refund check will be mailed to the original payee. TABLE TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item. AUTHORIZATION By signing below, I certify I am the property owner, and/or the owners authorized representative. Digitally signed by: Benjamin C. Mullins ; PN: CN = Benjamin C. Mullins emeil = BMc ; Exte: 2022.08.08 10:13:05 -04'00' Benjamin C. Mullins @fmslip.com C = AD Benjamin C. Mullins **Applicant Signature** Please Print 865-546-9321 bmullins@fmsllp.com Phone Number Email STAFF ONLY 8/22 🗌 No Fee Please Print Staff Signature Date Paid Eligible for Fee Refund? 🗌 Yes 🔳 No Amount: Approved by





Staff - Slope Analysis Case: 8-C-22-RZ/8-A-22-SP

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	40.97		
Non-Hillside	0.09	N/A	
0-15% Slope	8.33	100%	8.33
15-25% Slope	13.30	50%	6.65
25-40% Slope	15.30	20%	3.06
Greater than 40% Slope	3.94	10%	0.39
Ridgetops			
Hillside Protection (HP) Area	40.87	Recommended disturbance budget within HP Area (acres)	18.43
		Percent of HP Area	0.45





FUD Knox County - 8-A-22-SP Comments

Edwin Deyton

To: "jessie.hillman@knoxplanning.org" <jessie.hillman@knoxplanning.org>

Thu, Jul 28, 2022 at 1:42 PM

Jessie,

Good afternoon. I received the postcard mailer on behalf of FUD and this project. I'm providing these notes mainly to aid any discussion that might need to be addressed between the project, Knox Planning, and FUD.

FUD has a large water storage tank adjacent to the project, and we have a 16" water transmission main within easement on this property. FUD will need to be involved on the design for sewer service and evaluating the project's effect to our system. There is not sewer available at this property, and it will require 3,500-ft line extension and possible offsite improvements. (We are in the process of upgrading the next downstream pump station, and these units were not accounted for in design.) I trust that conversation will occur during due diligence and design with the Developer and their Engineer, but I wanted to share the mention in the interim. Please call if you need anything or want to discuss.

https://knoxplanning.org/cases/8-a-22-sp#case_request



Edwin Deyton, PE Project Engineer

Exhibit B. 8-C-22-RZ / 8-A-22-SP Contextual Images



Exhibit B. 8-C-22-RZ / 8-A-22-SP Contextual Images





		Developme	nt Requ	lest
Planni KNOXVILLE I KNOX CO	ng	DEVELOPMENT Development Plan Planned Development Use on Review / Special Use Hillside Protection COA	SUBDIVISION Concept Plan Final Plat	ZONING ✓ Plan Amendment ✓ Sector Plan □ One Year Plan □ Rezoning
Benjamin C. Mullins				6/23/2022
Applicant Name				Date Filed
8/11/2022	9/26/202	2 (Knox County Commission)	8-A-22-SP / 8-C-2	22-RZ
Planning Commission Meeting (if applicable)	Legislative	e Meeting (if applicable)	File Number(s)	
CORRESPONDENCE	All	correspondence related to this application sh	hould be directed to the a	oproved contact listed below.
Benjamin C. Mullins Frar	ıtz, McConn	ell and Seymour, LLP		
Name / Company				
550 W. Main St. St. Suite	e 500 Knoxvi	lle TN 37902		
Address				
865-546-9321 / bmullins	@fmslln.cor	n		
Phone / Email	@msip.co			
CURRENT PROPERT	Y INFO			
N. H. Siddiqi Pensco Trus	st Co.	10670 Trulock Ln Knoxville TN 37	/934 8	65-938-4000
Owner Name (if different)	Owner Address	C	Wner Phone / Email
0 PALESTINE LN				
Property Address				
141 079 (part of)				1.08 acres
Parcel ID		Part of F		ract Size
FIRST UTILITY SEWER		FIRST UTILITY WAT	ER	
Sewer Provider		Water Provider		Septic (Y/N)
STAFF USE ONLY				
Eastern terminus of Pale	nstine Ln, so	outh of Pellissippi Pkwy (partially in the	Town of Farragut)	
General Location				
City Commission Dis	strict 5 PC	(Planned Commercial) (k)	Agricultu	ire/Forestry/Vacant Land
County District		ning District		Land Use
Southwest County	GC (Gei	neral Commercial), HP (Hillside Protecti	ion) Planned	Growth Area
Planning Sector	-	Plan Land Use Classification		Policy Plan Designation

DEVELOPMENT REQUEST

🗌 Development Plan 🗌 Planned Development	Use on Review	/ Special Use	Related City Permit Number(s)
Hillside Protection COA	Residential	Non-residential	
Home Occupation (specify)			
Other (specify)			

SUBDIVSION REQUEST

	Related Rezoning File Number
Proposed Subdivision Name	
Unit / Phase Number	Total Number of Lots Created

Additional Information

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change	PR (Planned Residential)	Pending Plat File Number
	Proposed Zoning	
12 du/ac		

✔ Plan Amendment Change	MDR (Medium Density Residential), HP (Hillside Protection)
Proposed Density (units/acre)	Previous Zoning Requests

	Proposed Plan Designation(s)	
Additional Information		

STAFF USE ONLY

PLAT TYPE Staff Review Planning C	commission	Fee 1 \$3,354.00	Total
ATTACHMENTS			
Property Owners / Option Holder	s 🗌 Variance Request	Fee 2	
ADDITIONAL REQUIREMENTS			
Design Plan Certification (Final Pla	at)	Fee 3	
□ Site Plan (Development Request)			
Traffic Impact Study			
Use on Review / Special Use (Con	cept Plan)		

AUTHORIZATION

By signing below, I certify that I am the property owner, applicant, or owner's authorized representative.

N. H. Siddiqi Pensco Trust Co., 10670 Trulock Ln Knoxville TN 37934			6/23/2022	
Application Authorized By		Affiliation	Date	
865-938-4000				
Phone / Email				
	Michelle Portier			
Staff Signature	Please Print		Date Paid	

Planning KNOXVILLE I KNOX COUNTY	DEVELOPMENT Development Plan Planned Development Use on Review / Spanned Hillside Protection (ent ecial Use	SUBDIVISION Concept Plan Final Plat	ZONING Plan Amendment SP DOYP Rezoning	
Benjamin C. Mullins			Attorney		
Applicant Name			Affilia		
6 • 23 - 22 Date Filed	August 11, 2022 Meeting Date (if ap		8-C-	File Number(s) 22 - R = 8 - 4 - 22	
	correspondence related to th	is application sho	ould be directed to the a	pproved contact listed below.	
🛚 Applicant 🛛 Property Owner	Doption Holder 🛛 P	roject Surveyor	Engineer Arcl	hitect/Landscape Architect	
Benjamin C. Mullins		Frantz,	McConnell & Seym	our, LLP	
Name		Company	1		
550 West Main Street, Suite	500	Knoxvil	le TN	37922	
Address		City	State	ZIP	
865-546-9321	bmullins@fmsll	p.com			
Phone	Email				
CURRENT PROPERTY INFO					
PENSCO Trust Company fbo	N. H. Siddiqi 10670 T	rulock Ln.		865.938.4000	
Property Owner Name (if different)	Property C	wner Address		Property Owner Phone	
0 Palenstine LN			141 079 (part	of	
Property Address			Parcel ID		
WKUD	V	VKUD		Ν	
Sewer Provider	W	/ater Provider		Septic (Y/N)	
STAFF USE ONLY					
South of I-40 and East of Wa	tt Road Exit; East of tern	ninus of Palen	stine Ln ~41.	08 of ~47.85 total	
General Location			Tract	Size	
5	PC(k) (6-N-01-R	Z)	AGForVac		
City County District	Zoning District		Existing Land Use		
GE - SW County	Southwest Cour	nty GC	Plan	ned Growth	

DEVELOPMENT REQUEST

Development Plan	🔲 Use on Review / Special Use	Hillside Protection COA	Related City Permit Number(s)
🗌 Residential	🗌 Non-Residential		
Home Occupation (spe	cify)		
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 F	Requirements		
ZONING REQUEST	the portion of the property out	side of Town of Farragut	Pending Plat File Number
Plan Amendment Change	MDR		
up to 12 dua	Proposed Plan Designation(s) 6-N-01-R		
Proposed Density (units/acre)	Previous Rezoning Re	equests	
Other (specify)			
STAFF USE ONLY			
		Fee 1	T -1-1

PLAT TYPE		Fee 1		Total
Staff Review Planning Commission		0325 \$ 2,5	54-	\$3,354-
ATTACHMENTS Property Owners / Option Holders Variance ADDITIONAL REQUIREMENTS Design Plan Certification (Final Plat) Use on Review / Special Use (Concept Plan) Traffic Impact Study COA Checklist (Hillside Protection)	Request	Fee 2 0527 \$ 80 Fee 3	50-	
AUTHORIZATION				
Routed Mallo	Benjamin C. Mullins	3	6-23-	-22
Applicant Signature	Please Print		Date	
865-546-9321	bmullins@fmsllp.cc	m		
Phone Number See Attache	Email			

Property Owner Signature

N

Please Print

DEVELOPMENT REQUEST	2			
 Development Plan Use on Review / Special Residential Non-Residential Home Occupation (specify) 			Related C	ty Permit Number(s)
Other (specify)				
SUBDIVISION REQUEST				
			Related R	ezoning File Number
Proposed Subdivision Name				
Unit / Phase Number		umber of Lots Created	1	
Other (specify)	7		10 10 10 10 10 10 10 10 10 10 10 10 10 1	
Attachments / Additional Requirements		ann a' fuainn ann ann ann ann ann ann ann ann ann		
ZONING REQUEST				
Zoning Change PR Proposed Zoning			Pendin	g Plat File Number
Plan Amendment Change MDR				
Proposed Plan Desi	1 04 D			
and a second	vious Rezoning Requests			
□ Other (specify)				
STAFF USE ONLY				
PLAT TYPE		Fee 1		Total
Staff Review 🛛 Planning Commission		0325 4	554	11 S
ATTACHMENTS		Fee 2		\$3,354-
Property Owners / Option Holders Variance Variance	ce Request	1662		
ADDITIONAL REQUIREMENTS		0527 8	500	
Design Plan Certification (Final Plat)		Fee 3		-
 Use on Review / Special Use (Concept Plan) Traffic Impact Study 				
COA Checklist (Hillside Protection)				
AUTHORIZATION		L		1
	Benjamin C. Mullir	ns .		
Applicant Signature	Please Print		Date	
865-546-9321	bmullins@fmsllp.c	com		
Phone Number . Day	Email			
montol	N. H. Siddiqi, trust	ee/owner	1	22-92
Property Owner Signature	Please Print		Date	11-11
mp	- 2010 CONTRACTOR (1997)			

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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-ofway 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:

Quely 27, 2022 and M	ngust 12,2022
(applicant or staff to post sign)	(applicant to remove sign)
Applicant Name: Ben Mullino	
Date: 6 23 2022	Sign posted by Staff
File Number: 8-C-22-RZ 8-A-22-5P	Sign posted by Applicant