



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 1-N-22-RZ **AGENDA ITEM #:** 8
 1-E-22-SP **AGENDA DATE:** 2/10/2022

POSTPONEMENT(S): 1/13/2022

▶ **APPLICANT:** TURNER HOMES, LLC
 OWNER(S): Perry Buckner / Buckner Investment Trust

TAX ID NUMBER: 105 A A 017 & 002 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 1925 Andes Road and 8531 Troutman Ln.

▶ **LOCATION:** West side of Andes Road, north side of Troutman Lane

▶ **TRACT INFORMATION:** 14.61 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Andes Road, a major collector, with a pavement width of 21-ft within a right-of-way width of 60-ft. Access is also via Troutman Lane, a local street, with a pavement width of 19-ft within a right-of-way width of 47-ft.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & HP (Hillside Protection) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) & HP (Hillside Protection) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Rural residential

▶ **DENSITY PROPOSED:** up to 7 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, MDR and PR are adjacent.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Multifamily / MDR (Medium Density Residential) / PR (Planned Residential)

South: Single family residential / LDR (Low Density Residential), HP (Hillside Protection) / A (Agricultural)

East: Single family residential / LDR (Low Density Residential), HP (Hillside Protection) / PR (Planned Residential)

West: Single family residential / LDR (Low Density Residential), HP (Hillside Protection) / PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area is within a 1000' feet south of the forthcoming Schaad Road extension and is primarily a mix of single family residential and multi-family dwellings.

STAFF RECOMMENDATION:

- ▶ **Deny the sector plan amendment to MDR (Medium Density Residential) because it is not compatible with the surrounding development.**

- ▶ **Approve PR (Planned Residential) zoning up to 5 du/ac because it is consistent with the surrounding development.**

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. There have been no significant changing conditions to warrant amendment of the land use plan in this area.

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

1. Although the Schaad Road extension is nearby, this property is adjacent to LDR (Low Density Residential) on both sides of the tract, and the improvement does not make MDR (Medium Density Residential) development more feasible for this property.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There was not a significant error or omission in the plan, the MDR was recognized as closer around the intersection with Andes Road and Ball Camp Pike and the Schaad Road extension as a transition to LDR.

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

1. There have been no new trends that warrant reconsideration of the original plan proposal at this location.

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. The forthcoming Schaad Road improvements are anticipated to increase development activity, particularly adjacent to intersections along the Schaad Road corridor.
2. The LDR designation recommends consideration of additional residential density in the PR (Planned Residential) zone district up to 5 du/ac, which provides an opportunity for more residential development than the current A (Agricultural) zoning.

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

1. 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.

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.

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. Additional residential development under PR (Planned Residential) up to 7 du/ac could allow a maximum of 98 dwelling units, which would trigger a Level 1 Transportation Impact Study (TIS) to be submitted with a use on review application.

2. If PR (Planned Residential) up to 5 du/ac is approved a maximum of 70 dwelling units could be accommodated which does not trigger a requirement for a TIS.

3. The required development plan review as part of the PR (Planned Residential) zone district will provide an opportunity for potential impacts to be mitigated through creative site design.

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 not consistent with the Northwest County Sector Plan, therefore, staff is recommending PR (Planned Residential) up to 5 du/ac, consistent with the LDR (Low Density Residential) sector plan land use classification.

ESTIMATED TRAFFIC IMPACT: 1021 (average daily vehicle trips)

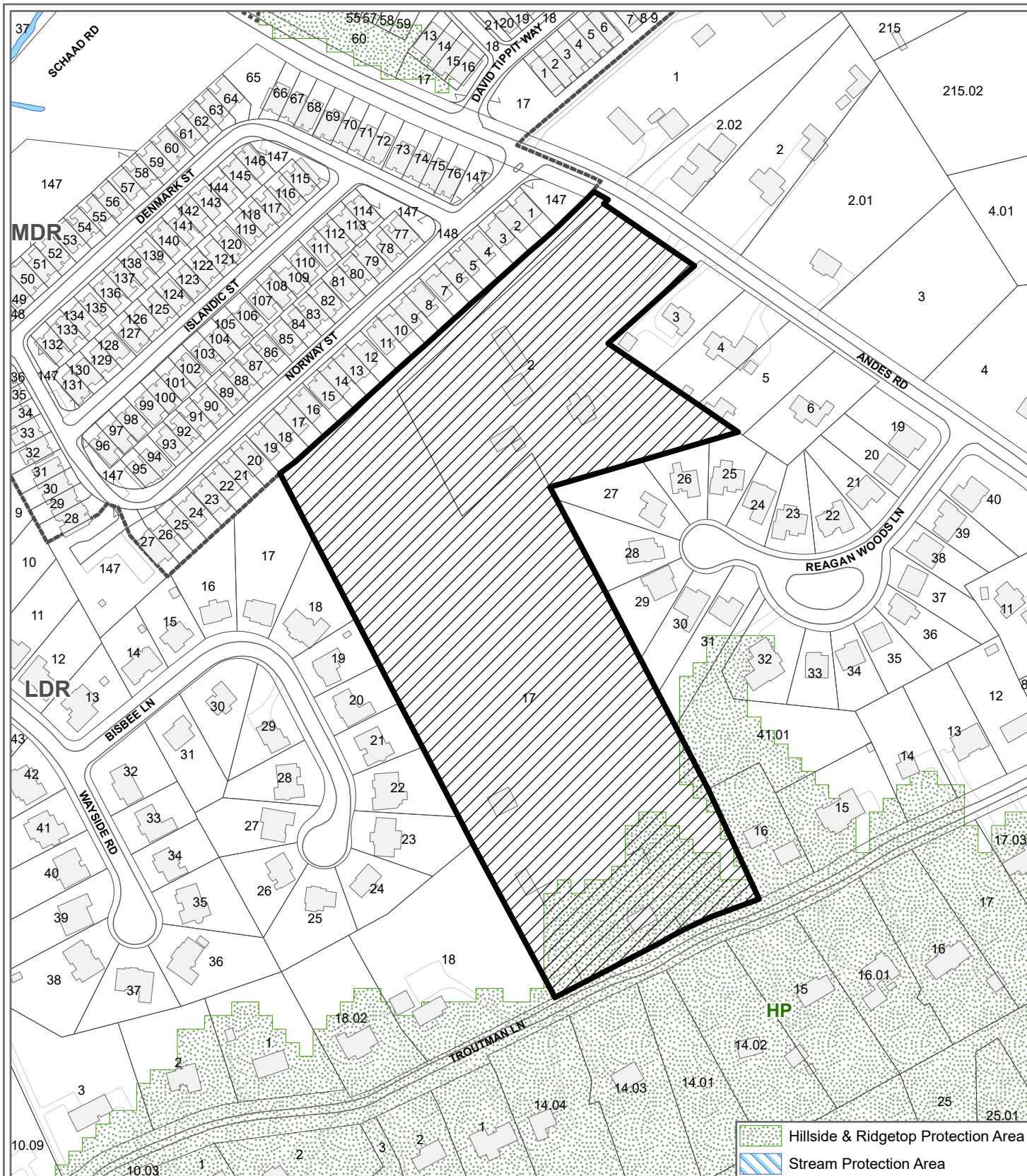
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 40 (public school children, grades K-12)

Schools affected by this proposal: Ball Camp Elementary, Karns 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.

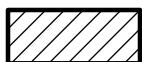
If approved, this item will be forwarded to Knox County Commission for action on 3/28/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**1-E-22-SP / 1-N-22-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential) & HP (Hillside Protection)

To: MDR (Medium Density Residential) & HP (Hillside Protection)

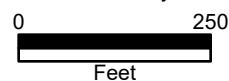


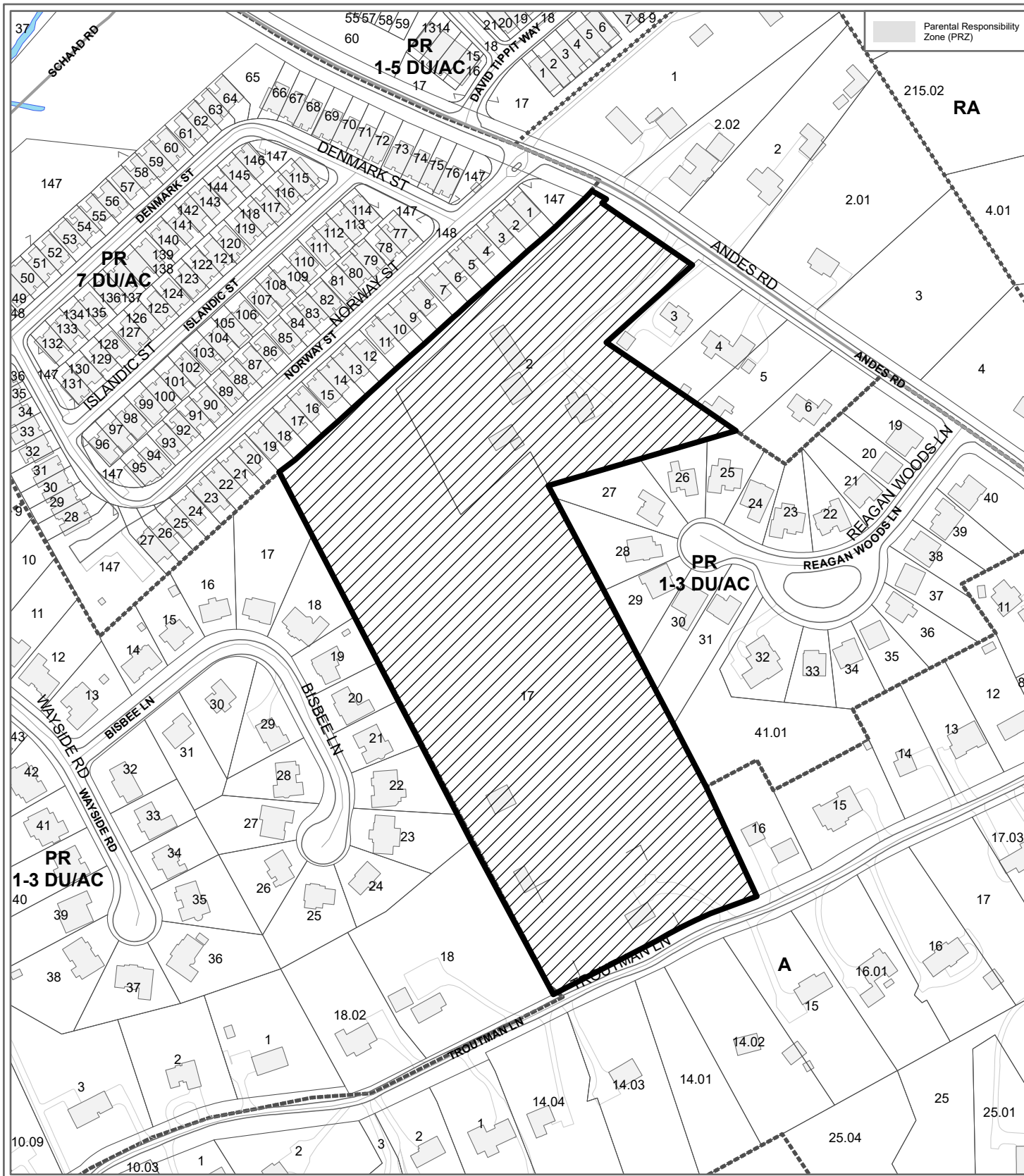
Original Print Date: 12/20/2021 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Turner Homes, LLC

Map No: 105

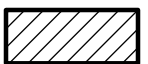
Jurisdiction: County





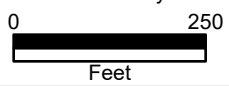
**1-N-22-RZ
REZONING**

From: A (Agricultural)
To: PR (Planned Residential)



Petitioner: Turner Homes, LLC

Map No: 105
Jurisdiction: County

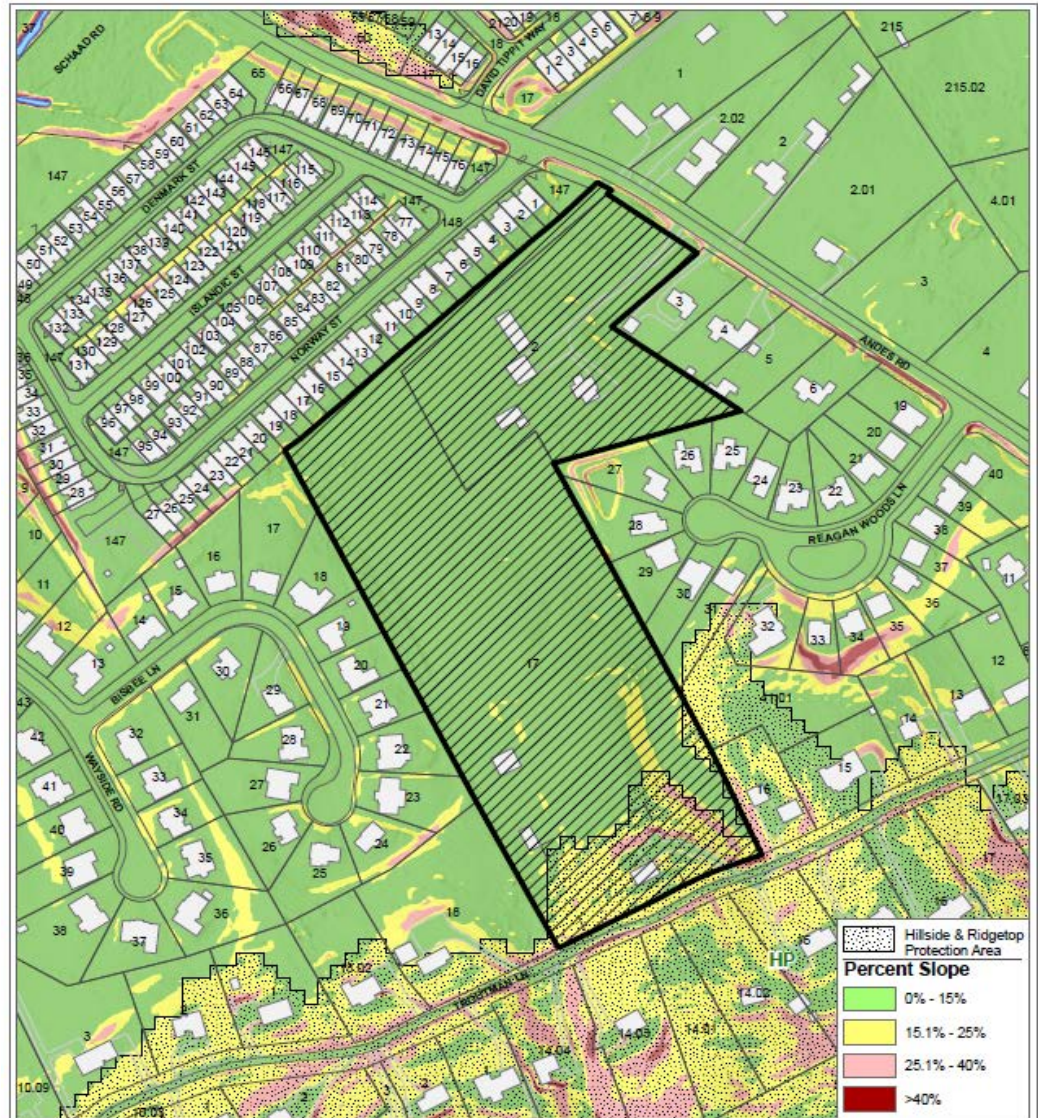


Original Print Date: 12/20/2021 Revised:
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Staff - Slope Analysis
Case: 1-N-21-RZ

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	12.52	100%	12.5
0-15% Slope	0.47	100%	0.5
15-25% Slope	0.92	50%	0.5
25-40% Slope	0.16	20%	0.0
Greater than 40% Slope	0.01	10%	0.0
Ridgetops	0		
Subtotal: Sloped Land	1.56	<i>Recommended disturbance budget within Hillside Protection Area (acres)</i>	1.0
Total Acreage	14.08		13.5

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	12.52	5.00	62.6
0-15% Slope	0.47	5.00	2.4
15-25% Slope	0.92	2.00	1.8
25-40% Slope	0.16	0.50	0.1
Greater than 40% Slope	0.01	0.20	0.0
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	1.56		4.3
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	14.08	4.75	66.9
Proposed Density (Applicant)	14.08	7.00	98.6



**1-N-22-RZ / 1-E-22-SP
SLOPE ANALYSIS**

From: A (Agricultural)
To: PR (Planned Residential)

Original Print Date: 1/6/2022 Revised: Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Turner Homes, LLC,
Map No: 105
Jurisdiction: County

0 250
Feet

N

Exhibit A. 1-N-22-RZ / 1-E-22-SP Contextual Images

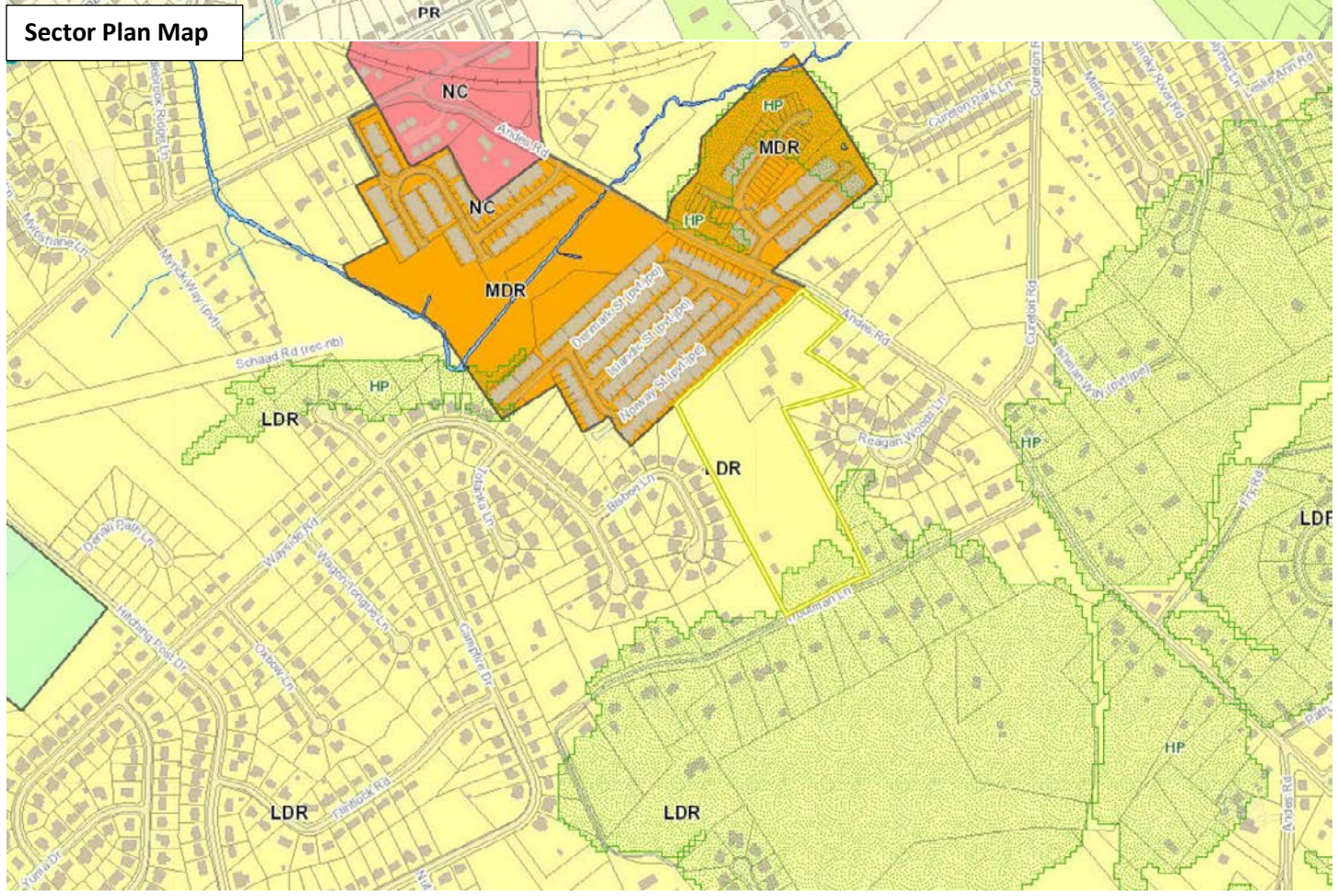
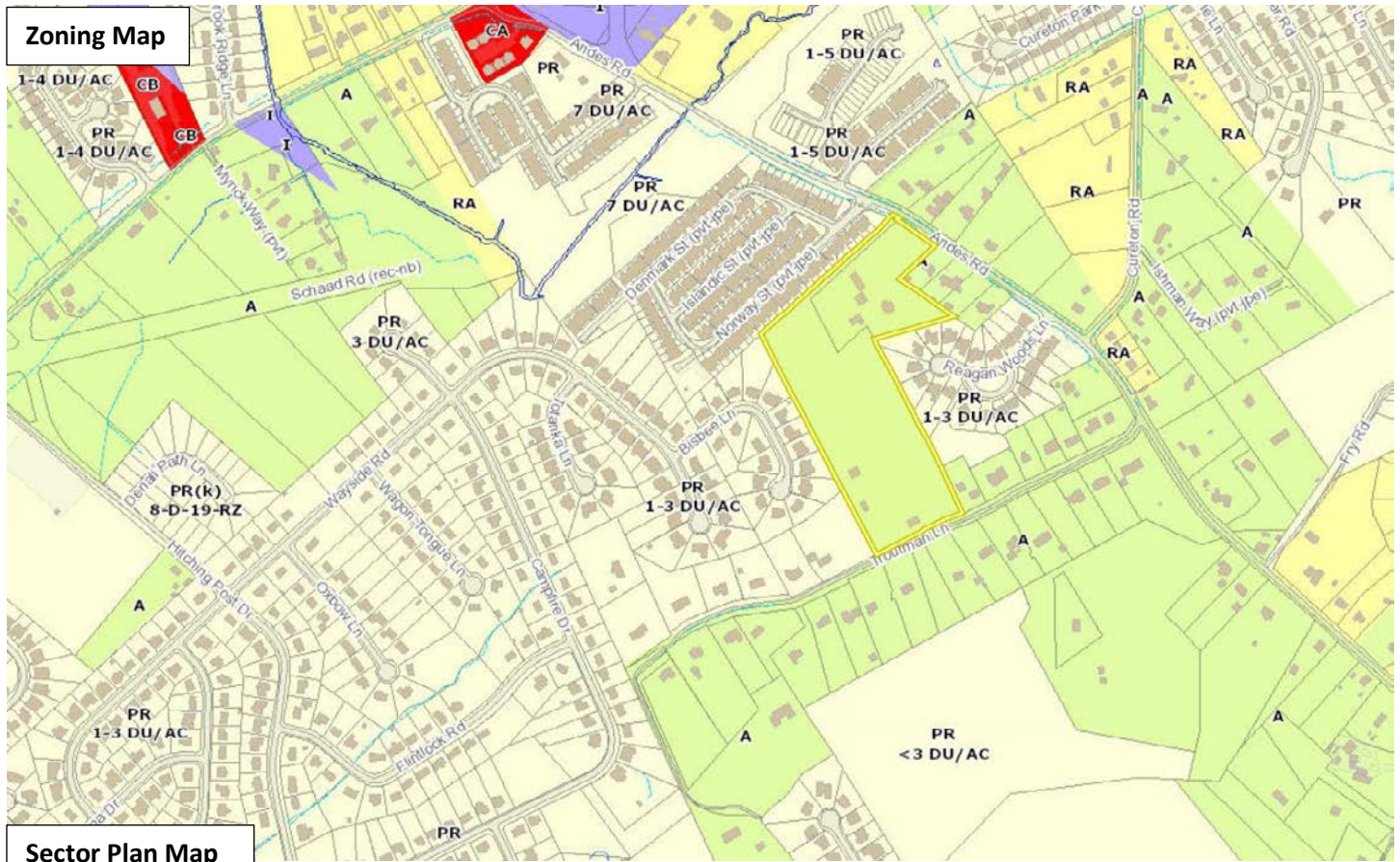


Exhibit A. 1-N-22-RZ / 1-E-22-SP Contextual Images





Request to Postpone • Table • Withdraw

Name of Applicant: Turner Homes LLC
AS IT APPEARS ON THE CURRENT PLANNING COMMISSION AGENDA

Original File Number(s): 1-N-22-RZ, 1-E-22-SP

Date Scheduled for Planning Review: 1/13/22

Date Request Filed: 12-7-21 Request Accepted by: Sherri McKenzie

REQUEST

Postpone

Please postpone the above application(s) until:

2-11-22

DATE OF FUTURE PUBLIC MEETING

Table

Please table the above application(s).

Withdraw

Please withdraw the above application(s).

State reason for request:

Seeking advice of counsel.

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: 

PLEASE PRINT

Name: Stefan Claar

Address: 11543 Kingston Pike

City: Knoxville State: TN Zip: 37934

Telephone: 865-804-9802

Fax: _____

E-mail: Stefan.claar@turnerhomes.com

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.



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

Turner Homes LLC

Buyer

Applicant Name

Affiliation

12/7/21

Jan 13, 2021
Meeting Date (if applicable)

Date Filed

File Number(s)

1-N-22-RZ
1-E-22-SP

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Stefan Claar

Turner Homes LLC

Name

Company

11543 Kingston Pike

Knoxville

TN

37934

Address

City

State

ZIP

8658049802

stefan.claar@turnerhomes.com

Phone

Email

CURRENT PROPERTY INFO

Perry Buckner/Buckner Investment Trust 1925 Andes Road

Property Owner Name (if different)

Property Owner Address

(10.60 acres) (4.01 acres)
105AA017, 105AA002

Property Owner Phone

1925 Andes Road, 8531 Troutman Lane

Property Address

Parcel ID

WKUD

WKUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of Andes Rd.
north side of Troutman Ln.
General Location

14.61 Tot. Acres
Tract Size

City County

Coth
District

A
Zoning District

RR & Ag For Vac
Existing Land Use

Northwest County
Planning Sector

LDR & HP
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) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements _____

Related Rezoning File Number

ZONING REQUEST

Zoning Change ^{PK} ~~RID~~ w/ 7 d.u.a. w/ 0' lot lines.
 Proposed Zoning

Plan Amendment Change MOR & HP
 Proposed Plan Designation(s)

Proposed Density (units/acre) ^{7 d.u.a.} _____

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)

Double Fee
 Deadline

Fee 1	base fee	Total
0325	1200.00	
Fee 2	additional	
0325	1461.00	
Fee 3	sector plan	
0527	1600.00	\$4261.00

AUTHORIZATION

Applicant Signature

Turner Homes LLC

Please Print

12/7/21

Date

865-804-9802

Phone Number

stefan.claar@turnerhomes.com

Email

Property Owner Signature

See Attached Authorization Letters

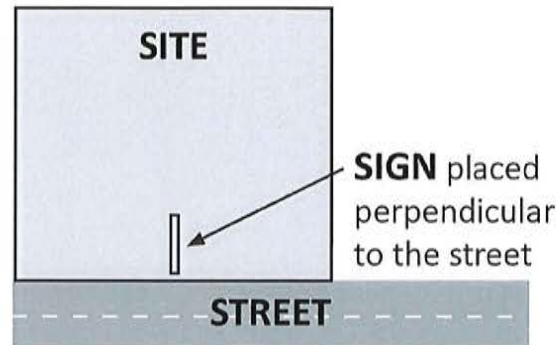
Please Print

12/7/21

Date

Sherry Michienzi sum 12/7/21

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:

Dec 29, 2021 and Jan 14, 2021
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Stephan Clear
 Date: 12-7-21
 File Number: 1-N-22-RZ
1-E 22-SP

Sign posted by Staff
 Sign posted by Applicant