



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 6-H-22-RZ **AGENDA ITEM #:** 19  
 6-A-22-SP **AGENDA DATE:** 6/9/2022

▶ **APPLICANT:** SAAD KADO / SHINING STAR PROPERTIES, LLC (OWNER)  
 OWNER(S): Saad Kado /Shining Star Properties, LLC

TAX ID NUMBER: 92 022 [View map on KGIS](#)  
 JURISDICTION: Commission District 3  
 STREET ADDRESS: 2834 Barnard Rd.  
 ▶ **LOCATION:** North side of Barnard Rd., west of Sood Rd.  
 ▶ **TRACT INFORMATION:** 2.4 acres.  
 SECTOR PLAN: Northwest County  
 GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)  
 ACCESSIBILITY: Access is via Barnard Road, a local street with a 16-ft pavement width within a 45-ft right-of-way.  
 UTILITIES: Water Source: Knoxville Utilities Board  
 Sewer Source: Knoxville Utilities Board  
 WATERSHED: Third 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:** 12 du/ac  
 EXTENSION OF PLAN DESIGNATION/ZONING: Extension of PR zoning, but not of plan designation  
 HISTORY OF ZONING REQUESTS: None noted  
 SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
 North: Agriculture/forestry/vacant, multifamily residential / LDR (Low Density Residential) / A (Agricultural), PR (Planned Residential) up to 12 du/ac  
 South: Single-family residential / LDR (Low Density Residential) / RA (Low Density Residential), A (Agricultural)  
 East: Single-family residential, multifamily residential / LDR (Low Density Residential) / RA (Low Density Residential), PR (Planned Residential) up to 12 & 9.75 du/ac  
 West: Agriculture/forestry/vacant, single-family residential / LDR (Low Density Residential) / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is comprised of a mix of detached single family homes, forested land and townhome subdivisions.

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**STAFF RECOMMENDATION:**

- ▶ **Deny the sector plan amendment to MDR (Medium Density Residential) because it does not meet the location criteria, or the requirements for an amendment.**
  
- ▶ **Approve PR (Planned Residential) zoning up to 4 du/ac because it is consistent with the sector plan.**

**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 properties west of the intersection of Sood Road and Barnard Road have remained forested and low density residential for over 30 years. While there have been recent developments of medium density residences to the east, these are outliers in an area of established low density neighborhoods.

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 or utilities in the immediate area that were not anticipated in the sector plan. A 450' length of Barnard Road was slightly expanded to a 20-ft pavement width between Sood and Woods-smith roads as a condition for recent multifamily development there. However, the majority of Barnard Road is a winding, wooded, 16-ft wide local street without a centerline. This local street does not make medium density residential development more feasible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1) There are no significant errors or omissions in the sector plan as it relates to the subject property.

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

1) Sood Road marks a distinct transition from a pocket of medium density residential properties to low density detached homes. There are no development trends in the neighborhood where the subject property is located that warrant reconsideration of the LDR (Low Density Residential) designation in the sector plan.

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 proposed rezoning to PR (Planned Residential) is consistent with residential rezonings that have been occurring east of the subject property since the early 1980s. PR zoning supports the ongoing demand for more housing in Knox County.
- 2) Staff recommend a PR density of 4 dwelling units per acre (du/ac) instead of the proposed 12 du/ac out of consideration for existing neighborhood character, the limiting condition of Barnard Road and environmental constraints on the sloped property.

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

- 1) The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.
- 2) Approximately half of the subject property is in the Hillside Protection (HP) area. PR zoning is advantageous, as it enables concentrated development on the less sloped portion of the property and preservation of the more environmentally sensitive areas. The potential visual impact of clustering development on the optimal part of the property further supports a lower density from 12 to 4 du/ac.

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 would permit a total of 28 dwelling units on the subject property. This level of density would be inconsistent with the character of the surrounding neighborhood. Staff recommends a density of 4 du/ac, which could result in no more than 9 dwelling units total on the 2.4-acre parcel. This recommended density is comparable to what is allowed in the RA (Low Density Residential) zoning of several adjacent properties.
- 2) PR zoning requires Planning Commission approval of site plans prior to any development of the property. During this review, potential issues such as drainage, access, lot layout, and other development concerns can be addressed.

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 zoning change to PR at 12 du/ac is inconsistent with the sector plan land use classification of LDR (Low Density Residential) for this area. Limiting the density of PR zoning to 4 du/ac complies with the sector plan and all other adopted plans.

ESTIMATED TRAFFIC IMPACT: 304 (average daily vehicle trips)

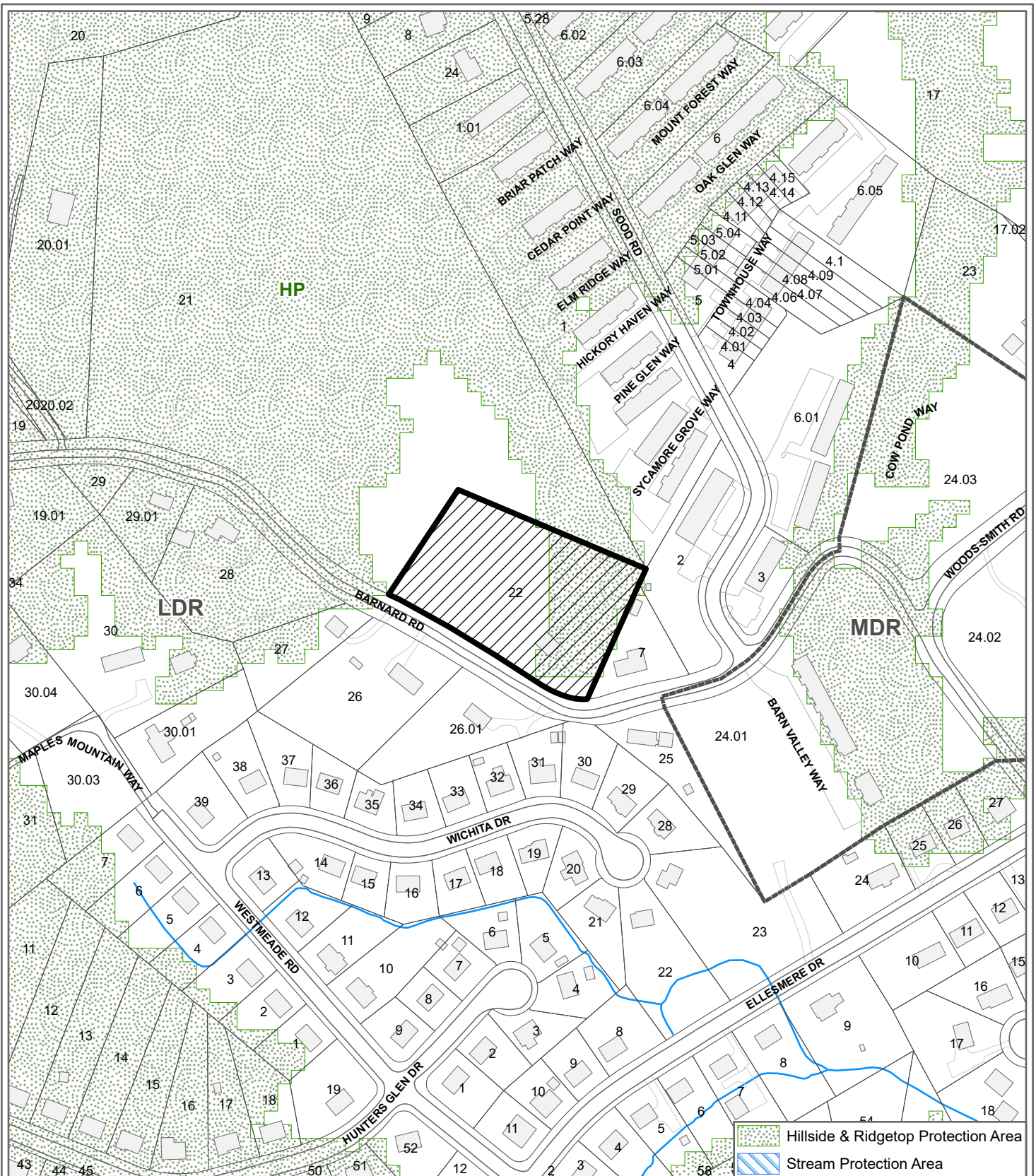
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 2 (public school children, grades K-12)

Schools affected by this proposal: Amherst Elementary, Northwest 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.

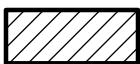
If approved, this item will be forwarded to Knox County Commission for action on 7/25/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**6-A-22-SP / 6-H-22-RZ  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

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

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

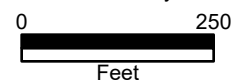


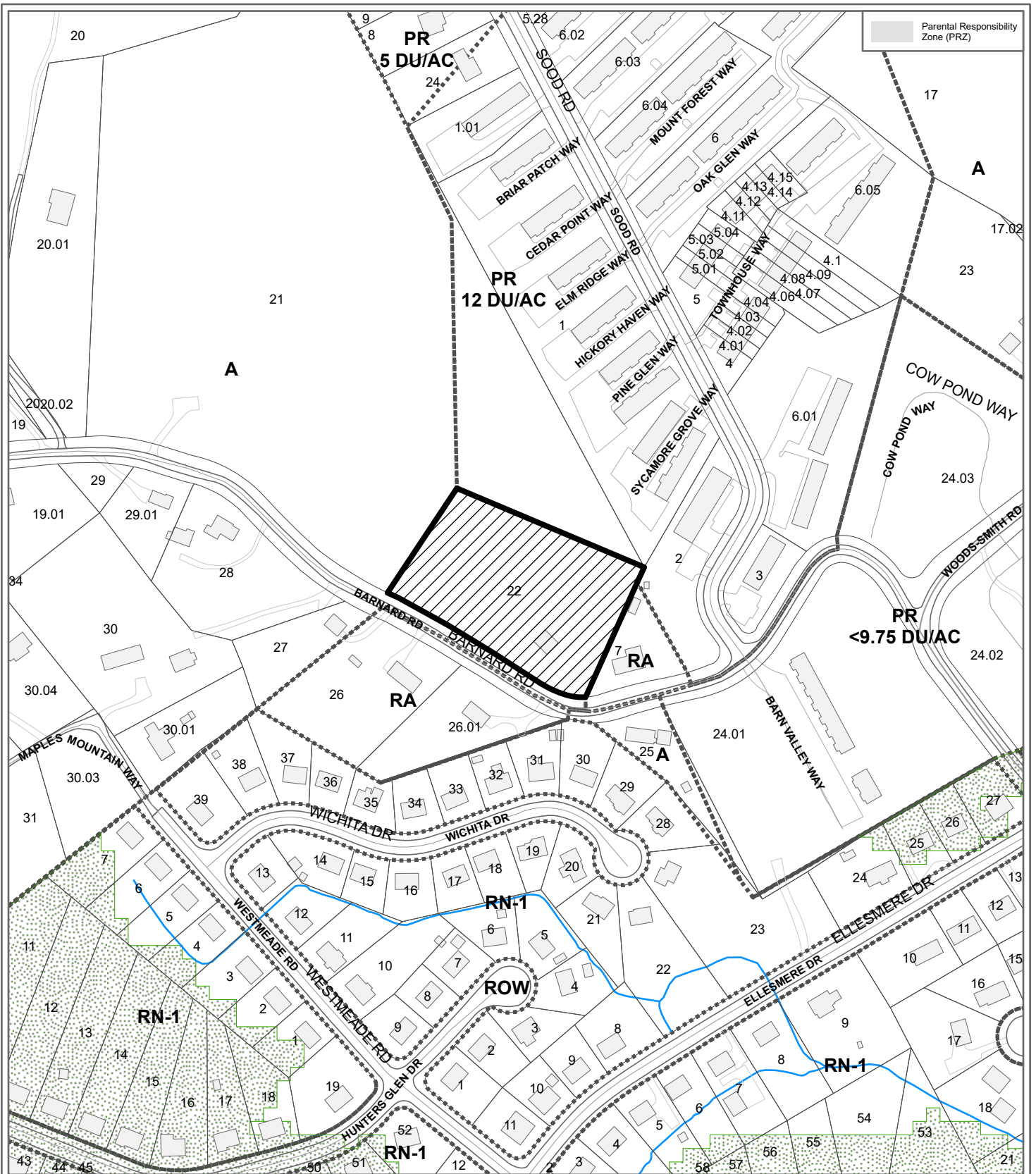
Petitioner: Kado / Shining Star Properties, LLC, Saad

Map No: 92

Jurisdiction: County

Original Print Date: 5/5/2022      Revised:  
Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902





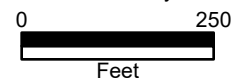
**6-H-22-RZ  
REZONING**

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



Petitioner: Kado / Shining Star Properties, LLC, Saad

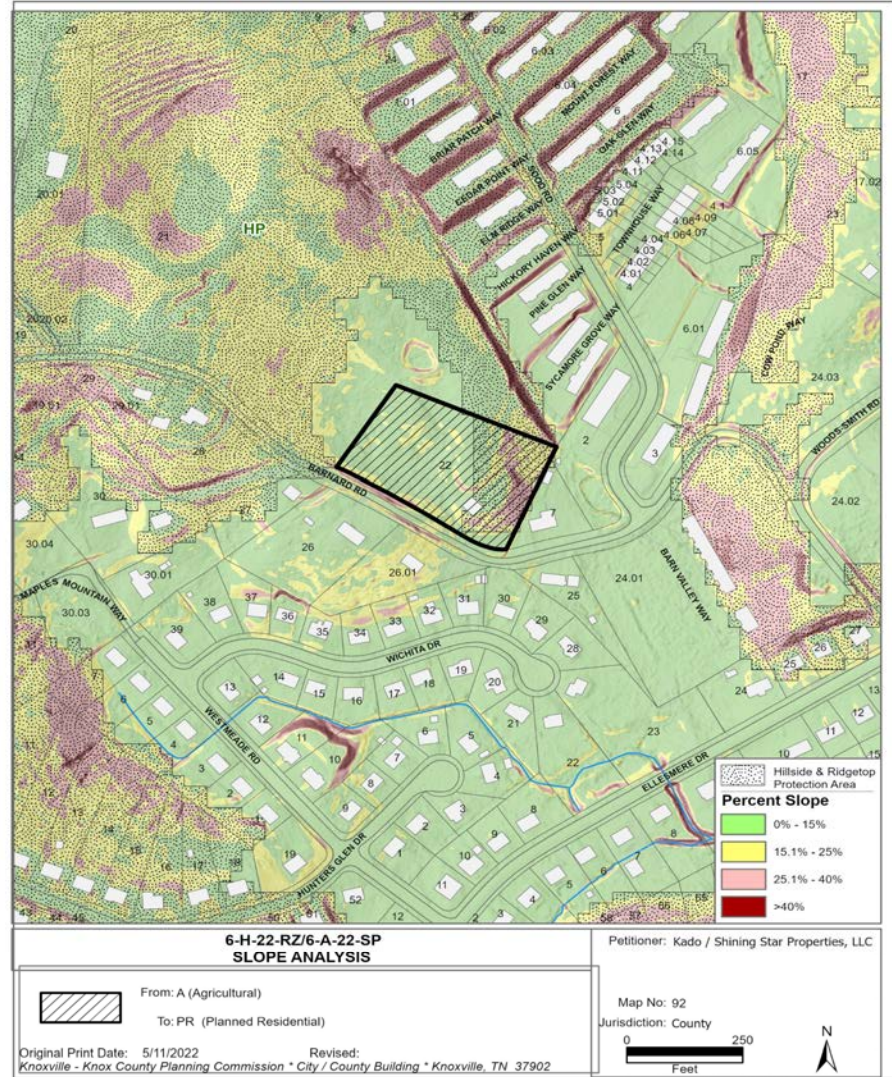
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CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>2.28</b>		
Non-Hillside	1.50	N/A	
0-15% Slope	0.26	100%	0.3
15-25% Slope	0.29	50%	0.1
25-40% Slope	0.21	20%	0.0
Greater than 40% Slope	0.01	10%	0.0
Ridgetops			
<b>Hillside Protection (HP) Area</b>	0.78	Recommended disturbance budget within HP Area (acres)	<b>0.4</b>
		Percent of HP Area	<b>0.6</b>

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	1.50	5.00	7.5
0-15% Slope	0.26	4.00	1.0
15-25% Slope	0.29	2.00	0.6
25-40% Slope	0.21	0.50	0.1
Greater than 40% Slope	0.01	0.20	0.0
Ridgetops	0.00	3.00	0.0
Subtotal: Sloped Land	0.78		1.7
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	<b>2.28</b>	<b>4.05</b>	<b>9.2</b>
Proposed Density (Applicant)	<b>2.28</b>	<b>12.00</b>	<b>27.3</b>

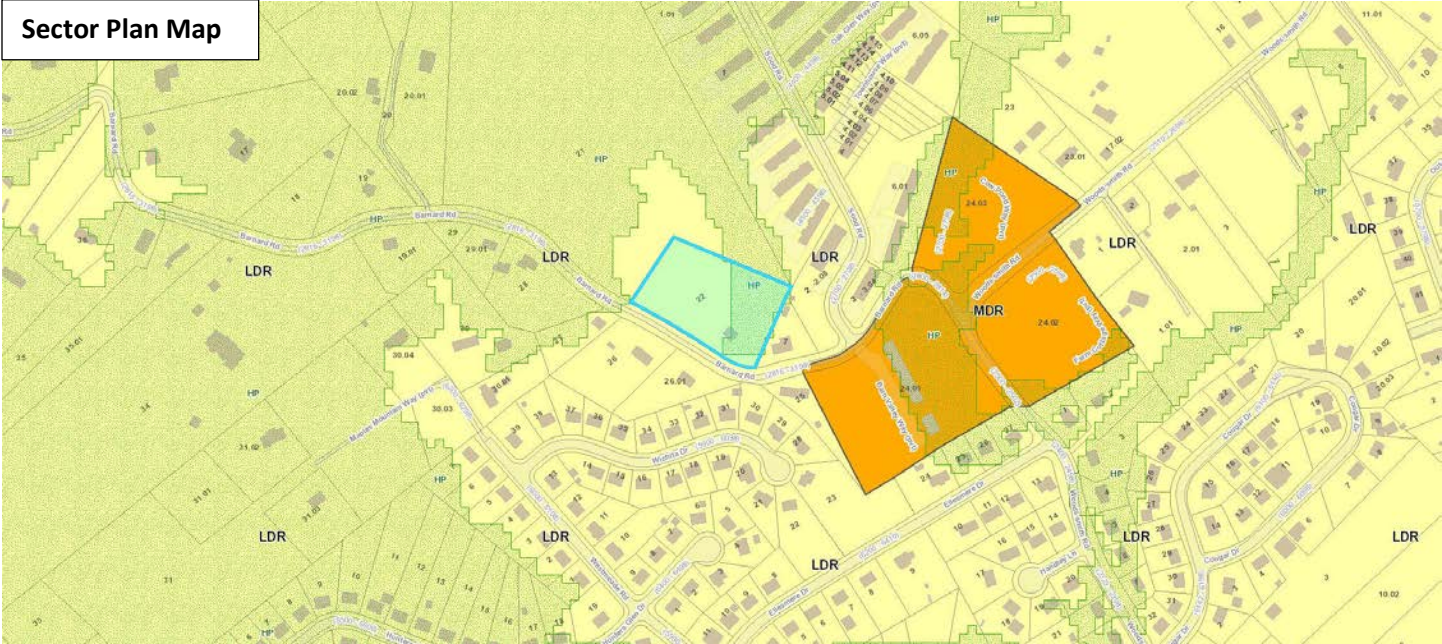


# Exhibit A. 6-H-22-RZ / 6-A-22-SP Contextual Images

Zoning Map



Sector Plan Map



# Exhibit A. 6-H-22-RZ / 6-A-22-SP Contextual Images







# 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

Shining  
~~Shining~~ Star Properties, LLC Mr. Saad Kado (saddkado@gmail.com)  
 Applicant Name

Affiliation

4/25/2022  
 Date Filed

6/9/2022  
 Meeting Date (if applicable)

File Number(s)

**6-H-22-RZ**  
**6-A-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

Wanis A. Rghebi, PE, RLS

Southland Engr. Consultants, LLC

Name

Company

4909 Ball Road

Knoxville

TN

37931

Address

City

State

ZIP

865-694-7756

wrghebi@sengconsultants.com

Phone

Email

### CURRENT PROPERTY INFO

Shining  
~~Shining~~ Star Properties

2834 Barnard Road, Knoxville, TN 37921

865-387-9750

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

Mr. Saad Kado, 918 Garrison Ridge Blvd., Knoxville, TN 37922

Tax map 092, Parcel 022 (2.4 acres)

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

### STAFF USE ONLY

North side of Barnard Road, west of Sood Rd

2.4 ac

General Location

Tract Size

City  County

3rd  
 District

A (Agricultural)  
 Zoning District

RR (Rural Residential)  
 Existing Land Use

Northwest County  
 Planning Sector

LDR (Low Density Residential) / HP (Hillside Protection)  
 Sector Plan Land Use Classification

Urban Growth Boundary  
 Growth Policy Plan Designation

## DEVELOPMENT REQUEST

- Development Plan    Use on Review / Special Use    Hillside Protection COA  
 Residential    Non-Residential

Related City Permit Number(s)

Home Occupation (specify)

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   From Ag. to PR  
Proposed Zoning

Plan Amendment Change   **MDR** / HP  
Proposed Plan Designation(s)

12 Units per 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

0324

\$600.00

Total

Fee 2

0526

\$600.00

\$1,200.00

Fee 3

## AUTHORIZATION

Applicant Signature

865-694-7756

Phone Number

Property Owner Signature

Shinning Star Properties, LLC Mr. Saad Kadr 4-22-2022

Please Print

Date

SEC, LLC Wanis A. Rghebi, PE, RLS

Email

Mr. Saad Kado

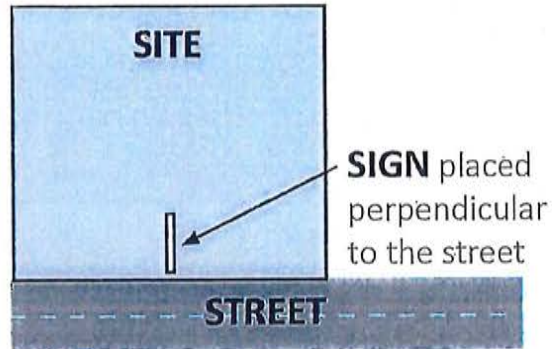
4-22-2022

Please Print

Date

4/26/2022 swm

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:*

May 25th and June 10th  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Shining Star Properties, LLC

Date: 4/26/22

File Number: 6-H-22-RZ / 6-A-22-SP

Sign posted by Staff

Sign posted by Applicant