

REZONING REPORT

▶ **FILE #:** 5-O-22-RZ

AGENDA ITEM #: 19

AGENDA DATE: 5/12/2022

▶ **APPLICANT:** HOMESTEAD LAND HOLDINGS, LLC

OWNER(S): Roger William Toole

TAX ID NUMBER: 111 03605

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 0 E. Governor John Sevier Hwy.

▶ **LOCATION:** **West side of E. Governor John Sevier Highway, due south of Old French Road**

▶ **APPX. SIZE OF TRACT:** **18.79 acres**

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Governor John Sevier Highway, a major arterial with a 45-ft pavement width within a 112-ft right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Holston and French Broad

▶ **PRESENT ZONING:** **A (Agricultural)**

▶ **ZONING REQUESTED:** **PR (Planned Residential)**

▶ **EXISTING LAND USE:** **Agricultural/forestry/vacant**

▶ **DENSITY PROPOSED:** **up to 5 du/ac**

EXTENSION OF ZONE: No

HISTORY OF ZONING: Rezone from A (Agricultural) to CR (Rural Commercial) denied (6-I-19-RZ)

SURROUNDING LAND USE AND ZONING: North: Public/quasi-public land & agriculture - A (Agricultural)

South: Agriculture/forestry/vacant - A (Agricultural)

East: Agriculture/forestry/vacant - A (Agricultural)

West: French Broad River - F (Floodway)

NEIGHBORHOOD CONTEXT: This property is located along the French Broad River in an area that is predominantly agricultural or forested with sparse single family detached dwelling units. There is one residential subdivision to the south and a veterans' memorial park to the north.

STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) zoning up to 3 du/ac because it is compatible with surrounding development and consistent with the sector plan, subject to 2 conditions:**

1) Maintain a tree buffer with a 50-ft of depth along the Governor John Sevier Highway frontage, except for allowing approved access to Governor John Sevier Highway, as recommended by the Governor John Sevier Scenic Highway Corridor Study. High visibility tree protection fencing shall be installed before clearing and

grading activities begin and maintained until site and building construction are complete.

2) No clearing or grading of the site shall be permitted until a Concept Plan or Use on Review development plan is approved by the Planning Commission

COMMENTS:

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 is compatible with the surrounding area, where there is precedent for a transition from agricultural to low density residential zoning beginning in the early 2000s.

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

1) The PR zone provides methods of land development which "encourage more imaginative solutions to environmental design problems." Substantial portions of the subject property have a 100-year and 500-year floodplain and Stream Protection status. The property is also located along the French Broad River. These environmental constraints make PR zoning advantageous because it enables concentrated development on optimal areas of the property and preservation of sensitive areas.

2) PR zoning also supports "conservation subdivisions," which are characterized by common open space and clustered lots to protect farmland and/or natural resources. This approach to residential development is recommended in the South County Sector Plan as a tool for protecting land and water quality in relation to the French Broad River.

3) The applicant has requested PR at 5 du/ac, which would result in 94 units being allowed on the property. This level of density does not align with the rural character of the surrounding area, which is primarily comprised of A (Agricultural) zoned properties with dwellings on 1+ acre lots. The exception to this trend is a nearby residential subdivision called Serenity River, which is zoned PR at 3 du/ac, but is developed to approximately half that density. Considering this zoning precedent, and the visual impact of potentially clustering development to accommodate environmental constraints, a maximum density of 3 du/ac is recommended for the subject property.

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) Approximately 27 percent of the subject property has a SP (Stream Protection) classification. One benefit of PR zoning is that it will require Planning Commission use on review approval of site plans prior to any development of the property. During this review, potential issues such as drainage, topography and other development concerns can be addressed.

2) This property is situated between the French Broad River and E. Governor John Sevier Highway, both of which are the subject of Planning Commission corridor studies. The Governor John Sevier Scenic Highway Corridor Study and the sector plan recommend a buffer of native trees and shrubbery along the public right-of-way. The French Broad River Corridor Study also recommends vegetated filter strips at the river's edge to preserve water quality and scenic beauty.

3) Less than 700 feet from the subject property, on the opposite bank of the French Broad River, is a major industrial property owned by a company specializing in aggregate and hot mix asphalt production. This nearby industrial use warrants environmental considerations during use on review, and further supports maintenance of a tree buffer along the riverbank.

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) PR zoning is compatible with the existing LDR (Low Density Residential) land use classification for the South County Sector Plan and is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 982 (average daily vehicle trips)

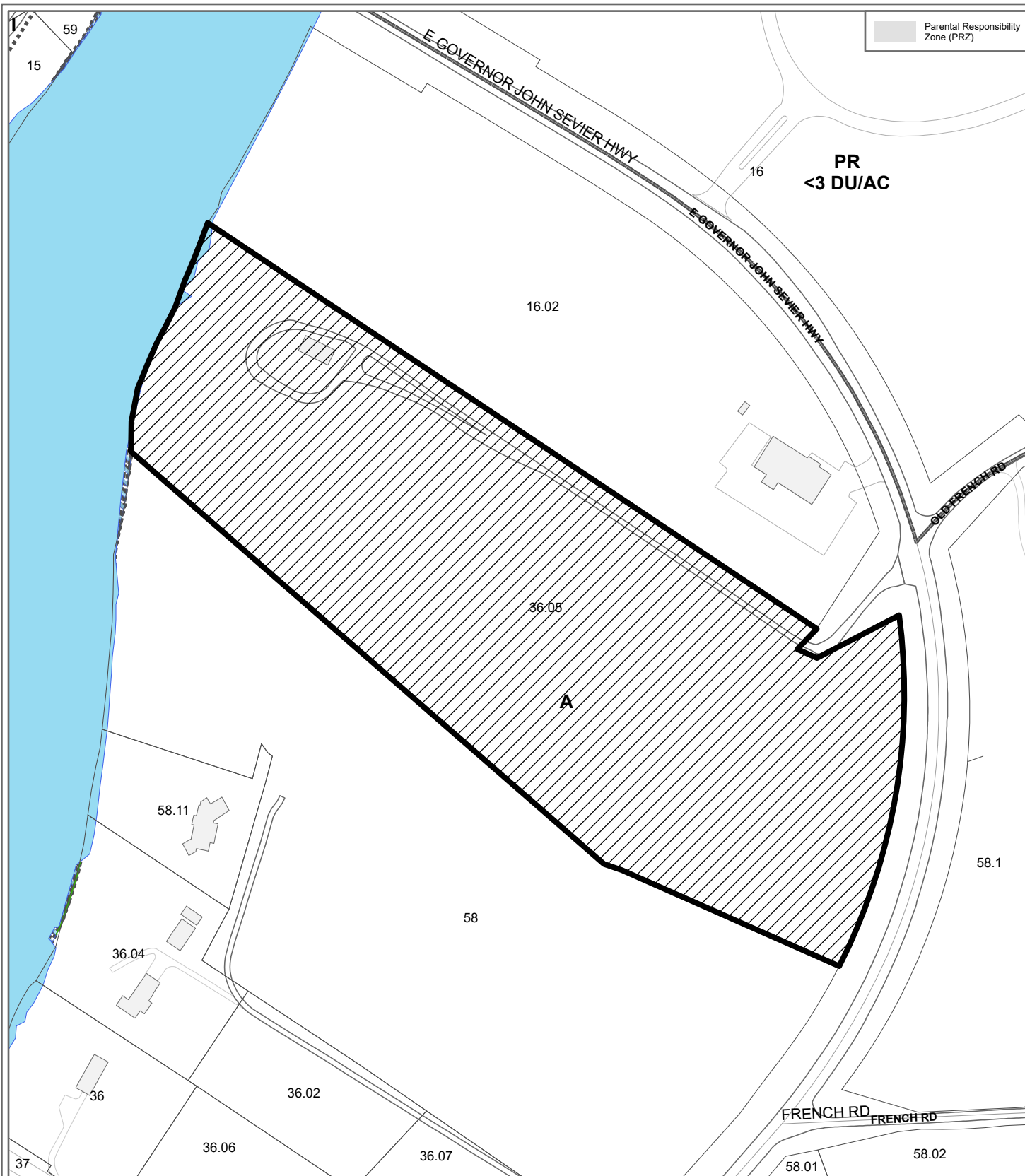
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 21 (public school children, grades K-12)

Schools affected by this proposal: New Hopewell Elementary, South Doyle Middle, and South Doyle 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.

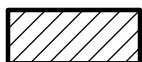
If approved, this item will be forwarded to Knox County Commission for action on 6/27/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**5-O-22-RZ
REZONING**

From: A (Agricultural)

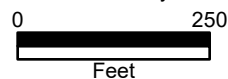
To: PR (Planned Residential)



Petitioner: Homestead Land Holdings, LLC

Map No: 111

Jurisdiction: County



Original Print Date: 4/18/2022

Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	18.98		
Non-Hillside	17.80	N/A	
0-15% Slope	0.13	100%	0.1
15-25% Slope	0.43	50%	0.2
25-40% Slope	0.58	20%	0.1
Greater than 40% Slope	0.05	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	1.18	Recommended disturbance budget within HP Area (acres)	0.5
		Percent of HP Area	0.4

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	17.80	5.00	89.0
0-15% Slope	0.13	4.00	0.5
15-25% Slope	0.43	2.00	0.9
25-40% Slope	0.58	0.50	0.3
Greater than 40% Slope	0.05	0.20	0.0
Ridgetops	0.00	3.00	0.0
Subtotal: Sloped Land	1.18		1.7
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	18.98	4.78	90.7
Proposed Density (Applicant)	18.98	5.00	94.9

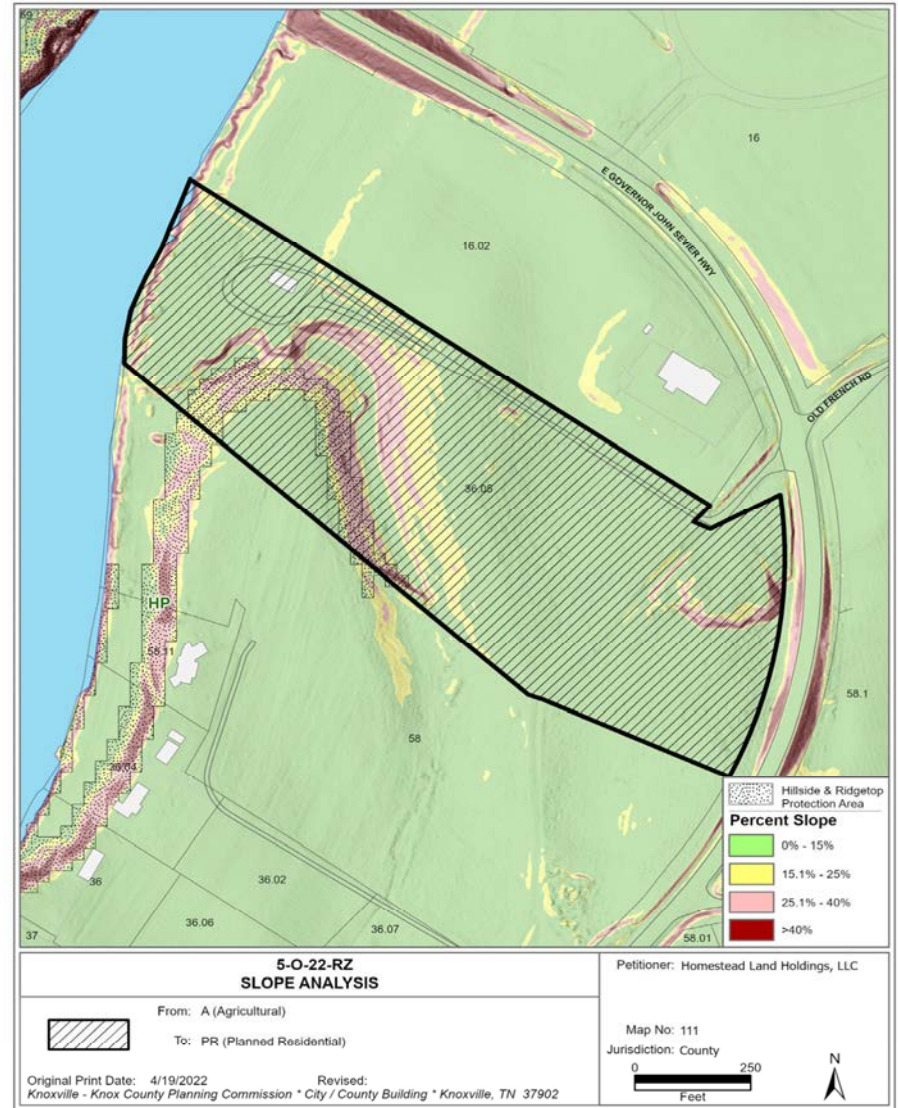


Exhibit A. 5-O-22-RZ Contextual Images

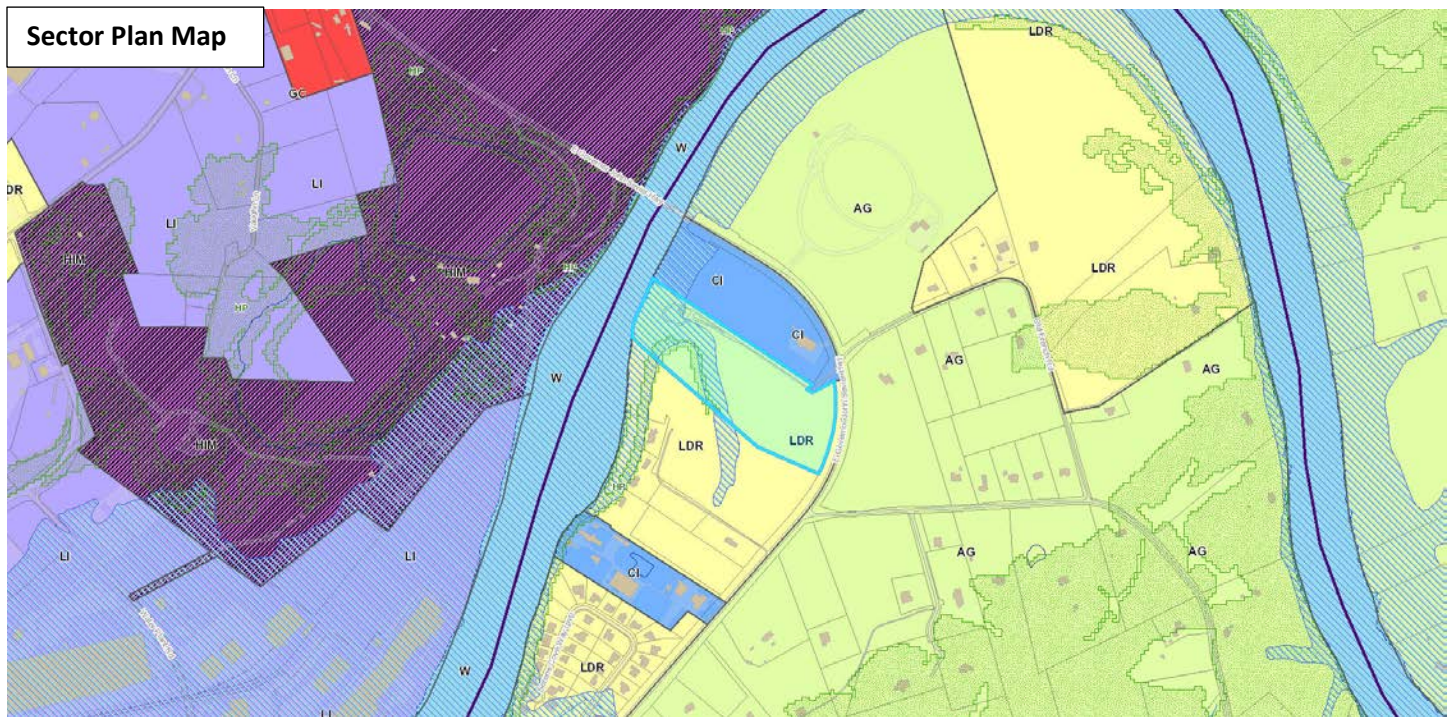
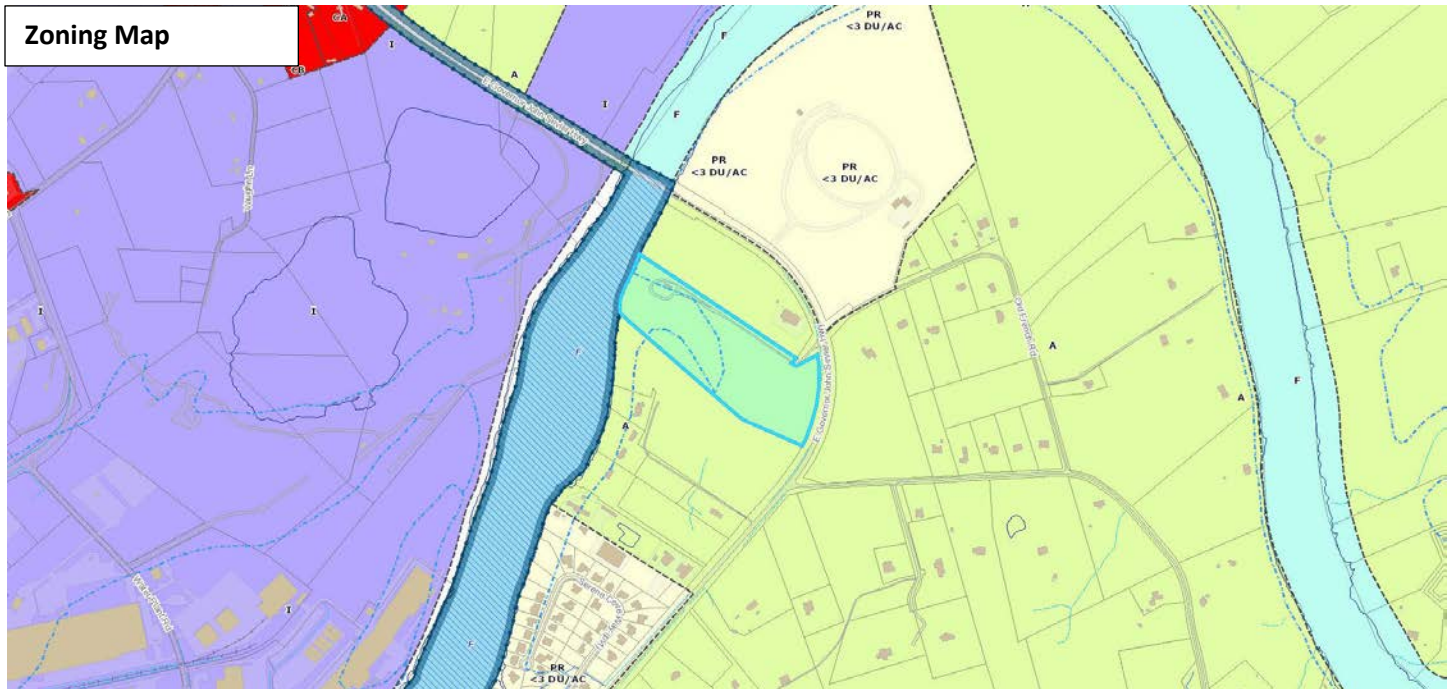


Exhibit A. 5-O-22-RZ Contextual Images





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

Homestead Land Holdings, LLC

Applicant Name

03/22/22

Date Filed

5/12/2022 @ 1:30 P.M.

Meeting Date (if applicable)

Development Manager

Affiliation

File Number(s)

5-0-22-RZ

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

Anderson Baker

Name

122 Perimeter Park Road

Address

865-328-6868

Phone

Homestead Land Holdings, LLC

Company

Knoxville

City

TN

State

37922

ZIP

abaker@saddlebrookproperties.com

Email

CURRENT PROPERTY INFO

Roger William Toole

Property Owner Name (if different)

0 E Governor John Sevier Hwy

Property Address

Knox Chapman Utility

Sewer Provider

9419 Jim Loy Dr. Straw Plains, TN 37871

Property Owner Address

111 03605

Parcel ID

Knox Chapman Utility

Water Provider

Property Owner Phone

N

Septic (Y/N)

STAFF USE ONLY

West side of E Governor John Sevier Hwy, due South of Old French Road

General Location

~~18.6 ac~~ - 18.79 ac
Tract Size

City County
District

9th
District

A
Zoning District

AgForVac
Existing Land Use

South County
Planning Sector

LDR (hp,f)
Sector Plan Land Use Classification

Planned
Growth Policy Plan Designation

November 22, 2021

DEVELOPMENT REQUEST

Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential
 Home Occupation (specify) _____

Related City Permit Number(s) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number _____

Unit / Phase Number Combine Parcels Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements _____

ZONING REQUEST

Zoning Change PR@5du/ac
 Proposed Zoning _____

Pending Plat File Number _____

Plan Amendment Change _____
 Proposed Plan Designation(s) _____

5
 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		Total
0325	\$1,030.00	
Fee 2		\$1,030.00
Fee 3		

Payment by Marc 3/31/2022
 application recieved on 3/28

APPROPRIATION


 Applicant Signature

Homestead Land Holdings, LLC

03/28/22

Please Print


Date

865-328-6868

abaker@saddlebrookproperties.com

Phone Number

Email

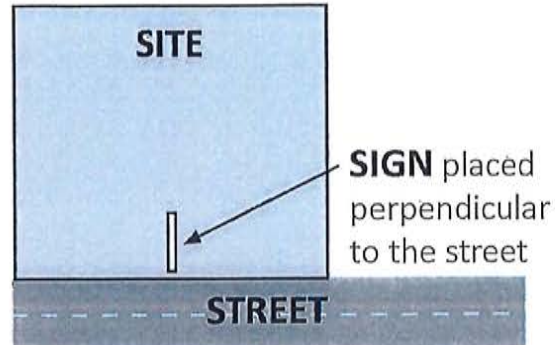

 Property Owner Signature

Roger William Toole

Please Print

3/28/22
 Date

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:

April 27, 2022 and May 13, 2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Homestead Land Holdings

Date: 3/29/2022

File Number: 5-0-22-RZ

Sign posted by Staff

Sign posted by Applicant