



REZONING REPORT

▶ **FILE #:** 4-R-23-RZ

AGENDA ITEM #: 31

AGENDA DATE: 4/13/2023

▶ **APPLICANT:** SHAWN SMITH
OWNER(S): Todd Daniel

TAX ID NUMBER: 46 207.01 (PART OF)
JURISDICTION: County Commission District 7
STREET ADDRESS: 8303 HEISKELL RD

[View map on KGIS](#)

▶ **LOCATION:** Southwest side of Heiskell Rd across from its intersection with Rayworth Trail.

▶ **APPX. SIZE OF TRACT:** 18.42 acres
SECTOR PLAN: North County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via Heiskell Rd, a minor arterial with a pavement width of 19-ft within a right-of-way width of 50-ft.
UTILITIES: Water Source: Hallsdale-Powell Utility District
Sewer Source: Hallsdale-Powell Utility District
WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** CA (General Business), A (Agricultural)
▶ **ZONING REQUESTED:** RA (Low Density Residential)
▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **EXTENSION OF ZONE:** No
HISTORY OF ZONING: None noted
SURROUNDING LAND USE AND ZONING:
North: Single family residential - A (Agricultural)
South: Agricultural/Forestry/Vacant - A (Agricultural)
East: Agricultural/Forestry/Vacant - A (Agricultural)
West: Single family residential - CA (General Business)
NEIGHBORHOOD CONTEXT: This area is primarily single family residential among large agricultural and forested tracts.

STAFF RECOMMENDATION:
▶ **Approve the RA (Low Density Residential) zone because it is consistent with the surrounding development and sector plan.**

COMMENTS:
The property is zoned A (Agricultural) and CA (General Business) and is a portion of an 18.46-acre parcel. The applicant seeks to rezone 1.5 acres (65,340 sq-ft) that front Heiskell Rd.

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 COUNTY GENERALLY:

1. The area surrounding the subject property has been transitioning from agricultural to single family residential land use since 1996. Along the north side of Heiskell Rd and just 350-ft to the west of this property is RA zoning. On Heiskell Rd to the east, RA zoning in within approximately 600-ft.

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

1. This residential zone provides for residential areas with low population densities.
2. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 RA zone allows up to 2 dwelling units on 12,000 sq ft lot with sanitary sewer connection.
2. This RA (Low Density Residential) zoned acreage should not have any adverse effects on any other parts of the county.

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 North County Sector Plan proposes low density residential uses for the site, consistent with RA zoning and Planned Growth Area of the Growth Policy Plan.
2. This rezoning is not conflict with the General Plan.

ESTIMATED TRAFFIC IMPACT: 64 (average daily vehicle trips)

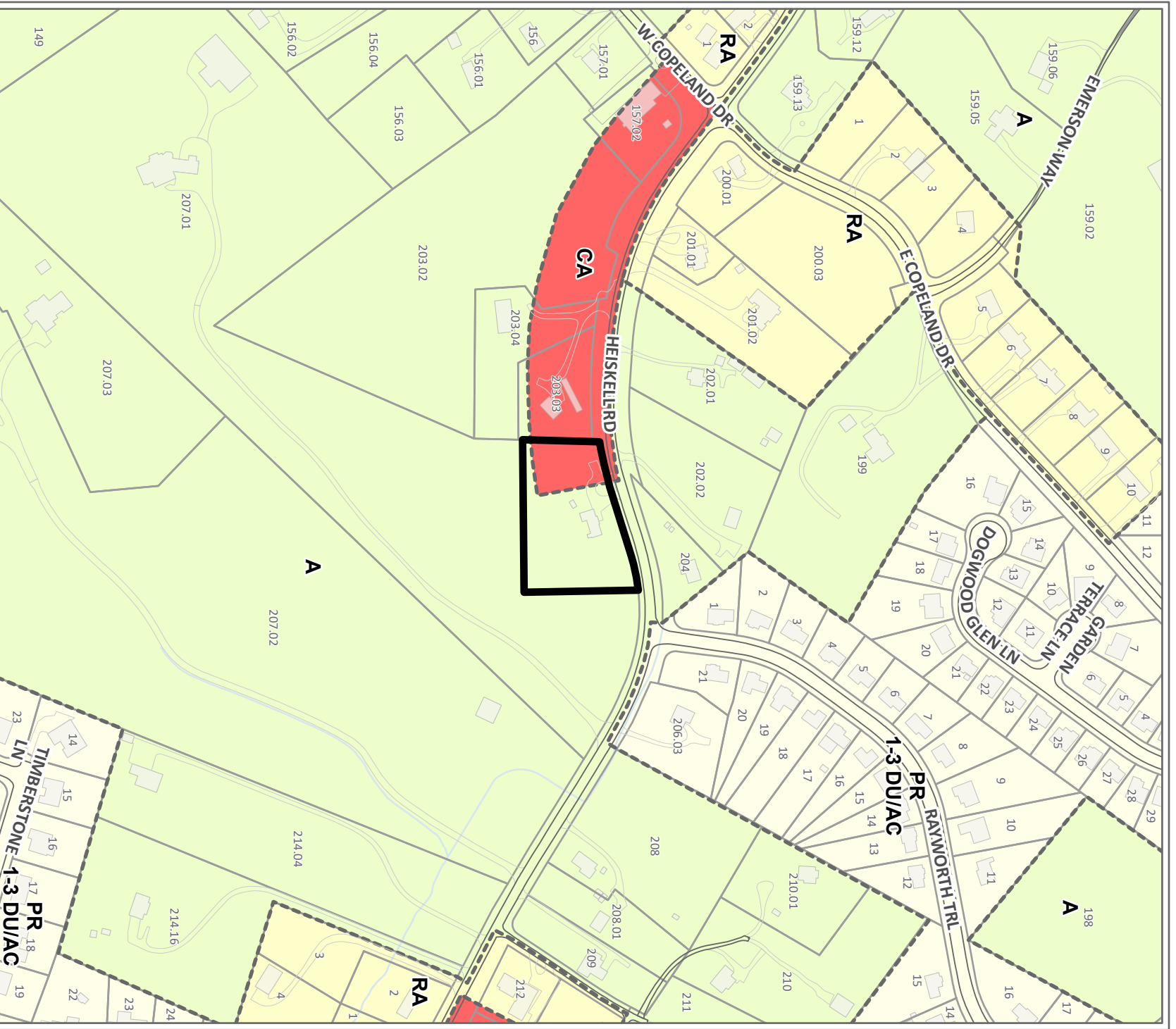
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: Copper Ridge Elementary, Powell Middle, and Powell 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 5/22/2023. 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.



REZONING

4-R-23-RZ

From: CA (General Business), A (Agricultural)

To: RA (Low Density Residential)



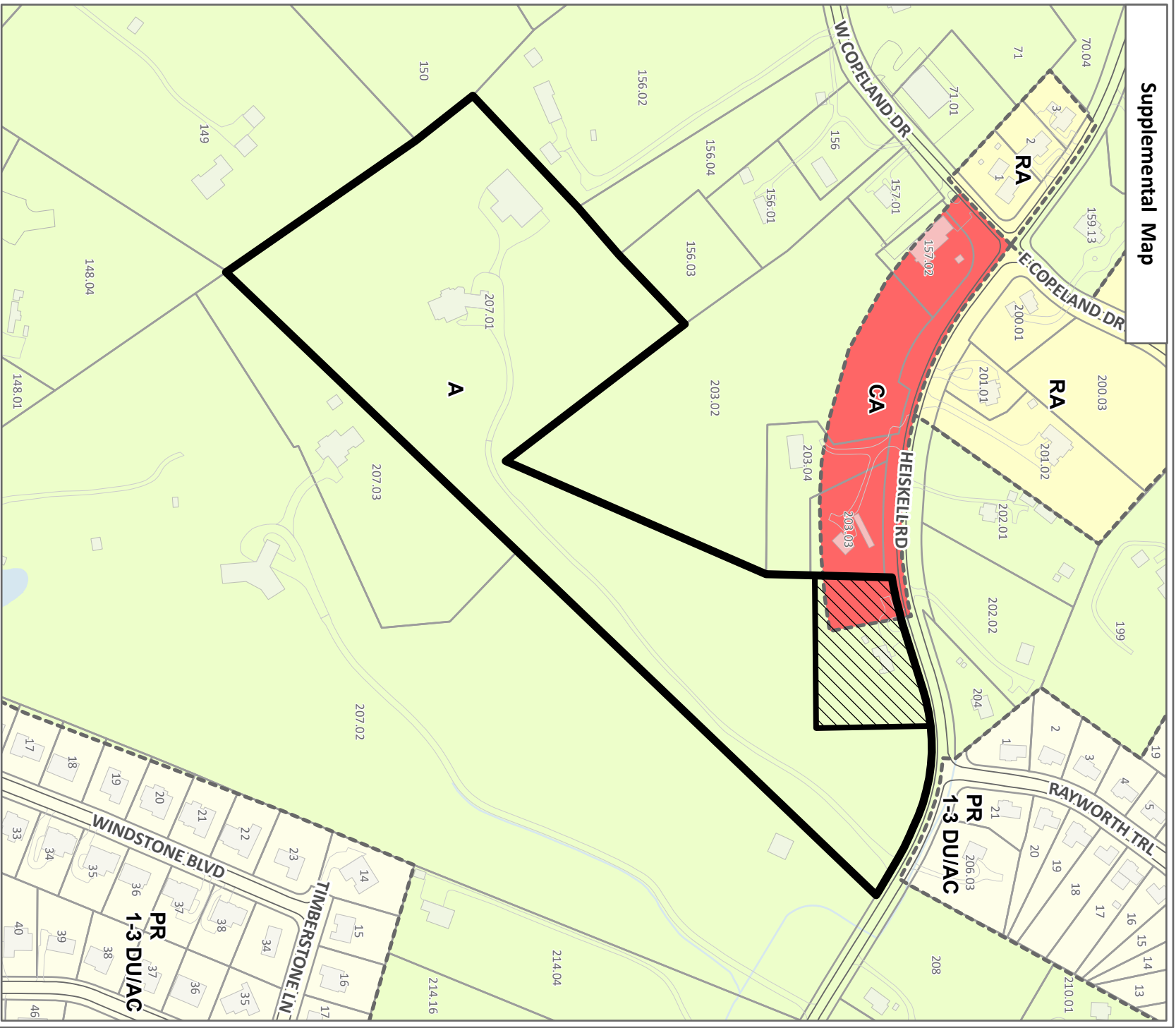
Petitioner: Shawn Smith

Map No: 46

Jurisdiction: County



Supplemental Map



REZONING

4-R-23-RZ

Petitioner: Shawn Smith



Area requested for rezoning within parcel



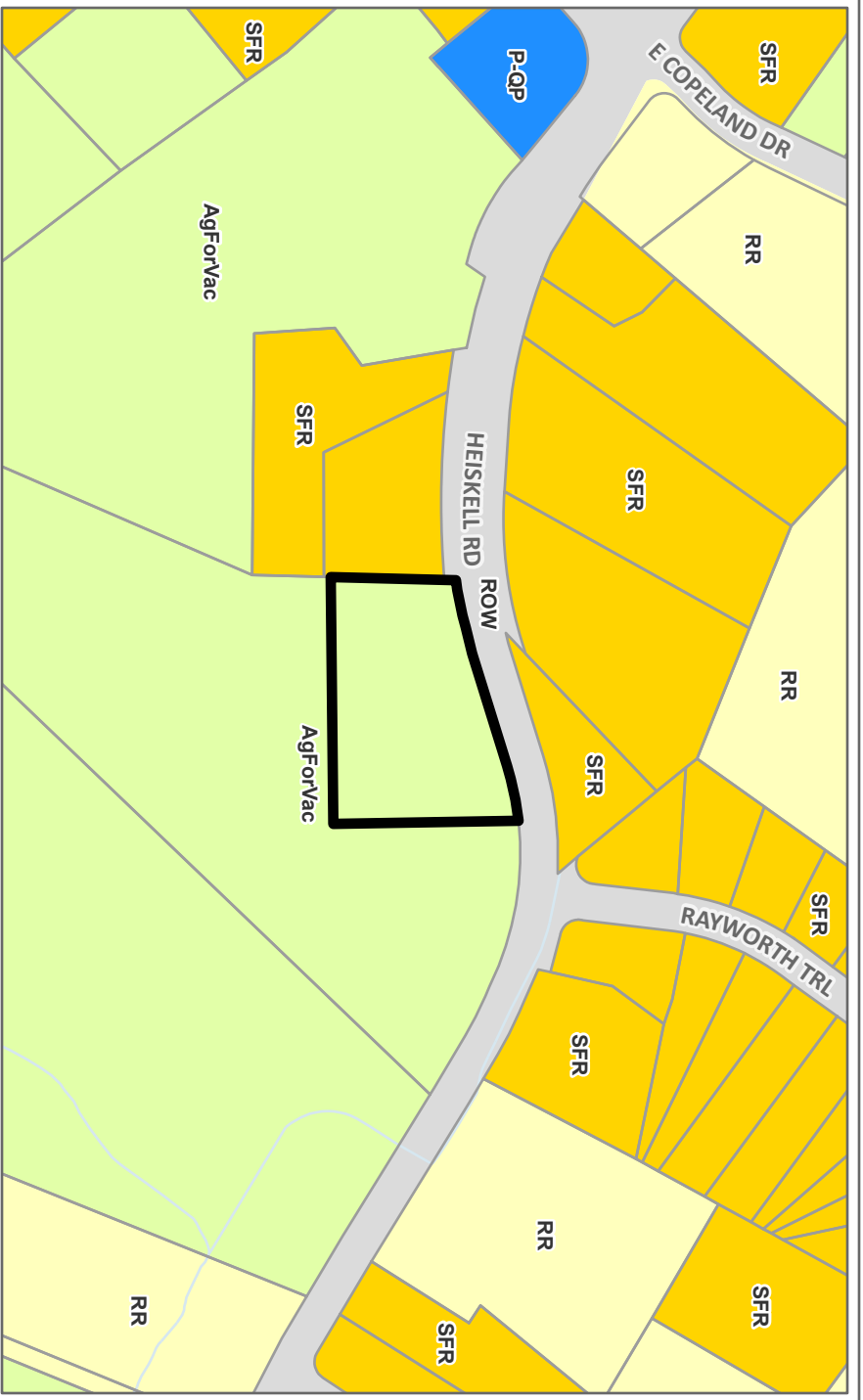
Boundary for parcel 046 20701

Original Print Date: 4/6/2023

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

Map No: 46
Jurisdiction: County





Existing Land Use and Aerial Maps

4-R-23-RZ



Case boundary



Hi, Shawn

We made a field check of the probable sight distance at 8303 Heiskell Road. See attachment for details. County criteria for sight distance are as follows:

- The eye of the driver on the side street is 15 feet from the edge of the road and 3.5 feet above the driveway pavement surface.
- The approaching target vehicle is 3.5 feet tall and in the middle of his travel lane.
- The required sight distance is 10 times the posted speed (400 feet in this case). The side street driver must be able to see the approaching vehicle continually within this 400 feet range (i.e. there cannot be blind spots within the required sight distance.)

We checked 3 locations, one near the west property limit, one near the east property limit, and one near the middle.

- At the west end we measured from a point 15 feet from the edge of the roadway near the existing old driveway. There appears to be adequate sight distance to the left depending on the grading of the driveway. To the right the available sight distance is limited by the cut bank along Heiskell Road to about 360 feet, so the bank would have to be lowered.
- At the middle location we measured at the edge of the roadway due to the presence of the cut bank. The available sight distance to the left appears to be greater than 400 feet from that point but only about 255 feet to the right due to the cut bank.
- At the east end we stood at the edge of the road but did not wheel off the distances. Sight distance to the left is probably adequate once the cut bank is lowered. To the right there is a board fence that partially restricts visibility. The fence would need to be removed so that drivers would have full visibility.

Our field measurements are pretty rough, so your surveyor should make more precise measurements based on his digital terrain model using actual driveway grades with the cut bank removed. However, it does appear that a suitable location can be found for a driveway to serve the 4 parcels.

Hope this helps, feel free to call or e-mail if you have any questions.

Sincerely,

John Sexton

Phone 865-215-5860

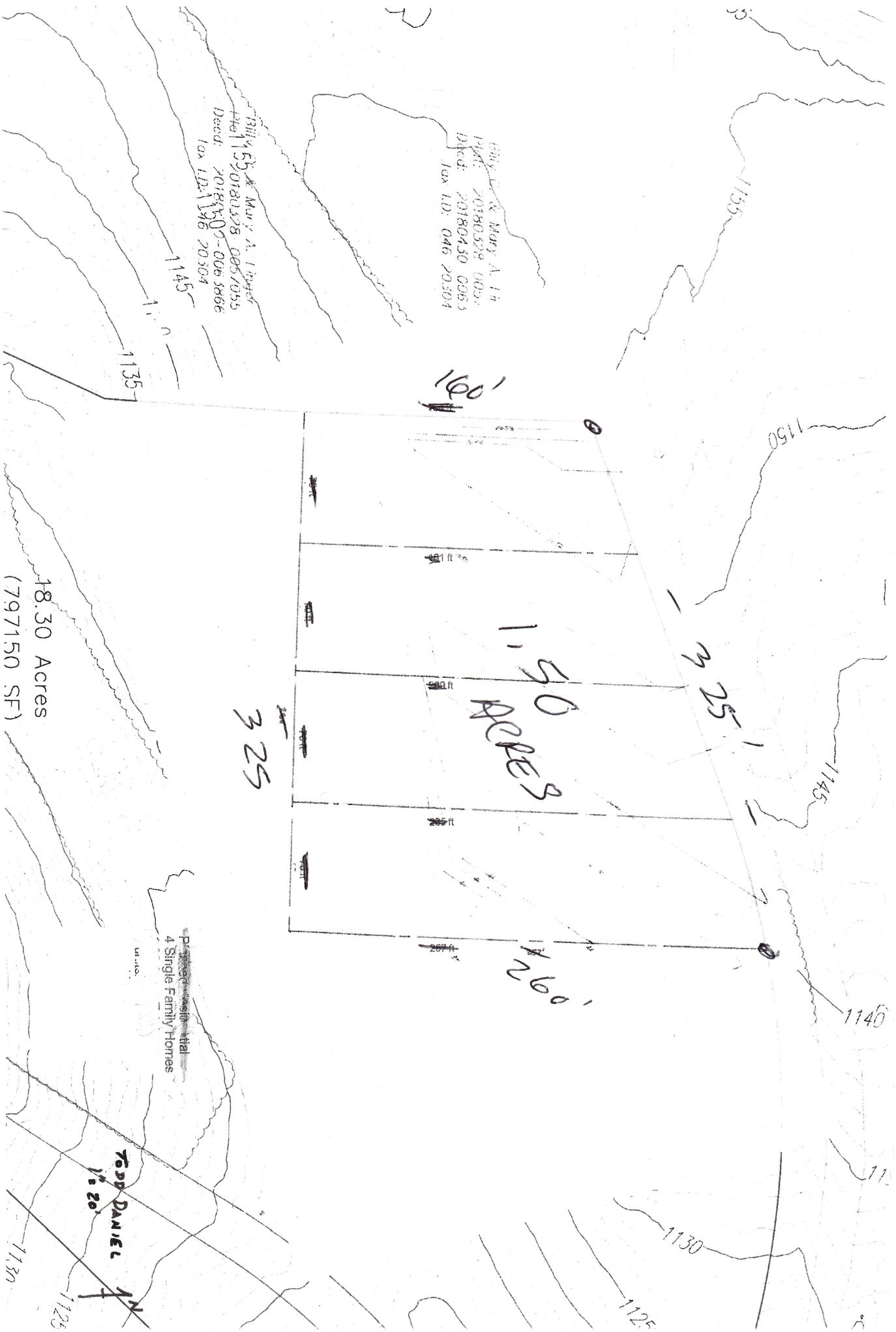
Bill & Mary A. 14
PLAT: 20180328 003
Dated: 20180430 0065
Tax ID: 046 20304

Bill & Mary A. 14
PLAT: 20180328 006/055
Dated: 20180500-006 5866
Tax ID: 146 20304

18.30 Acres
(797150 SF)

Planned Residential
4 Single Family Homes

7000 DANIEL





8363 Heiskell Rd
Powell



Development Request

- 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

Shawn Smith

Applicant Name

Affiliation

2/27/2023

4/13/2023

4-R-23-RZ

Date Filed

Meeting Date (if applicable)

File Number(s)

CORRESPONDENCE

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

Shawn Smith Dream House Construction

Name / Company

9051 Executive Park Dr Ste 201 Knoxville TN 37923

Address

865-292-4986 / shawn@mydreamhousebuilder.com

Phone / Email

CURRENT PROPERTY INFO

Todd Daniel

8303 Heiskell Rd Powell TN 37849

Owner Name (if different)

Owner Address

Owner Phone / Email

8303 HEISKELL RD

Property Address

46 207.01

18.42 acres

Parcel ID

Part of Parcel (Y/N)?

Tract Size

Hallsdale-Powell Utility District

Hallsdale-Powell Utility District

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southwest side of Heiskell Rd, southeast of W Copeland Dr

General Location

City

Commission District 7

CA (General Business), A (Agricultural)

Agriculture/Forestry/Vacant Land

County

District

Zoning District

Existing Land Use

North County

LDR (Low Density Residential), HP (Hillside Protection)

Planned Growth Area

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number _____

Unit / Phase Number _____

Total Number of Lots Created _____

Additional Information _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change **RA (Low Density Residential)** Pending Plat File Number _____

Proposed Zoning _____

Plan Amendment Proposed Plan Designation(s) _____

Proposed Density (units/acre) Previous Zoning Requests _____

Additional Information _____

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
- Design Plan Certification (Final Plat)
- Site Plan (Development Request)
- Traffic Impact Study
- Use on Review / Special Use (Concept Plan)

Fee 1	\$1,571.00	Total
Fee 2		
Fee 3		

AUTHORIZATION

Shawn Smith

2/27/2023

Applicant Signature Please Print

Date

Phone / Email

Todd Daniel

2/27/2023

Property Owner Signature Please Print

Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.

(1) Download and fill out this form at your convenience.
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



Planning

KNOXVILLE | KNOX COUNTY

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

Shawn Smith / Dream House Construction, LLC

Builder / Agent

Applicant Name

Affiliation

02/27/2023

April 13, 2023

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Shawn Smith

Dream House Construction, LLC

Name

Company

9051 Executive Park Drive, Suite 201

Knoxville

TN

37923

Address

City

State

ZIP

865-292-4986

shawn@mydreamhousebuilder.com

Phone

Email

CURRENT PROPERTY INFO

Todd Daniel

8303 Heiskell Rd, Powell, TN 37849

865-237-4157

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

8303 Heiskell Rd, Powell, TN 37849

046 207.01

Property Address

Parcel ID

Hallsdale Powell Utility

Hallsdale Powell Utility

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

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

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

Zoning Change RA Zoning for the 1.50 Acres as per attached exhibit

Pending Plat File Number

Proposed Zoning _____

- Plan Amendment Change Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____ Previous Rezoning Requests

- Other (specify) _____

STAFF USE ONLY

02/27/23

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
Fee 2		
Fee 3		

AUTHORIZATION

Authentisign

Shawn Smith

Shawn Smith / Dream House Construction, 02/27/2023

Applicant Signature

Please Print

Date

865-292-4986

shawn@mydreamhousebuilder.com

Phone Number

Email

Todd Daniel

Todd Daniel

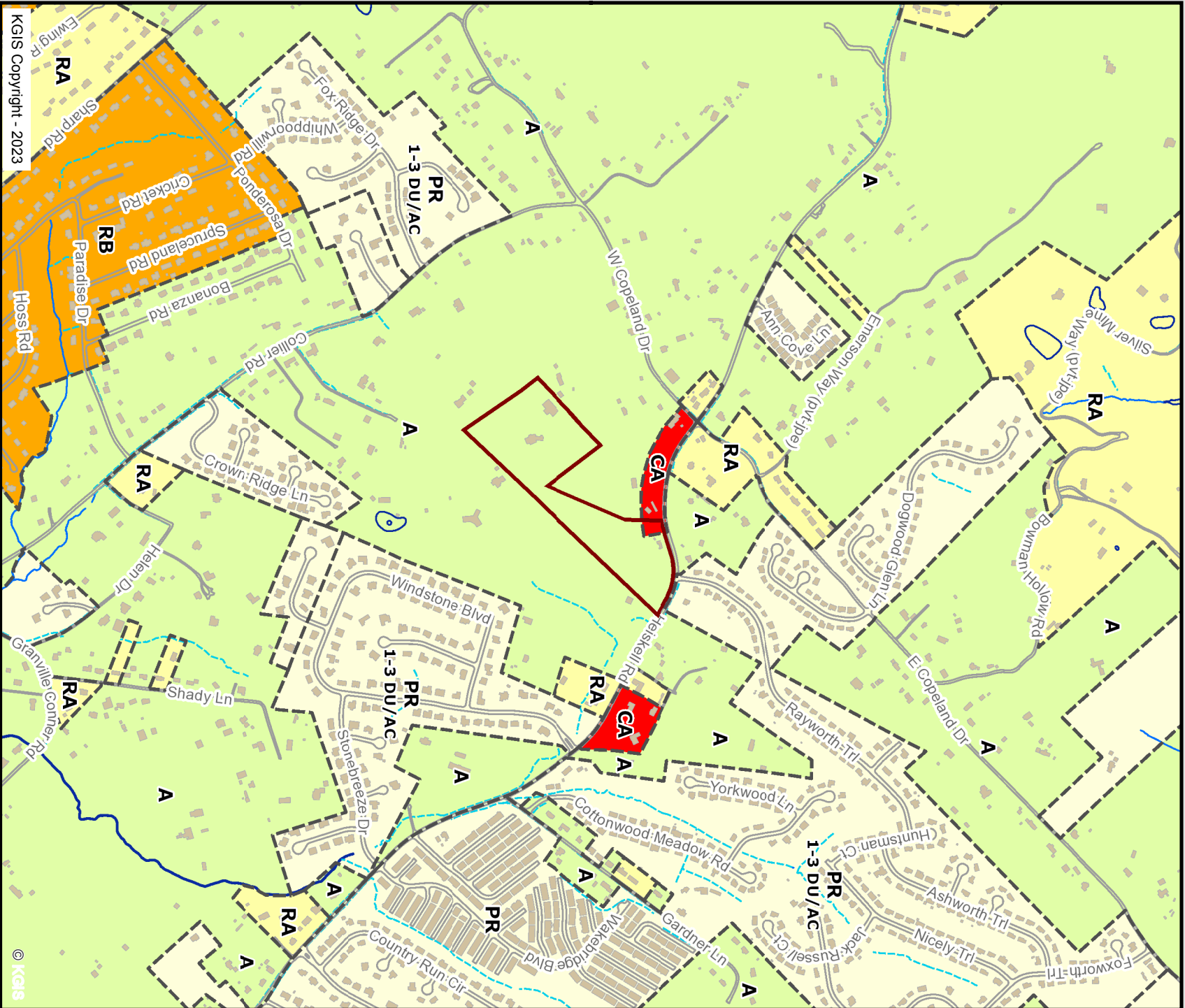
2/27/2023

Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.



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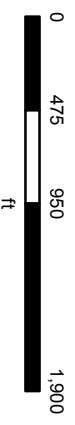
© KGIS

Zoning Map

Knoxville - Knox County - KUB Geographic Information System

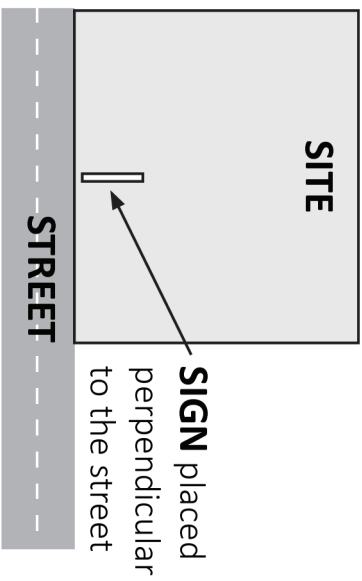


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, 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:

3/31/2023 and 4/14/2023
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Shawn Smith

Date: 2/27/2023

File Number: 4-R-23-RZ

Sign posted by Staff

Sign posted by Applicant