

REZONING REPORT

▶ **FILE #:** 8-D-23-RZ

AGENDA ITEM #: 9

AGENDA DATE: 8/10/2023

▶ **APPLICANT:** DON HORTON

OWNER(S): SEEED Inc.

TAX ID NUMBER: 95 C A 015

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 0 SANDERS LN

▶ **LOCATION:** West side of Sanders Ln, north of Fuller Ave

▶ **APPX. SIZE OF TRACT:** 17027 square feet

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Sanders Lane, a local street with a pavement width of 12 ft within a 30-ft right-of-way. The street terminates at the north end and connects to Fuller Avenue on the south end.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Williams Creek

▶ **PRESENT ZONING:** RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **ZONING REQUESTED:** RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant land

▶ **EXTENSION OF ZONE:** No, this is not an extension.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Multi family residential - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Agriculture/forestry/vacant land, Public/quasi public land - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Single family residential, Agriculture/forestry/vacant land - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

West: Under construction/other uses (forestry/vacant) - RN-6 (Multi-Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: The area predominantly consists of single-family residential dwellings on small lots and a few vacant parcels. The Five Points residential development by Knoxville's Community Development Corporation (KCDC) is located to the northwest of the area.

STAFF RECOMMENDATION:

- ▶ **Approve the RN-3 (General Residential Neighborhood) district because it is consistent with the sector plan and surrounding development.**

The HP (Hillside Protection) overlay would be retained.

COMMENTS:

Applicant has requested for a rezoning to the RN-4 (General Residential Neighborhood) zoning district. However, Planning staff is recommending the RN-3 (General Residential Neighborhood) zoning district as it is more compatible with the surrounding environment.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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. Since 2017, Knoxville's Community Development Corporation (KCDC) has added 90 dwelling units for seniors and people with disabilities and 164 affordable dwelling units to the area, through the multimillion-dollar Five Points Redevelopment project. The final phase of the development is underway now, which will add another 82 units ranging from one to five bedrooms. The proposed amendment to RN-3 zoning will support to continue to develop new housing in the area.

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

1. The proposed amendment to the RN-3 district is intended to accommodate medium density residential neighborhoods in the City of Knoxville characterized by one and two-family homes.
2. Although the neighborhood primarily comprises single family units, it will be consistent with the intent of the RN-3 zoning district. The subject property is located at the edge of the neighborhood, and it abuts an undeveloped area of the Five Points Redevelopment (on property zoned RN-6, with HP Overlay). Furthermore, the adjacent property to the north (zoned RN-2, with HP Overlay) has two two-family dwellings and it aligns with the dimensional standards of the RN-3 district.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The proposed RN-3 zoning will allow two-family dwellings by right, which will be consistent with the above-mentioned adjacent property to the north. Townhouse development is only allowed by the Special Use process, and it will be reviewed to ensure it is compatible with the character of the neighborhood. The requested RN-4 zoning will permit multi-family dwellings (MF) and townhouse (TH) development without the Special Use review, for up to 8 TH units and up to 4 MF units.
2. RN-3 zoning has more restrictive building heights than RN-4 (maximum allowable building height for RN-3 zoning is 35 ft, maximum allowable building height for MF in RN-4 zoning is 45 ft).
3. The development on Sanders Lane is more compatible with the density allowed by the RN-3 district than the RN-4 district.
4. The property has a Hillside Protection Overlay with more than 25% slope along the southern boundary. According to the slope analysis, approximately 26% of the parcel should remain undisturbed and it is more consistent with the density allowed by the RN-3 district in comparison to the RN-4 district.
5. There are multiple parks within a half mile of the area. Rezoning to the RN-3 district will enable development which will be supported by the two bus routes serving the area and sidewalk infrastructure along nearby streets.
6. The sector plan designation would remain TDR (Traditional Neighborhood Residential), which is the designation for all surrounding parcels.

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 rezoning is consistent with the General Plan's development policy 8.1 that encourages growth in the existing urban area through infill housing opportunities.
2. Both RN-3 and RN-4 districts are consistent with the One Year Plan and East City Sector Plan's TDR land use classification.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 9/5/2023 and 9/19/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



REZONING

8-D-23-RZ

Petitioner: Don Horton



From: RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
To: RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

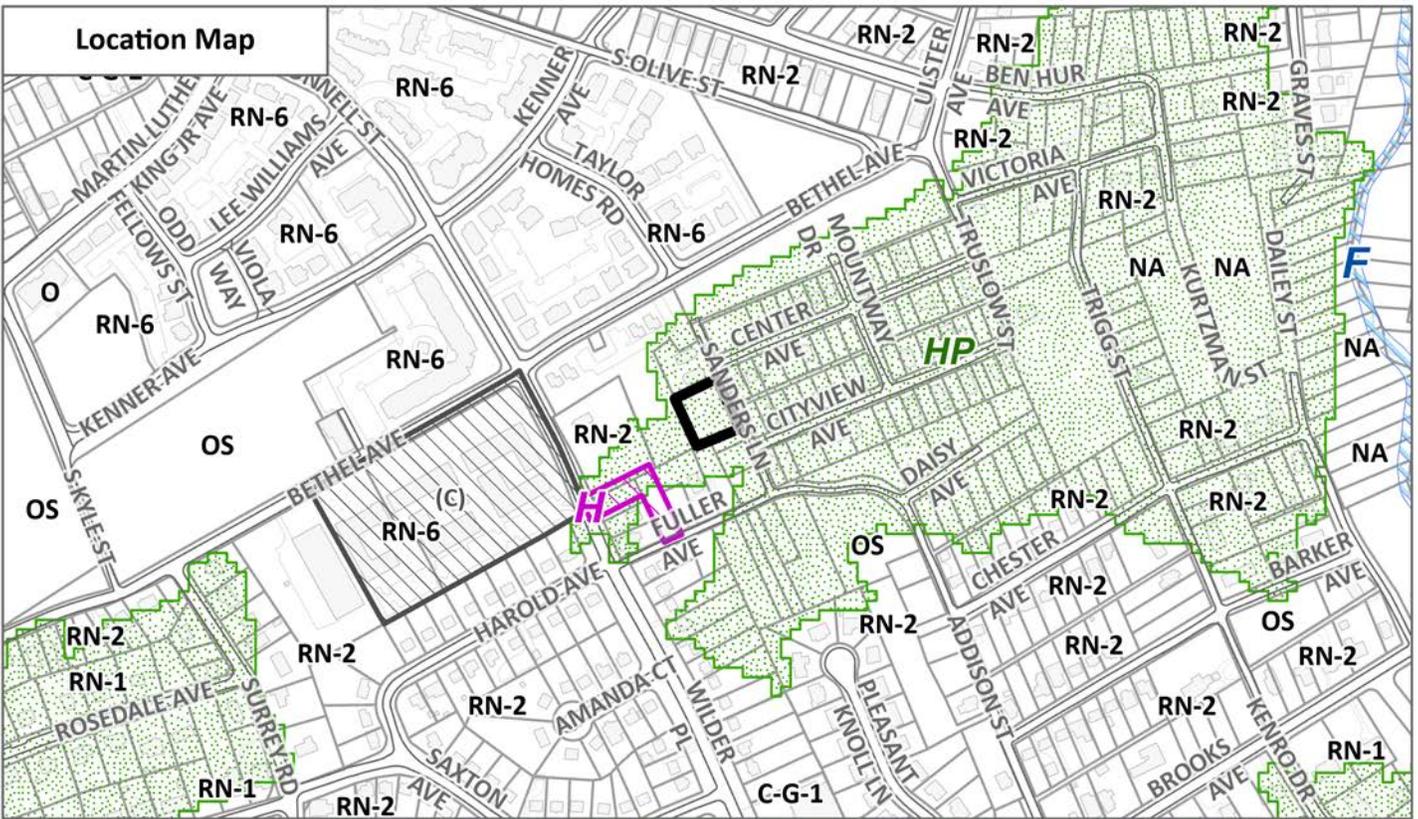
Map No: 95
Jurisdiction: City

Original Print Date: 7/18/2023

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



Exhibit A. Contextual Images

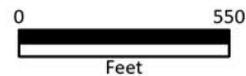


CONTEXTUAL MAPS 1

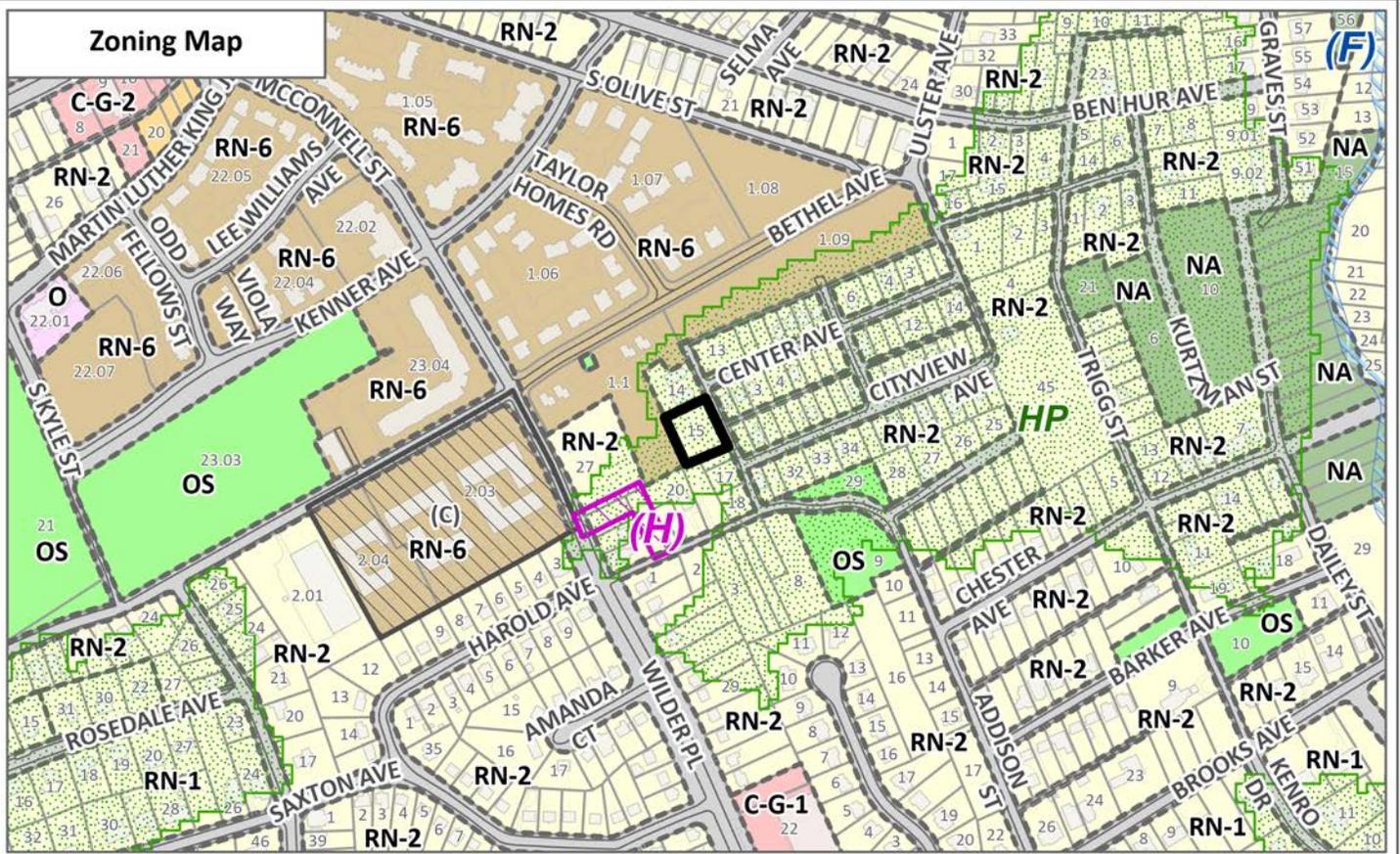
8-D-23-RZ



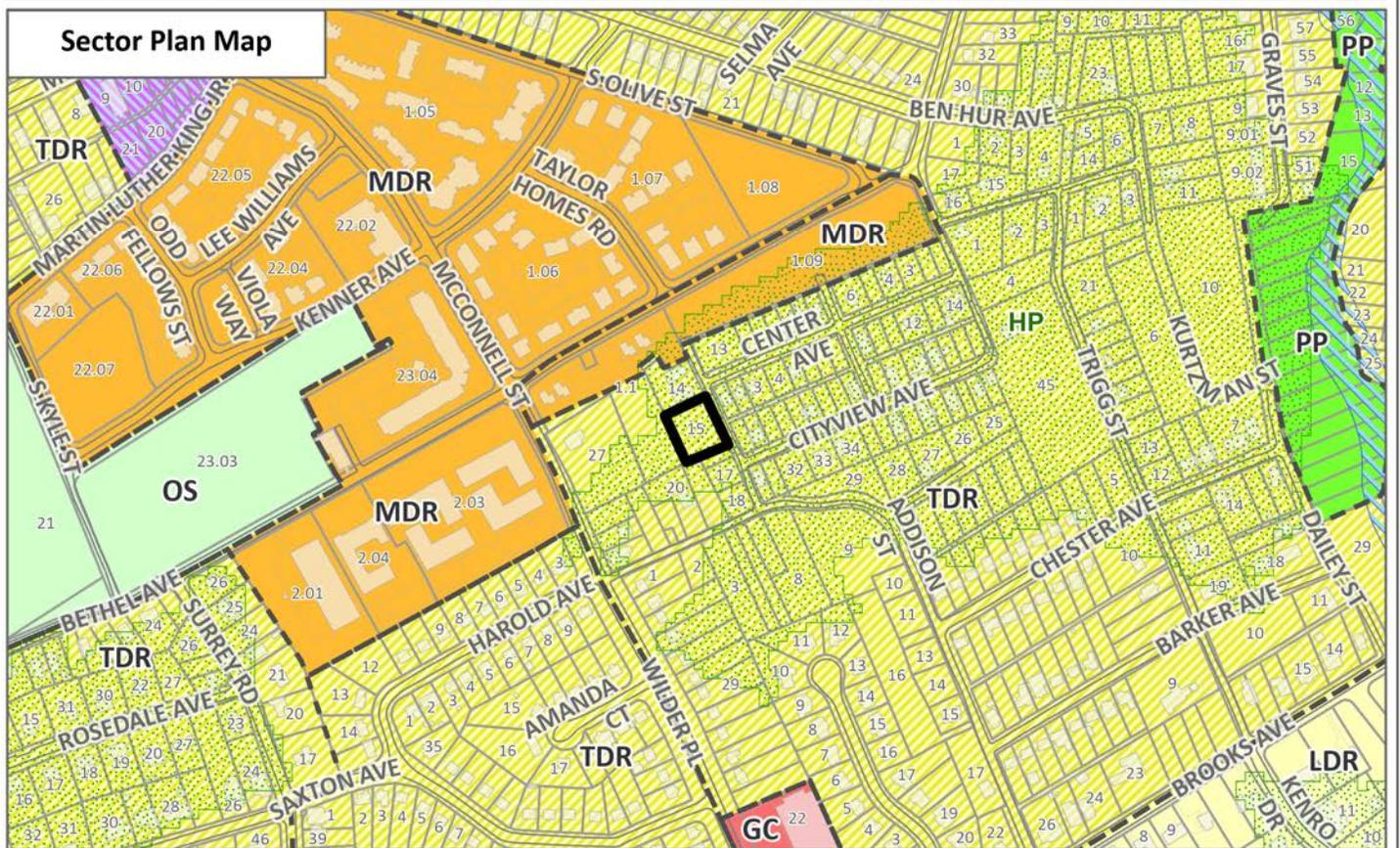
Case boundary



Zoning Map



Sector Plan Map

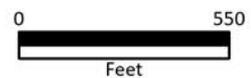


CONTEXTUAL MAPS 2

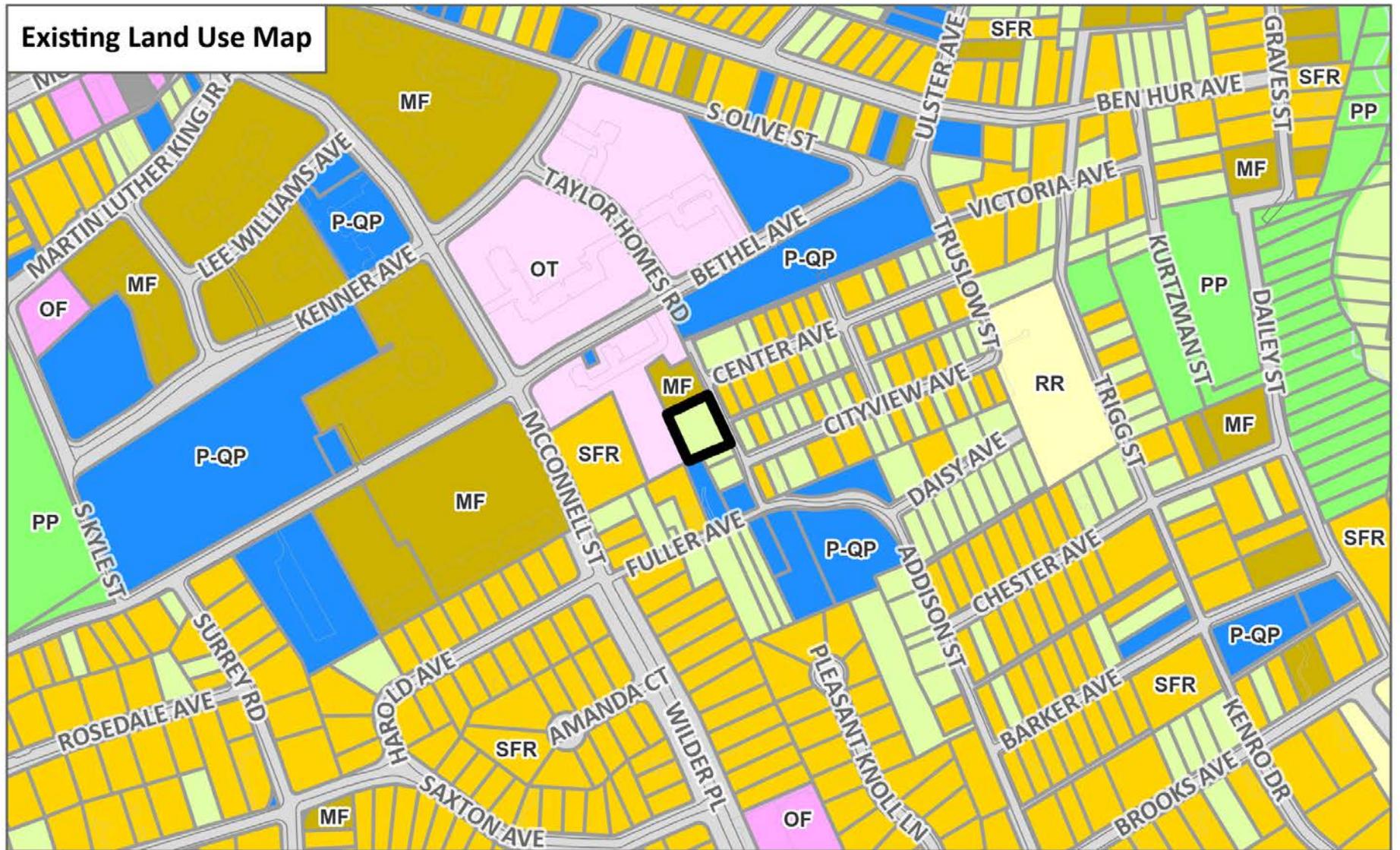
8-D-23-RZ



Case boundary



Existing Land Use Map

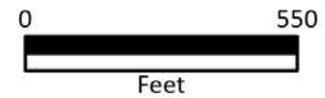


CONTEXTUAL MAPS 3

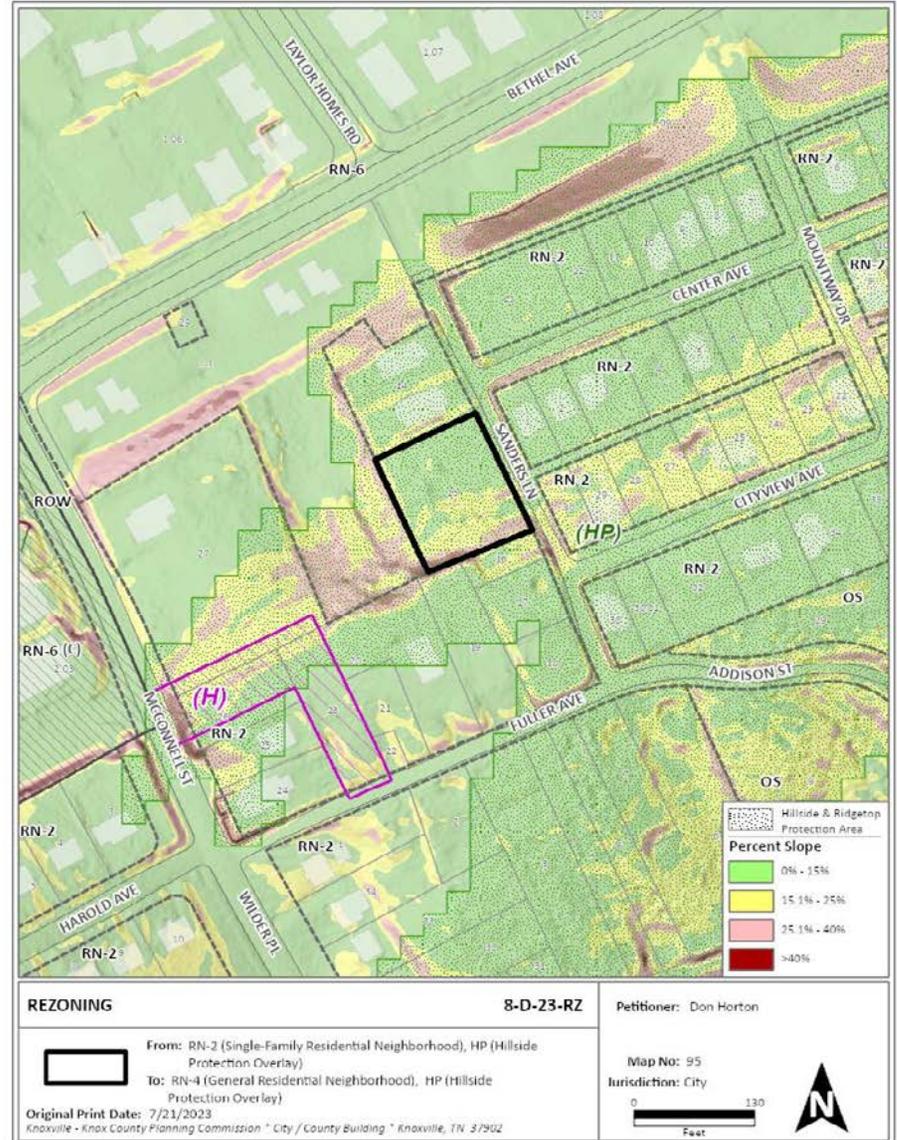
8-D-23-RZ



Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	16,734	0.38			
Non-Hillside	0.00	0.00	N/A		
0-15% Slope	9,654	0.22	100%	9,654	0.22
15-25% Slope	4,677	0.11	50%	2,339	0.05
25-40% Slope	1,848	0.04	20%	370	0.01
Greater than 40% Slope	556	0.01	10%	56	0.001
Ridgetops					
Hillside Protection (HP) Area	16,734	0.38	Recommended disturbance budget within HP Area	12,417	0.29
			Percent of HP Area	0.74	





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

Don Horton

Applicant Name

Affiliation

6/27/2023

Date Filed

8/10/2023

Meeting Date (if applicable)

8-D-23-RZ

File Number(s)

CORRESPONDENCE

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

Don Horton Horton Built Enviroments Consulting, Inc

Name / Company

2100 Fairmont Blvd Knoxville TN 37917

Address

865-607-7040 / don@horton-bec.com

Phone / Email

CURRENT PROPERTY INFO

Seed INC

Owner Name (if different)

1617 Dandridge Ave Knoxville TN 37915

Owner Address

Owner Phone / Email

0 SANDERS LN

Property Address

95 C A 015

Parcel ID

17027 square feet

Part of Parcel (Y/N)?

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

City

Council District 6

District

RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

East City

Planning Sector

TDR (Traditional Neighborhood Residential), HP (Hillside

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> 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 _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	\$650.00	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS	Fee 3	
<input type="checkbox"/> COA Checklist (Hillside Protection)		
<input type="checkbox"/> Design Plan Certification (Final Plat)		
<input type="checkbox"/> Site Plan (Development Request)		
<input type="checkbox"/> Traffic Impact Study		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan)		

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Don Horton Please Print	6/27/2023 Date
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Property Owner Signature	Seed INC Please Print	6/27/2023 Date
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(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



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

Don Horton

Architect

Applicant Name

Affiliation

06/21/23

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

Don Horton

Horton Built Environments Consulting, Inc

Name

Company

2100 Fairmont Blvd

Knoxville

TN

37917

Address

City

State

ZIP

865-607-7040

don@horton-bec.com

Phone

Email

CURRENT PROPERTY INFO

SEED INC

1617 Dandridge Ave

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Sanders Ln

095CA015

Property Address

Parcel ID

KUB

KUB

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

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 **RN-4**
Proposed Zoning

Plan Amendment Change Proposed Plan Designation(s)

Proposed Density (units/acre) 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*)

Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property **AND 2)** The application and all associated materials are being submitted with his/her/its consent


Applicant Signature

Don Horton

Please Print

6/22/2023

Date

865-607-7040
Phone Number

don@horton-bee.com
Email


Property Owner Signature

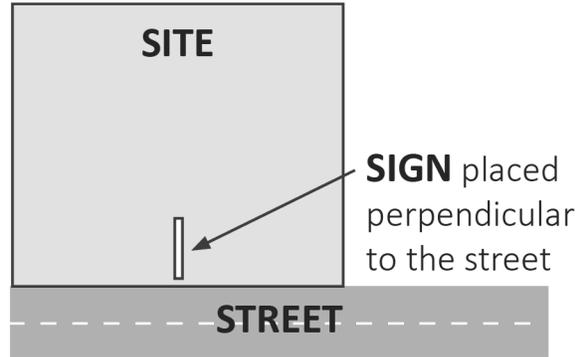
Stan Johnson

Please Print

6/22/2023

Date Paid

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:

_____ 7/28/2023 _____ and _____ 8/11/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Don Horton

Date: 06/27/2023

File Number: 8-D-23-RZ



Sign posted by Staff



Sign posted by Applicant