

# REZONING REPORT

▶ **FILE #:** 12-F-23-RZ

**AGENDA ITEM #:** 26

**AGENDA DATE:** 12/14/2023

▶ **APPLICANT:** ARCIP HOROBET

OWNER(S): H. Kent Sanderson

TAX ID NUMBER: 118 71

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0 PELLISSIPPI PKWY

▶ **LOCATION:** Southeast side of Bob Gray Rd., west side of Pellissippi Pkwy

▶ **APPX. SIZE OF TRACT:** 9.77 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Bob Gray Rd, a major collector street with a pavement width of 20-ft within a 46-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District, First Knox Utility District

WATERSHED: Turkey Creek

▶ **PRESENT ZONING:** BP (Business and Technology Park), TO (Technology Overlay)

▶ **ZONING REQUESTED:** PR (Planned Residential), TO (Technology Overlay)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **DENSITY PROPOSED:** 12 du/ac

EXTENSION OF ZONE: Yes, it is an extension of the PR zone to the south.

HISTORY OF ZONING: The TO zone was added in 1983 (12-BB-83-RZ).

SURROUNDING LAND USE AND ZONING: North: Rural residential - RA/TO (Low Density Residential) / (Technology Overlay)

South: Multifamily residential - PR/TO (Planned Residential) up to 12 du/ac / (Technology Overlay)

East: Pellissippi Pkwy right-of-way - BP/TO (Business and Technology Park) / (Technology Overlay)

West: Single family residential - RA/TO (Low Density Residential) / (Technology Overlay)

NEIGHBORHOOD CONTEXT: This side of Pellissippi Parkway is largely residential with small lot, single family subdivisions to the west and townhouses to the south. Lovell Rd is nearby to the west.

## STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone with up to 12 du/ac because it is consistent with the sector plan and surrounding development, subject to one condition.**

1. Require a stub-out to Parkway Heights, the subdivision to the south, with the location and design to be approved by the Planning Commission during the development plan review.

**COMMENTS:**

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 1983, there has been a significant amount of BP/TO to PR/TO rezonings in the area along Lovell Road.
2. The proposed PR (Planned Residential) zone at a density of 12 du/ac is an extension of the zone to the south.
3. This is one of the few remaining parcels along Pellissippi Parkway that remains undeveloped. The general trend in the immediate area consists of small-lot, single family detached residential neighborhoods and townhouses, though there is also a scattering of multifamily developments under construction in the area generally.

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

1. The PR zone is intended to encourage more imaginative solutions to environmental design problems by enabling concentrated development in less environmentally sensitive areas of a property. There is a blue-line stream at the rear of this property, and the topography is steep in some places, so the flexibility of the PR zone make it an appropriate zone to consider.
2. At a density of 12 du/ac on this 9.88-acre property, a maximum of 118 units could be built. House, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses.
3. Properties in the TO zone also require TTCDA approval of rezoning requests. This request will be heard at the December 11, 2023 TTCDA meeting (Case 12-A-23-TOR).
4. Rezoning 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.

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. Bob Gray Road is a major collector, so no traffic would be required though side residential streets to access this property.
2. The adjacent residential subdivision south of the subject property, Parkway Heights, has direct access to Pellissippi Parkway via a private road, Odin Street. Due to safety considerations, the TN Department of Transportation (TDOT) has stated they would be in favor of closing the Odin Street connection to Pellissippi Parkway upon development of the subject property once a stub-out connection to the adjacent subdivision to the south has been provided. Operationally, this will improve safety for the residents of Parkway Heights and allow them to access Pellissippi Parkway via the Lovell Road or Dutchtown Road interchanges.
3. This property has a blue line stream along the south side, and the northern portion has 2.4 acres within the Hillside Protection Area. The recommended disturbance budget is 1.2 acres of the 9.8-acre site.
4. The Knox to Oak Ridge Greenway Master Plan 2015 proposes the alternative route, seen in Exhibit A, that follows along Pellissippi Pkwy and Bob Gray Road at this location. County Engineering may require a sidewalk connection to the proposed greenway during the development review process.

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 PR zone at 12 du/ac is consistent with the MDR/O land use classification in the to the Northwest County Sector Plan, which allows consideration of up to 12 du/ac in the County's Planned Growth Area.
2. This property is in the Technology Overlay. All developments other than single family residences and duplexes require TTCDA (Tennessee Technology Corridor Development Authority) approval of site plans.
3. This property has frontage on Pellissippi Parkway. Residential development at the proposed density is appropriate at this location and is consistent with General Plan policy 11.4, which calls for the creation of gradual zoning transition patterns by placing medium intensity zones and uses such as offices, condominiums, and community buildings in between single-family residential areas and higher intensity uses.
4. The proposed rezoning is compatible with the subject property's location in the Planned Growth Area of the Growth Policy Plan. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 1107 (average daily vehicle trips)

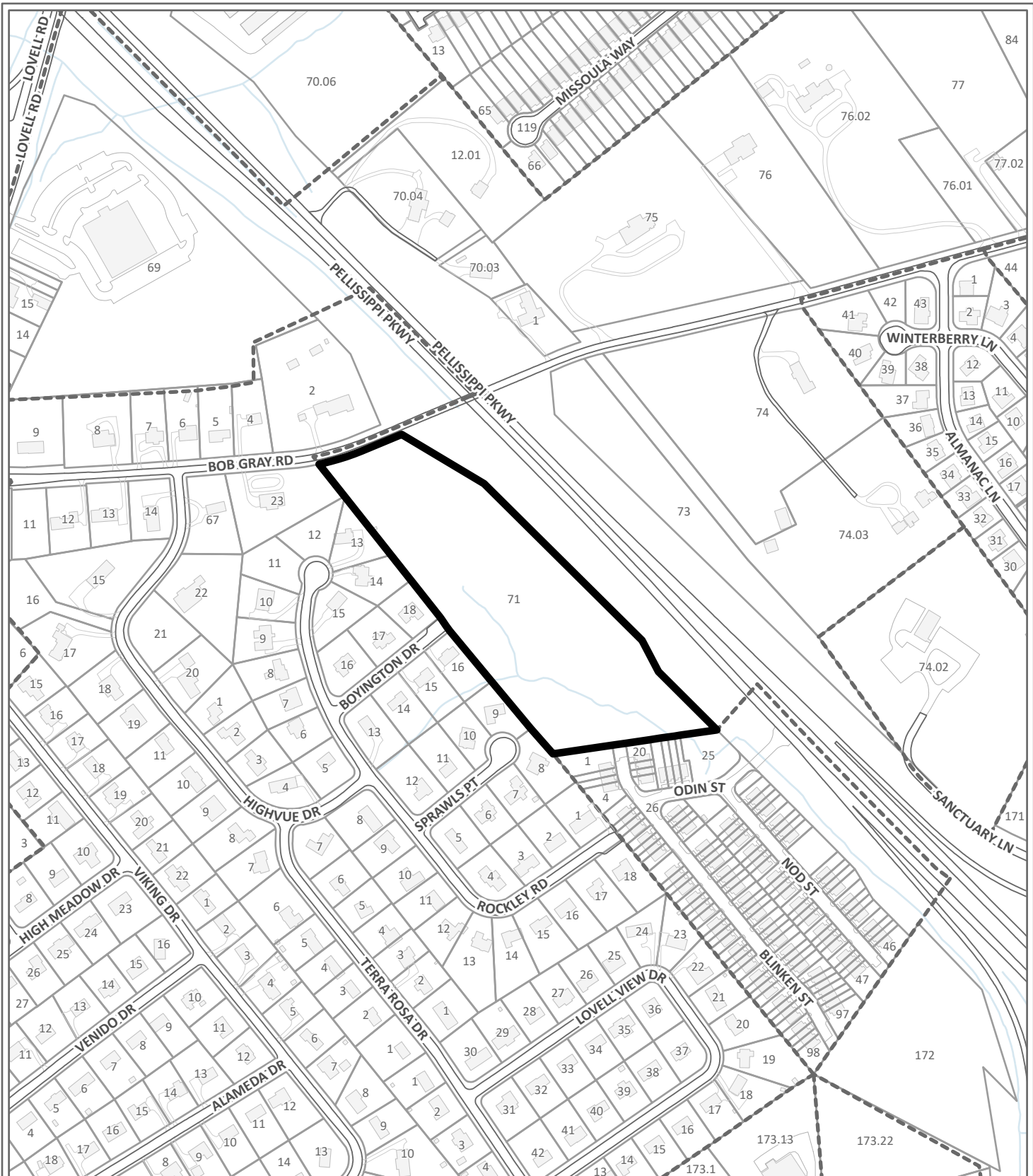
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 10 (public school children, grades K-12)

Schools affected by this proposal: Farragut Primary/Intermediate, Hardin Valley Middle, and Hardin Valley Academy.

- 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 1/22/2024. 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**

**12-F-23-RZ**

**Petitioner:** Arcip Horobet

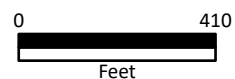


**From:** BP (Business and Technology Park), TO (Technology Overlay)

**To:** PR (Planned Residential)

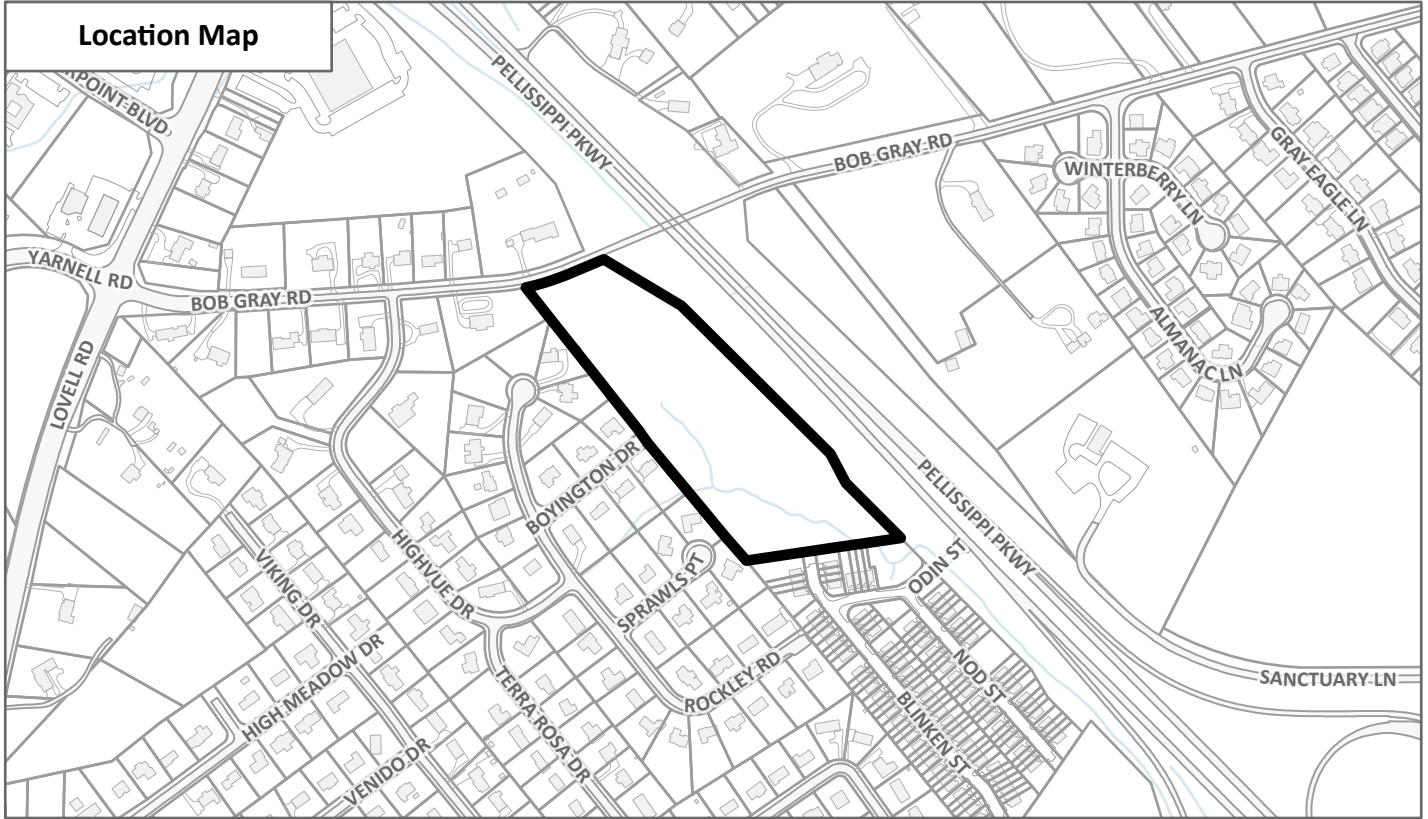
**Map No:** 118  
**Jurisdiction:** County

**Original Print Date:** 11/6/2023  
 Knoxville - Knoxville County Planning Commission \* City / County Building \* Knoxville, TN 37902



# Exhibit A. Contextual Images

Location Map



Aerial Map

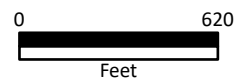


CONTEXTUAL MAPS 1

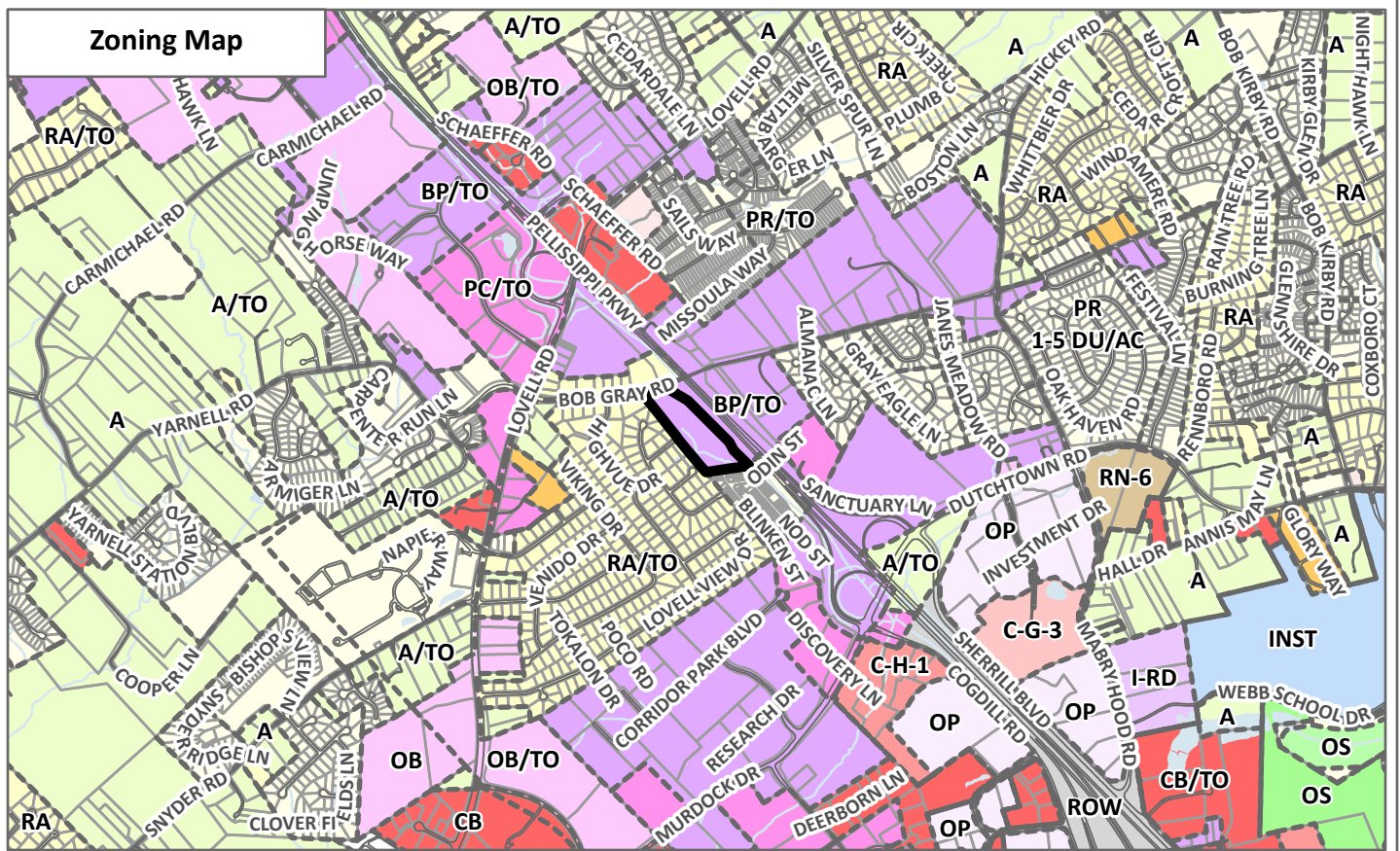
12-F-23-RZ



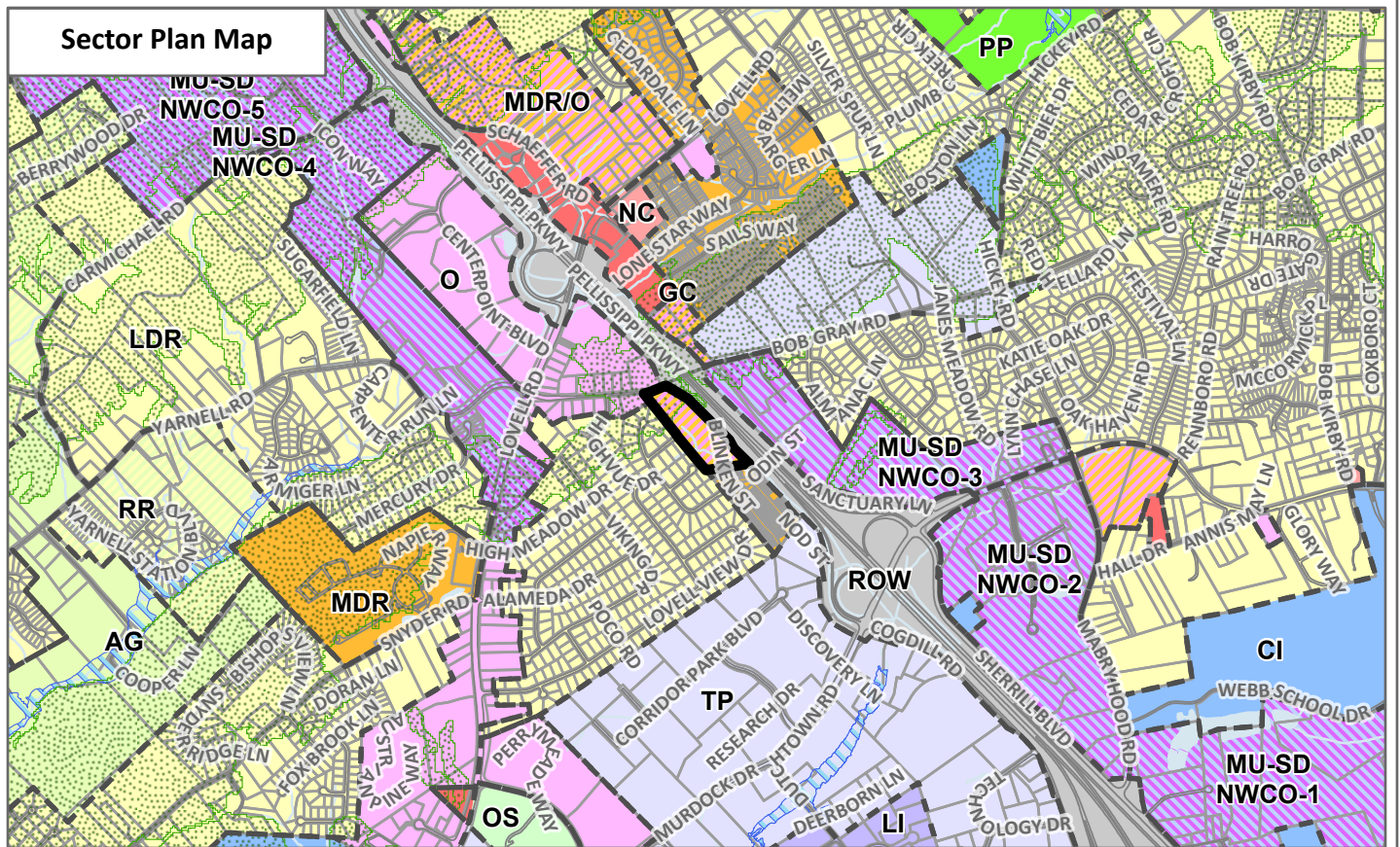
Case boundary



### Zoning Map



### Sector Plan Map



### CONTEXTUAL MAPS 2

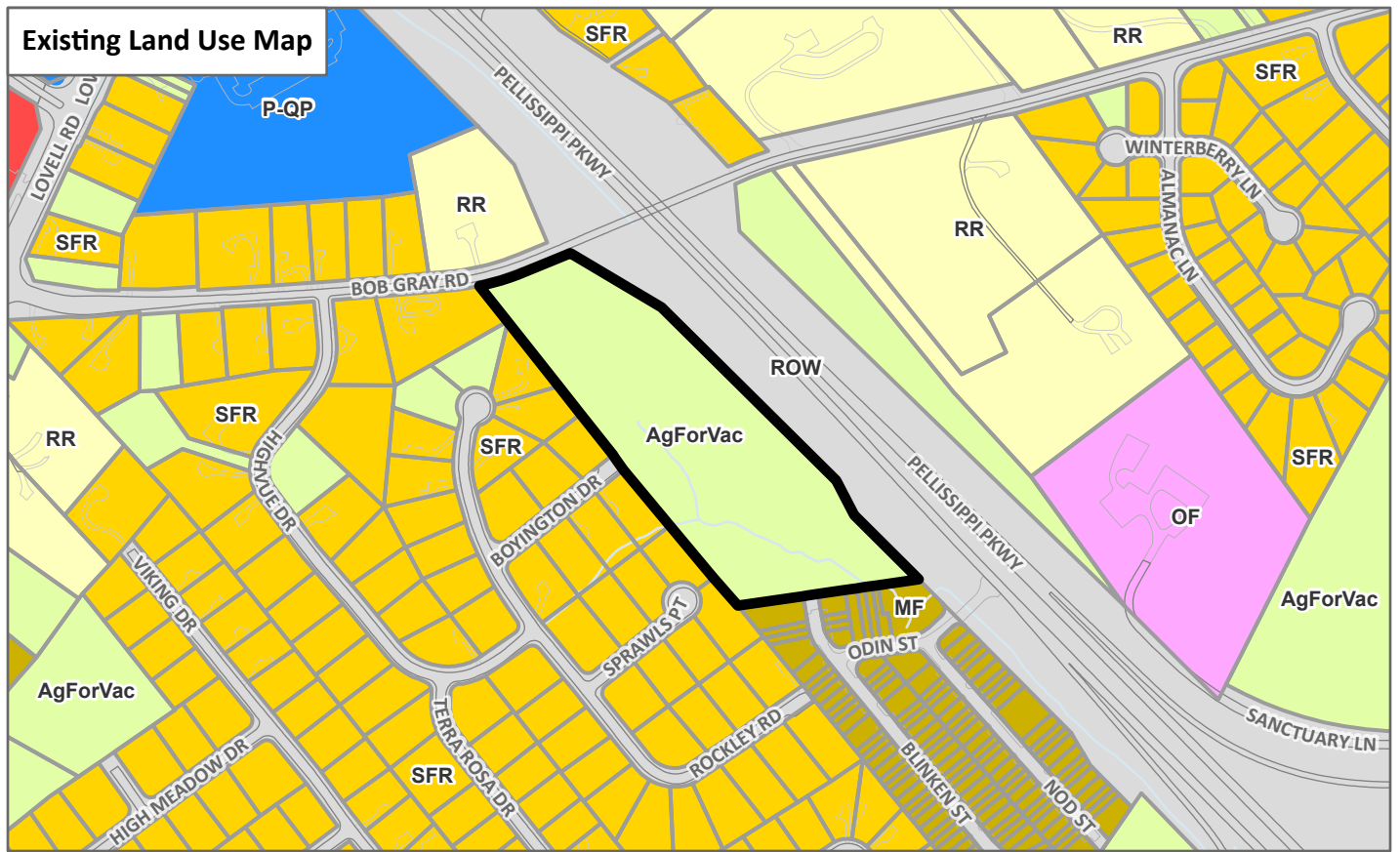
12-F-23-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

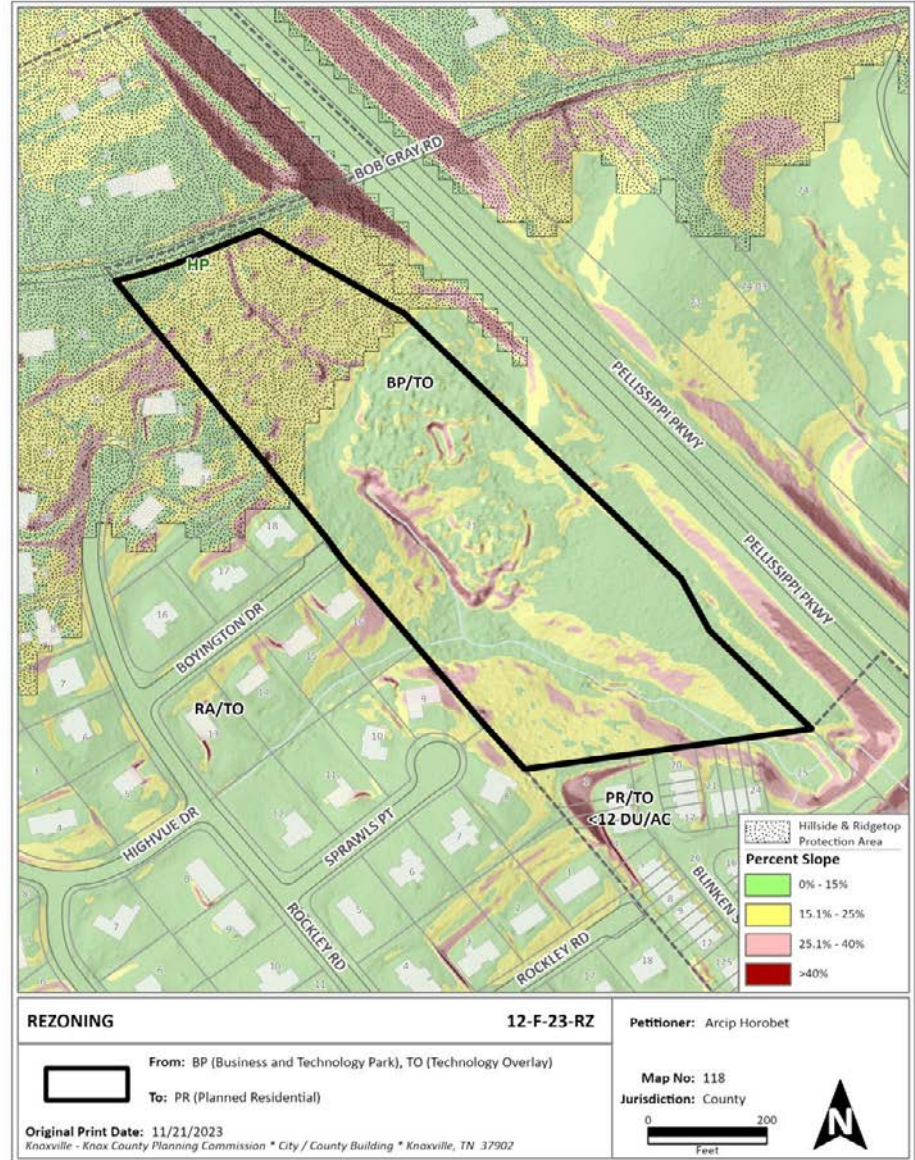
12-F-23-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>9.8</b>		
Non-Hillside	7.4	N/A	
0-15% Slope	0.2	100%	0.2
15-25% Slope	1.9	50%	1.0
25-40% Slope	0.3	20%	0.1
Greater than 40% Slope	0.0	10%	0.0
Ridgetops			
<b>Hillside Protection (HP) Area</b>	<b>2.4</b>	Recommended disturbance budget within HP Area (acres)	<b>1.2</b>
		Percent of HP Area	<b>50.3%</b>



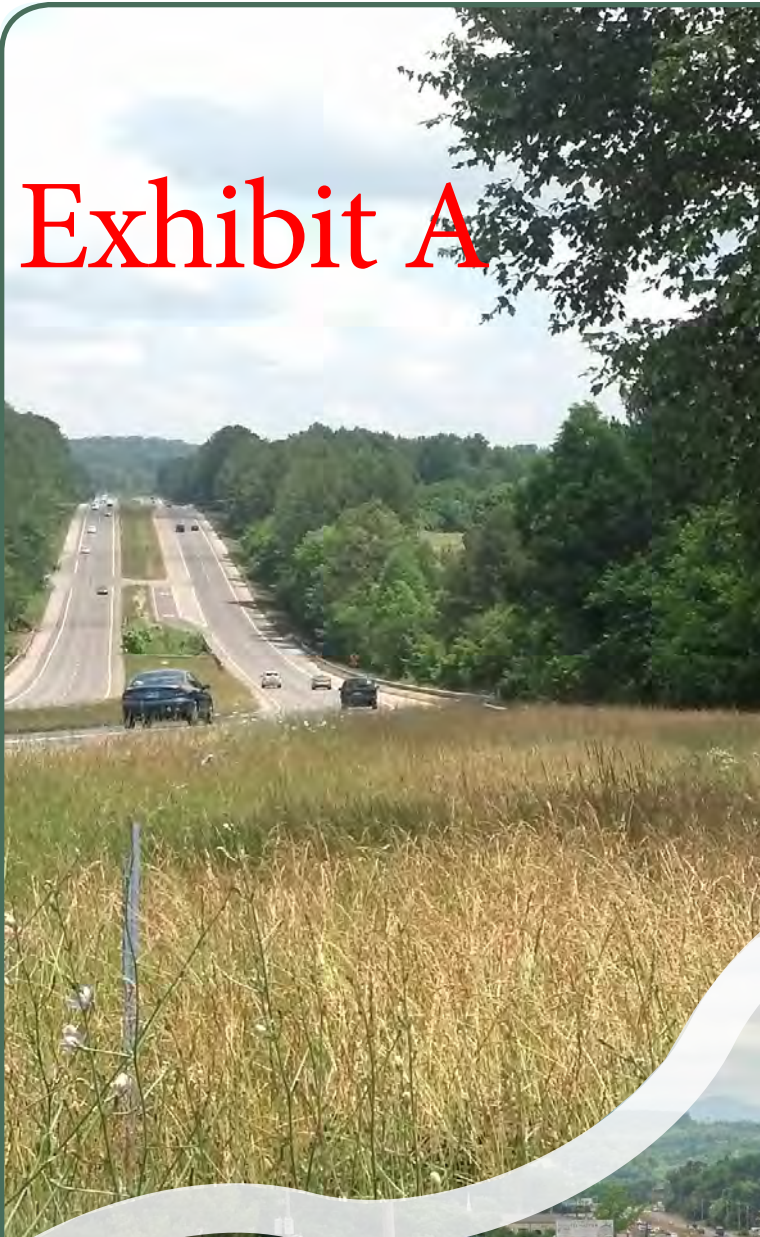
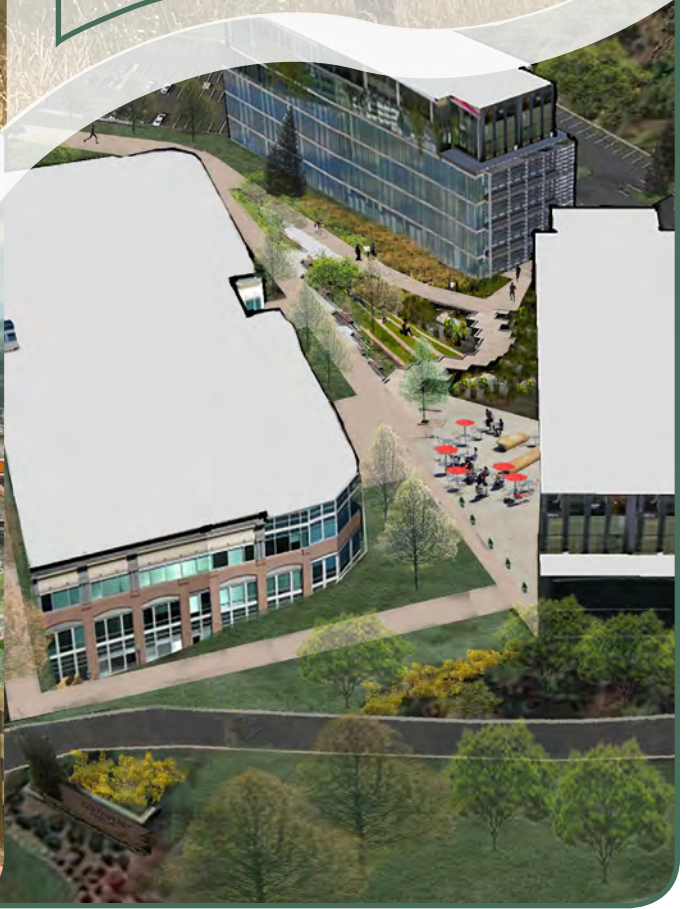


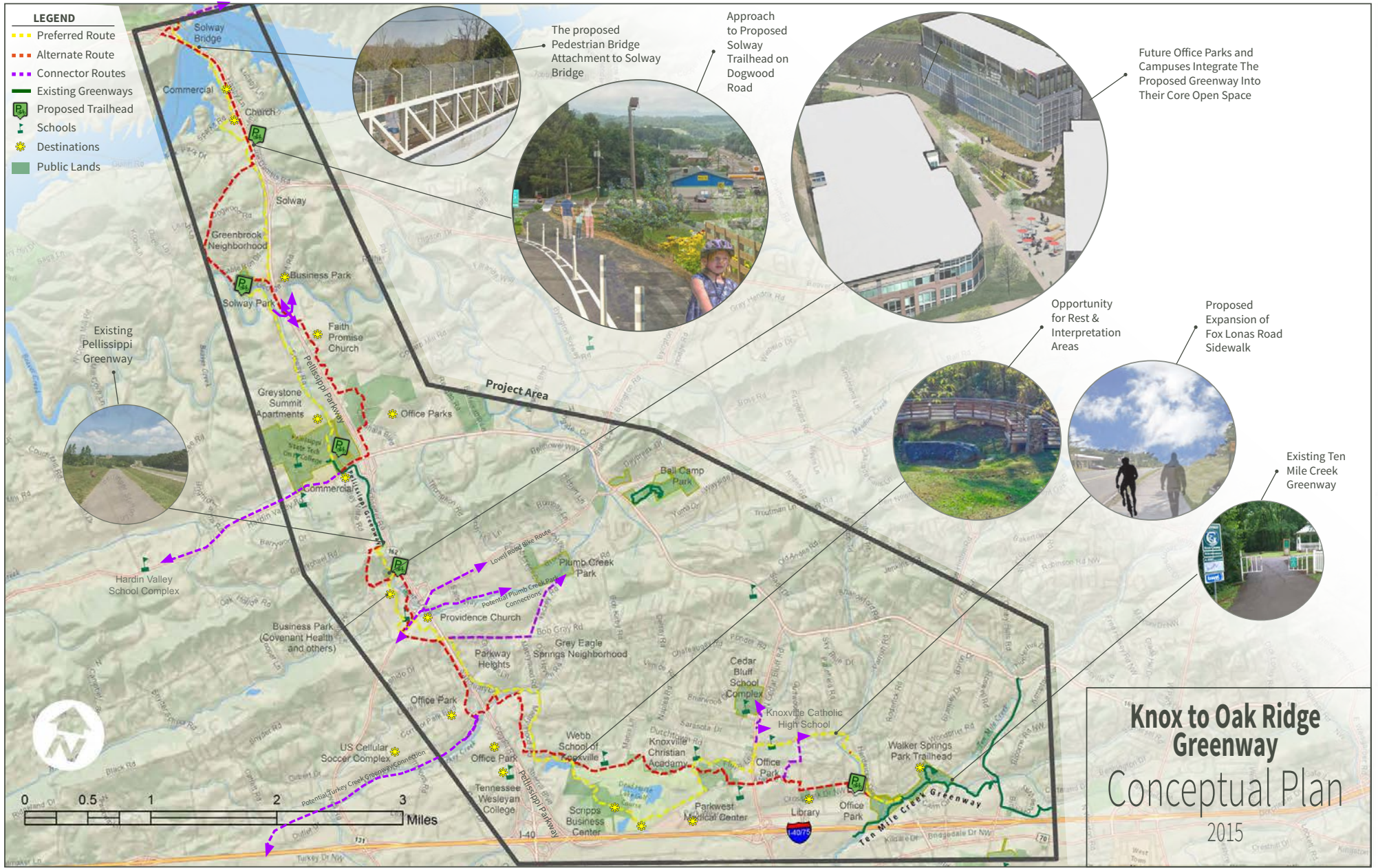
# Exhibit A

# Knox to Oak Ridge

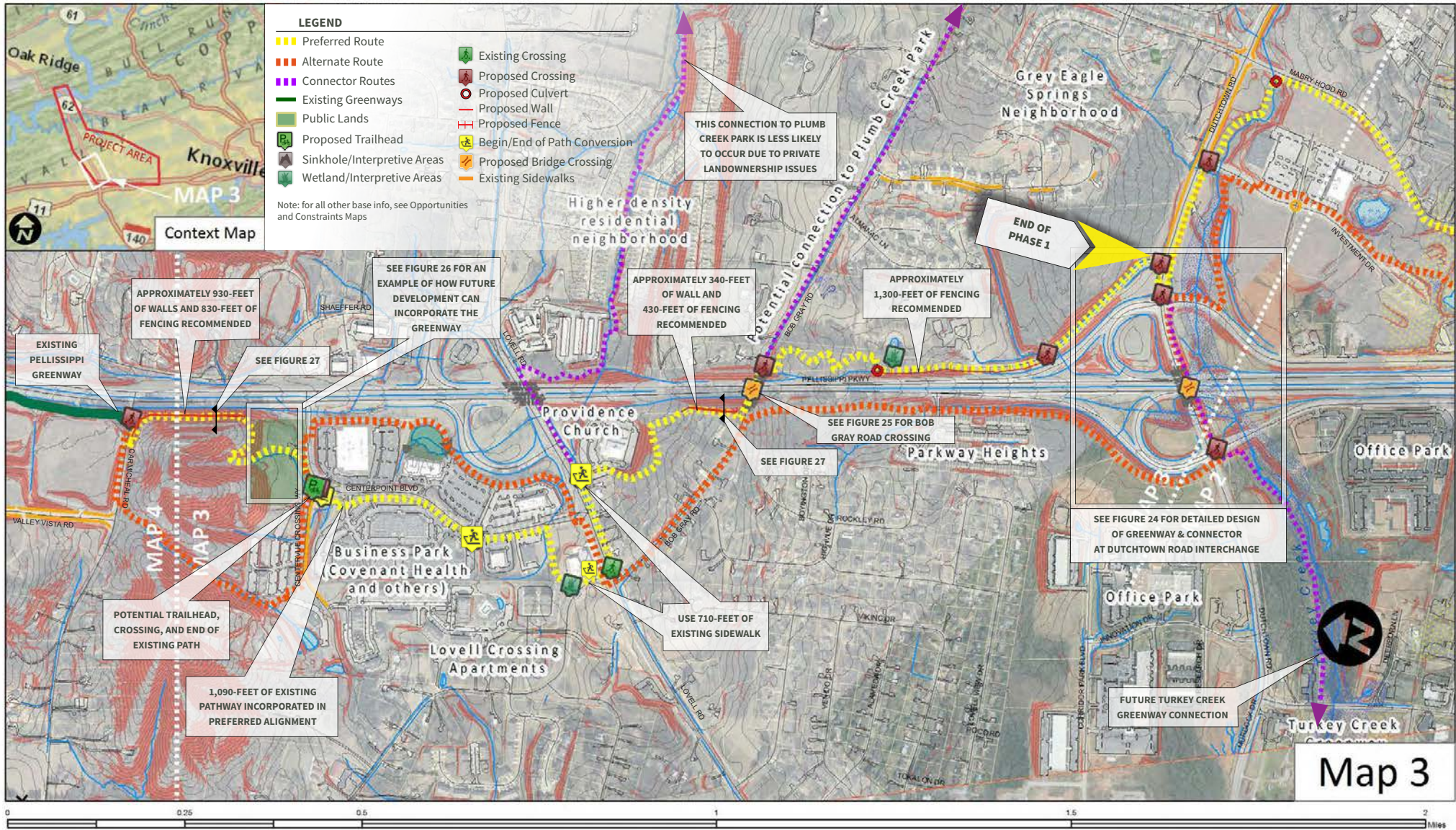
## Greenway Master Plan

—2015—



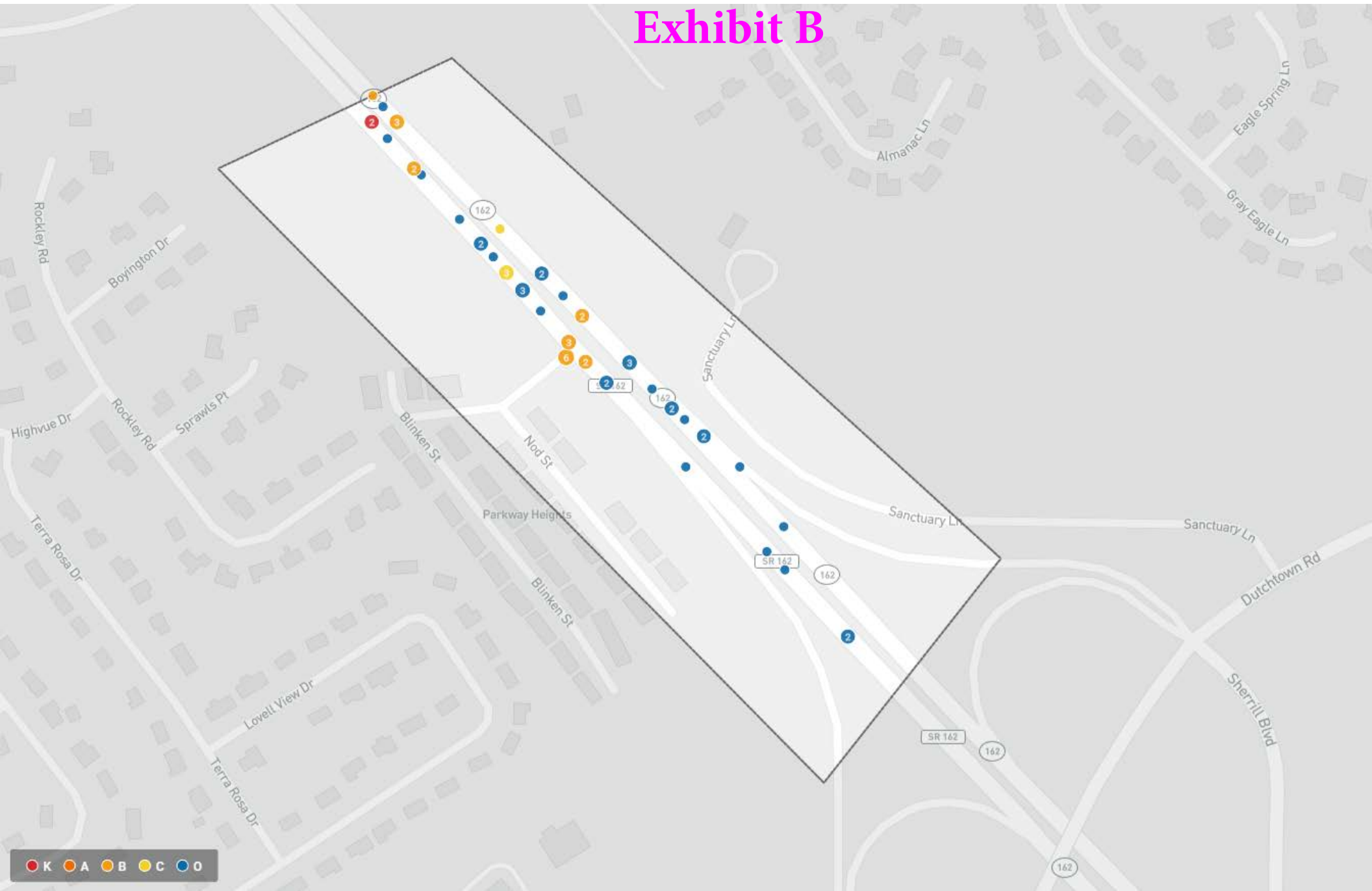


Section III: Corridor Design



# Knox to Oak Ridge Greenway Study • Corridor Design

# Exhibit B



# New Crash Query

Created on November 30, 2023

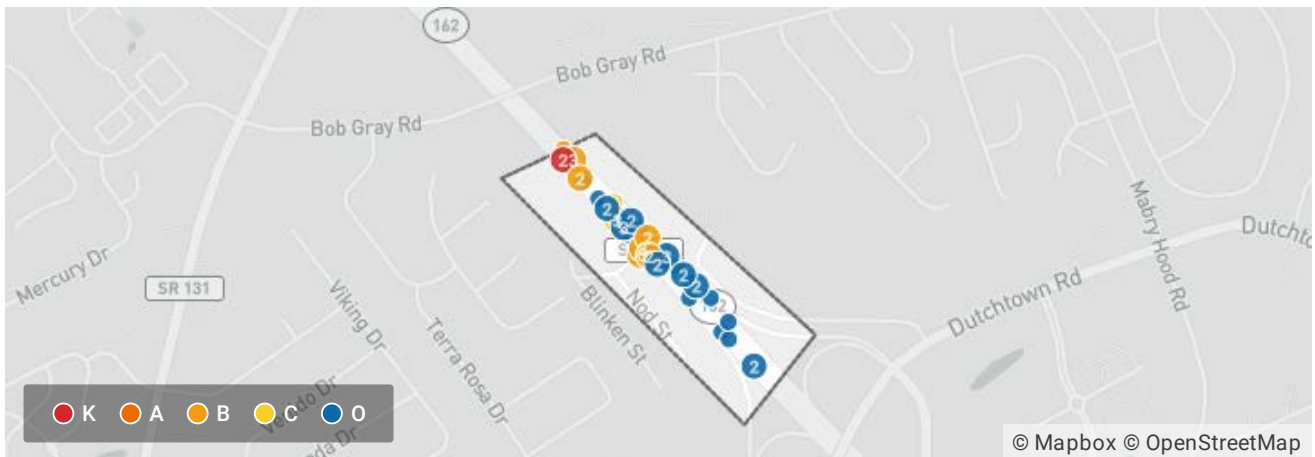
Created by Alex Zendel

Data extents: January 1, 2015 to November 23, 2023



## Applied Filters

Shape: Polygon



Total Crashes	57	Fatal Crashes	1
---------------	----	---------------	---

Summary	Crash	
Total Crashes	57	100.00%
Distracted Driver Involved	5	8.77%
Alcohol Involved	4	7.02%
Truck/Bus Involved	2	3.51%
+ 2 more	0	0%

Type of Crash	Crash	
(O) Property-Damage Only	44	77.19%
(B) Suspected Minor Injury	10	17.54%
(C) Possible Injury	2	3.51%
(K) Fatal Injury	1	1.75%
(A) Suspected Serious Injury	0	0.00%

Date of Crash (Year)	Crash	
2023	9	15.79%
2022	6	10.53%

2021	8	14.04%
2020	7	12.28%
2019	10	17.54%
2018	3	5.26%
2017	9	15.79%
2016	4	7.02%
+ 2 more	1	1.75%

Manner of First Collision		Crash
Rear-End	25	43.86%
No Collision W/ Vehicle	19	33.33%
Sideswipe, Same Dir	10	17.54%
Angle	2	3.51%
Sideswipe, Opp Dir	1	1.75%
+ 5 more	0	0%

First Harmful Event		Crash
Vehicle in Transport	38	66.67%
Deer (Animal)	4	7.02%
Ditch	4	7.02%
Guardrail Face	3	5.26%
Overturn	3	5.26%
Concrete Traffic Barrier	2	3.51%
Earth Embankment	1	1.75%
Jackknife	1	1.75%
+ 56 more	1	1.75%

Crash Location		Crash
Along Roadway	51	89.47%
At an Intersection	3	5.26%
Ramp	3	5.26%
+ 4 more	0	0%

Light Conditions		Crash
Daylight	41	71.93%
Dark-Not Lighted	10	17.54%
Dark-Lighted	3	5.26%
Dawn	2	3.51%
Dark-Unknown Lighting	1	1.75%

+ 3 more

0

0%

---

**Weather Conditions**

Crash

Clear

37

64.91%

Cloudy

10

17.54%

Rain

9

15.79%

---

+ 9 more

0

0%



# 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

**Arcip Horobet**

Applicant Name

Affiliation

**10/30/2023**

Date Filed

**12/14/2023**

Meeting Date (if applicable)

**12-F-23-RZ**

File Number(s)

## CORRESPONDENCE

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

**David Harbin Batson, Himes, Norvell and Poe**

Name / Company

**4334 Papermill Dr. Dr. Knoxville TN 37909**

Address

**865-588-6472 / harbin@bhn-p.com**

Phone / Email

## CURRENT PROPERTY INFO

**H. Kent Sanderson**

Owner Name (if different)

**9821 Cogdil Rd. #4 Knoxville TN 37932**

Owner Address

Owner Phone / Email

**0 PELLISSIPPI PKWY**

Property Address

**118 71**

Parcel ID

**9.77 acres**

Tract Size

Part of Parcel (Y/N)?

**West Knox Utility District, First Knox Utilit**

Sewer Provider

**West Knox Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**Southeast side of Bob Gray Rd., East of Rockley Rd.**

General Location

City

**Commission District 3**

**BP (Business and Technology Park), TO (Technology Overlay)**

**Agriculture/Forestry/Vacant Land**

County

District

Zoning District

Existing Land Use

**Northwest County**

Planning Sector

**MDR/O (Medium Density Residential/Office), HP (Hillside**

Sector Plan Land Use Classification

**Planned Growth Area**

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	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>PR (Planned Residential)</b>	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)

### 12 du/ac

Proposed Density (units/acre)    Previous Zoning Requests

Additional Information \_\_\_\_\_

## STAFF USE ONLY

### PLAT TYPE

Staff Review     Planning Commission

### ATTACHMENTS

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	Total
<b>\$1,138.50</b>	
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    **Arcip Horobet**    **10/30/2023**  
Please Print    Date

Phone / Email

Property Owner Signature    **H. Kent Sanderson**    **10/30/2023**  
Please Print    Date



# 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

Applicant Name Arcop Harobet

Affiliation Option Holder

Date Filed 10/28/23

Meeting Date (if applicable) 12/14/23

File Number(s)

### 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

Name David Harbin

Company Batson Himes

Address 4334 Papermill Dr.

City Knoxville

State TN

ZIP 37909

Phone 865-588-6472

Email harbin@bhn-p.com

### CURRENT PROPERTY INFO

Property Owner Name (if different) H. Kent Sanderson

Property Owner Address 9821 Cogdill Rd #4

K-TN 37932

Property Owner Phone

Property Address 0 Pellissippi Parkway

Parcel ID 118/071

Sewer Provider WKUD

Water Provider WKUD

Septic (Y/N) 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 PR  
 Proposed Zoning

Plan Amendment Change  
 Proposed Plan Designation(s)

Proposed Density (units/acre) 12

Previous Rezoning Requests non known

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

David Harlan  
 Please Print

10/25/23  
 Date

Phone Number \_\_\_\_\_

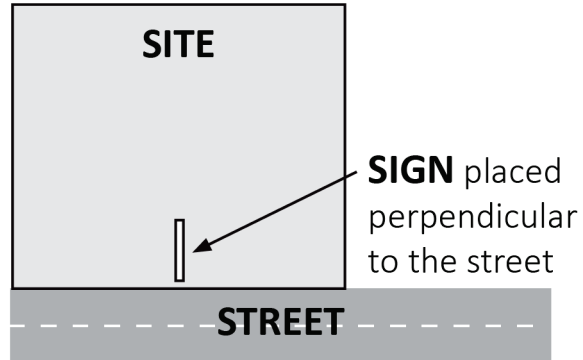
harlan@bhr-p.com  
 Email

  
 Property Owner Signature

Arcip Harobet  
 Please Print

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:*

\_\_\_\_\_ and \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Arcip Horobet

Date: 10/30/2023

File Number: 12-F-23-RZ

- Sign posted by Staff
- Sign posted by Applicant