

REZONING REPORT

▶ FILE #:	10-R-21-RZ	AGENDA ITEM #:	6
POSTPONEMENT(S):	10/14/2021, 11/10/2021	AGENDA DATE:	2/9/2023
▶ APPLICANT:	HUBER PROPERTIES, LLC (REVISED)		
OWNER(S):	HUBER PROPERTIES, LLC		
<hr/>			
TAX ID NUMBER:	106 C A 02301, 00401, 004 & 001	<u>View map on KGIS</u>	
JURISDICTION:	City Council District 3		
STREET ADDRESS:	1817 & 0 Francis Road, 0 Old Amherst Road & 0 Helmbolt Road		
▶ LOCATION:	East side of Helmbolt Road, west side of Francis Road, south of Amherst Road		
▶ APPX. SIZE OF TRACT:	16.6 acres		
SECTOR PLAN:	Northwest County		
GROWTH POLICY PLAN:	N/A (within City Limits)		
ACCESSIBILITY:	Access is via Helmbolt Rd, a minor arterial with a 20-ft pavement width within a 60-ft right-of-way. Access is also via Francis Rd, a local street with a 20-ft pavement width within a 40-ft right-of-way. Access is also via the terminus of Old Amherst Rd, a local street with a 20-ft pavement width within a 160-ft right-of-way shared with an adjacent rail line and Amherst Rd.		
UTILITIES:	Water Source: Knoxville Utilities Board Sewer Source: Knoxville Utilities Board		
WATERSHED:	Ten Mile Creek		
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▶ PRESENT ZONING:	AG (Agricultural)		
▶ ZONING REQUESTED:	RN-2 (Single-Family Residential Neighborhood)		
▶ EXISTING LAND USE:	Agriculture/forestry/vacant		
▶			
EXTENSION OF ZONE:	No		
HISTORY OF ZONING:	Original rezoning request of 10-R-21-RZ was RN-5. The request was tabled and then revised.		
SURROUNDING LAND USE AND ZONING:	North: Single family residential, rural residential - RN-1 (Single-Family Residential Neighborhood) South: Single family residential, multifamily - AG (Agricultural), RN-3 (General Residential Neighborhood) East: Single family residential, rural residential - AG (Agricultural), RN-1 (Single-Family Residential Neighborhood) West: Single family residential - RN-1 (Single-Family Residential Neighborhood)		
NEIGHBORHOOD CONTEXT:	This area is comprised of detached single family homes on independent lots and in residential subdivisions. Lot sizes range from 5,000 sf to multi-acre.		
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STAFF RECOMMENDATION:			
▶	Approve RN-2 (Single-Family Residential Neighborhood) zoning because it is consistent with		

the sector plan and surrounding development.

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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 subject property is located in the Amherst-Helmbolt Community, which has seen a significant amount of residential infill on properties that were formerly zoned for agricultural or industrial uses. The proposed rezoning from AG (Agricultural) to RN-2 (Single-Family Residential Neighborhood) is consistent with development trends and rezonings in the area.

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

1. The RN-2 zoning district is intended for low density single-family residential development on relatively small lots.
2. RN-2 zoning is consistent with the LDR (Low Density Residential) land use classification of this property and the broader region. There are two RN-2-zoned subdivisions in close proximity northeast and southwest of the subject property.

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 property has access to a minor arterial street and two local streets. It is noteworthy that these streets are narrow, with approximately 20-ft pavement widths. However, having three access points provides opportunity to distribute and direct new residential traffic more efficiently to mitigate potential congestion. Any development will be reviewed by City Engineering to confirm safe access and traffic flow.
2. Stormwater management for any development plan at this location will also be reviewed by City Engineering to ensure adjacent and downstream properties are protected from undue runoff.
3. The parcel is currently forested, but a 1996 aerial map shows that it was predominantly cleared at that time, seemingly for agricultural purposes.

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 to RN-2 aligns with policy 8.1 of the General Plan, which promotes infill housing on vacant lots that is compatible with the scale and layout of neighboring residences.
2. The RN-2 zoning district is consistent with the Northwest County Sector Plan's LDR classification.
3. The requested zoning district at this location is not in conflict with any other adopted plans.

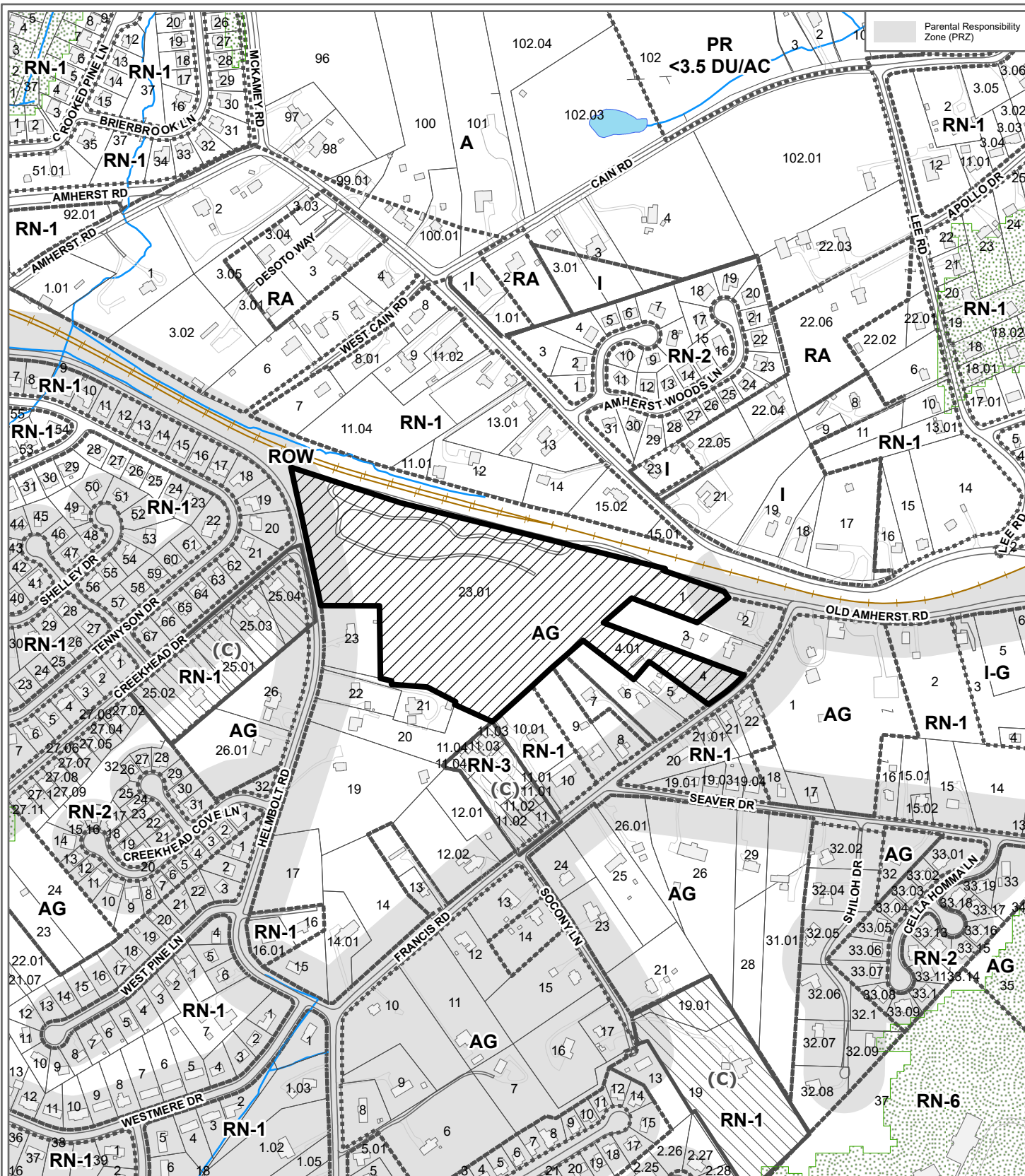
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden 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 Knoxville City Council for action on 3/7/2023 and 3/21/2023. 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.



10-R-21-RZ REZONING

From: AG (Agricultural)

To: RN-2 (Single-Family Residential Neighborhood)



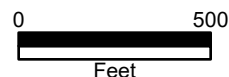
Original Print Date: 1/18/2023
 Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Huber Properties, LLC
 (REVISED)

Map No: 106

Jurisdiction: City





Request to Postpone • Table • Withdraw

Huber Properties, LLC

1-6-23

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

January 12, 2023

Scheduled Meeting Date

File Number(s)

10-I-21-PA and 10-L-21-SP

POSTPONE

- ☐ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: ☐ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the _____ Planning Commission Meeting.

WITHDRAW

- ☒ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

- ☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

John Huber

Please Print

865-966-1600

john@southernsignature.net

Phone Number

Email

STAFF ONLY

Staff Signature

Please Print

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address

October 2022

Exhibit A. 10-R-21-RZ Context Images

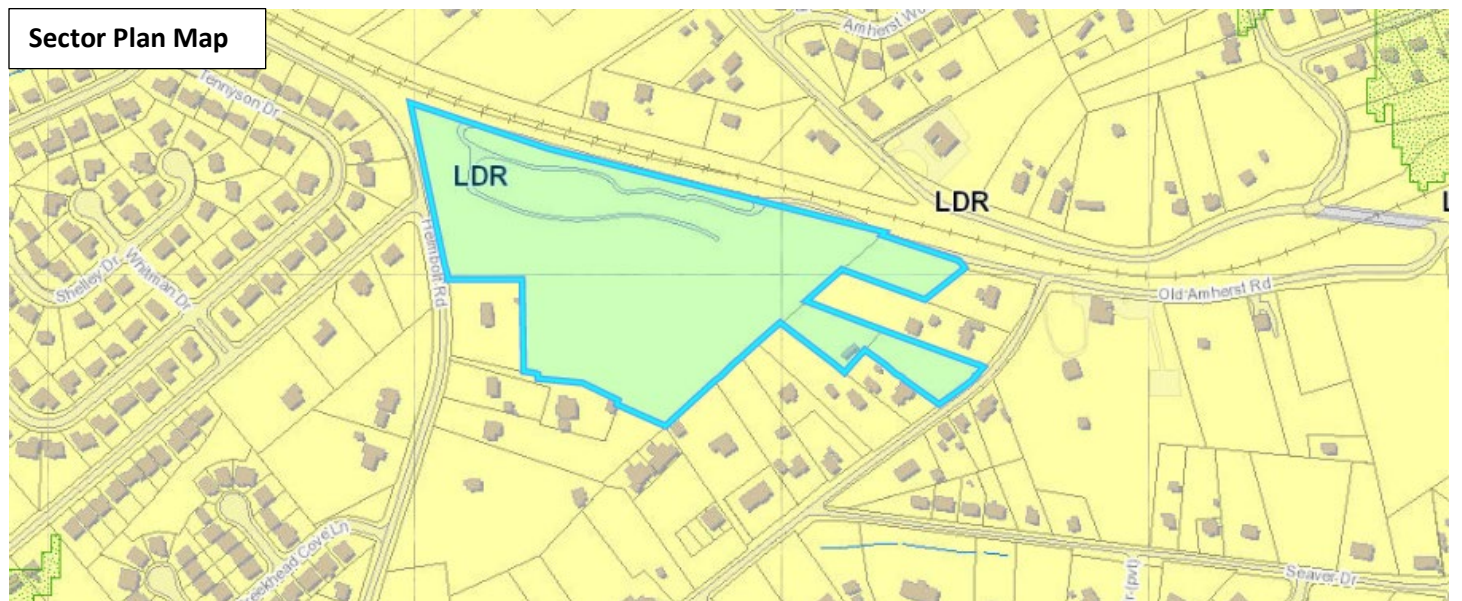
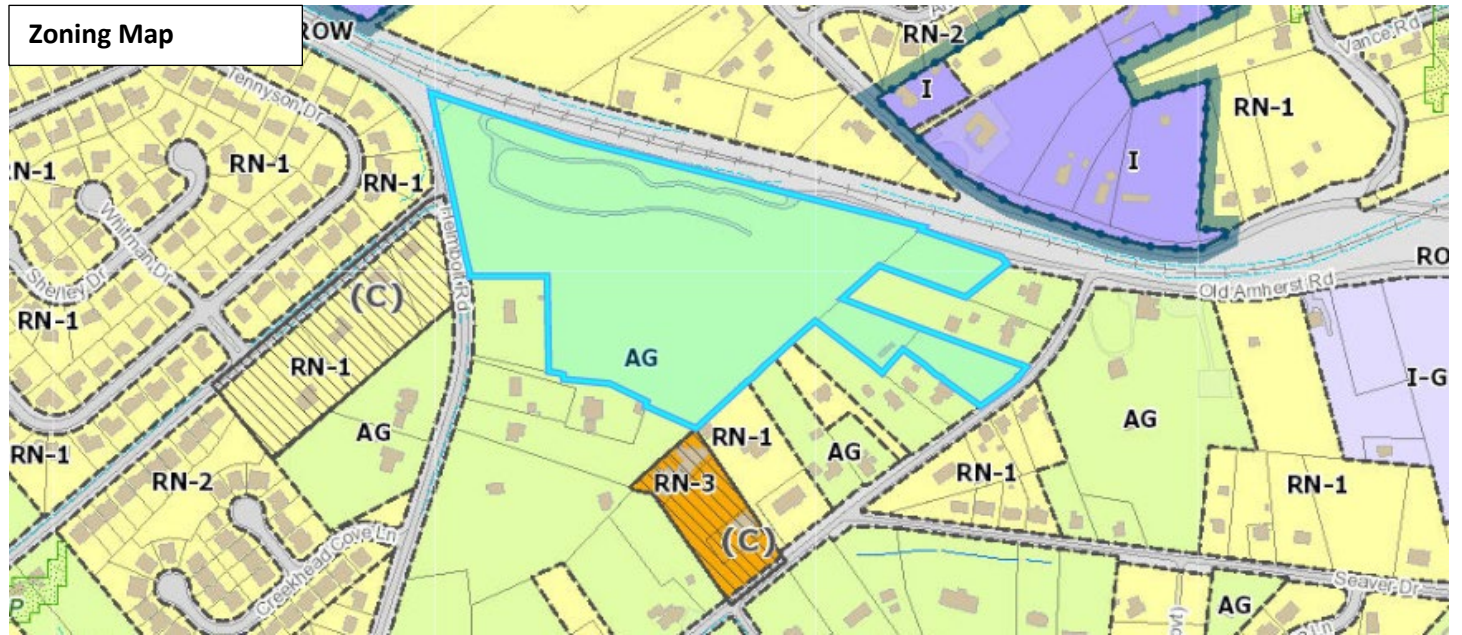


Exhibit A. 10-R-21-RZ Context Images





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

Huber Properties, LLC (REVISED)

Applicant Name

Affiliation

8/31/2021

2/9/2023

10-R-21-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.

John Huber Hopeful Housing

Name / Company

P.O. Box 22314 Knoxville TN 37933

Address

865-966-1600 / john@southernsignature.net

Phone / Email

CURRENT PROPERTY INFO

Owner Name (if different)

Owner Address

Owner Phone / Email

1817 & 0 Francis Road, 0 Old Amherst Road & 0 Helmbolt Road

Property Address

106 C A 02301, 00401, 004 & 001

16.6 acres

Parcel ID

Part of Parcel (Y/N)?

Tract Size

West Knox Utility District

Knoxville Utilities Board

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Helmbolt Road, west side of Francis Road, south of Amherst Road

General Location

☒ City

Council District 3

AG (Agricultural)

☐ County

District

Zoning District

Existing Land Use

Northwest County

LDR (Low Density Residential)

N/A (within City Limits)

Planning Sector

Sector Plan Land Use Classification

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-2 (Single-Family Residential Neighborhood)	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	\$3,156.00	
<input type="checkbox"/> Planning Commission	Fee 2	
ATTACHMENTS	Fee 3	
<input type="checkbox"/> Property Owners / Option Holders		
<input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS		
<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

Huber Properties, LLC (REVISED)		8/31/2021
Applicant Signature	Please Print	Date
Phone / Email		
		8/31/2021
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.



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

Huber Properties LLC

REVISED 1/6/2023

Applicant Name

8-27-21

Date Filed

10/14/2021

Meeting Date (if applicable)

Affiliation

10-R-21-RZ
10-I-21-PA
10-L-21-SP

CORRESPONDENCE

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

- ☒ Applicant ☐ Owner ☒ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

John Huber

Name

Huber Properties LLC

Company

PO Box 23038

Address

Knoxville

City

TN

State

37933

ZIP

865-966-1600

Phone

john@southernsignature.net

Email

CURRENT PROPERTY INFO

Schubert Family Limited Partnership

Owner Name (if different)

Owner Address

Owner Phone

1817 Francis Road + Francis Road, Old Amhurst, Helmbolt

Property Address

Parcel ID

100CA02301
00401
004
001

KWB

Sewer Provider

KWB

Water Provider

N

Septic (Y/N)

STAFF USE ONLY

East side of Helmbolt Rd., west side of Francis Rd., south of Amhurst Rd. ± 16.6 acres

General Location

Tract Size

☒ City ☐ County

3rd
District

AG
Zoning District

Vacant and single family residential
Existing Land Use

Northwest County

Planning Sector

LDR
Sector Plan Land Use Classification

N/A
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

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

Proposed Zoning

☒ Plan Amendment Change

Proposed Plan Designation(s)

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
\$1,430	
+20% 1,716	
Fee 2 \$800	\$2,630
+20% 960	+20%
Fee 3 \$400	\$3,156.00
+20% 480	

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

Please Print

Date

Phone Number

Email

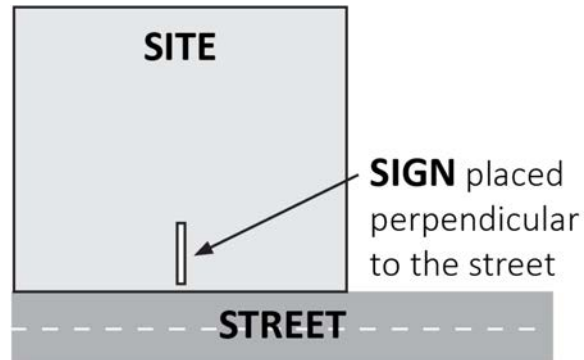
08/31/2021

Staff Signature

Please Print

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:

_____ 1/27/2023 _____ and _____ 2/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Herber Properties, LLC

Date: 1/6/23

File Number: 10-R-21-RZ

☒

Sign posted by Staff

☐

Sign posted by Applicant