

REZONING REPORT

▶ **FILE #:** 1-H-23-RZ

AGENDA ITEM #: 20

AGENDA DATE: 1/12/2023

▶ **APPLICANT:** BRONZIE HARRIS
OWNER(S): Knox Housing Partnership Inc.

TAX ID NUMBER: 78 07201, 072 [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 6010 Clayberry Dr. (6011 Clayberry Dr)

▶ **LOCATION:** NE end of Clayberry Dr, north of Oak Ridge Hwy

▶ **APPX. SIZE OF TRACT:** 4.96 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Clayberry Drive, a local street with a pavement width of 25-ft within a right-of-way width of 50-ft.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek and Grassy Creek

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

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

▶ **EXISTING LAND USE:** Commercial

▶ **DENSITY PROPOSED:** 12 du/ac

EXTENSION OF ZONE: Yes, PR is adjacent.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Multifamily residential, commercial - PR (Planned Residential)
South: Multifamily residential, commercial - PR (Planned Residential)
East: Rural residential - A (Agricultural) - A (Agricultural)
West: Single family residential - RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is a mix of single family residential and multifamily residential adjacent to the commercial corridor along Oak Ridge Highway.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone up to 8 du/ac because it consistent with the sector plan and consistent with surrounding development.**

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. This area is adjacent to the commercial corridor along Oak Ridge Highway. Multi-family residential has been building out adjacent to the commercial area since the late 1990s. In 2005, an adjacent parcel was rezoned to PR up to 18 du/ac and a sector plan amendment to HDR (High Density Residential) was also approved.
2. Local data sources and national data trends note an increased demand for a range of housing opportunities, which a rezoning to increase residential density may support.

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

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.
2. Additionally, the zoning code states that each PR development shall be compatible with the surrounding or adjacent zones, as determined by Planning Commission review of development plans. During this review process additional concerns related to site design may be addressed.

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 PR zone requires development plan approval by the Planning Commission prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, drainage and other potential development concerns. It will also provide the opportunity for public input at the Planning Commission meeting.
2. PR zoning up to 8 du/ac is consistent with nearby zoning and the sector plan designation of MDR (Medium Density Residential).
3. Currently, access for the property is off of Clayberry Drive through an adjacent single family residential subdivision. Other PR zoning without direct access to Oak Ridge Highway limits PR up to 8 du/ac.

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 up to 8 du/ac is consistent with the sector plan designation of MDR for the subject property.
2. The proposed rezoning is not in conflict with the General Plan or any other adopted plans for this area.

ESTIMATED TRAFFIC IMPACT: 594 (average daily vehicle trips)

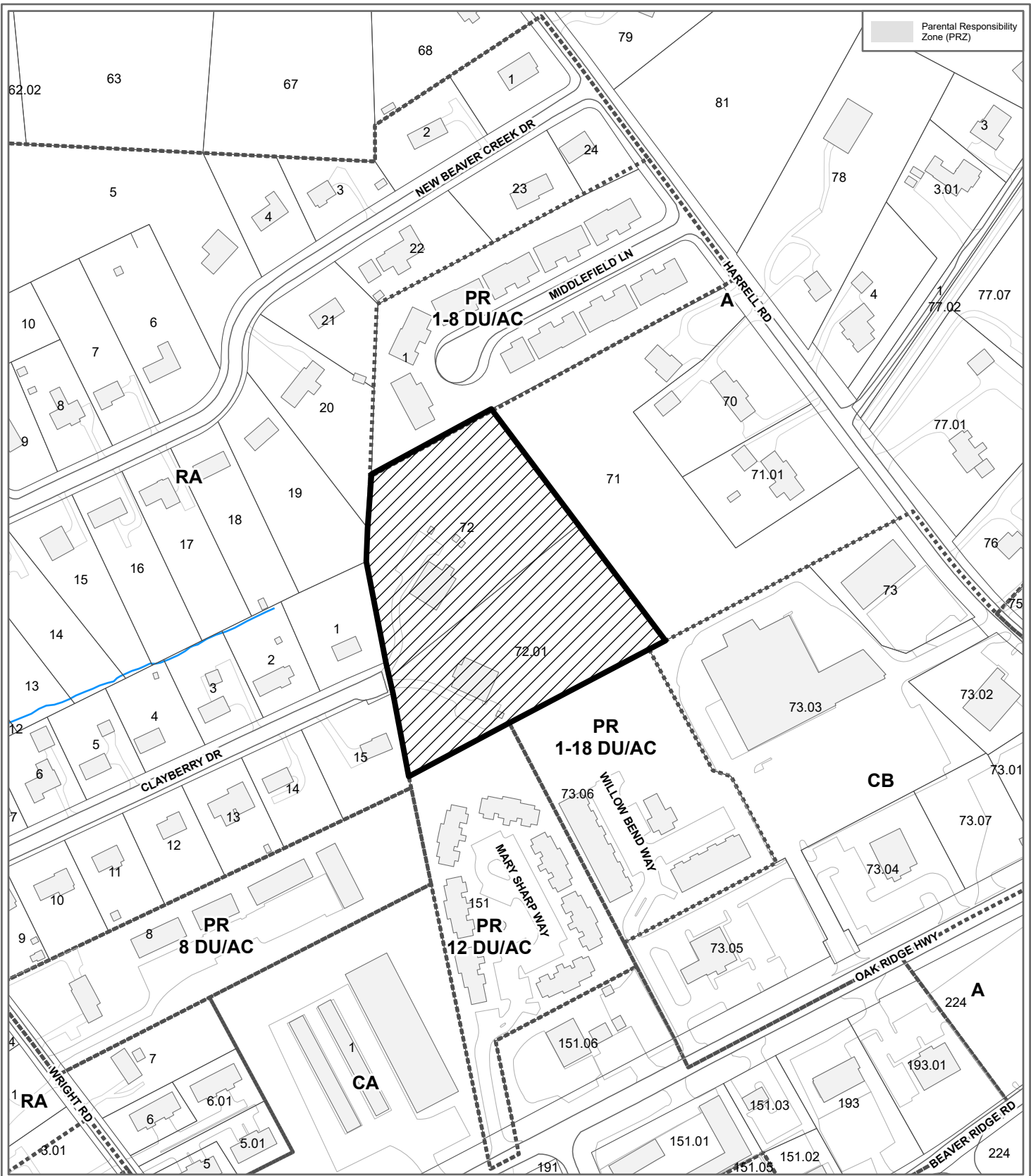
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 5 (public school children, grades K-12)

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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 2/21/2023. 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.



**1-H-23-RZ
REZONING**

Petitioner: Bronzie Harris



From: A (Agricultural)

To: PR (Planned Residential)

Map No: 78
Jurisdiction: County

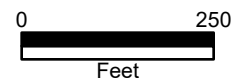


Exhibit A. 1-H-23-RZ Contextual Images

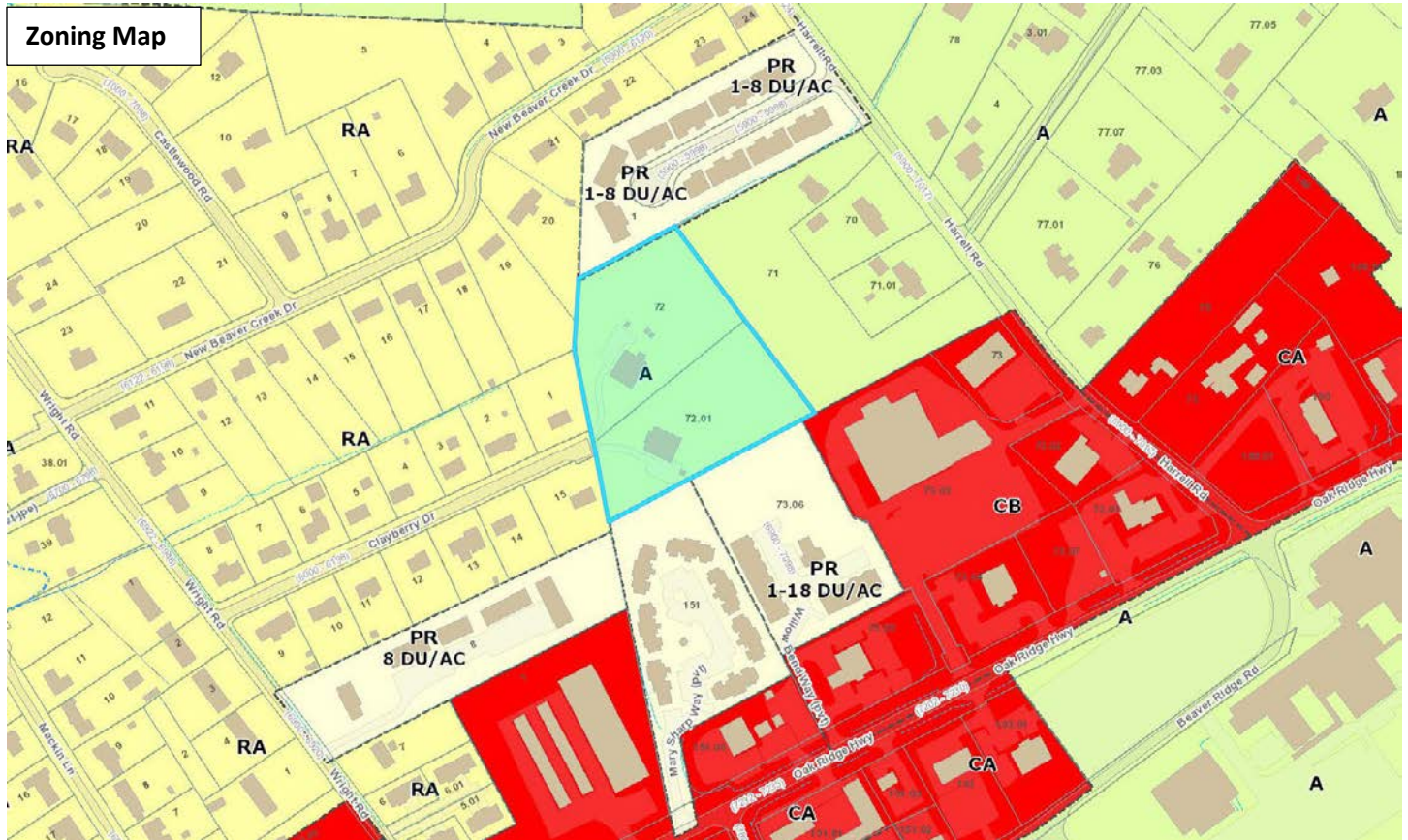


Exhibit A. 1-H-23-RZ Contextual Images





Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Bronzie Harris

Applicant Name

Affiliation

11/14/2022

Date Filed

1/12/2023

Meeting Date (if applicable)

1-H-23-RZ

File Number(s)

CORRESPONDENCE

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

Bronzie Harris Knox Housing Partnership

Name / Company

109 Winona St Knoxville TN 37917

Address

865-637-1679 / bharris@khp.org

Phone / Email

CURRENT PROPERTY INFO

Knox Housing Partnership Inc.

Owner Name (if different)

109 Winona St Knoxville TN 37917

Owner Address

865-661-9547

Owner Phone / Email

6010 Clayberry Dr. / 6011 Clayberry Dr

Property Address

78 07201, 072

Parcel ID

4.96 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

NE end of Clayberry Dr, north of Oak Ridge Hwy

General Location

City

Commission District 6

A (Agricultural)

Commercial

Count

District

Zoning District

Existing Land Use

Northwest County

Planning Sector

MDR (Medium Density Residential)

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	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change PR (Planned Residential)	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 <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1 \$650.00	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	Fee 2	
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)	Fee 3	

AUTHORIZATION

Applicant Signature	Bronzie Harris Please Print	11/14/2022 Date
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Property Owner Signature	Knox Housing Partnership Inc. Please Print	11/14/2022 Date
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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

Bronzie Harris

Knox Housing Partnership

Applicant Name

Affiliation

11-1-22

1-12-23

Date Filed

Meeting Date (if applicable)

File Number(s)

1-H-23-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

Bronzie Harris

Knox Housing Partnership

Name

Company

109 Winona Street

Knoxville

TN

37917

Address

City

State

ZIP

865-661-9547

Bharris@khp.org

Phone

Email

CURRENT PROPERTY INFO

Knox Housing Partnership

109 Winona Street, Knoxville, TN 37917

865-637-1679

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

6011 and 6010 Clayberry Drive, Knoxville, TN 37931 (revised)

078 072 & 07201 (added 6011, see email)

Property Address

Parcel ID

West Knox Utility District

West Knox Utility District

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 **Planned Residential 12 dwelling units / ac**
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

W. Bronzie Harris III

Digitally signed by W. Bronzie Harris III
DN: cn=W. Bronzie Harris III, o=Knox Housing Partnership, ou=Real Estate
Development and Property Management, email=Bharris@khp.org, c=US
Date: 2022.11.01 08:11:38 -0400'

Bronzie Harris

11-1-22

Applicant Signature

Please Print

Date

865-661-9547

Bharris@khp.org

Phone Number

Email

Jackie Mayo

Digitally signed by Jackie Mayo
Date: 2022.11.01 16:35:28 -04'00'

Jackie Mayo

11/01/22

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.



Dori Caron <dori.caron@knoxplanning.org>

Combined Rezonings - Refund Issued.

Liz Albertson <liz.albertson@knoxplanning.org>
To: "bharris@khp.org" <bharris@khp.org>
Cc: Dori Caron <dori.caron@knoxplanning.org>

Wed, Dec 21, 2022 at 9:51 AM

Thanks for taking my call just now. Just wanted to make sure you had this in an email as well. We were able to combine your rezonings because they are adjacent parcels. So your case file number is 1-H-23-RZ --- the other case number is no longer active.

A refund check of \$650 was issued on December 19, 2022 and you should be receiving it in the mail soon.

Let us know if you have any questions.

Your rezoning will still be on heard at the January 12, 2023 Planning Commission meeting that starts at 1:30pm.

Thank you,
-Liz Albertson

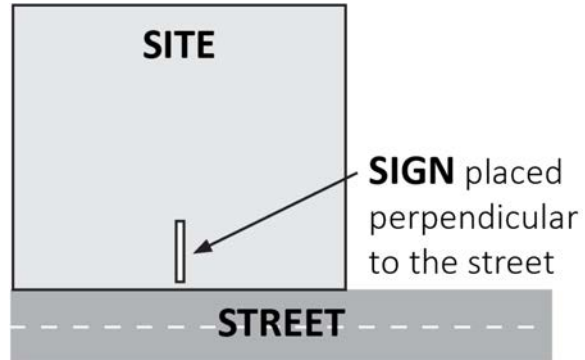
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Liz Albertson, AICP
Principal Planner
865-215-3804
liz.albertson@knoxplanning.org



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

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:

_____ 12/31/2022 _____ and _____ 1/13/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Bronzie Harris

Date: 11/14/2022

File Number: 1-H-23-RZ

Sign posted by Staff

Sign posted by Applicant