

REZONING REPORT

▶ **FILE #:** 7-Q-23-RZ

AGENDA ITEM #: 36

AGENDA DATE: 7/13/2023

▶ **APPLICANT:** HOMESTEAD LAND HOLDINGS, LLC

OWNER(S): Michael Mayer

TAX ID NUMBER: 50 202

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 7336 MILLERTOWN PIKE

▶ **LOCATION:** South of Millertown Pk., east of Presnell Rd.

▶ **APPX. SIZE OF TRACT:** 37.14 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Millertown Pike, a minor arterial with a 20-ft pavement width within a 54-ft to 75-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utility District

WATERSHED: Legg Creek

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

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

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

▶ **DENSITY PROPOSED:** 4 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family, Rural residential - A (Agricultural)

South: Agriculture/forestry/vacant land - PC (Planned Commercial)

East: Agriculture/forestry/vacant land, Rural residential - A (Agricultural)

West: Agriculture/forestry/vacant land, Single family residential & Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area consists of single-family dwellings with a mix of lot sizes ranging from less than 1 acre to over 14 acres fronting Millertown Pike. There is a soil mining and gravel/rock yard facility to rear of the property that accesses Rutledge Pike.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone up to 4 du/ac because it is consistent with the sector plan designation.**

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 COUNTY GENERALLY:

1. The large distribution center that was recently constructed at the I-640 interchange with Millertown Pike and Washington Pike is approximately 3 miles away and will be a major employment center once open.
2. Increased employment opportunities in the area is increasing housing demand in the area. The requested zoning is appropriate for the subject property because it is within close proximity to the major employment center referenced above and along Rutledge Pike.

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

1. The PR (Planned Residential) zone is intended to provide optional methods of land development that encourage more imaginative solutions to environmental design problems and which is compatible with the surrounding or adjacent zones. It allows clustering of residences to focus development on the optimal parts of the property and preserve more sensitive areas, such as streams or slopes.
2. The property has a stream in the southern half of the property and a small area of HP (Hillside Protection) area in the southeast corner. The PR zone is an appropriate consideration in this context because it enables concentrated development away from the stream and steep slopes.

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 area immediately around the subject property is zoned A (Agricultural), with the exception of the PC (Planned Commercial) zoned property to the south, which accesses Rutledge Pike. The PC property is a soil mining operation and stone/gravel yard.
2. While the properties in the area are zoned A, many of them are non-conforming to the minimum 1-acre lot size in the A zone because they were created before the current zoning regulations were adopted. To the west, the properties on Presnell Road were platted in 1925 as little as 2,800 sqft. As lots were developed, several small lots were purchased to create larger lots. However, the smaller lots can still be developed. There are also several lots in the area that are 0.25 acres, which is the same density requested. The requested density is not anticipated to cause any adverse impacts as it is still considered low density residential and would likely yield lot sizes similar to some of those in the surrounding area.
3. Millertown Pike is a minor arterial street. If the rezoning is approved as requested and developed at a similar density, a transportation impact analysis will be required to determine if road improvements are warranted at the access point.
4. The northern portion of this property has soils considered "not significant farm soil". The area around the stream and south of the stream is largely "prime farm land" and "locally important soil". If the PR zoning is approved, conservation of the southern portion of the site is encouraged.

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 subject property is designated as the LDR (Low Density Residential) land use classification in the Northeast County Sector Plan, which allows consideration of the PR zone with a density of up to 5 du/ac in the Urban Growth Boundary of the Growth Policy Plan.
2. The requested zone is not in conflict with the General Plan or the Urban Growth Boundary of the Growth Policy Plan.
3. The proposal does not present any apparent conflicts with other adopted plans.

ESTIMATED TRAFFIC IMPACT: 1447 (average daily vehicle trips)

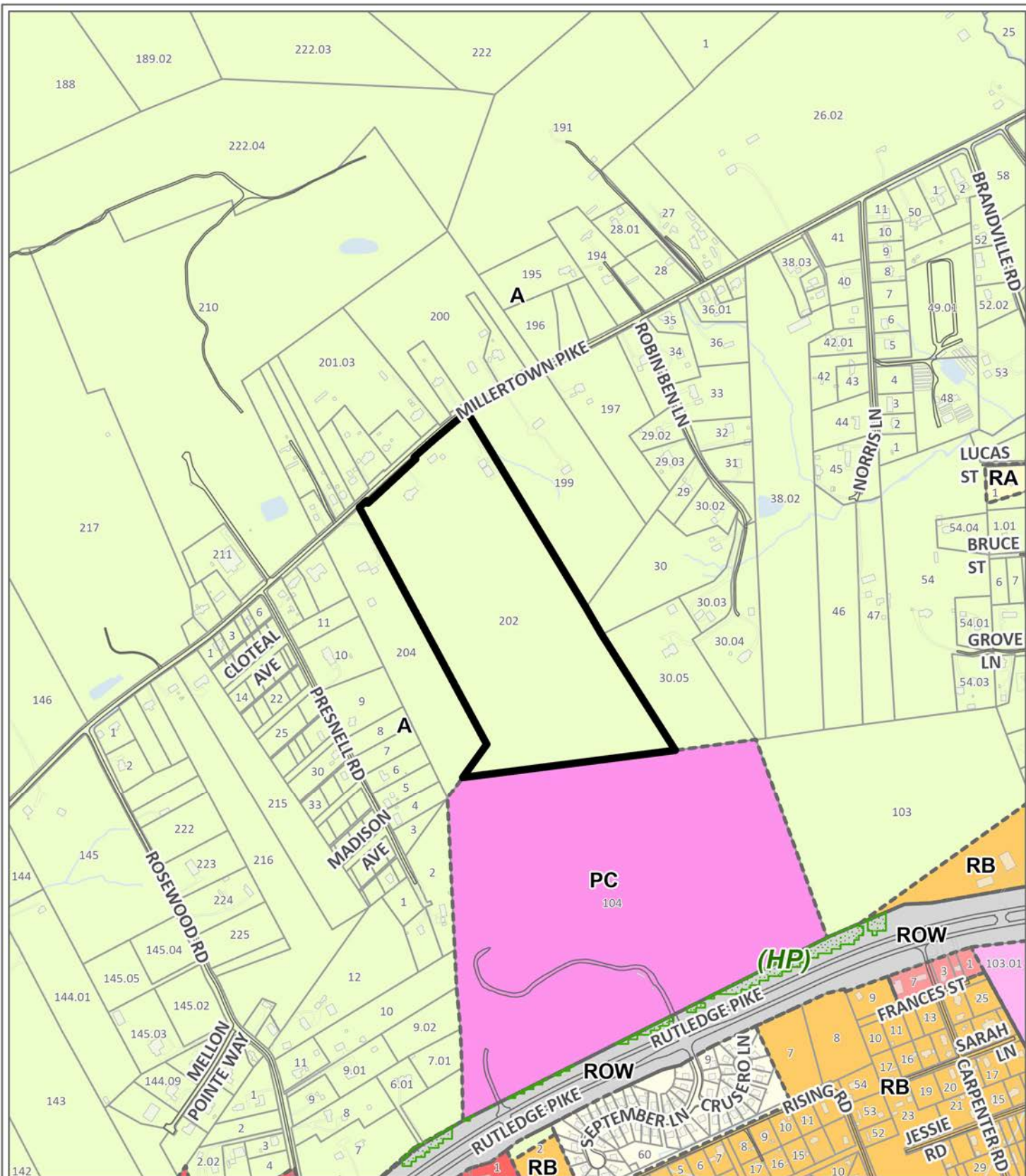
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 63 (public school children, grades K-12)

Schools affected by this proposal: East Knox County Elementary, Holston Middle, and Gibbs 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 8/28/2023. 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

7-Q-23-RZ

Petitioner: Homestead Land Holdings, LLC



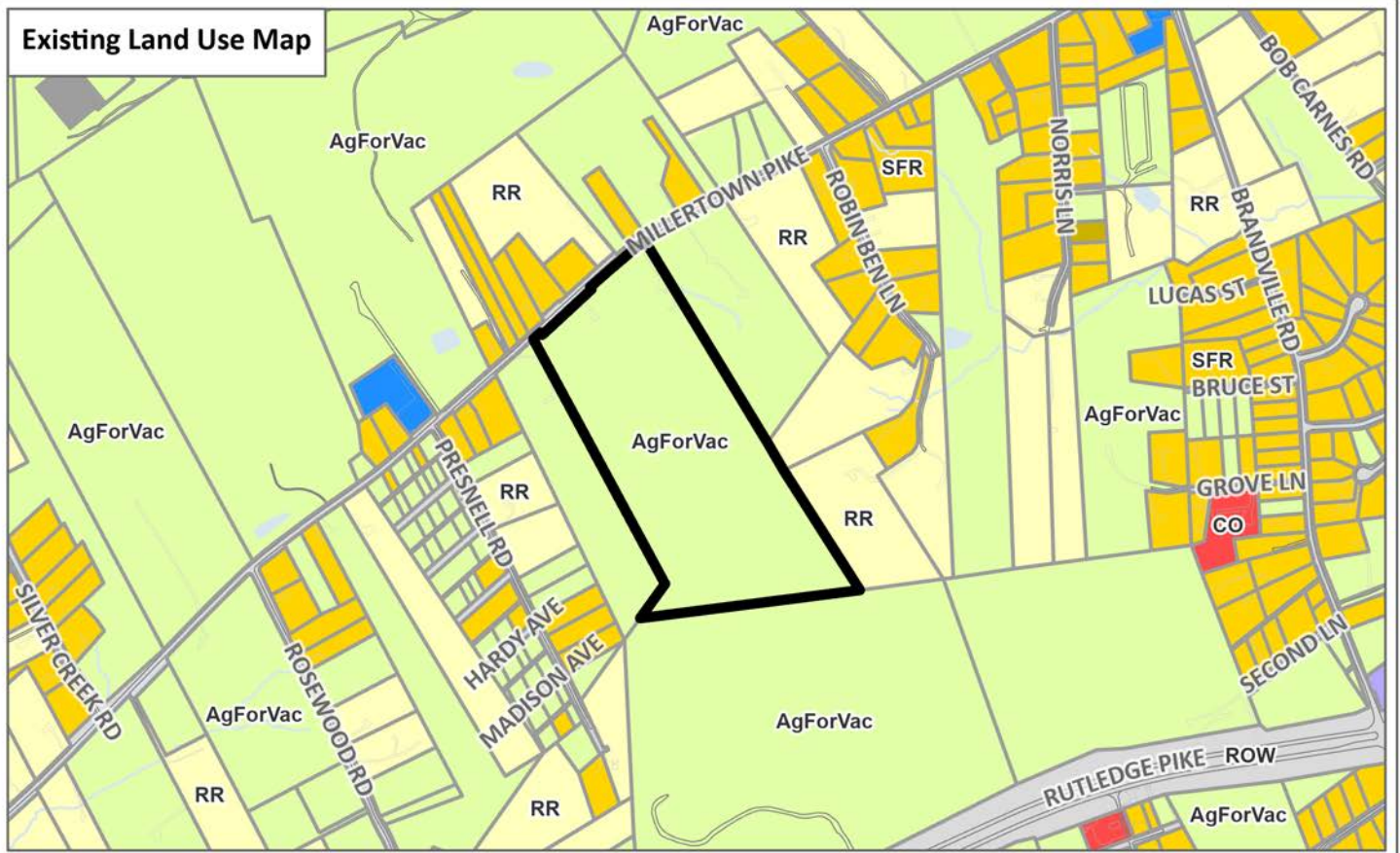
From: A (Agricultural)
To: PR (Planned Residential)

Map No: 50
Jurisdiction: County

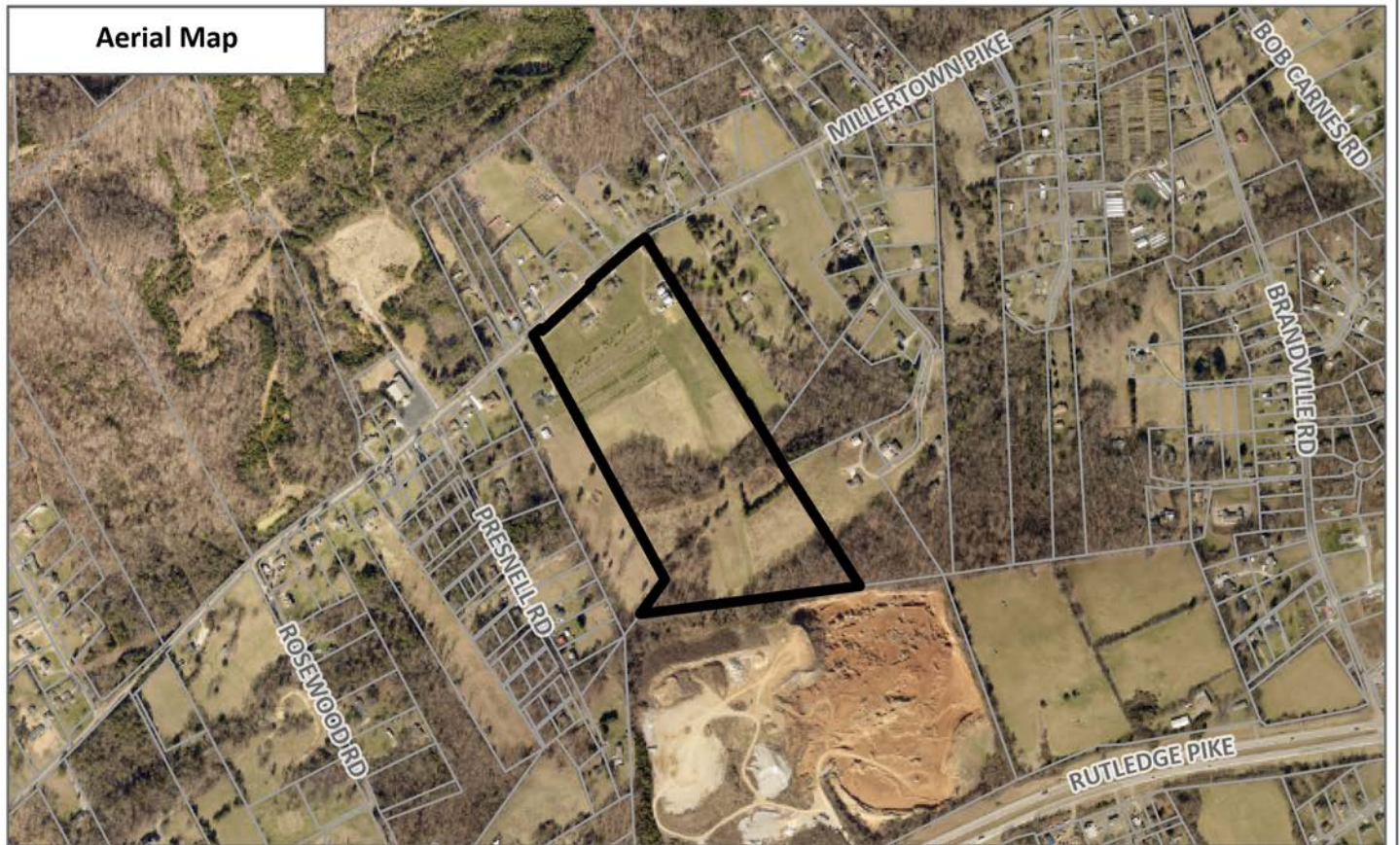
Original Print Date: 6/12/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



Existing Land Use Map



Aerial Map

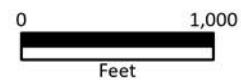


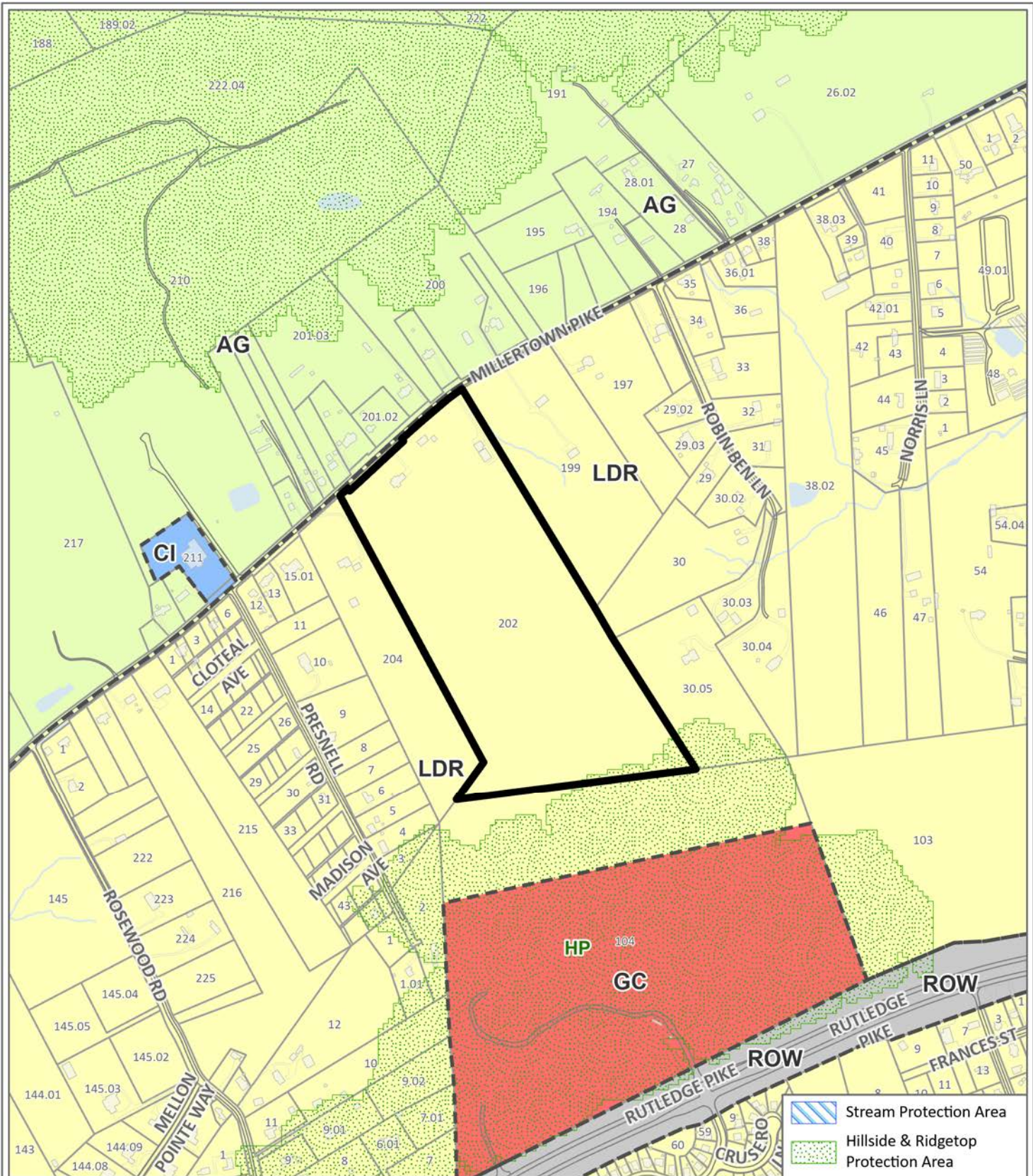
CONTEXTUAL MAPS

7-Q-23-RZ



Case boundary





NORTHEAST COUNTY SECTOR PLAN MAP

7-Q-23-RZ

Petitioner: Homestead Land Holdings, LLC



Case boundary

Original Print Date: 6/16/2023

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

Map No: 50

Jurisdiction: County





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

Homestead Land Holdings, LLC

Applicant Name

Affiliation

5/30/2023

Date Filed

7/13/2023

Meeting Date (if applicable)

7-Q-23-RZ

File Number(s)

CORRESPONDENCE

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

Russell N. Rackley Rackley Engineering

Name / Company

PO Box 30456 Knoxville TN 37930

Address

865-850-1535 / rnrackley@rackleyengineering.com

Phone / Email

CURRENT PROPERTY INFO

Michael Mayer

Owner Name (if different)

7336 Millertown Pike Knoxville TN

Owner Address

Owner Phone / Email

7336 MILLERTOWN PIKE

Property Address

50 202

Parcel ID

37.14 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utility District

Sewer Provider

Northeast Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

South of Millertown Pk., east of Presnell Rd.

General Location

City

Commission District 8

A (Agricultural)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

Northeast County

Planning Sector

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

Sector Plan Land Use Classification

Urban Growth Area (Outside City Limit)

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

4 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
\$2,507.00	
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: Homestead Land Holdings, LLC Please Print 5/30/2023 Date

Phone / Email: _____

Property Owner Signature: Michael Mayer Please Print 5/30/2023 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

Homestead Land Holdings, LLC

Option Holder

Applicant Name

Affiliation

5/30/23

July 13, 2023

File Number(s)

Date Filed

Meeting Date (if applicable)

7-Q-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

Russell N. Rackley

Rackley Engineering

Name

Company

PO Box 30456

Knoxville

TN

37930

Address

City

State

ZIP

865-850-1535

Rnrackley@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Mayer

7336 Millertown Pike

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7336 Millertown Pike

050 202

Property Address

Parcel ID

KUB

KUB

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

- Combine Parcels
- Divide Parcel

Unit / Phase Number _____

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements _____

ZONING REQUEST

Pending Plat File Number

Zoning Change **Planned Residential <4 du/ac**

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

<4 du/ac

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
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

 dotloop verified
05/22/23 8:33 AM EDT
VWCE-4PXV-9VZG-QH5L

David B. Fiser

05/22/23

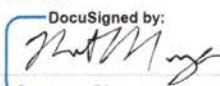
Applicant Signature

Please Print

Date

Phone Number _____

Email _____

DocuSigned by:


Michael Mayer

5/18/2023 | 2:48 PM PDT

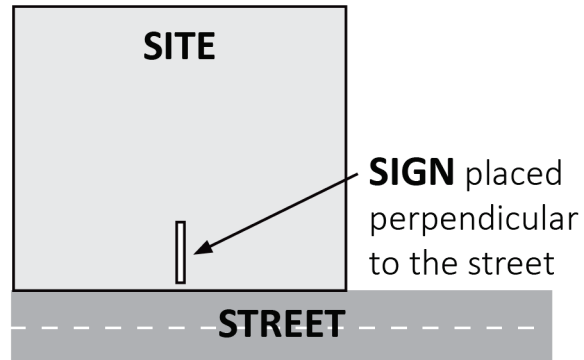
Property Owner Signature

Please Print

Date Paid

pd 5/30/2023 - MMP

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:

_____ 6/30/2023 _____ and _____ 7/14/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Russell Rackley

Date: 5/30/2023

File Number: 7-Q-23-RZ



Sign posted by Staff



Sign posted by Applicant