

REZONING REPORT

▶ **FILE #:** 6-C-23-RZ

AGENDA ITEM #: 9

AGENDA DATE: 6/8/2023

▶ **APPLICANT:** JUAN HERNANDEZ

OWNER(S): Francisco Hernandez

TAX ID NUMBER: 70 B A 012

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 3705 VALLEY VIEW DR

▶ **LOCATION:** **North side of Valley View Drive, east of Fairway Road, west of Vera Drive**

▶ **APPX. SIZE OF TRACT:** 1.54 acres

SECTOR PLAN: East City

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

ACCESSIBILITY: Access is via Valley View Drive, a major collector street with a 22-ft pavement width within a 45-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** **RN-1 (c) (Single-Family Residential Neighborhood)**

▶ **ZONING REQUESTED:** **RN-4 (c) (General Residential Neighborhood)**

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

▶
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Single-family residential - RN-1 (Single-Family Residential Neighborhood)

East: Single-family residential - RN-1 (Single-Family Residential Neighborhood)

West: Single-family residential - RN-1 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This property is part of the Alice Bell/Springhill residential community, which includes single-family and multifamily residences along the foothills of Sharp's Ridge.

STAFF RECOMMENDATION:

▶ **Approve RN-2 (c) (Single-Family Residential Neighborhood) zoning because it is consistent with the sector plan and surrounding development.**

COMMENTS:

The subject property is part of a previously approved planned district, which is designated with a (c). No development plan was pursued under the former planned district, and this designation will be submitted for administrative removal at the July 13th Planning Commission meeting (case 7-D-23-OB).

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. Over the past 16 years there has been a moderate increase in residential intensity within one-tenth of a mile of the subject property. Development of the Willow Place Condominiums to the west began in 2007, and the Heritage Park Subdivision to the east was completed in 2022. The densities of both developments are consistent with the dimensional standards of the RN-2 (Single-Family Residential Neighborhood) zoning district.
2. There is high demand and limited supply of housing options within the City of Knoxville. A rezoning to the RN-2 district would permit denser residential development to help meet this need.
3. The subject property is located along the northwest border of the active Alice Bell/Spring Hill Neighborhood Association. It is located along a major collector street served by transit, and it is within ½ mile of the Richard Leake Recreation Center and the Alice Bell swimming pool. The Whittle Springs Middle School is located a short distance to the west. The property is also equidistant from two service-oriented commercial nodes, approximately 1.3 miles to the east and west. These numerous assets support consideration of more residential intensity at this location that is compatible with surrounding development.

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

1. The applicant is requesting a rezoning to the RN-4 (General Residential Neighborhood) zoning district. The purpose of the RN-4 district is to accommodate mixed medium density residential development, including single-family, duplex, townhome and low-rise multifamily dwellings. It is intended for areas that are characterized by such mixed residential development.
2. The subject parcel's dimensions are approximately 667 feet in length and 100 feet in width. It is located among single-family lots on the north side of Valley View Drive with expansive, forested backyards that form the base of Sharp's Ridge. The minimum lot area standards of RN-4 zoning would permit special use consideration of up to 33 multifamily units on the subject parcel. This potential intensity of development would be out of character with neighboring properties, which are all zoned RN-1 (Single-Family Residential Neighborhood).
3. The RN-2 zoning district is intended for single-family residential development on relatively small lots, with duplexes permitted through special use approval by the Planning Commission. With the RN-2 district's minimum lot size standards, up to 12 units in the form of duplexes are possible.
4. RN-2 zoning would enable an increase in development potential on the lot while still having review measures in place to ensure compatibility with the surrounding neighborhood character.

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. In the RN-2 district, the duplex housing form would go through the special use review process with the Planning Commission to ensure development plans are in harmony with the neighborhood character and adopted plans for the area. Plans would be made available for the general public to provide input prior to the Planning Commission's decision.
2. There are no adverse impacts anticipated to occur with the RN-2 zoning district.

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 East City Sector Plan's MDR (Medium Density Residential) land use classification permits consideration of residential zoning up to the RN-4 district. The recommended RN-2 zoning district is consistent with this designation.
2. The General Plan's development policy 8.1 encourages growth in the existing urban area, and infill developments on vacant lots that are compatible with the surrounding neighborhood in scale, size and site layout. The recommended RN-2 district is consistent with the General Plan.
3. There are no other adopted plans that conflict with the rezoning recommendation of RN-2.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. The subject property is in an established neighborhood that has the necessary infrastructure to accommodate further residential development.

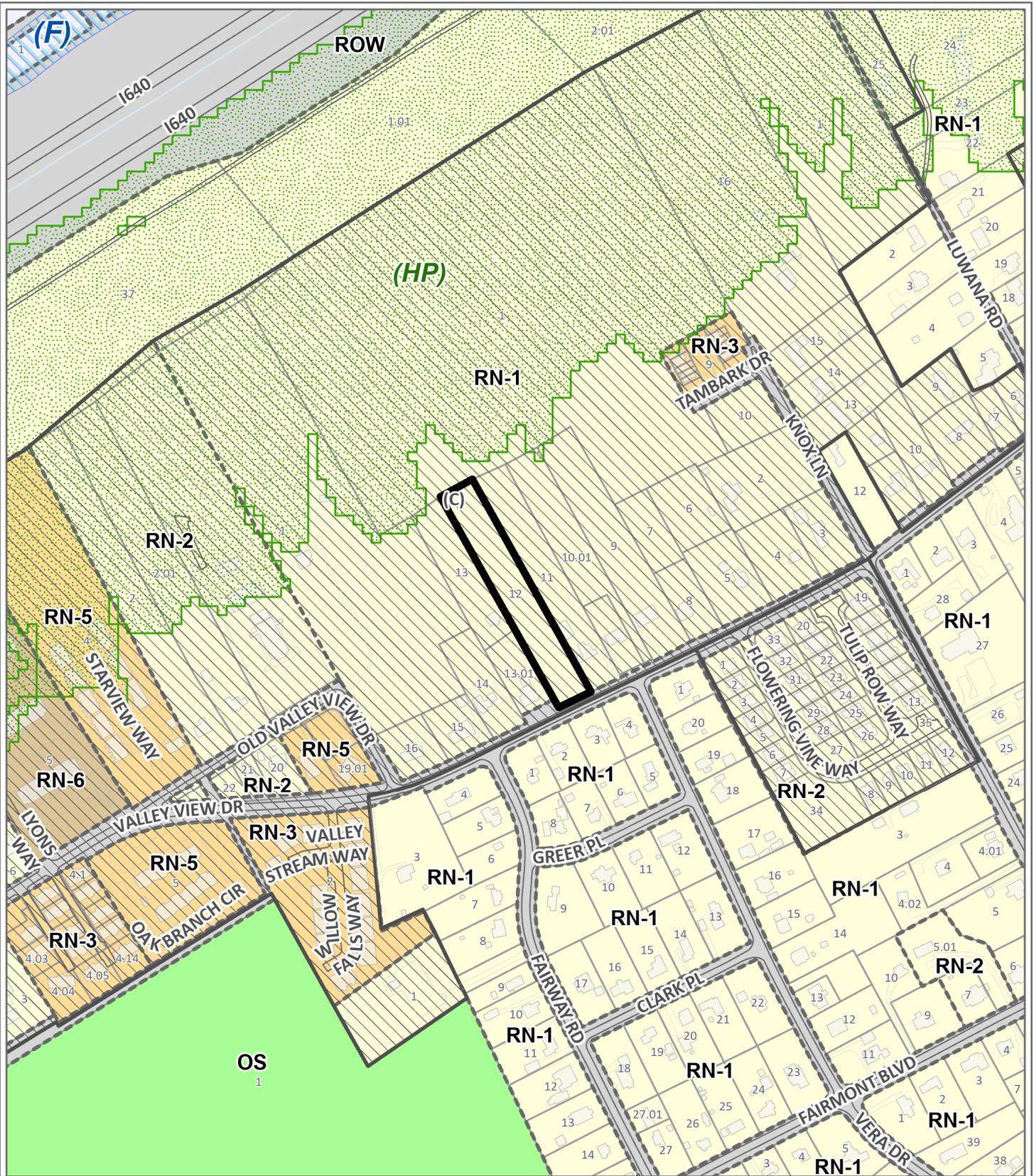
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Spring Hill Elementary, Whittle Springs Middle, and Fulton 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 7/11/2023 and 7/25/2023. 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

6-C-23-RZ

Petitioner: Juan Hernandez



From: RN-1 (Single-Family Residential Neighborhood), PD (Planned Development)
To: RN-4 (General Residential Neighborhood)

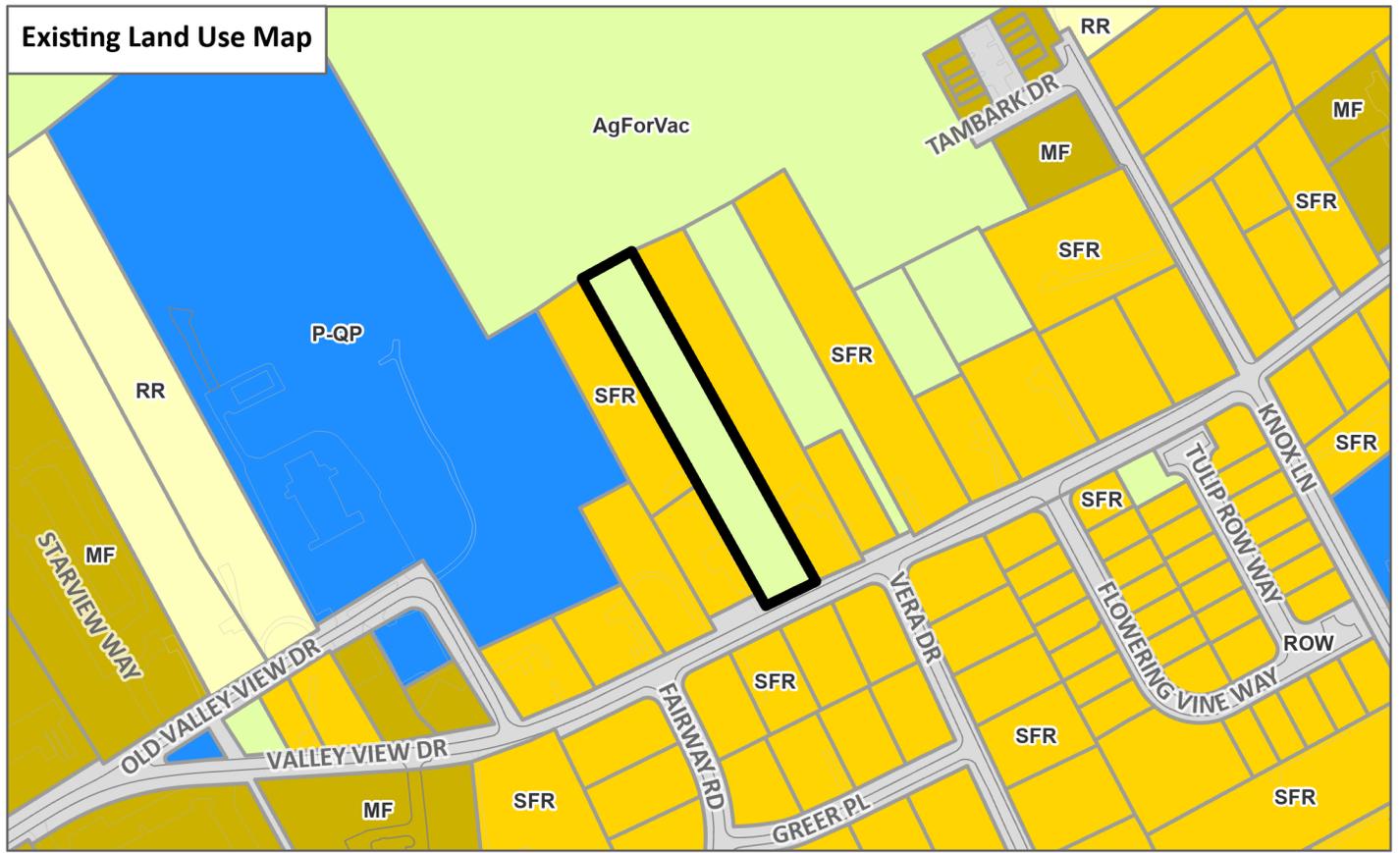
Map No: 70
Jurisdiction: City

Original Print Date: 5/15/2023

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



Existing Land Use Map



Aerial Map

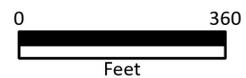


CONTEXTUAL MAPS

6-C-23-RZ



Case boundary





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

Juan Hernandez

Applicant Name

Affiliation

4/18/2023

Date Filed

6/8/2023

Meeting Date (if applicable)

6-C-23-RZ

File Number(s)

CORRESPONDENCE

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

Juan Hernandez H&A Builders, LLC

Name / Company

6129 Babelay Rd Knoxville TN 37924

Address

865-200-7707 / HABUILDERS3@GMAIL.COM

Phone / Email

CURRENT PROPERTY INFO

Francisco Hernandez

Owner Name (if different)

6129 Babelay Rd KNOXVILLE TN 37924

Owner Address

Owner Phone / Email

3705 VALLEY VIEW DR

Property Address

70 B A 012

Parcel ID

Part of Parcel (Y/N)?

1.54 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Valley View Drive, east of Fairway Road, west of Vera Drive

General Location

City

Council District 4

RN-1 (c) (Single-Family Residential Neighborhood)

Agriculture/Forestry/Vacant Land

County

District

Zoning District

Existing Land Use

East City

Planning Sector

MDR (Medium Density Residential)

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

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change RN-4 (c) (General 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 <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	Juan Hernandez Please Print	4/18/2023 Date
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Phone / Email		
Property Owner Signature	Francisco Hernandez Please Print	4/18/2023 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

JUAN HERNANDEZ

Applicant Name

Affiliation

04/17/23

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

JUAN HERNANDEZ

H&A BUILDERS, LLC

Name

Company

6129 BABELAY RD

KNOXVILLE

TN

37924

Address

City

State

ZIP

(865) 200-7707

HABUILDERS3@GMAIL.COM

Phone

Email

CURRENT PROPERTY INFO

FRANCISCO HERNANDEZ

6129 BABELAY RD

(865) 200-7707

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

3705 VALLEY VIEW DR

070ba012

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 _____

Combine Parcels
 Divide Parcel
 Unit / Phase Number _____

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change
 Proposed Zoning **RN-4**

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


Applicant Signature

JUAN HERNANDEZ

Please Print

04/17/23

Date

(865) 200-7707

Phone Number

HABUILDERS3@GMAIL.COM

Email


Property Owner Signature

FRANCISCO HERNANDEZ

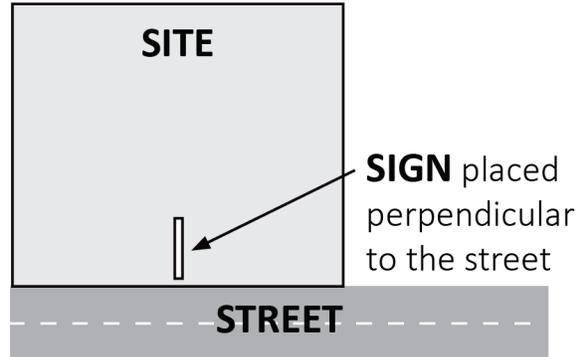
Please Print

04/17/23

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.

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: Juan Hernandez

Date: 4/18/2023

File Number: 6-C-23-RZ

- Sign posted by Staff
- Sign posted by Applicant