

# REZONING REPORT

▶ **FILE #:** 6-H-23-RZ

**AGENDA ITEM #:** 26

**AGENDA DATE:** 6/8/2023

▶ **APPLICANT:** ROY ANDERSON AND STEPHEN PADGETT

OWNER(S): Roy Anderson

TAX ID NUMBER: 26 057

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 842 E RACCOON VALLEY DR

▶ **LOCATION:** Southeast side of Raccoon Valley Dr, east of Raccoon Woods Rd

▶ **APPX. SIZE OF TRACT:** 12.5 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Raccoon Valley Drive, a major arterial with a 19-ft pavement width inside a 50-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Bullrun Creek

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

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

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

▶ **DENSITY PROPOSED:** 5 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Public/quasi-public land - A (Agricultural)

South: Agriculture/forestry/vacant - A (Agricultural)

East: Single family residential and agriculture/forestry/vacant - CA (General Business)

West: Agriculture/forestry/vacant - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural and rural to low-density residential uses, though there an industrial node is nearby at the I-75 interchange.

## STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone with up to 3.5 du/ac because it is consistent with the sector plan designation and with surrounding development, subject to one condition.**

### ZONING CONDITION:

1) The portion of the parcel with slopes of 25% or greater shall be left undisturbed, as delineated in the slope analysis map.

### 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. The area has been transitioning from the A (Agricultural) zone to various residential, commercial, and industrial zones since the late 1980s. Surrounding subdivisions off of E Raccoon Valley Drive are zoned RA (Low Density Residential) and PR (Planned Residential) with up to 3.5 du/ac.

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 options for residential development and allows clustering of residences to focus development on the optimal parts of the property to preserve more sensitive areas, such as steep slopes.  
2. The rear of the subject property is within the HP (Hillside Protection) area. The PR zone is an appropriate consideration in this context because it enables concentrated development away from the ridge line.

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. Due to the mix of uses along this stretch of E Raccoon Valley Drive, no adverse impacts are anticipated from additional PR zoning of a similar density to that nearby. The site is located near an industrial node at the I-75 interchange on E Raccoon Valley Drive. The land use transitions from industrial uses to commercial and residential uses as the parcels get farther from the interstate.  
2. Residential zones in the area consist of RA, the minimum lot size of which would yield 4 du/ac, and PR with a density of up to 3.5 du/ac. The recommended 3.5 du/ac is more consistent with surrounding development than the requested 5 du/ac.  
3. The site is constrained, with a blue-line stream crossing the site approximately midway through the parcel and steep slopes of over 25% at the rear of the parcel. The slope analysis recommends a disturbance area of 2.96 acres within the HP portion of the site, and a density of 2.73 du/ac for the property, the combination of which yields 36 dwellings.  
4. Clearing and grading this portion of the property could result in erosion and increased stormwater pollution. Considering these adverse effects, staff recommends approving the PR zone at the requested density with the condition that the area with slopes of 25% or higher be left undisturbed, as shown on the slope analysis map. This condition is supported by the following development policies of the General Plan: 1) Rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process [10.4]; 2) Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat [9.2]; and 3) Provide incentives for conservation subdivisions to set aside large portions of open space and protect natural resources [9.4].  
5. The PR zone requires development plan approval by the Planning Commission prior to construction. This will allow 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.  
6. E Raccoon Valley Drive is classified as a major arterial, so no traffic would be required through residential streets to reach this site.

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 Northwest County Sector Plan, which allows consideration of the PR zone with a density of up to 5 du/ac in the County's Planned Growth Area of the Growth Policy Plan.  
2. The PR zone with up to 3.5 du/ac is supported by the General Plan, as is the condition to preserve the sloped area.  
3. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 650 (average daily vehicle trips)

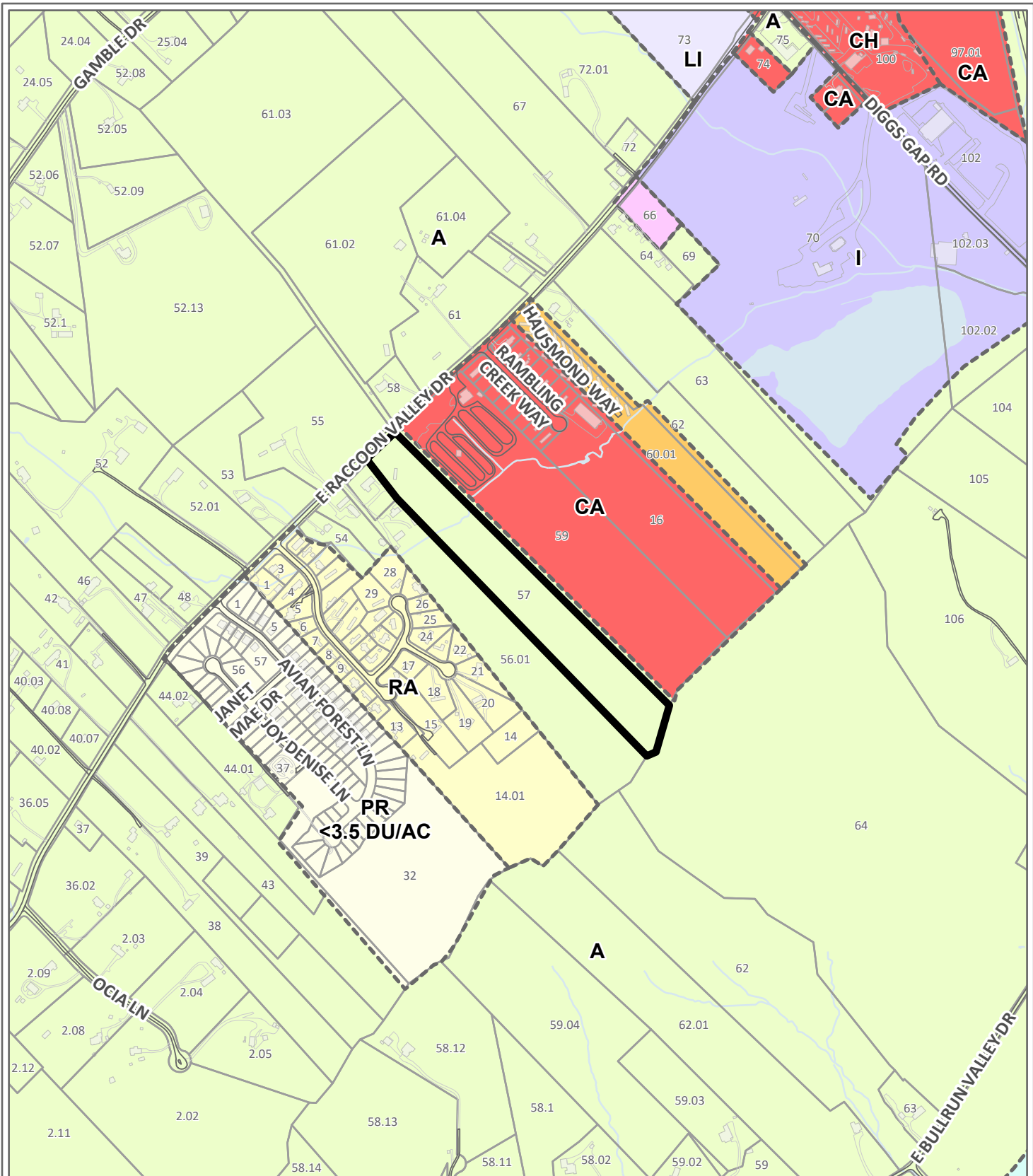
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 26 (public school children, grades K-12)

Schools affected by this proposal: Copper Ridge Elementary, Powell Middle, and Powell 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 7/24/2023. 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**

**6-H-23-RZ**

**Petitioner:** Roy Anderson and Stephen Padgett



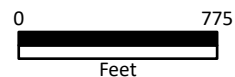
**From:** A (Agricultural)  
**To:** PR (Planned Residential)

**Map No:** 26

**Jurisdiction:** County

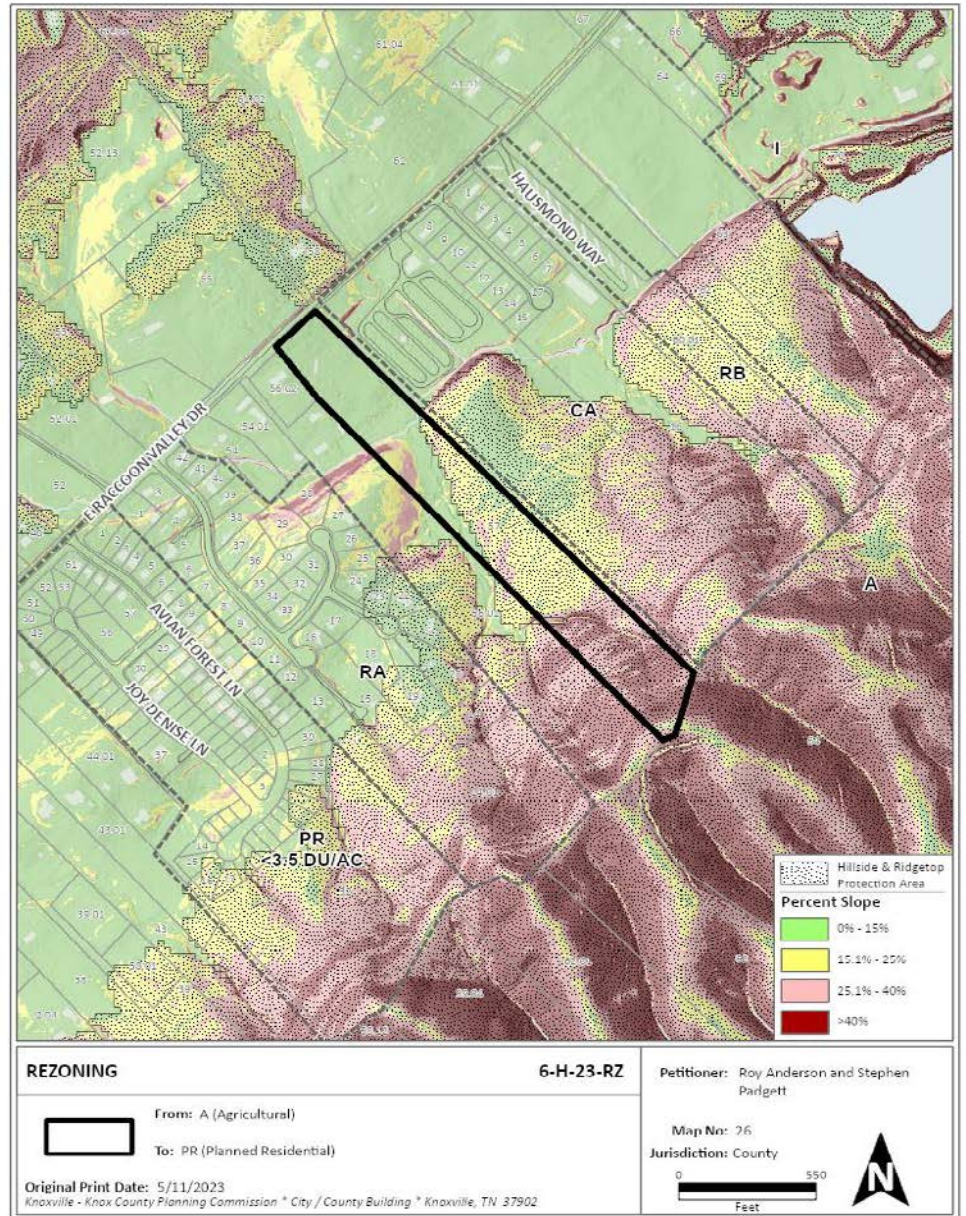
**Original Print Date:** 5/9/2023

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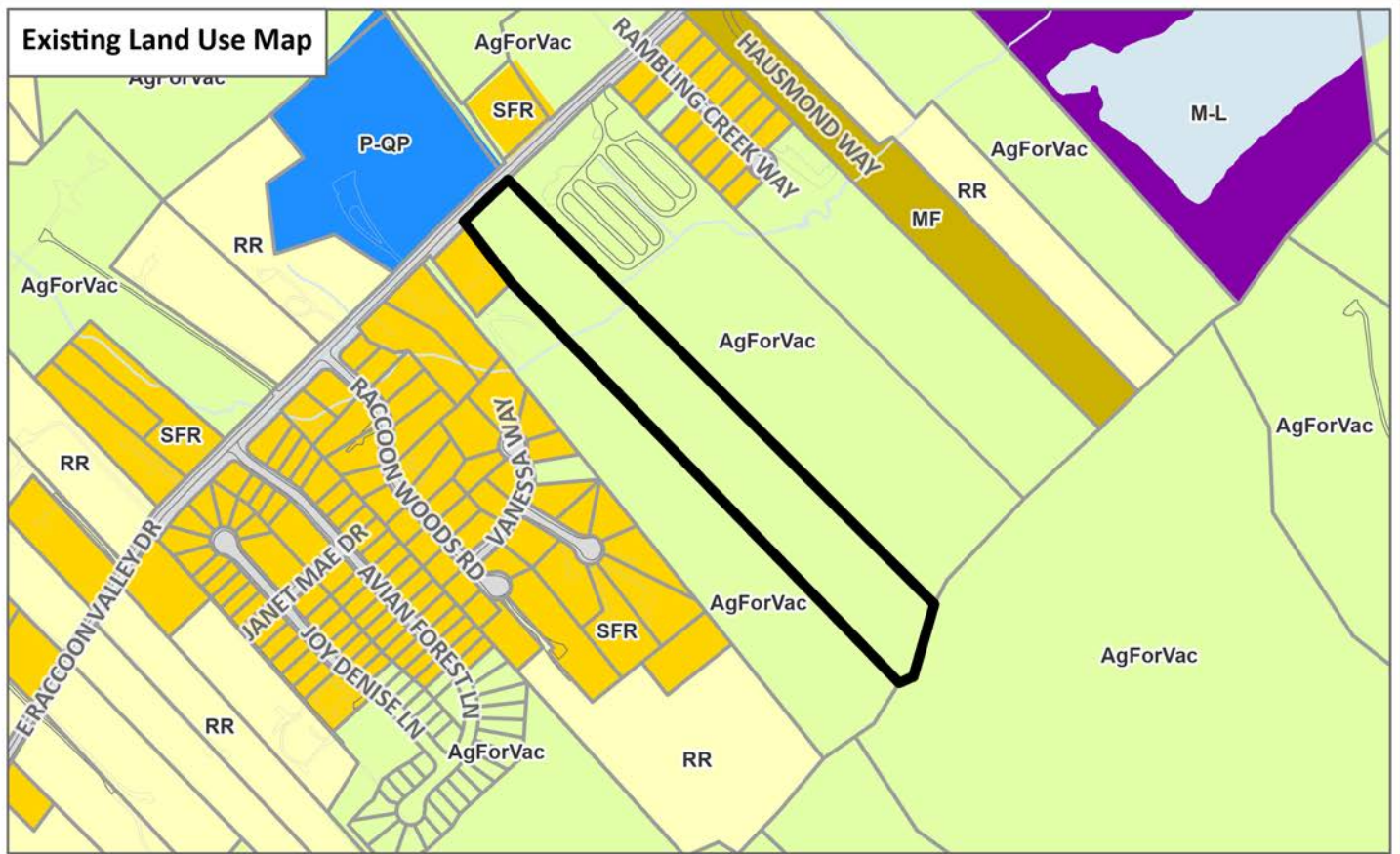


CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>13.41</b>		
Non-Hillside	5.16	N/A	
0-15% Slope	0.66	100%	0.7
15-25% Slope	3.34	50%	1.7
25-40% Slope	2.07	20%	0.4
Greater than 40% Slope	2.19	10%	0.2
Ridgetops			
<b>Hillside Protection (HP) Area</b>	8.25	Recommended disturbance budget within HP Area (acres)	<b>2.96</b>
		Percent of HP Area	<b>0.36</b>

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	5.16	5.00	25.8
0-15% Slope	0.66	4.00	2.62
15-25% Slope	3.34	2.00	6.68
25-40% Slope	2.07	0.50	1.04
Greater than 40% Slope	2.19	0.20	0.44
Ridgetops	0.00	3.00	0.00
<b>Subtotal: Sloped Land</b>	<b>8.25</b>		<b>10.77</b>
<b>Maximum Density Guideline (Hillside &amp; Ridgetop Protection Plan)</b>	<b>13.41</b>	<b>2.73</b>	<b>36.57</b>
<b>Proposed Density (Applicant)</b>	<b>13.41</b>		<b>0.00</b>



**Existing Land Use Map**



**Aerial Map**

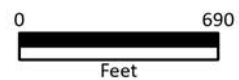


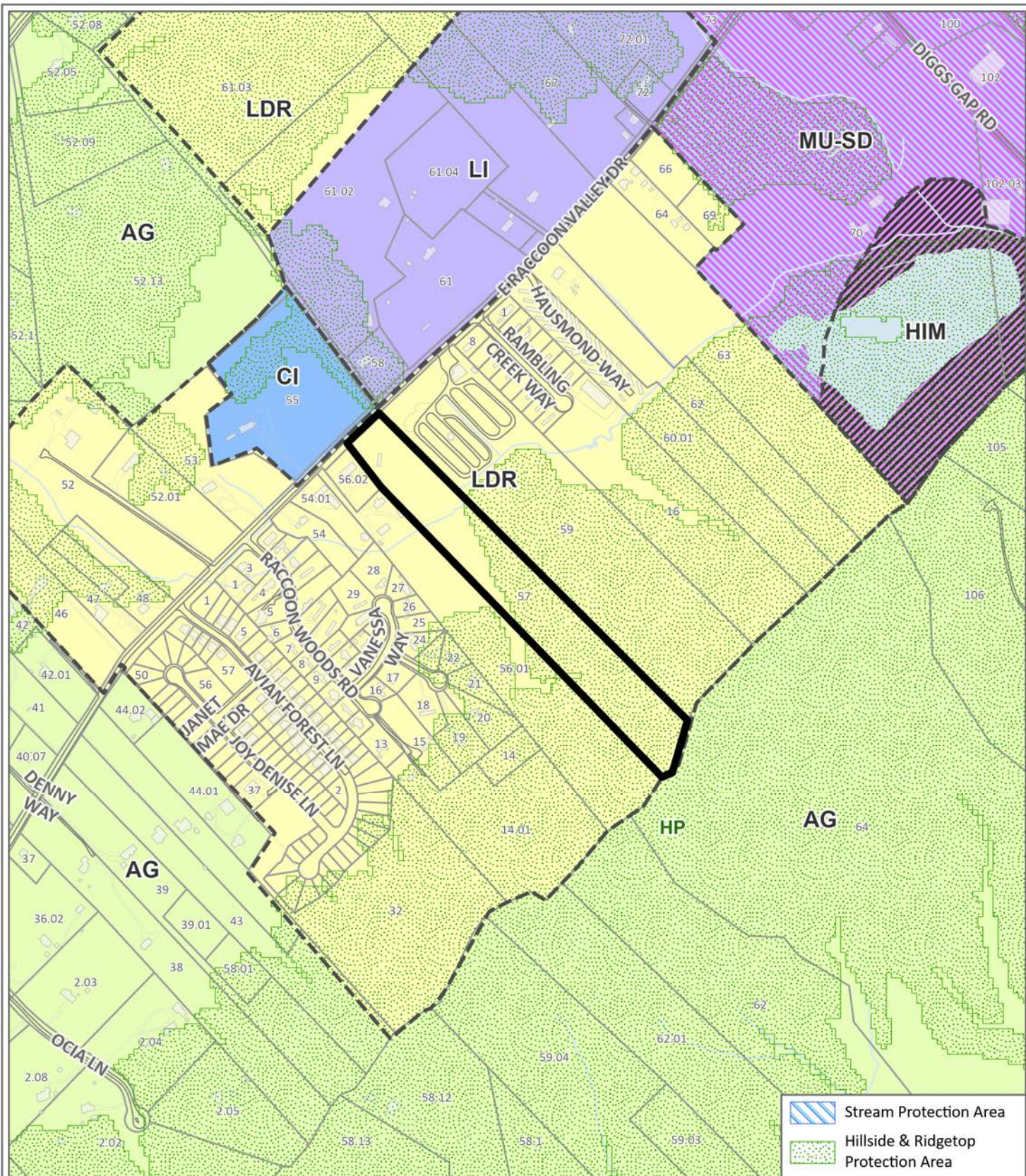
**CONTEXTUAL MAPS**

6-H-23-RZ



Case boundary





**NORTH COUNTY SECTOR PLAN MAP**

**6-H-23-RZ**

**Petitioner:** Roy Anderson and Stephen Padgett



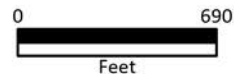
Case boundary

**Map No:** 26

**Jurisdiction:** County

**Original Print Date:** 5/16/2023

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





# 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

**Roy Anderson and Stephen Padgett**

Applicant Name Affiliation

**4/24/2023** **6/8/2023** **6-H-23-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.*

**Roy Anderson**

Name / Company

**235 Lovely Bluff Rd Rocky Top TN 37769**

Address

**865-201-1390 / andersonbuilders1964@gmail.com**

Phone / Email

## CURRENT PROPERTY INFO

**Roy Anderson** **235 Lovely Bluff Rd Rocky Top TN 37769** **865-201-1390 / andersonbuilde**  
 Owner Name (if different) Owner Address Owner Phone / Email

**842 E RACCOON VALLEY DR**

Property Address

**26 057** **12.5 acres**  
 Parcel ID Part of Parcel (Y/N)? Tract Size

**Hallsdale-Powell Utility District** **Hallsdale-Powell Utility District**  
 Sewer Provider Water Provider Septic (Y/N)

## STAFF USE ONLY

**Southeast side of Raccoon Valley Dr, east of Raccoon Woods Rd**

General Location

City **Commission District 7** **A (Agricultural)** **Agriculture/Forestry/Vacant Land**  
 County District Zoning District Existing Land Use

**North County** **LDR (Low Density Residential), HP (Hillside Protection)** **Planned Growth Area**  
 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	
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)

### 5 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>\$1,275.00</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: **Roy Anderson and Stephen Padgett**    Date: **4/24/2023**  
Please Print

Phone / Email

Property Owner Signature: **Roy Anderson**    Date: **4/24/2023**  
Please Print



# 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

Roy Anderson and Stephen Padgett

Applicant Name

Affiliation

04/20/2023

06/08/2023

File Number(s)

Date Filed

Meeting Date (if applicable)

6-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

Roy Anderson and Stephen Padgett

Name

Company

235 lovely bluff road

Rocky Top

TN

37769

Address

City

State

ZIP

8652011390

andersonbuilders1964@gmail.com

Phone

Email

### CURRENT PROPERTY INFO

Roy Anderson and Stephen Padgett

235 lovely bluff rd Rocky Top Tn 37769

8652011390

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

842 East Raccoon Valley Drive, Heiskell TN 37754

026 057

Property Address

Parcel ID

Hallsdale Powell

Hallsdale Powell

n

Sewer Provider

Water Provider

Septic (Y/N)

### STAFF USE ONLY

Southeast side of Raccoon Valley Dr, east of Raccoon Woods Rd

12.5 acres

General Location

Tract Size

City  County

7th

A (Agricultural)

Agriculture/forestry/vacant

District

Zoning District

Existing Land Use

North County

LDR & HP

Planned Growth

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 \_\_\_\_\_

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

**Planned Residential**

Proposed Zoning \_\_\_\_\_

- Plan Amendment Change

Proposed Plan Designation(s) \_\_\_\_\_

**5 per Acre**

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	Residential rezoning	Total
0802		<b>\$1,275</b>
Fee 2		
Fee 3		

MR

### AUTHORIZATION

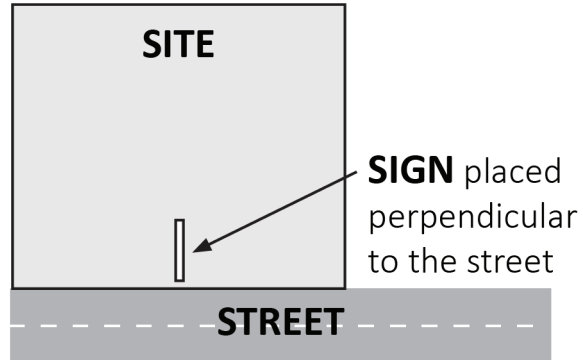

  
 Applicant Signature \_\_\_\_\_ Please Print Roy Anderson and Stephen Padgett Date 04/20/2023

8652011390 \_\_\_\_\_ andersonbuilders1964@gmail.com  
 Phone Number \_\_\_\_\_ Email


  
 Property Owner Signature \_\_\_\_\_ Please Print Roy Anderson and Stephen Padgett Date 04/20/2023

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: Stephen Padgett & Roy Anderson

Date: 4/24/2023

File Number: 6-H-23-RZ

- Sign posted by Staff
- Sign posted by Applicant