

REZONING REPORT

▶ **FILE #:** 3-C-23-RZ

AGENDA ITEM #: 21

AGENDA DATE: 3/9/2023

▶ **APPLICANT:** JONATHAN LAYMAN

OWNER(S): Jonathan Layman Layman Brothers Partnership

TAX ID NUMBER: 79 J A 011

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 BEAVER RIDGE RD

▶ **LOCATION:** **Northeast corner of Beaver Ridge Rd & Oak Ridge Hwy, east of Schaad Rd**

▶ **APPX. SIZE OF TRACT:** **0.63 acres**

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access is via Beaver Rdige Rd, a local street with a 23-ft pavement width within a 43-ft to 65-ft right-of-way. Access is also via Oak Ridge Hwy, a major arterial street with an 80-ft pavement width within a 112-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Grassy Creek

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

▶ **ZONING REQUESTED:** **RB (General Residential)**

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

▶
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

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

South: Public, quasi-public - CA (General Business)

East: Single family residential - A (Agricultural)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is located at the edge of a single family residential neighborhood near a commercial node along Oak Ridge Highway.

STAFF RECOMMENDATION:

▶ **Approve the RB (General Residential) zone because it is consistent with the sector plan and surrounding development supports more residential intensity, subject to 2 conditions.**

Zoning Conditions:

1. Preserving vegetation along the slope that exceeds 25% at the rear border of the property, as shown in red in the attached slope analysis.

2. Maintaining a 20-ft vegetative buffer along the property lines that abut single family residential homes if proposed residential development on the subject property exceeds 5 dwelling units per acre.

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 surrounding the subject property has seen numerous upgrades and developments to support consideration of more residential intensity on the subject property.
2. The Grassy Creek shopping center is a service-oriented commercial node in development 1/4 mile west of the subject property. A large grocery store and gas service station are complete and operational at this stage.
3. The subject property is located along Oak Ridge Highway, a major arterial street that was upgraded in 2016 with sidewalks and additional lanes. A new intersection at Schaad Rd and Oak Ridge Highway was constructed in 2008, where the shopping center is located, and it provides signalized crosswalks for pedestrian access to this amenity.

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

1. The RB (General Residential) zone is intended for medium density residential development. A multi-dwelling project with up to 12 dwelling units per acre is permitted by right. Considering the subject property's short distance from a major arterial street providing walking access to a commercial node, the RB zone is an appropriate consideration at this location.

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. It is important to note that the subject property is located at the edge of a single family neighborhood, with close proximity to Oak Ridge Highway. This location should protect nearby residents from undue traffic congestion along the local residential street of Beaver Ridge Rd.
2. The property is forested and within the Hillside Protection (HP) area, but 94% of the parcel has slopes below a 25% grade. Any future development plan will be reviewed by County Engineering to address stormwater management issues.
3. With staff's recommended conditions regarding slope protection and vegetative buffers, there are no adverse impacts anticipated with the proposed rezoning to RB.

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 has a LDR (Low Density Residential) land use classification in the Northwest City Sector Plan. The RB zone is listed as an alternative zone that can be considered.
2. The proposed rezoning is consistent with the subject property's location in the Urban Growth Boundary of the Growth Policy Plan.
3. The requested RB zone is not in conflict with the General Plan or any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

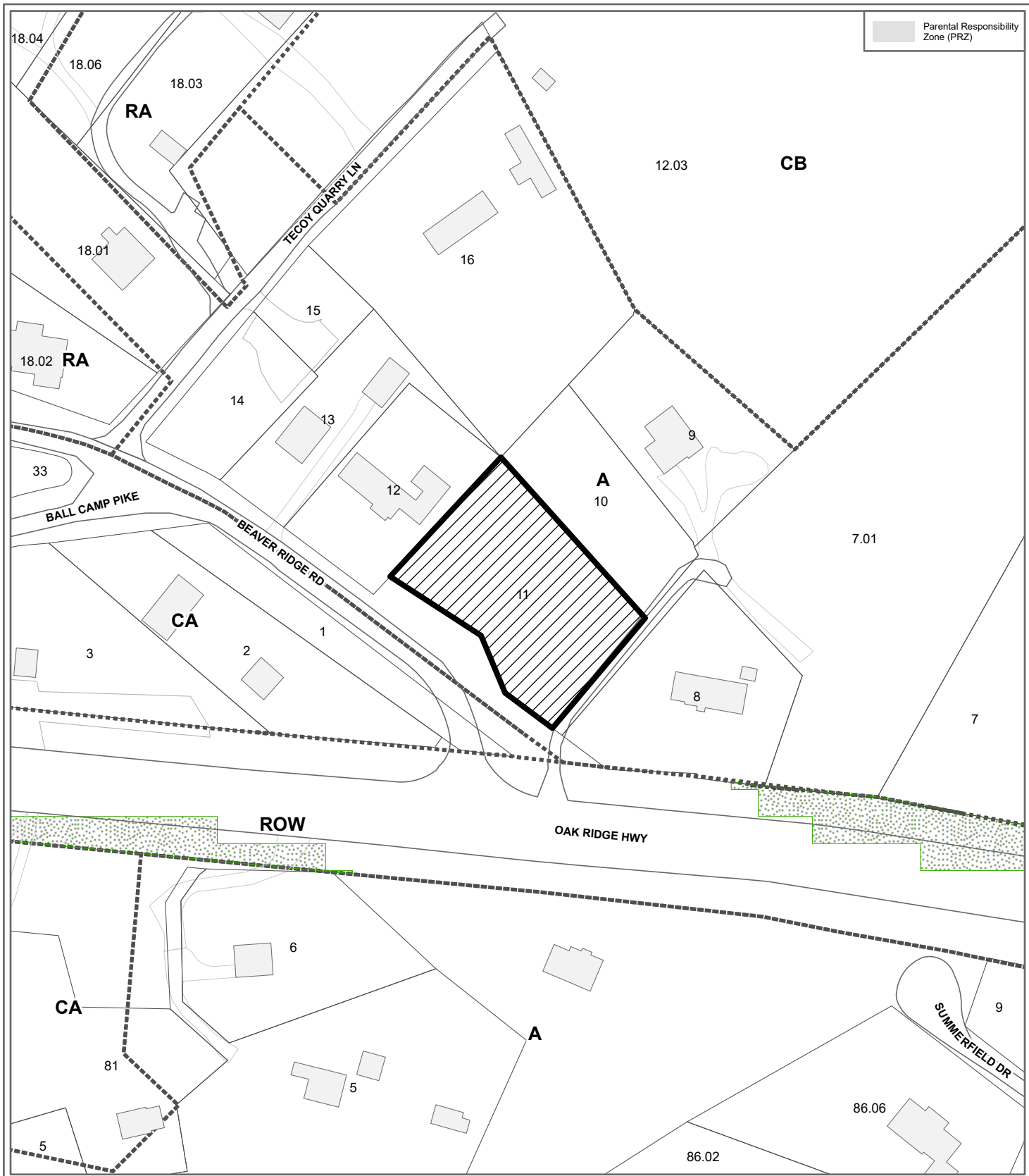
ESTIMATED STUDENT YIELD: Not applicable.

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 4/24/2023. 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.



**3-C-23-RZ
REZONING**

From: A (Agricultural)

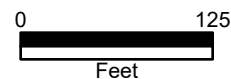
To: RB (General Residential)



Petitioner: Jonathan Layman

Map No: 79

Jurisdiction: County



Original Print Date: 2/14/2023

Revised:

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

CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	27,338	0.63			
Non-Hillside	5,745	0.13	N/A		
0-15% Slope	10,448	0.24	100%	10,448	0.24
15-25% Slope	9,654	0.22	50%	4,827	0.11
25-40% Slope	1,472	0.03	20%	294	0.01
Greater than 40% Slope	19	0.0004	10%	2	0.00004
Ridgetops					
Hillside Protection (HP) Area	21,593	0.50	Recommended disturbance budget within HP Area	15,572	0.36
			Percent of HP Area	0.7	

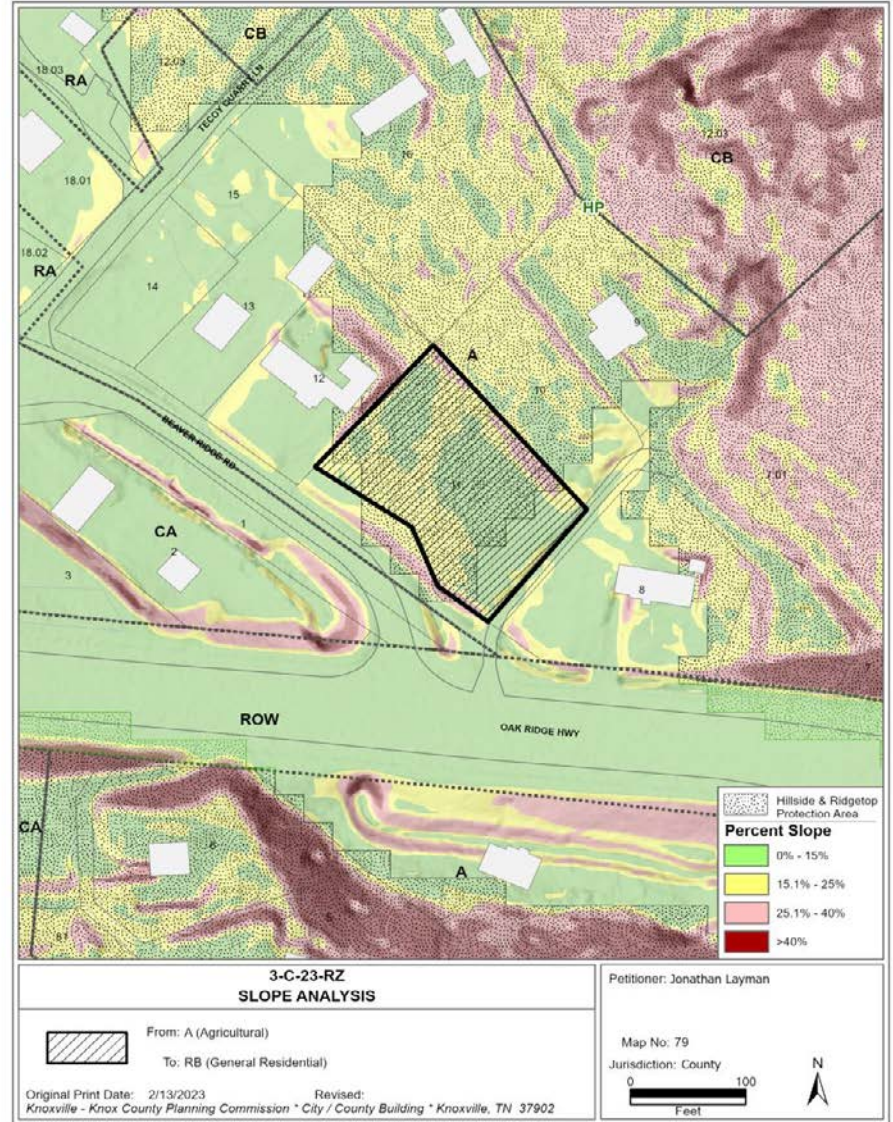
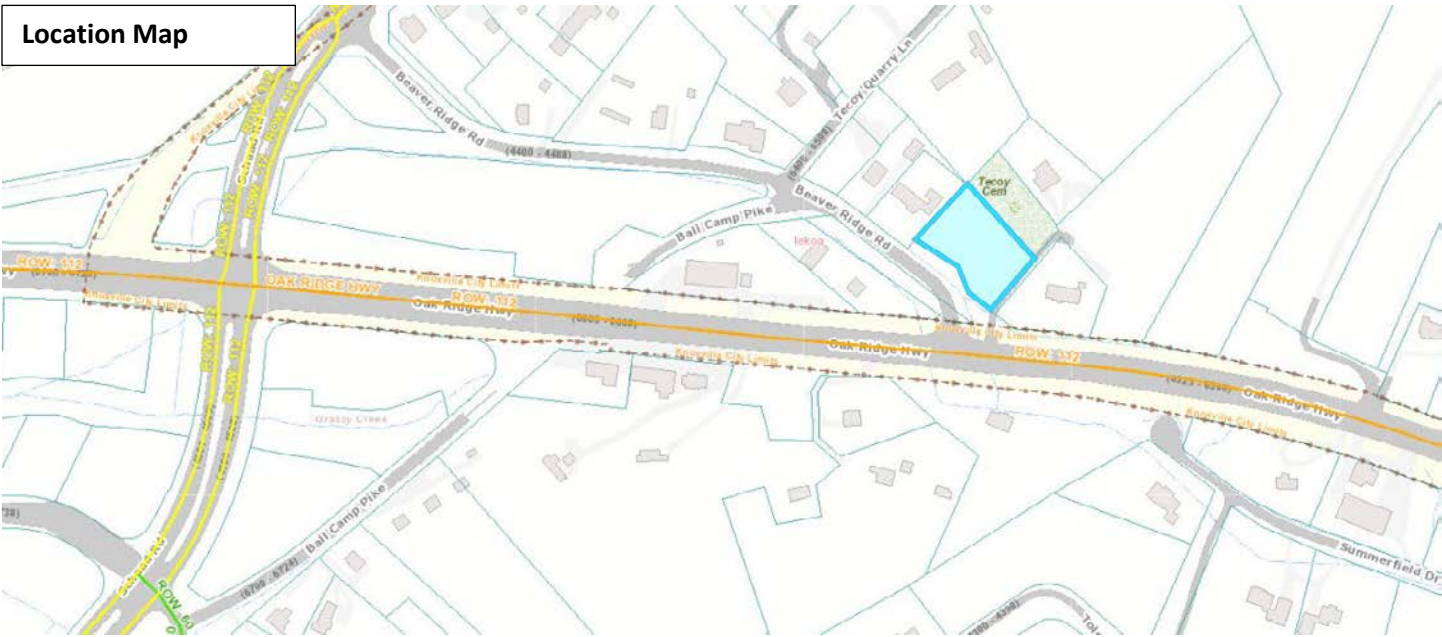


Exhibit A. 3-C-23-RZ Context Images

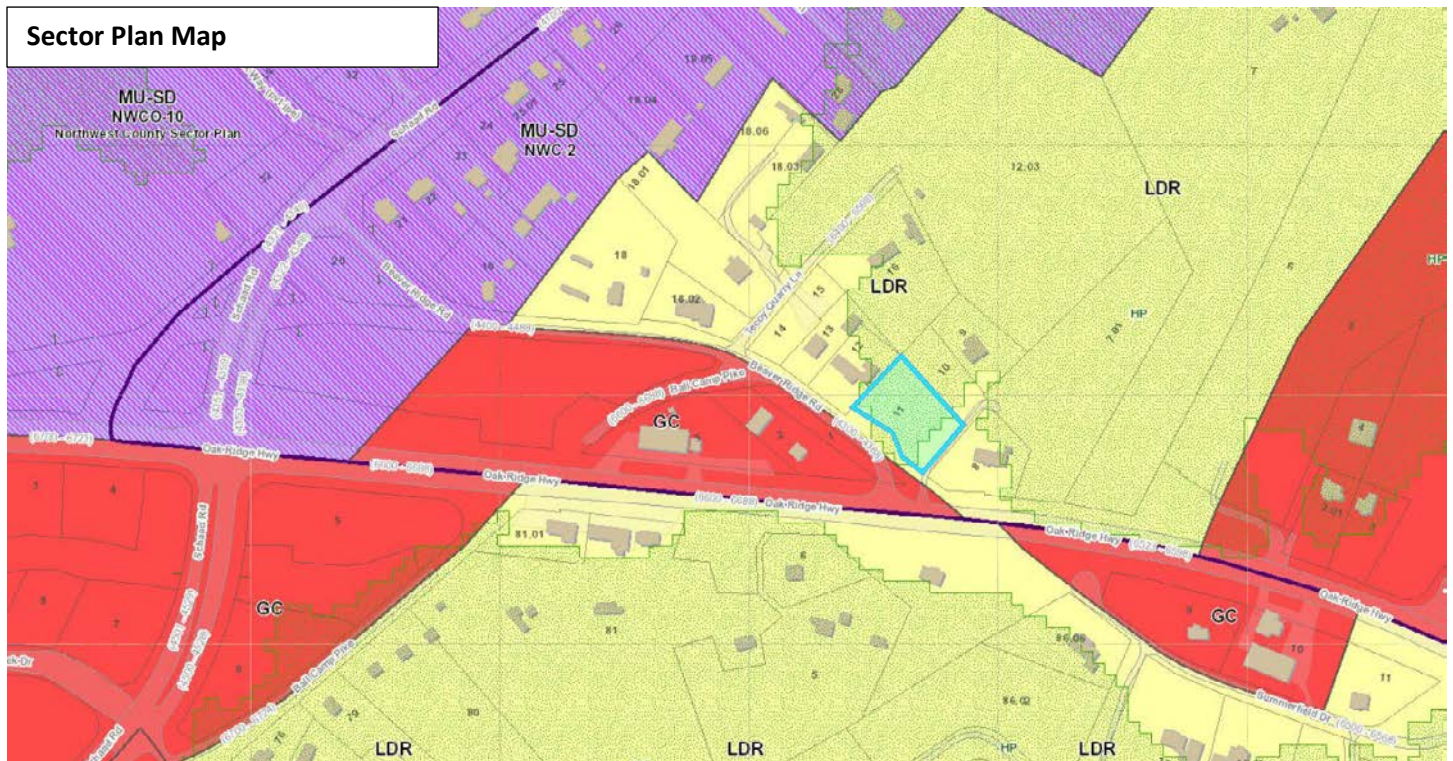
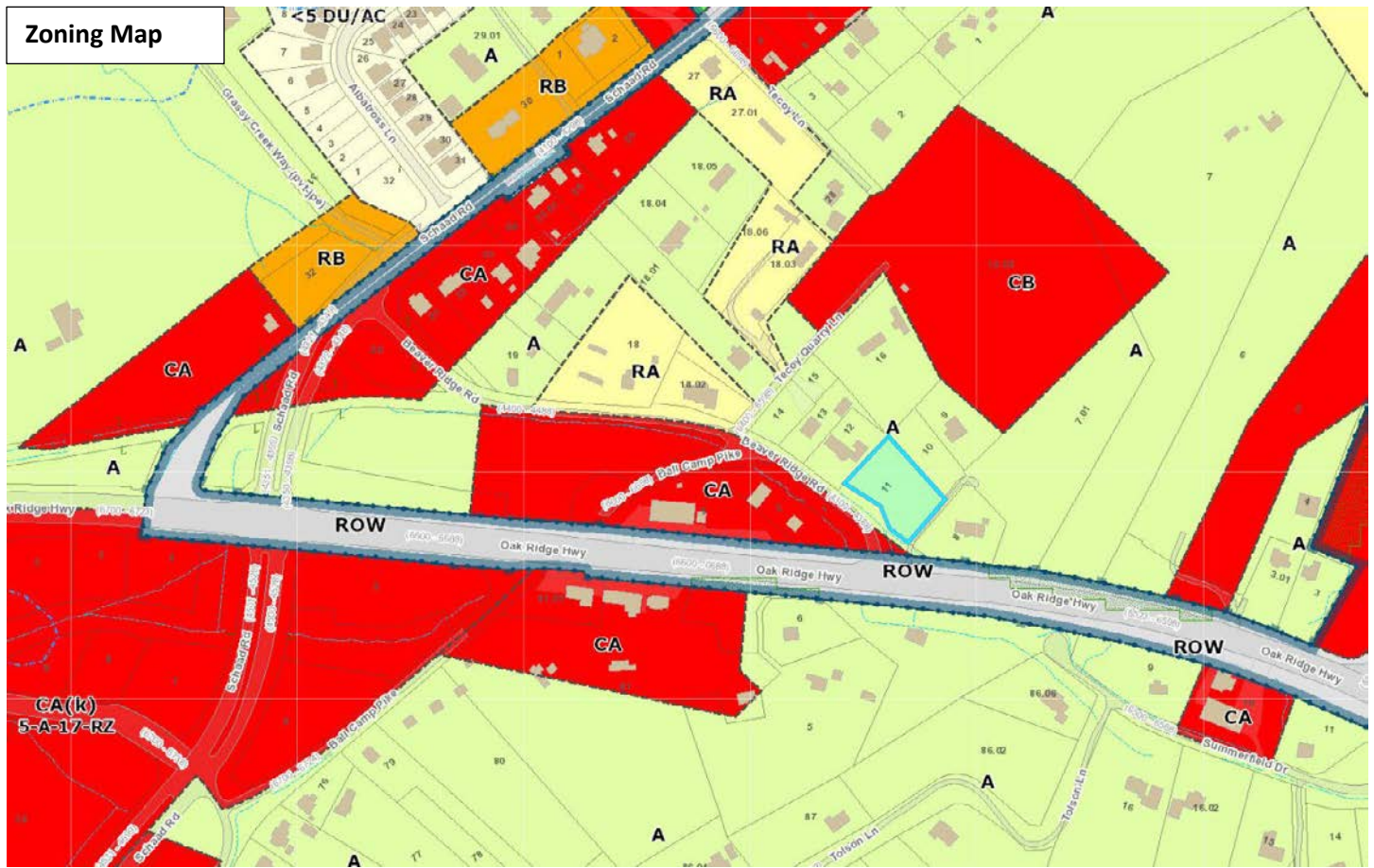
Location Map



Aerial Map



Exhibit A. 3-C-23-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

Jonathan Layman

Applicant Name

Affiliation

1/13/2023

Date Filed

3/9/2023

Meeting Date (if applicable)

3-C-23-RZ

File Number(s)

CORRESPONDENCE

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

Jonathan Layman Layman Brothers Partnership

Name / Company

111 Layman Way Parrottsville TN 37843

Address

865-322-0538 / jonathan@laymanhousemoving.com

Phone / Email

CURRENT PROPERTY INFO

Jonathan Layman Layman Brothers Part 111 Layman Way Parrottsville TN 37843

Owner Name (if different)

Owner Address

865-322-0538 / jonathan@laym

Owner Phone / Email

0 BEAVER RIDGE RD

Property Address

79 J A 011

Parcel ID

0.63 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

NE corner of Beaver Ridge Rd & Oak Ridge Hwy, east of Schaad Rd

General Location

City

Commission District 6

A (Agricultural)

Agriculture/Forestry/Vacant Land

Count

District

Zoning District

Existing Land Use

Northwest City

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

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change RB (General Residential)	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

Applicant Signature: **Jonathan Layman** Please Print Date: **1/13/2023**

Phone / Email

Property Owner Signature: **Jonathan Layman Layman Brothers Partnership** Please Print Date: **1/13/2023**

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.



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

Jonathan Layman
Applicant Name

Layman Brothers Partnership
Affiliation

1-13-23
Date Filed

March 9, 2023
Meeting Date (if applicable)

File Number(s)
3-C-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

Jonathan Layman
Name

Layman Brothers Partnership
Company

111 Layman Way
Address

Parrottsville
City

TN
State

37843
ZIP

865-322-0538
Phone

jonathan@laymanhousemoving.com
Email

CURRENT PROPERTY INFO

Layman Brothers Partnership 111 Layman Way Parrottsville, TN 37843 865-322-0538
Property Owner Name (if different) Property Owner Address Property Owner Phone

0 Beaver Ridge Rd. Knoxville
Property Address

0795A011
Parcel ID

Hallsdale Powell
Sewer Provider

RUB
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

Proposed Subdivision Name _____

Related Rezoning File Number

Unit / Phase Number _____

- Combine Parcels
 Divide Parcel

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change RB General Residential Zone
 Proposed Zoning

Pending Plat File Number

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
0801 650 ⁰⁰	650-
Fee 2	PAID
Fee 3	4/13/23

AUTHORIZATION

Jonathan Layman
Applicant Signature

Jonathan Layman
Please Print

1-13-23
Date

865-322-0538
Phone Number

jonathan@laymanhousemoving.com
Email

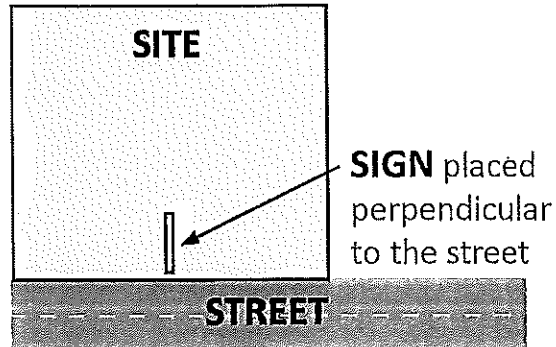
Jonathan Layman
Property Owner Signature

Jonathan Layman
Please Print

1-13-23
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:

2/24/23 and 3/10/23
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Jonathan Layman

Date: 1-13-23

File Number: 3-C-23-RZ

- Sign posted by Staff
- Sign posted by Applicant