



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 5-D-23-RZ **AGENDA ITEM #:** 23
5-A-23-SP **AGENDA DATE:** 5/11/2023

► **APPLICANT:** HOMESTEAD LAND HOLDINGS, LLC
OWNER(S): Douglas Mayhew et al

TAX ID NUMBER: 67 A B 013.03 [View map on KGIS](#)

JURISDICTION: Commission District 7

STREET ADDRESS: 7642 OLD CLINTON PIKE

► **LOCATION:** Northeast side of Old Clinton Pike, south of Pocatello Ln, north of Emma Grace Way

► **TRACT INFORMATION:** 7.92 acres.

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Old Clinton Pike, a minor collector with a 19-ft pavement width inside a 40-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural), RB (General Residential)

► **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / PR (Planned Residential)

► **EXISTING LAND USE:** Multifamily (Mayhew Mobile Home Park)

► **DENSITY PROPOSED:** up to 6 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: The MDR land use classification is directly across the street; PR zoning is not adjacent

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Multifamily residential - LDR (Low Density Residential) and CI (Civic Institutional) - RB (General Residential)

ZONING South: Single family residential and multifamily residential - LDR (Low Density Residential) and MDR (Medium Density Residential) - RB (General Residential)

East: Single family residential and multifamily residential - LDR (Low Density Residential) - RB (General Residential)

West: Single family residential - LDR (Low Density Residential) - A (Agricultural) and PR up to 12 du/ac

NEIGHBORHOOD CONTEXT: This area is a mix of uses, with small-lot, single-family detached dwellings off of side roads and an apartment complex and a mobile home park nearby. There is a commercial node just to the south at W Emory Road that extends to include parts of Clinton Highway to the east.

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to the MDR (Medium Density Residential) land use classification because it provides a transitional land use between adjacent commercial and single family land uses.**

- ▶ **Approve the PR (Planned Residential) zone with up to 6 du/ac because it is consistent with surrounding development, subject to one condition.**
 - 1. Providing a Type B Landscape Screen along shared lot lines with A (Agricultural) zoned properties.

COMMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Several A (Agricultural) zoned properties transitioned to the PR (Planned Residential) and CA (General Business) zones from the late 1980s to the late 2010s.
2. The subject area lies just outside the commercial node comprising Old Clinton Pike, Clinton Highway, and W Emory Road.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. There are no new roads or utilities not anticipated in the plan that would make development more feasible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no major errors or omissions in the plan.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. As mentioned previously, surrounding properties have been transitioning from Agricultural zoning to CA and PR zoning since the late 1980s.
2. Surrounding properties are predominantly zoned RB, which allows up to 12 du/ac as a permitted use, so the proposed density is lower than that allowed in those surrounding properties.
3. The immediate area consists of small-lot, single-family detached residential subdivisions, multifamily developments, and mobile home parks.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

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 subject area is within 1/3 mile of the W Emory Road commercial corridor, though there are commercial properties nearer than that.
2. Surrounding properties began transitioning from the Agricultural zone to commercial or other residential

zones since the late 1980s. Some surrounding developments have zoning that allows densities of 12 du/ac.

3. There is an increased need for small-scale housing. The proposed development would help to meet this need.

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 which encourage more imaginative solutions to environmental design problems. Each planned unit development shall be compatible with the surrounding or adjacent zones.
2. The front 1.73 acres of the property is zoned RB (General Residential). The RB zone requires a minimum lot size of 10,000 square feet for single family residential uses and allows a density of up to 12 du/ac for multifamily developments as a permitted use (by right) and from 12-24 du/ac as a use on review. The requested PR with up to 6 du/ac allows distribution of dwellings that is compatible with other development in the area.

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. Commercial zoning is across the street just to the south of this site. It extends down to W. Emory Road 1/3 of a mile to the south and to the west along Clinton Highway, which runs parallel to and near Old Clinton Pike.
2. The adjacent property to the southeast is zoned RB and contains an apartment complex, and adjacent properties to the east are also zoned RB. A residential subdivision with PR zoning with up to 12 du/ac is one parcel away to the northwest. The requested density of 6 du/ac is compatible with the density of other residential zoning in the area.
3. Built at the requested 6 du/ac, the development could accommodate up to 47 single family dwellings. This is a basic calculation that does not account for road infrastructure or stormwater facilities.
4. The subject property is located on Old Clinton Pike, a minor collector, so no traffic would be required through residential neighborhoods to access the site.
5. The property is relatively flat over the majority of the property, with slopes mostly under 15%.

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. This property is within the Planned Growth Area of the Growth Policy Plan and appears to be serviced by both water and wastewater. This rezoning would continue the trend of permitting additional opportunity for residential housing in this area.
2. Approval of the North County Sector Plan map amendment to the MDR (Medium Density Residential) land use classification would permit consideration of density up to 12 du/ac since the subject property is in the Planned Growth Area.
3. The North County Sector Plan's MDR (Medium Density Residential) designation has location criteria that specifies it can be used to provide transitional areas between commercial development and low density residential neighborhoods, and that it is for land with less than 15% slopes.
4. Sub-section 11.2 of the General Plan applies standards for residential density, and states that medium density from 6 to 12 du/ac in the County's Planned Growth and Urban Growth Areas is appropriate along collector or arterial roads, waterfronts, and as buffer zones between lower density residential and more intense uses.
5. Sub-section 10.11 of the Development Policies Section of the General Plan calls for allowance of higher densities, smaller yards and narrower lots for portions of planned developments that do not abut or face conventional suburban developments, but also states such developments should provide deeper setbacks, wider lots or landscape buffers where the new development does abut lower density housing.
6. The proposed rezoning meets the overall intent of the Growth Plan's Planned Growth Area, which is described as "encouraging reasonably compact pattern of development" and "offering a range of housing choices" (p. 7).
7. The General Plan allows densities from 6-12 du/ac in the Planned Growth Areas along collector and arterial roads.
8. The requested zoning does not appear to be in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 504 (average daily vehicle trips)

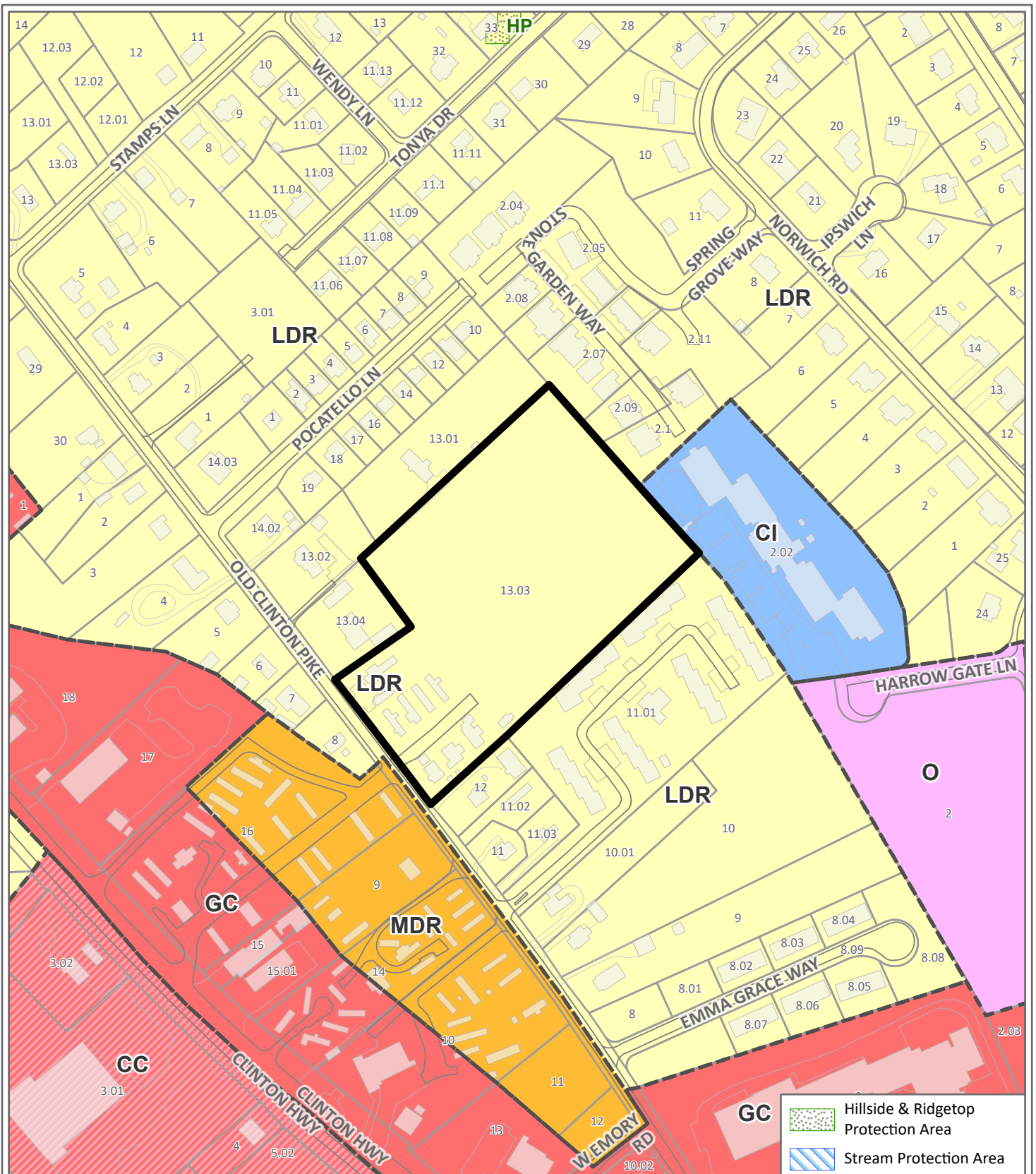
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 20 (public school children, grades K-12)

Schools affected by this proposal: Powell 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 6/26/2023. 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.



5-A-23-SP **NORTH COUNTY SECTOR PLAN MAP**



From: LDR (Low Density Residential)

To: MDR (Medium Density Residential)

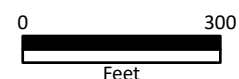
Original Print Date: 4/26/2023

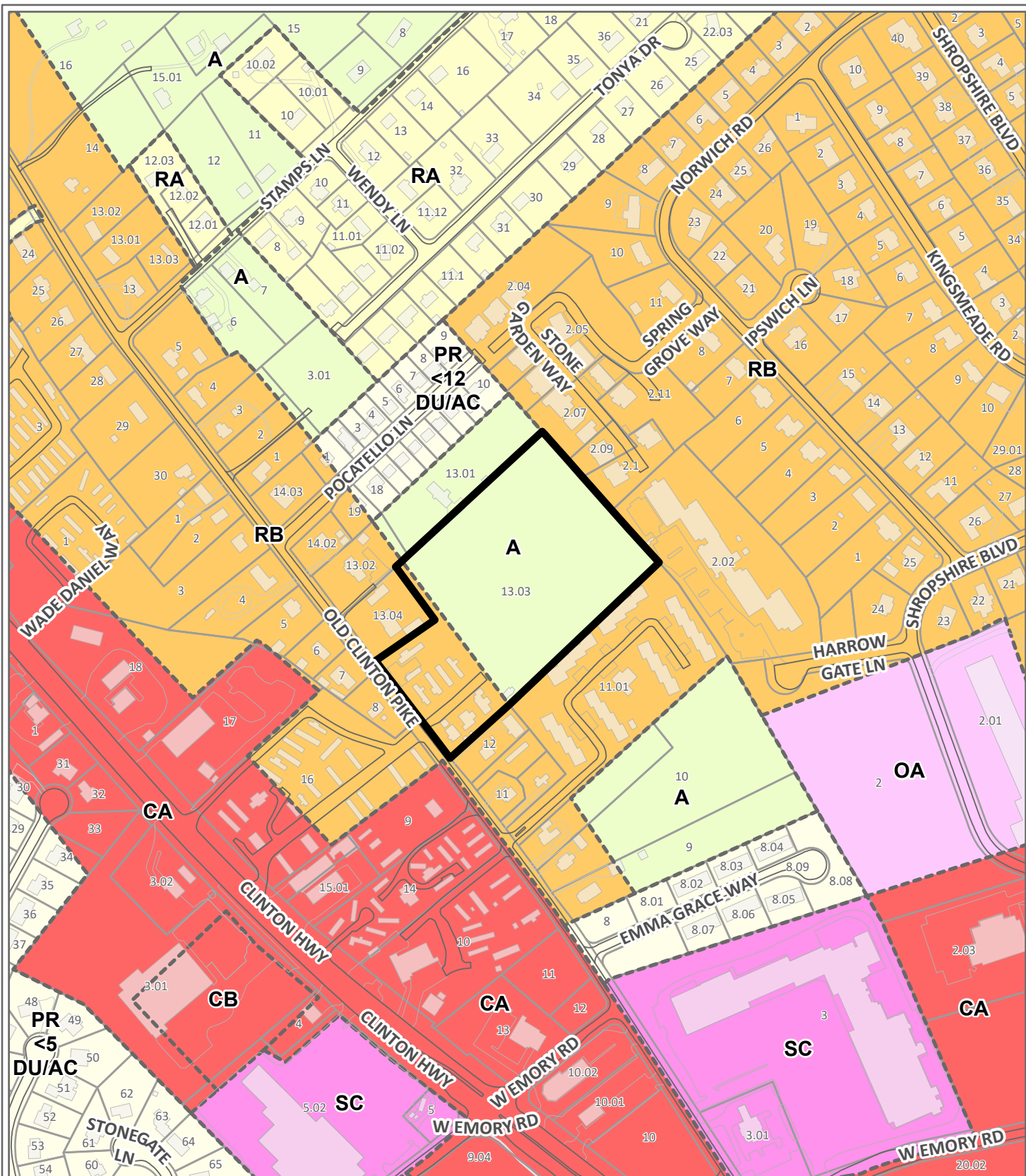
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Homestead Land Holdings, LLC

Map No: 67

Jurisdiction: County





REZONING

5-D-23-RZ

Petitioner: Homestead Land Holdings, LLC



From: A (Agricultural), RB (General Residential)

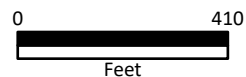
To: PR (Planned Residential)

Original Print Date: 5/4/2023

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

Map No: 67

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

3/24/2023

Date Filed

5/11/2023

Meeting Date (if applicable)

5-A-23-SP / 5-D-23-RZ

File Number(s)

CORRESPONDENCE

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

Thomas Krajewski Homestead Land Holdings, LLC

Name / Company

122 Perimeter Park Dr Knoxville TN 37922

Address

865-221-2067 / thomask@homesteadlandholdings.com

Phone / Email

CURRENT PROPERTY INFO

Douglas Mayhew et al

Owner Name (if different)

7700 Old Clinton Pike Knoxville TN

Owner Address

Owner Phone / Email

7642 OLD CLINTON PIKE

Property Address

67 A B 013.03

Parcel ID

7.92 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northeast side of Old Clinton Pike, south of Pocatello Ln, north of Emma Grace Way

General Location

☐ City

Commission District 7

A (Agricultural), RB (General Residential)

Multifamily Residential

☒ County District

Zoning District

Existing Land Use

North County

Planning Sector

LDR (Low 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 checked="" type="checkbox"/> Plan Amendment	MDR (Medium Density Residential)	
	Proposed Plan Designation(s)	

up to 6 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
\$1,896.00	
Fee 2	
Fee 3	

AUTHORIZATION

Homestead Land Holdings, LLC	3/24/2023
Applicant Signature	Date

Phone / Email

Douglas Mayhew et al	3/24/2023
Property Owner Signature	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.

(1) Download and fill out this form at your convenience.
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



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

Developer

Applicant Name

Affiliation

May 11, 2023

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

Thomas Krajewski

Homestead Land Holdings LLC

Name

Company

122 Perimeter Park Drive

Knoxville

TN

37922

Address

City

State

ZIP

865 679-3873

thomask@homesteadlandholdings.com

Phone

Email

CURRENT PROPERTY INFO

Douglas Mayhew etal

7700 Old Clinton Pike

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7642 Old Clinton Pike

067AB01303

Property Address

Parcel ID

Hallsdale Powell

Hallsdale Powell

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

August 29, 2022

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 **PR6**
Proposed Zoning

- ☒ Plan Amendment Change **MDR**
Proposed Plan Designation(s)

Pending Plat File Number

6

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


Applicant Signature

Homestead Land Holdings, LLC

Please Print

03.03.23

Date


865.221.2067

thomask@homesteadlandholdings.com

Phone Number

Email

Authentisign


Property Owner Signature

03/03/23

Douglas Mayhew

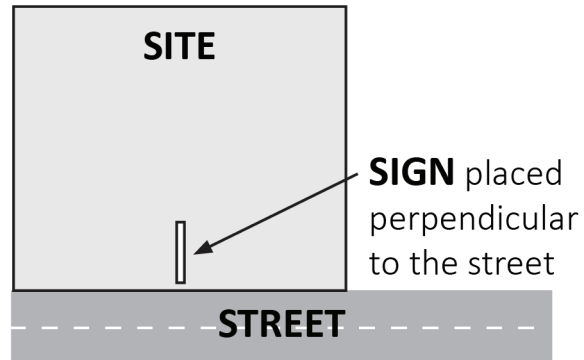
Please Print

3-3-2023

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:

_____ April 28, 2023 _____ and _____ May 12, 2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Homestead Land Holdings, LLC

Date: 3/24/2023

File Number: 5-D-23-RZ and 5-A-23-SP



Sign posted by Staff



Sign posted by Applicant