

REZONING REPORT

▶ **FILE #:** 10-C-23-RZ

AGENDA ITEM #: 28

AGENDA DATE: 10/5/2023

▶ **APPLICANT:** MILES MORRISON
OWNER(S): Miles and Stephanie Morrison

TAX ID NUMBER: 28 11208 [View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 8255 DOVE WING LN

▶ **LOCATION:** South side of Cabbage Dr at the western Dove Wing Ln terminus.

▶ **APPX. SIZE OF TRACT:** 10.51 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Dove Wing Ln, a local road with a 26-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** PR (Planned Residential) 3 du/ac

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

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

▶ **EXTENSION OF ZONE:** Yes, it is an extension of the A zone.

HISTORY OF ZONING: Rezoned from A to PR up to 3 du/ac in 2007 (File # 8-1-07-RZ)

SURROUNDING LAND USE AND ZONING: North: Rural residential and agriculture/forestry/vacant land - A (Agricultural)

South: Single family residential - PR (Planned Residential) 1-3 du/ac

East: Single family residential and agriculture/forestry/vacant land - A (Agricultural) and PR (Planned Residential) 1-3 du/ac

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

NEIGHBORHOOD CONTEXT: The surrounding properties are zoned A (Agricultural) and PR (Planned Residential) 1-3 du/ac to the southeast.

STAFF RECOMMENDATION:

▶ **Approve the A (Agricultural) zone because it is consistent with the sector plan and surrounding development.**

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. This area is transitioning in two distinct ways: reverting back to agricultural zoning and building subdivisions with detached single family homes. The property to the east was downzoned from PR to A in 2022 (Case # 6-F-22-RZ). The property to the north was platted into three parcels ranging in size from 2.73 to 6.73 acres in 2011. To the south, a 97-lot subdivision was approved in 2004 (Case # 8-SB-04-C and 8-D-04 UR) with a density of 1-3 du/ac.

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

1. The A zone provides for residential areas with very low population densities up to 1 du/ac. The uses and lot sizes allowed in the A zone are consistent with 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. This property is in an area with a mix of residential zones and densities. Surrounding zones include the A zone and PR zone with up to 4 du/ac. Surrounding lot sizes range from 8,000 sf to 6 acres.
2. Access to the nearest minor collector street is through the Solomon Place Subdivision to Hill Road approximately .55 miles to the east.
3. The A zone has a minimum lot size of approximately 1 du/ac. Built at maximum capacity, this property could be developed with up to 10 lots.
4. The site is sloped and within the Hillside and Ridgetop Protection zone. Slopes are mostly under 25%, though there are slopes 25% or greater along the northern 3rd of the property near Allen Branch Creek. The slope analysis indicates an advisable disturbance budget of 3.1 acres for an advisable 5.7 developable acres.
5. Site plans are required to meet the requirements of the Knox County Stormwater Ordinance.

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 North County Sector Plan, which allows consideration of the A zone in the Planned Growth Areas of the Growth Policy Plan.
2. The rezoning is consistent with the General Plan's development policy 6.3 that encourages development in areas with the fewest environmental constraints. The subject property is constrained with steep slopes and Allen Branch Creek. Downzoning to the A zone will restrict more intense development.

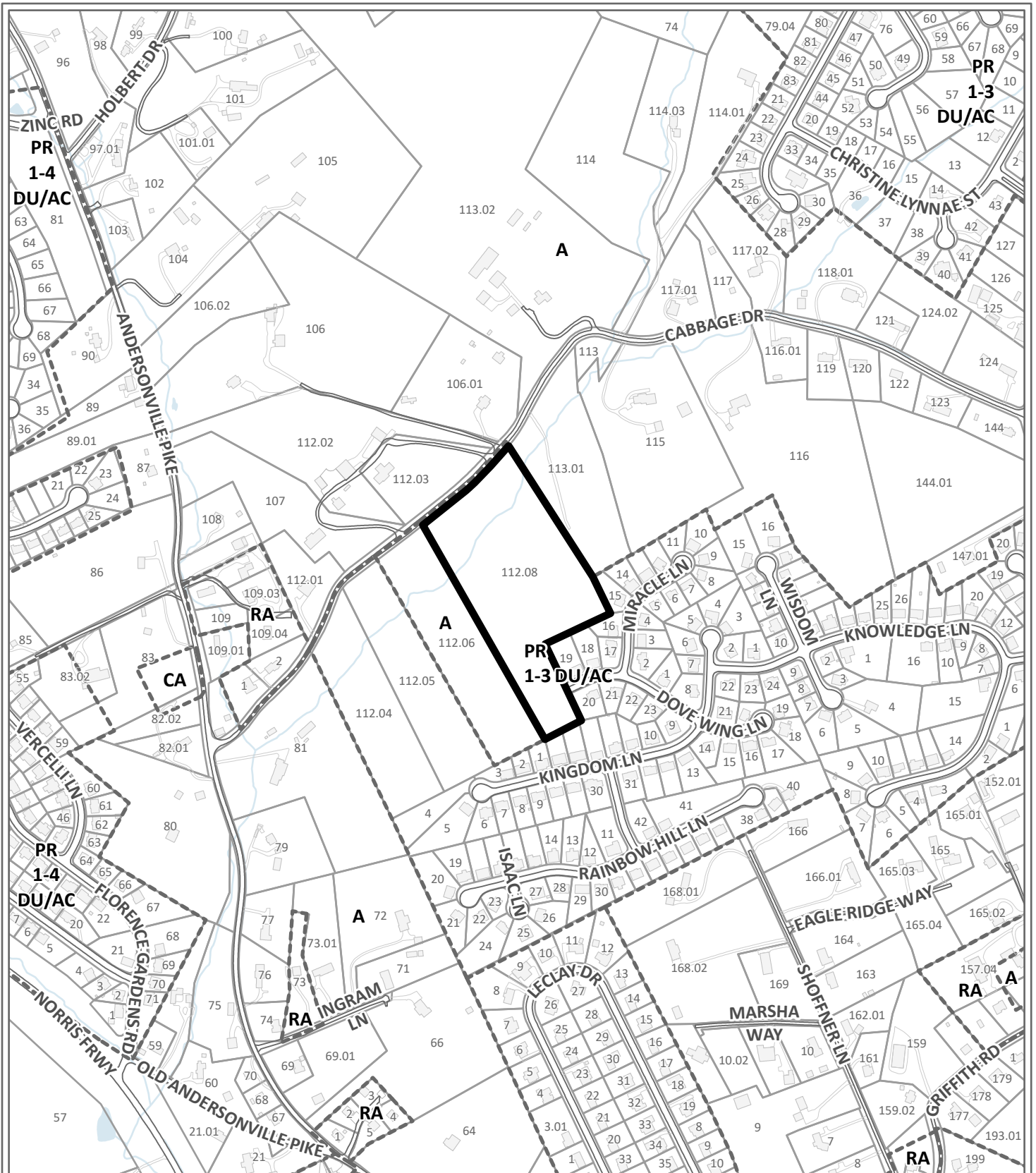
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Halls Elementary, Halls Middle, and Halls 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 11/20/2023. 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

10-C-23-RZ

Petitioner: Miles Morrison



From: PR (Planned Residential)

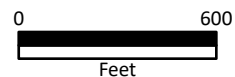
To: A (Agricultural)

Map No: 28

Jurisdiction: County

Original Print Date: 8/29/2023

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



| CATEGORY | ACRES | RECOMMENDED DISTURBANCE BUDGET (Percent) | DISTURBANCE AREA (Acres) |
|--------------------------------------|-------------|---|--------------------------|
| Total Area of Site | 10.4 | | |
| Non-Hillside | 5.7 | N/A | |
| 0-15% Slope | 2.0 | 100% | 2.0 |
| 15-25% Slope | 1.7 | 50% | 0.9 |
| 25-40% Slope | 0.8 | 20% | 0.2 |
| Greater than 40% Slope | 0.1 | 10% | 0.0 |
| Ridgetops | | | |
| Hillside Protection (HP) Area | 4.7 | Recommended disturbance budget within HP Area (acres) | 3.1 |
| | | Percent of HP Area | 65.7% |

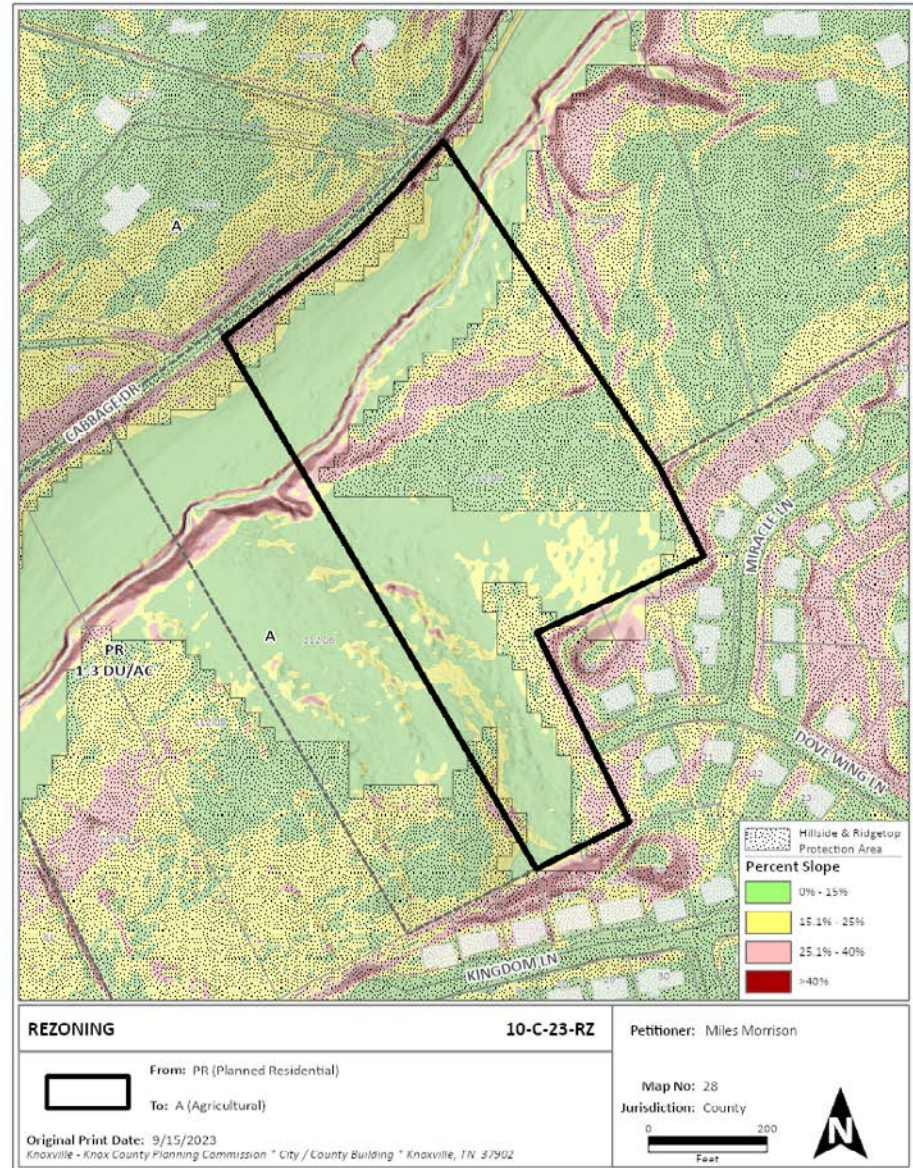
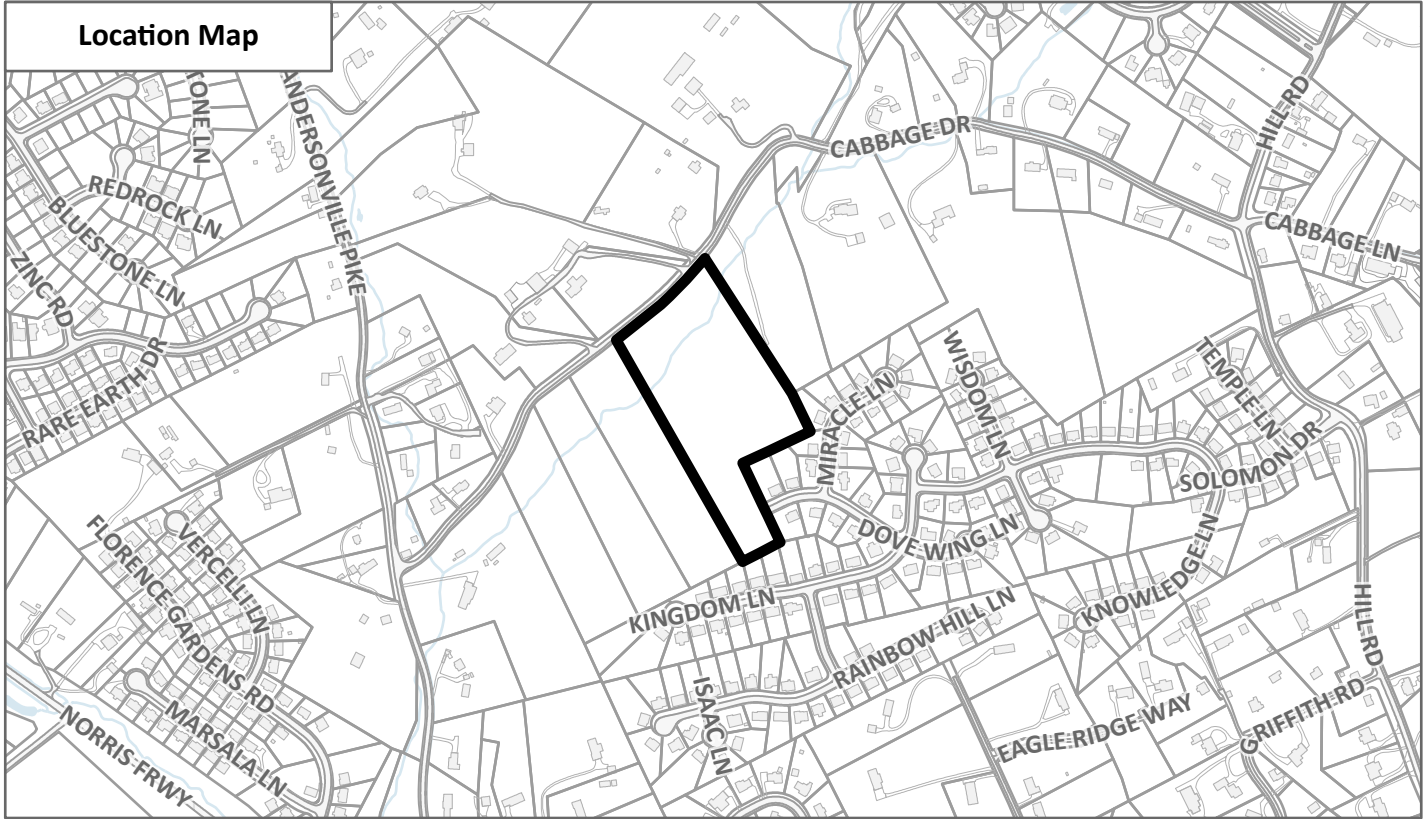


Exhibit A. Contextual Images

Location Map



Aerial Map

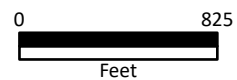


CONTEXTUAL MAPS 1

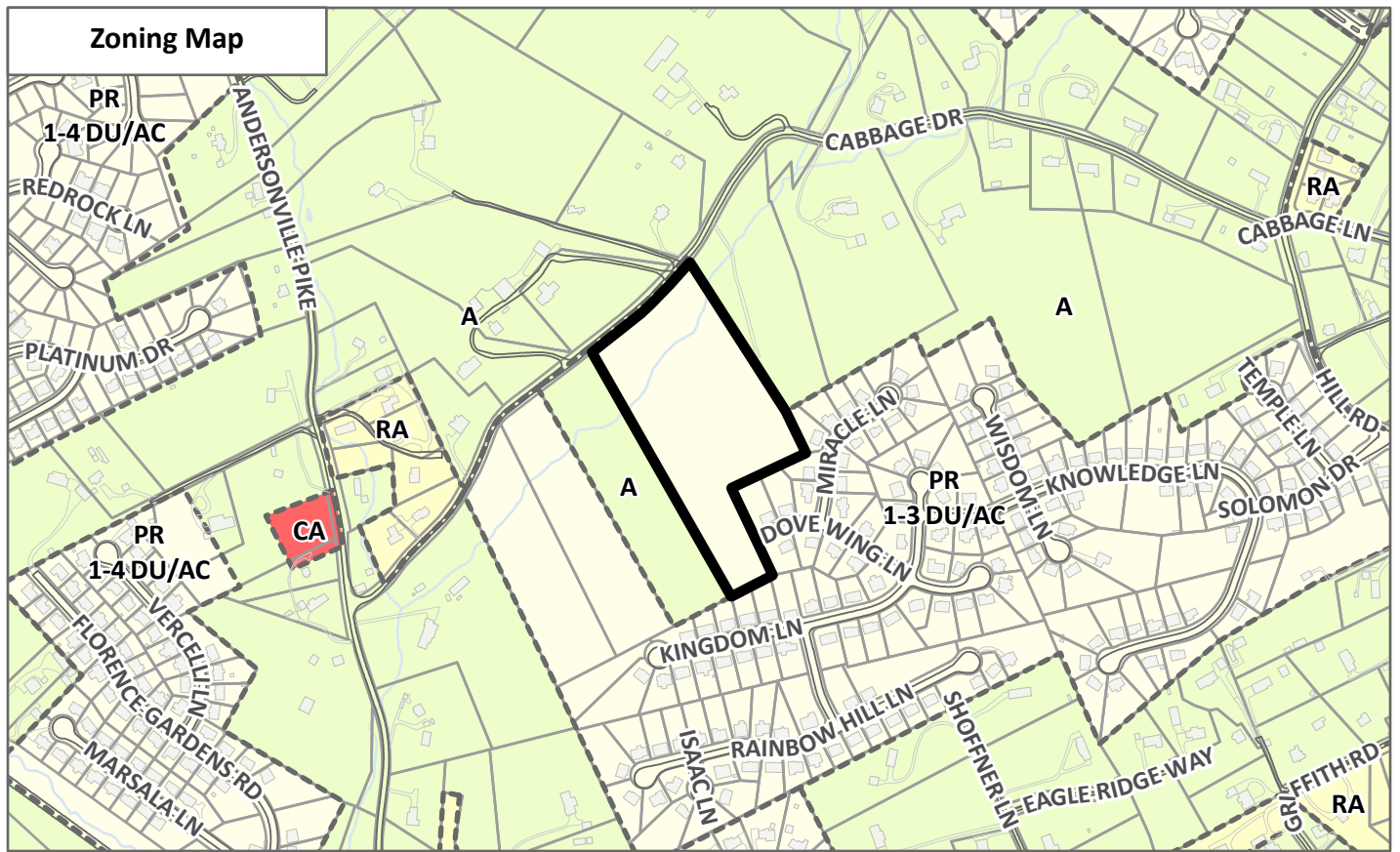
10-C-23-RZ



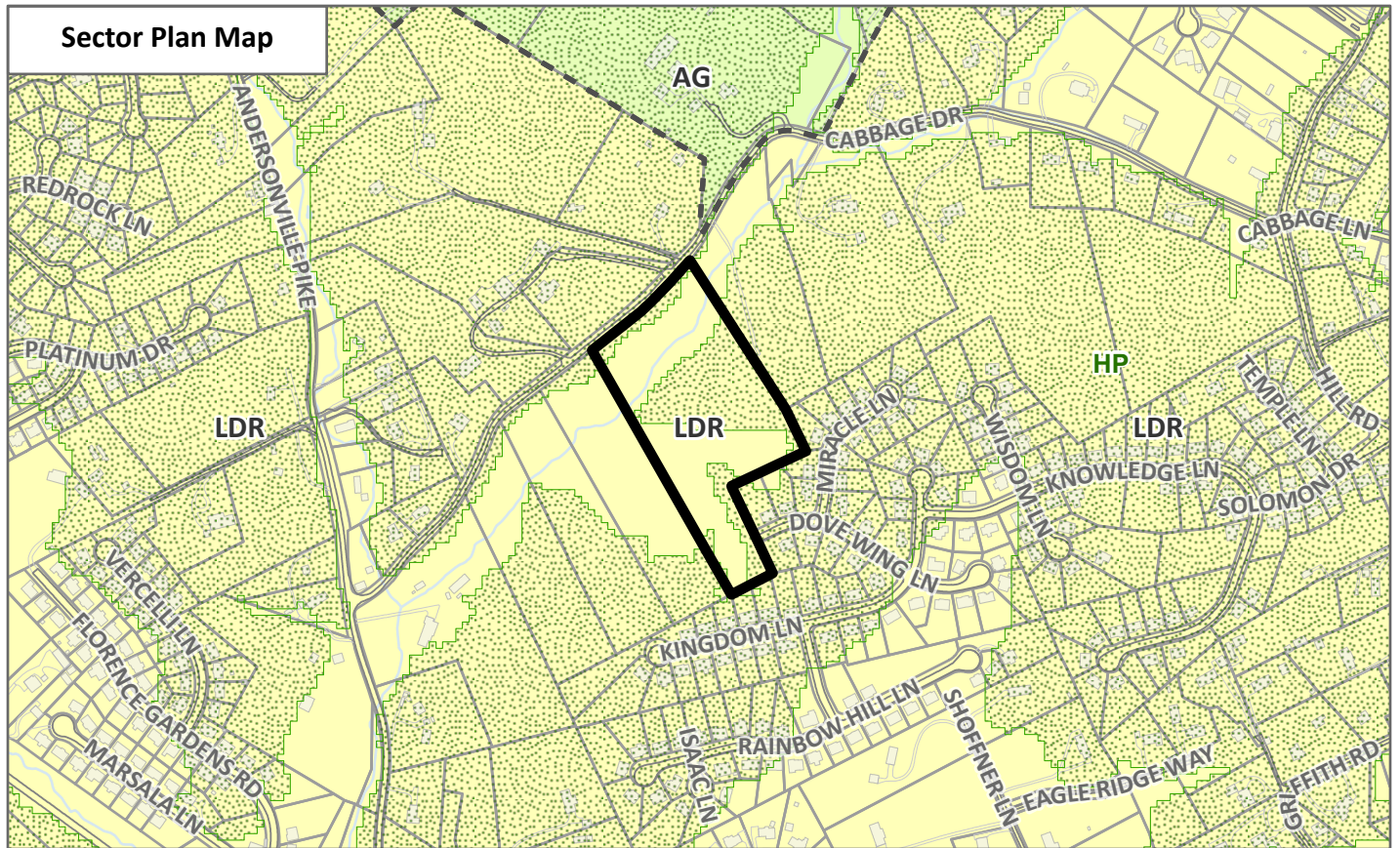
Case boundary



Zoning Map



Sector Plan Map

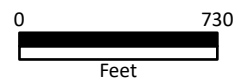


CONTEXTUAL MAPS 2

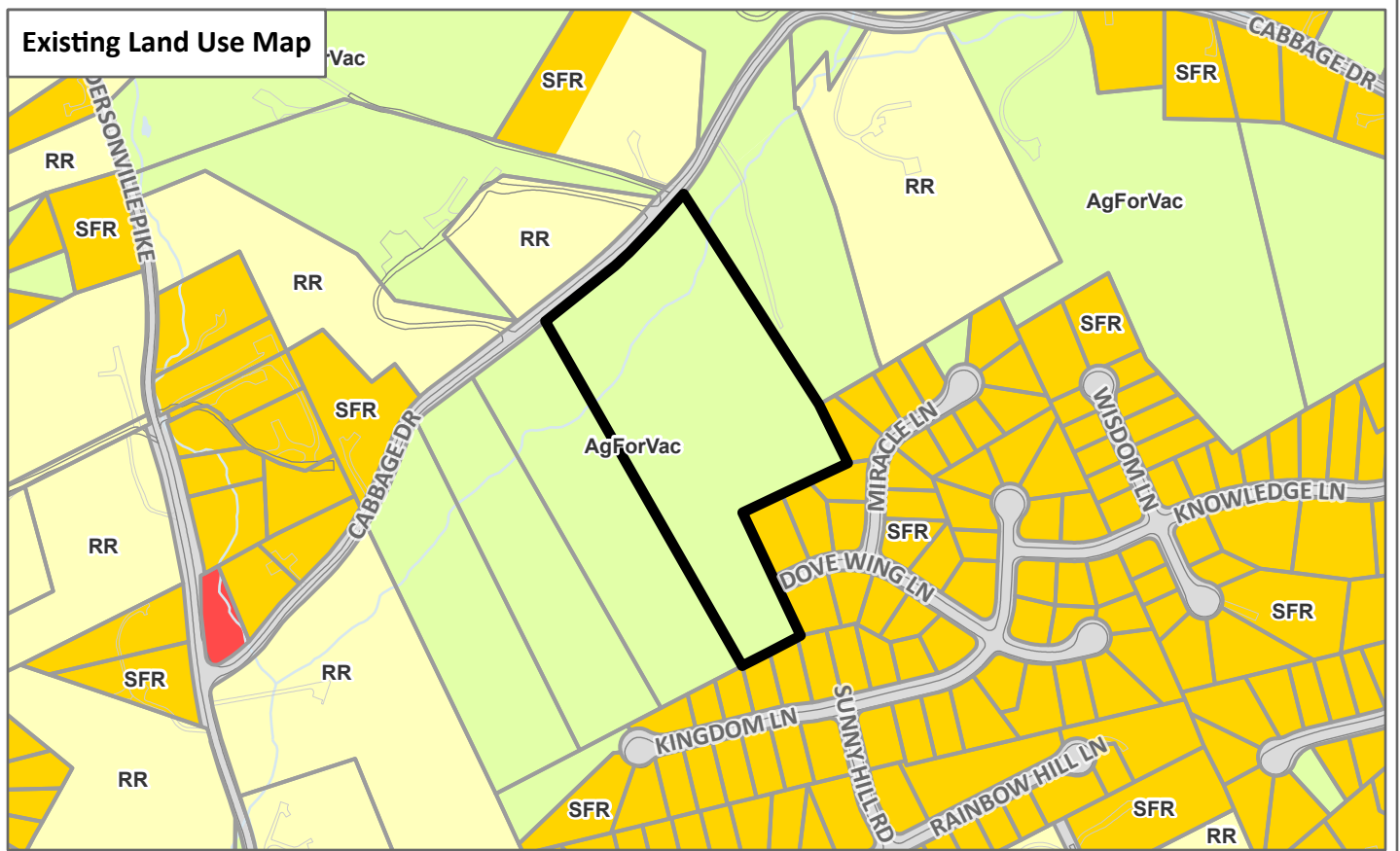
10-C-23-RZ



Case boundary



Existing Land Use Map

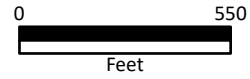


CONTEXTUAL MAPS 3

10-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

Miles Morrison

Applicant Name

Affiliation

8/15/2023

Date Filed

10/5/2023

Meeting Date (if applicable)

10-C-23-RZ

File Number(s)

CORRESPONDENCE

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

Miles E. Morrison

Name / Company

7710 Hoff Ln Knoxville TN 37938

Address

865-686-0078 / milesmorrison777@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Miles and Stephanie Morrison

Owner Name (if different)

7710 Hoff Ln Knoxville TN 37938

Owner Address

865-686-0078

Owner Phone / Email

8255 DOVE WING LN / 8263 DOVE WING LN

Property Address

28 11208

Parcel ID

10.51 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

South side of Cabbage Drive, west of the Dove Wing Lane terminus.

General Location

City

Commission District 7

PR (Planned Residential)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

North County

Planning Sector

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

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

ZONING REQUEST

| | |
|---|------------------------------|
| <input checked="" type="checkbox"/> Zoning Change A (Agricultural) | 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

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 |
|-------------------|-------|
| \$1,175.50 | |
| 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 | Miles Morrison Please Print | 8/15/2023 Date |
|---------------------|---------------------------------------|--------------------------|

| | | |
|--------------------------|---|--------------------------|
| Phone / Email | | |
| Property Owner Signature | Miles and Stephanie Morrison Please Print | 8/15/2023 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

Miles Morrison

| | | |
|----------------|------------------------------|----------------|
| Applicant Name | 10/05/2023 | Affiliation |
| 8/14/2023 | 9/14/2023 | File Number(s) |
| Date Filed | Meeting Date (if applicable) | 10-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

Miles Morrison

| | |
|--------------|----------------------------|
| Name | Company |
| 7710 Hoff Ln | Knoxville TN 37938 |
| Address | City State ZIP |
| 865-686-0078 | milesmorrison777@gmail.com |
| Phone | Email |

CURRENT PROPERTY INFO

| | | |
|--|-----------------------------------|----------------------|
| Property Owner Name (if different) | Property Owner Address | Property Owner Phone |
| 8263 Dove Wing Ln , 8255 Dove Wing Ln. | 028 11208 | |
| Property Address | Parcel ID | |
| Septic | Hallsdale Powell Utility District | Y |
| Sewer Provider | Water Provider | Septic (Y/N) |

STAFF USE ONLY

| | |
|---|-------------------------------------|
| General Location | Tract Size |
| <input type="checkbox"/> City <input type="checkbox"/> County District Zoning District Existing Land Use | |
| Planning Sector | Sector Plan Land Use Classification |
| | Growth Policy Plan Designation |

DEVELOPMENT REQUEST

| | |
|--|---|
| <input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential Home Occupation (specify) _____ Other (specify) _____ | Related City Permit Number(s) |
|--|---|

SUBDIVISION REQUEST

| | |
|---|--|
| Proposed Subdivision Name _____ Unit / Phase Number <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel _____ Total Number of Lots Created _____ <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Attachments / Additional Requirements _____ | Related Rezoning File Number |
|---|--|

ZONING REQUEST

| | |
|--|--------------------------------------|
| <input checked="" type="checkbox"/> Zoning Change <u>Agriculture</u> Proposed Zoning _____ <input type="checkbox"/> Plan Amendment Change _____ Proposed Plan Designation(s) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify) _____ | Pending Plat File Number |
|--|--------------------------------------|

STAFF USE ONLY

| | | | | | | | | | | | | | |
|--|---|------------|--|-------|------|------------|--|-------|--|------------|-------|--|--|
| PLAT TYPE <input type="checkbox"/> Staff Review <input checked="" type="checkbox"/> Planning Commission ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat</i>) <input type="checkbox"/> Use on Review / Special Use (<i>Concept Plan</i>) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (<i>Hillside Protection</i>) | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">Fee 1</td> <td style="width:40%;"></td> <td style="width:30%;">Total</td> </tr> <tr> <td style="text-align: center;">0802</td> <td style="text-align: center;">\$1,175.50</td> <td></td> </tr> <tr> <td>Fee 2</td> <td></td> <td style="text-align: center;">\$1,175.50</td> </tr> <tr> <td>Fee 3</td> <td></td> <td></td> </tr> </table> | Fee 1 | | Total | 0802 | \$1,175.50 | | Fee 2 | | \$1,175.50 | Fee 3 | | |
| Fee 1 | | Total | | | | | | | | | | | |
| 0802 | \$1,175.50 | | | | | | | | | | | | |
| Fee 2 | | \$1,175.50 | | | | | | | | | | | |
| Fee 3 | | | | | | | | | | | | | |

AUTHORIZATION

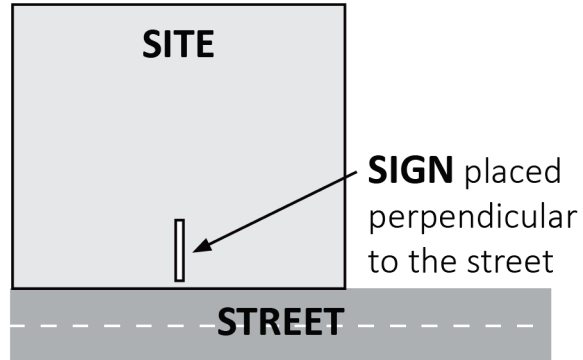
I declare under penalty of perjury the foregoing is true and correct:
 1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

| | | |
|-----------------------|----------------|-----------|
| <i>Miles Morrison</i> | Miles Morrison | 8/14/2023 |
| Applicant Signature | Please Print | Date |

| | | |
|--------------|----------------------------|--|
| 865-686-0078 | milesmorrison777@gmail.com | |
| Phone Number | Email | |

| | | |
|--------------------------|----------------|---------------------------|
| <i>Miles Morrison</i> | Miles Morrison | 8/14/2023 SG,8/15/2023 |
| Property Owner Signature | Please Print | Date Paid |

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:

_____ 09/22/2023 _____ and _____ 10/06/2023 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Juan Hernandez

Date: 08/18/2023

File Number: 10-D-23-RZ; 10-C-23-PA/SP



Sign posted by Staff



Sign posted by Applicant