

# REZONING REPORT

▶ **FILE #:** 10-E-23-RZ

**AGENDA ITEM #:** 29

**AGENDA DATE:** 10/5/2023

▶ **APPLICANT:** A STEP TOWARDS HOME

OWNER(S): Martin David Harvey

TAX ID NUMBER: 91 226

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 7816 BALL CAMP PIKE

▶ **LOCATION:** South side of Ball Camp Pike, west of Bakertown Rd

▶ **APPX. SIZE OF TRACT:** 20.85 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Ball Camp Pike is a major collector with a 19-ft pavement width inside a 50-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural), I (Industrial)

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

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

▶ **DENSITY PROPOSED:** Industrial Portion: PR up to 5 du/ac / Agricultural Portion: up to 3.25 du/ac

EXTENSION OF ZONE: Yes, this is an extension of the zone.

HISTORY OF ZONING: A rezoning to PR up to 5 du/ac was withdrawn prior to the Planning Commission meeting in June 2023 (File# 6-J-23-RZ).

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant, though currently under construction as single family residential - I (Industrial)

South: Rural residential, agriculture/forestry/vacant - A (Agricultural)

East: Commercial - I (Industrial), A (Agricultural)

West: Agricultural/forestry/vacant, rural residential - I (Industrial), A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is largely single-family dwellings, with large lots fronting Ball Camp Pike and subdivisions with smaller lots off of side streets. The Schaad Road extension is just to the north.

## STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone with up to 5 du/ac on the Industrial-zoned portion and up to 3.25 du/ac on the Agricultural-zoned portion of the subject property, subject to one 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 COUNTY GENERALLY:

1. This section of Ball Camp Pike has been changing from the Agricultural to the Planned Residential zone with densities ranging from 3.25 du/ac to 5 du/ac since 2000.

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

1. The regulations established in this zone are intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.
2. A large portion of the middle 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 steep slopes.
3. The recommended density of 5 du/ac is consistent with surrounding development along Ball Camp Road. Rezoning of the front, Industrial-zoned portion of the subject property (approximately 6.65 acres) to PR with a density of up to 5 du/ac could result in up to 33 new units on this property. Rezoning the Agricultural portion to PR with up to 3.25 du/ac could result in up to 46 new units for a total of 79 units.

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 parcel currently has split zoning: I (Industrial) in the front of the property, and A (Agricultural) in the back. Planning recommends rezoning to a higher density on the I-zoned portion of the property. In June (6-J-23-RZ), Planning did not recommend rezoning the Agricultural portion to PR up to 5 du/ac due to the slope constraints in the middle of the property. However, currently the applicant owns the property to the east and has stated they will have access through the adjacent property to Bakertown Rd via an access easement.
2. Because of the alternative access and the condition that the portion of the parcel with slopes of 25% or greater shall be left undisturbed, Planning is recommending the Agricultural portion be rezoned to PR up to 3.25 du/ac. This condition is supported by the following development policy of the General Plan - Encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors (6.1).
3. 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.
4. The proposed zoning would not adversely impact the surrounding area because the adjacent area consists of low-density residential uses.
5. Ball Camp Pike and Bakertown Rd are classified as major collectors, so no traffic will be required through residential streets.

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 proposed PR zone of up to 5 du/ac is consistent with the Northwest County Sector Plan's LDR (Low Density Residential) land use designation and Planned Growth Area of the Growth Policy Plan.
2. With adherence to the noted condition, the proposed PR zone of 5 du/ac aligns with 6.2 of the General Plan, which encourages development in areas with the fewest environmental constraints.
3. The proposed zone change is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 812 (average daily vehicle trips)

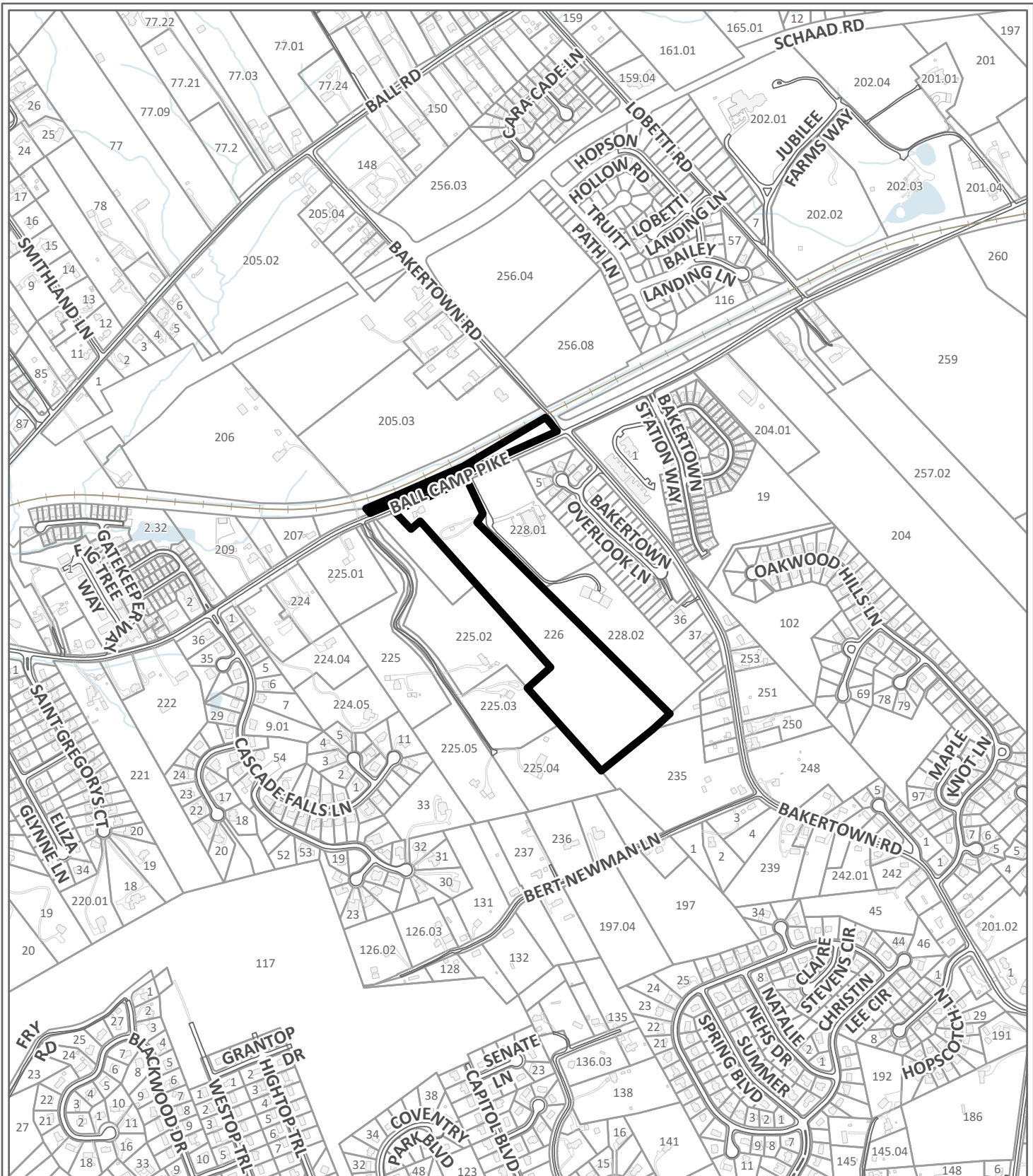
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 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 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-E-23-RZ**

**Petitioner: A Step Towards Home**



**From:** A (Agricultural), I (Industrial)

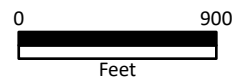
**To:** PR (Planned Residential)

**Map No:** 91

**Jurisdiction:** County

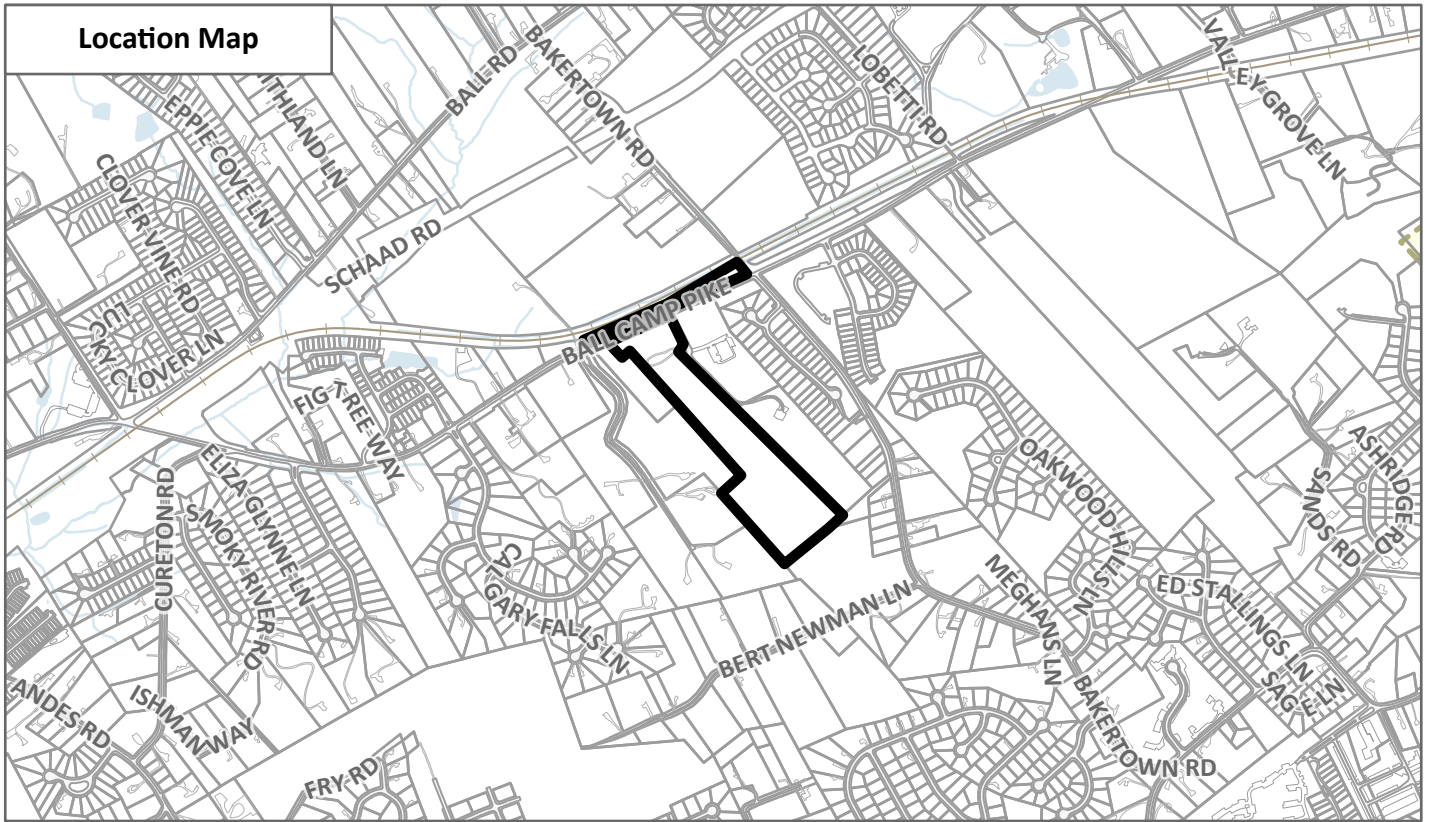
**Original Print Date:** 8/29/2023

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

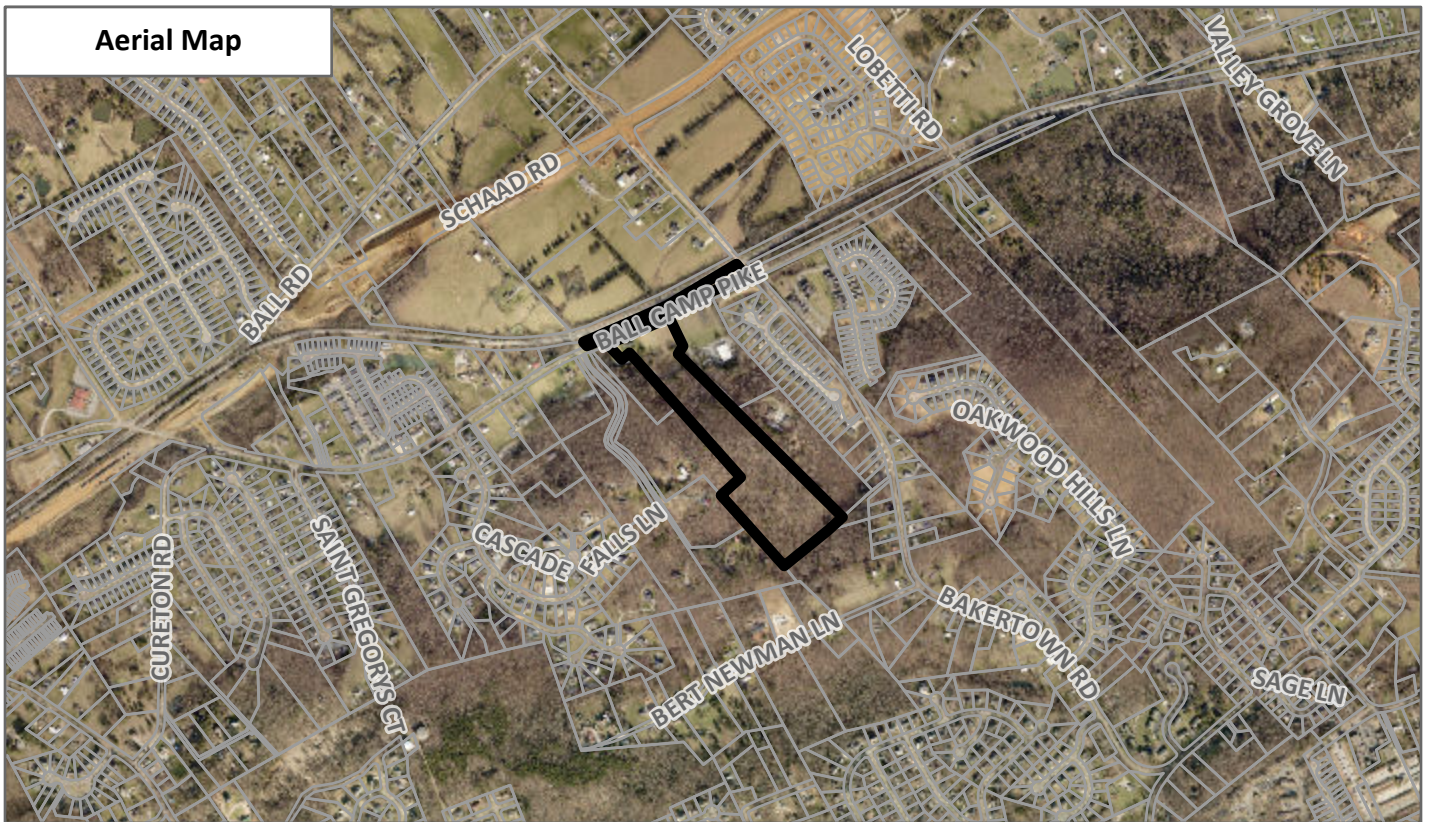


# Exhibit A. Contextual Images

Location Map



Aerial Map

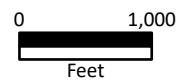


CONTEXTUAL MAPS 1

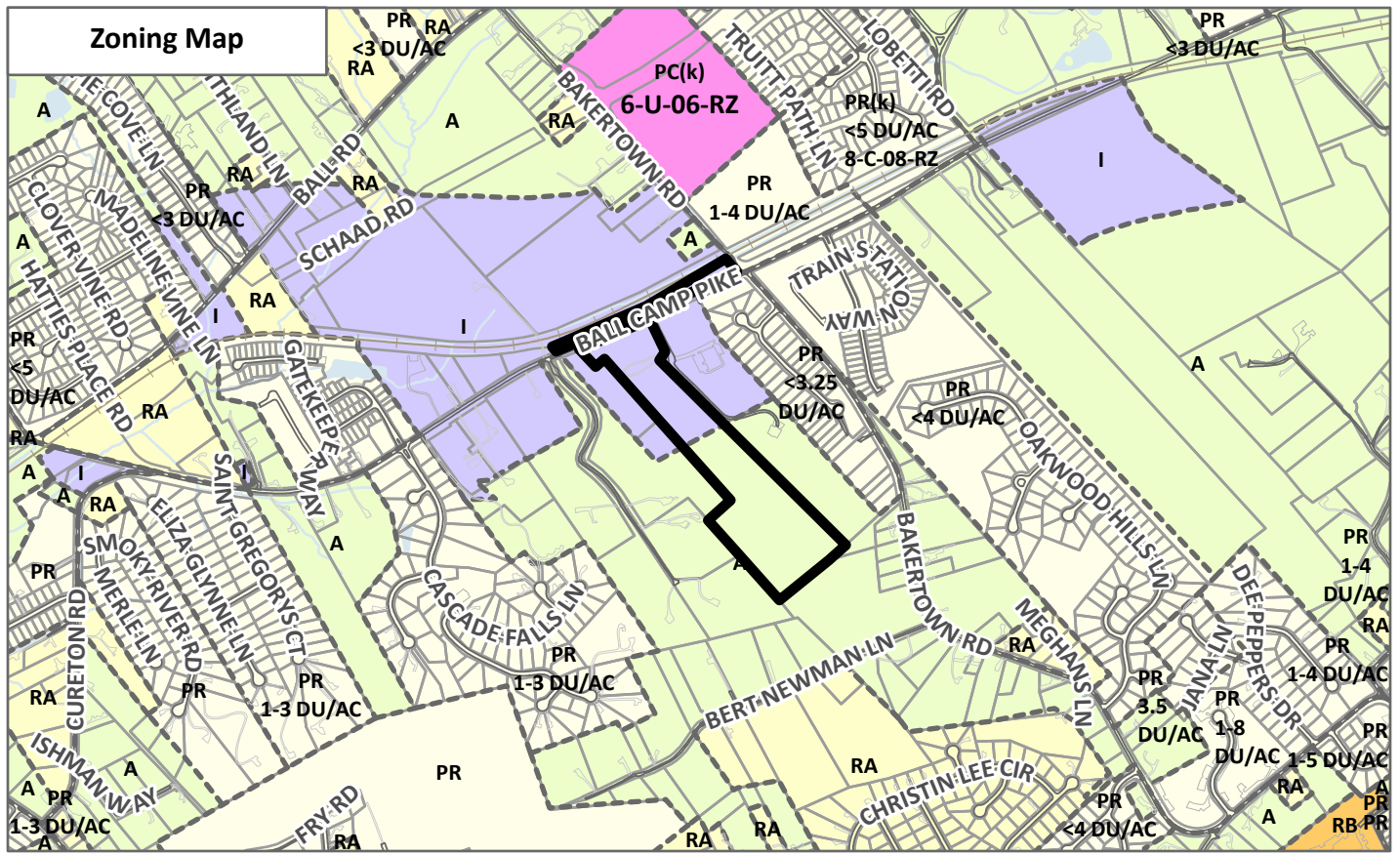
10-E-23-RZ



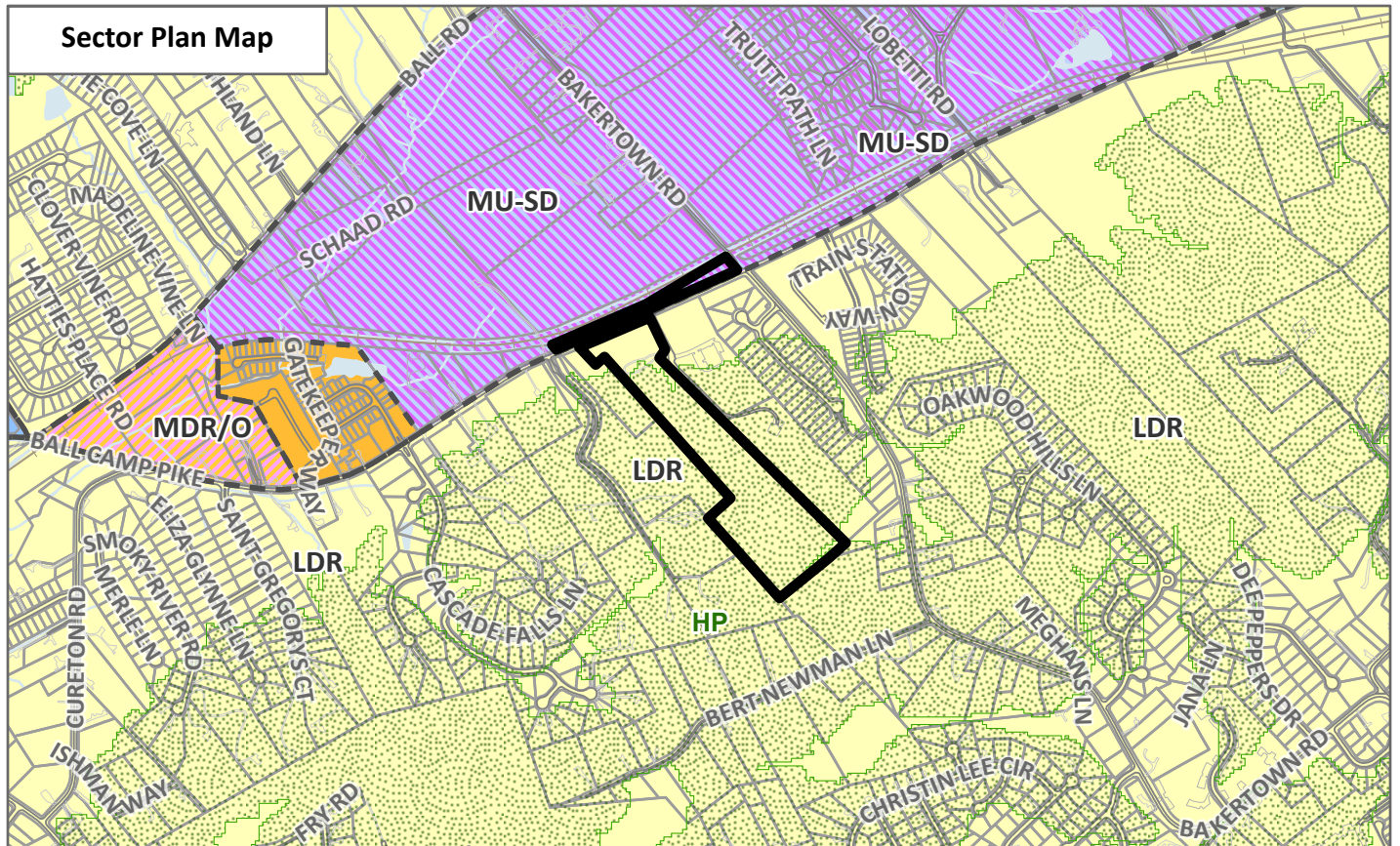
Case boundary



### Zoning Map



### Sector Plan Map



### CONTEXTUAL MAPS 2

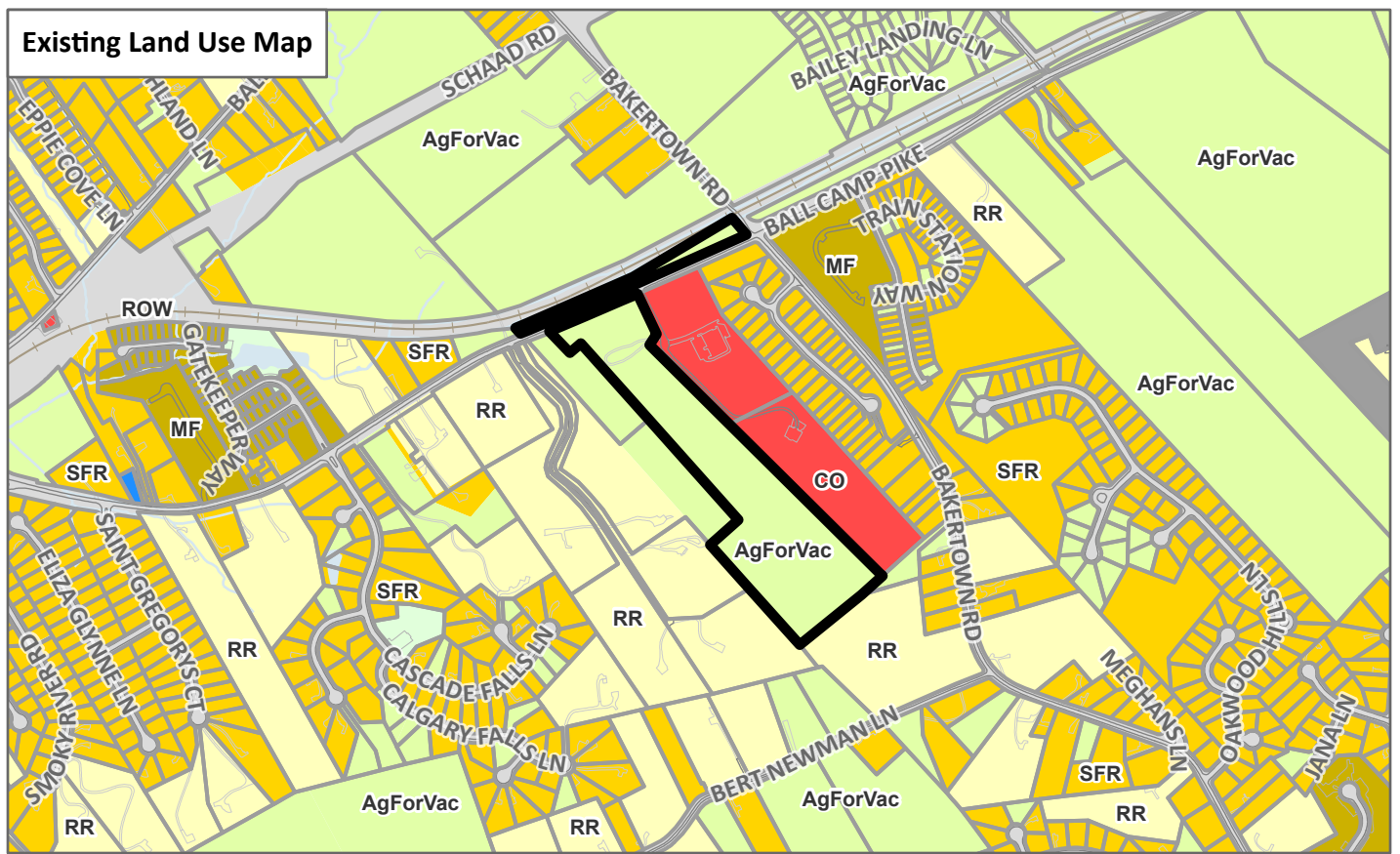
10-E-23-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

10-E-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

## A Step Towards Home

Applicant Name		Affiliation
<b>8/21/2023</b>	<b>10/5/2023</b>	<b>10-E-23-RZ</b>
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.

### A Step Towards Home Ashley Ellis

Name / Company

**5923 Kingston Pike -323 Knoxville TN 37919**

Address

**865-585-7870 / aseptowardshome@gmail.com**

Phone / Email

## CURRENT PROPERTY INFO

<b>Martin David Harvey</b>	<b>7816 Ball Camp Pike Knoxville TN 37931</b>	<b>865-296-2597</b>
Owner Name (if different)	Owner Address	Owner Phone / Email

### 7816 BALL CAMP PIKE

Property Address

<b>91 226</b>		<b>20.85 acres</b>
Parcel ID	Part of Parcel (Y/N)?	Tract Size

<b>West Knox Utility District</b>	<b>West Knox Utility District</b>	
Sewer Provider	Water Provider	Septic (Y/N)

## STAFF USE ONLY

**South side of Ball Camp Pike, west of Bakertown Rd**

General Location

<input type="checkbox"/> City	<b>Commission District 6</b>	<b>A (Agricultural), I (Industrial)</b>	<b>Agriculture/Forestry/Vacant Land</b>
<input checked="" type="checkbox"/> County	District	Zoning District	Existing Land Use

<b>Northwest County</b>	<b>MU-SD (Mixed Use Special District), LDR (Low Density Re</b>	<b>Planned Growth Area</b>
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	Total Number of Lots Created
<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)	

**Industrial Portion: PR up to 5    Agricultural Portion: up to 3.25 du/ac**

Proposed Density (units/acre)	Previous Zoning Requests
Additional Information <b>Industrial Portion: PR up to 5 du/ac / Agricultural Portion: up to 3.25 du/ac</b>	

## 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>\$1,692.50</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	<b>A Step Towards Home</b>	<b>8/21/2023</b>
	Please Print	Date

Property Owner Signature	<b>Martin David Harvey</b>	<b>8/21/2023</b>
	Please Print	Date

Phone / Email



# 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

### A Step Towards Home

Applicant Name	Affiliation	
08/16/2023	10/5/2023	File Number(s)
Date Filed	Meeting Date (if applicable)	10-E-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

**Ashley Ellis** **A Step Towards Home**

Name	Company		
5923 Kingston Pike-323	Knoxville	TN	37919
Address	City	State	ZIP
865-585-7870	astepowardshome@gmail.com		
Phone	Email		

### CURRENT PROPERTY INFO

Martin David Harvey	7816 Ball Camp Pike Knoxville, TN 37871	865-296-2597
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
7816 Ball Camp Pike	091 226	
Property Address	Parcel ID	
West Knox Utility District	West Knox Utility District	
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**

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    **PR (Planned Residential)**    Pending Plat File Number \_\_\_\_\_

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

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

~~5 du/ac & 3.25 du/ac~~    Up to 5 du/ac on the front of the property & up to 3.25 on the back portion of the property;


Proposed Density (units/acre) \_\_\_\_\_    Previous Rezoning Requests (I zone is up to 5 du/ac and the A is the 3.25 du/ac)

Other (specify) \_\_\_\_\_

**STAFF USE ONLY**

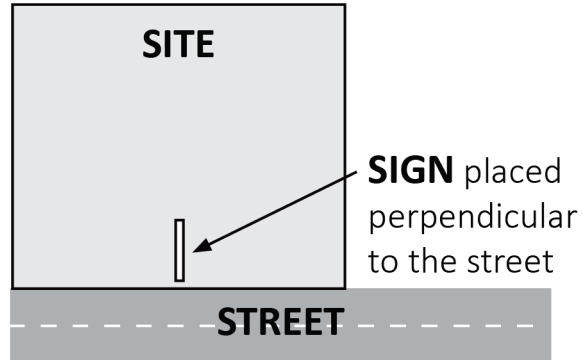
<p><b>PLAT TYPE</b></p> <p><input type="checkbox"/> Staff Review    <input checked="" type="checkbox"/> Planning Commission</p> <p><b>ATTACHMENTS</b></p> <p><input type="checkbox"/> Property Owners / Option Holders    <input type="checkbox"/> Variance Request</p> <p><b>ADDITIONAL REQUIREMENTS</b></p> <p><input type="checkbox"/> Design Plan Certification (Final Plat)</p> <p><input type="checkbox"/> Use on Review / Special Use (Concept Plan)</p> <p><input type="checkbox"/> Traffic Impact Study</p> <p><input type="checkbox"/> COA Checklist (Hillside Protection)</p>	<p>Fee 1</p> <p>Fee 2</p> <p>Fee 3</p>	<p>Total</p> <p><b>08/18/23</b></p>
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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    A Step Towards Home    8/18/2023  
 Please Print    Date  
 865-585-7870    asteptowardshome@gmail.com  
 Phone Number    Email

Authentication  
  
 Property Owner Signature    Martin David Harvey    8/18/2023 SG, 08/21/2023  
 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: A Step Towards Home

Date: 08/21/2023

File Number: 10-E-23-RZ

- Sign posted by Staff
- Sign posted by Applicant