



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 10-L-23-RZ **AGENDA ITEM #:** 35
 10-G-23-SP **AGENDA DATE:** 10/5/2023

▶ **APPLICANT:** **HOLSTON SPRINGS LLC**
OWNER(S): Bobby Bramhall Holston Springs LLC

TAX ID NUMBER: 73 203 (PART OF) [View map on KGIS](#)
JURISDICTION: Commission District 8
STREET ADDRESS: 733 MCCUBBINS RD (1144 WOODDALE CHURCH RD)
 ▶ **LOCATION:** **West side of McCubbins Rd, north side of Wooddale Church Rd**
 ▶ **TRACT INFORMATION:** **5 acres.**
SECTOR PLAN: East County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via McCubbins Road, which is classified as a minor collector along the southern portion of the eastern lot line south of its intersection with Carter Mill Road and as a local road north of that intersection. It has 16-18 ft of pavement width within a 32-40-ft of right-of-way.
UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
WATERSHED: Lyon Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **LDR (Low Density Residential), HP (Hillside Protection) / PR (Planned Residential) 5 du/ac**
 ▶ **PROPOSED PLAN DESIGNATION/ZONING:** **RR (Rural Residential), HP (Hillside Protection) / OS (Open Space)**
 ▶ **EXISTING LAND USE:** **Agriculture/Forestry/Vacant Land**
 ▶
EXTENSION OF PLAN DESIGNATION/ZONING: No this is not an extension.
HISTORY OF ZONING REQUESTS: None noted.
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Single family residential, rural residential - LDR (Low Density Residential) - A (Agricultural)
 South: Agriculture/forestry/vacant land - LDR (Low Density Residential), HP (Hillside Protection) - A (Agricultural)
 East: Agriculture/forestry/vacant land - LDR (Low Density Residential), HP (Hillside Protection) - A (Agricultural)
 West: Agriculture/forestry/vacant land, single family residential, rural residential - LDR (Low Density Residential), HP (Hillside

Protection) - A (Agricultural)

NEIGHBORHOOD CONTEXT: The area surrounding the site is primarily large parcels and single family residential homes. A commercial nursery is approximately 0.3 miles to the north.

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to RR (Rural Residential) because it is consistent with the development in the area. The HP land use classification would remain intact.**

- ▶ **Approve the OS (Open Space) zone for the portion of the subject property illustrated in the zoning boundary map in the application, subject to 1 condition.**
 - 1) Install a fence along the western property line within 60 days of the development plan approval.

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Though there have been no major changes in this area in the last few decades, the location criteria for RR (Rural Residential) is met by this location because it is characterized by sites adjacent to agricultural areas.

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

1. There are no significant new roads or utilities.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The AG (Agricultural) land use designation is not the result of an error or omission in the sector plan.

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

1. The site was recently approved for a rural retreat. No other significant changes or trends have occurred in the near vicinity.

(REVISED 10/4/2023) The staff report was revised to include a timeline for the fence to be installed, and acknowledge that development plan approval by the Planning Commission is required.

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. The surrounding properties have been transitioned from the A zone to PR at a slow progression over the past 20 years. However, few properties have been built out and the area remains rural in nature.
2. A rural retreat was approved for this property in July 2023 (Case # 7-A-23-UR). This use is consistent with the OS zone.

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

1. The OS (Open Space) preservation zone provides for the principal use of land devoted to open space/preservation of park and recreation lands. Park and recreation uses including parks, trails, parkways, camps and resorts are a use on right in the OS zone. The rural and hilly nature of this property is consistent with the definition of park and recreation uses.
2. Pursuant to the Knox County zoning ordinance, article 5.20.13. Any request for development for other than one (1) house on the site shall require site plan approval by the planning commission through the development plan review process.

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. The property is accessed off a minor collector, no traffic would be required through residential neighborhoods to reach the site.
2. The proposed rezone request is approximately 5 acres of the total 43-acre parcel that would continue to be utilized as a horse farm and rural retreat.
3. Site plans are required to meet the requirements of the Knox County Stormwater Ordinance.
4. No adverse effects are anticipated by this rezoning.

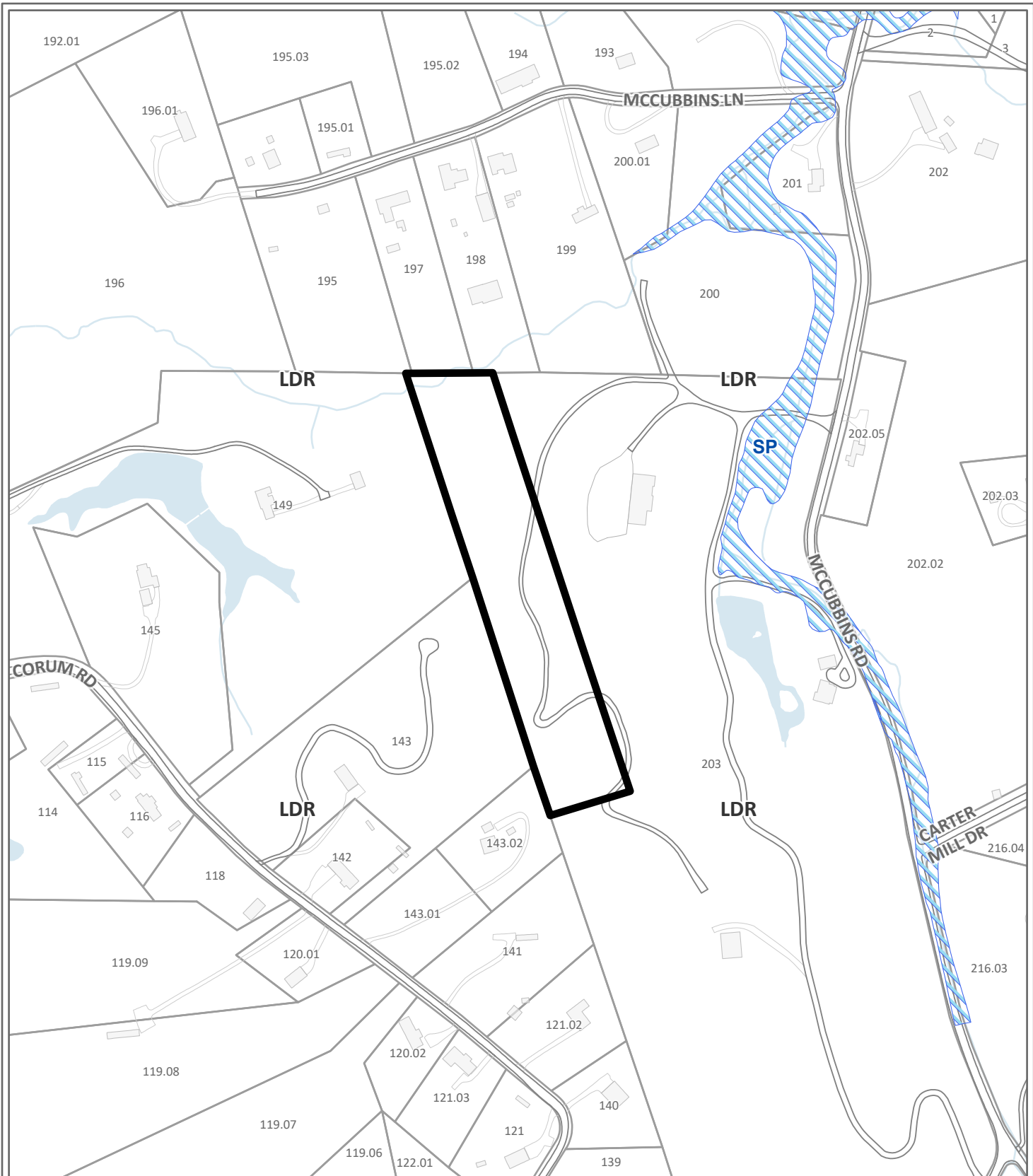
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The subject property is designated as the LDR (low density residential) land use classification in the East County Sector Plan, which allows consideration of the OS zone in the Planned Growth Areas of the Growth Policy Plan.
2. The rezoning is consistent with the General Plan's development policy 7.2 protect water resources by reducing pollution and retaining trees and ground cover on ridges and near streams, rivers, lakes, and sinkholes.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

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.



**10-G-23-SP
EAST COUNTY SECTOR PLAN MAP**



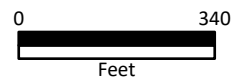
From: LDR (Low Density Residential), HP (Hillside Protection)

To: HP (Hillside Protection);RR (Rural Residential)

Petitioner: Holston Springs LLC

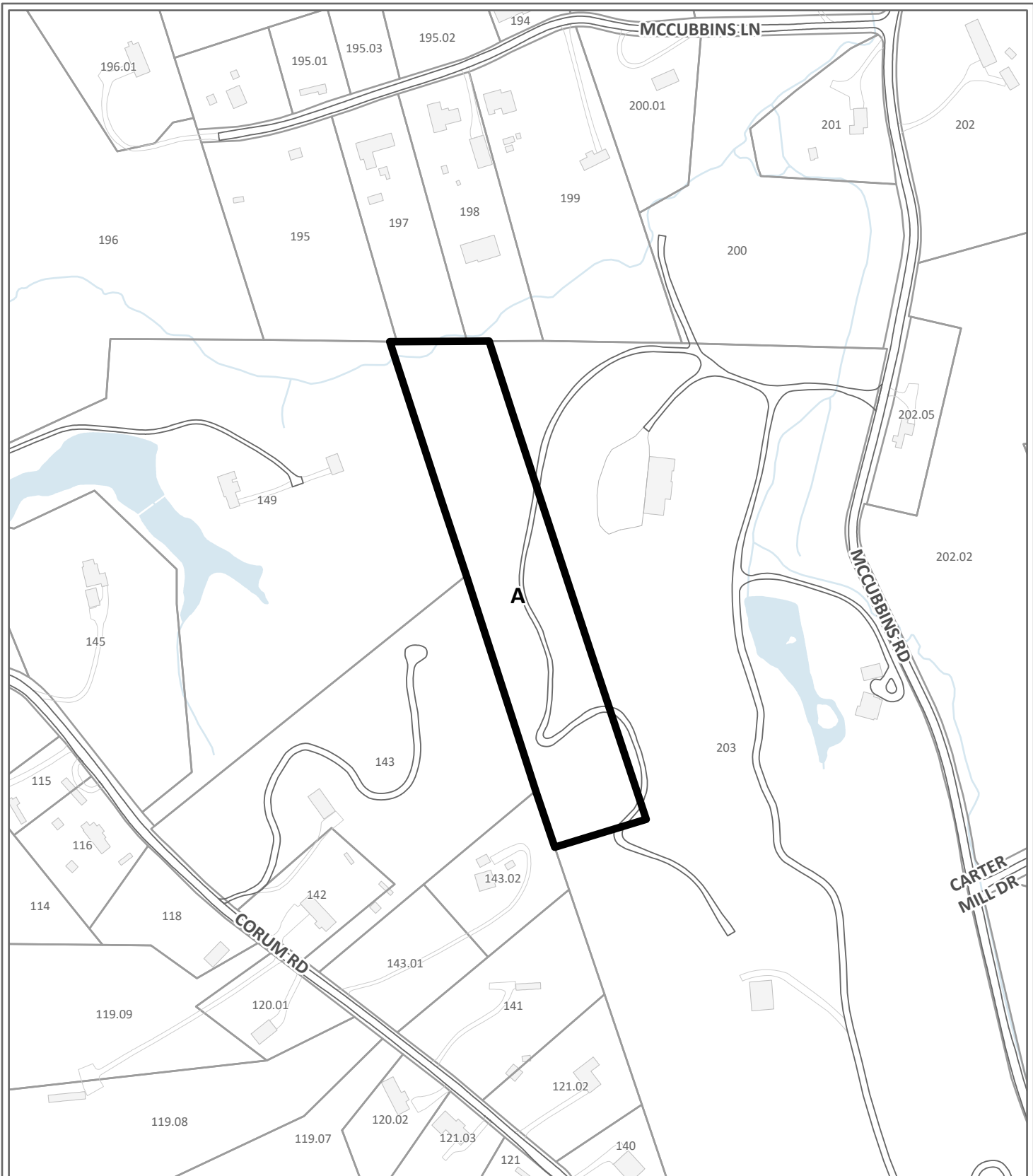
Map No: 73

Jurisdiction: County



Original Print Date: 9/12/2023

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



REZONING

10-L-23-RZ

Petitioner: Holston Springs LLC



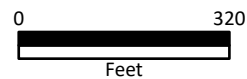
From: A (Agricultural)

To: OS (Open Space)

Map No: 73

Jurisdiction: County

Original Print Date: 9/12/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	5.2		
Non-Hillside	0.3	N/A	
0-15% Slope	0.9	100%	0.9
15-25% Slope	1.2	50%	0.6
25-40% Slope	2.1	20%	0.4
Greater than 40% Slope	0.7	10%	0.1
Ridgetops			
Hillside Protection (HP) Area	4.9	Recommended disturbance budget within HP Area (acres)	2.0
		Percent of HP Area	40.1%

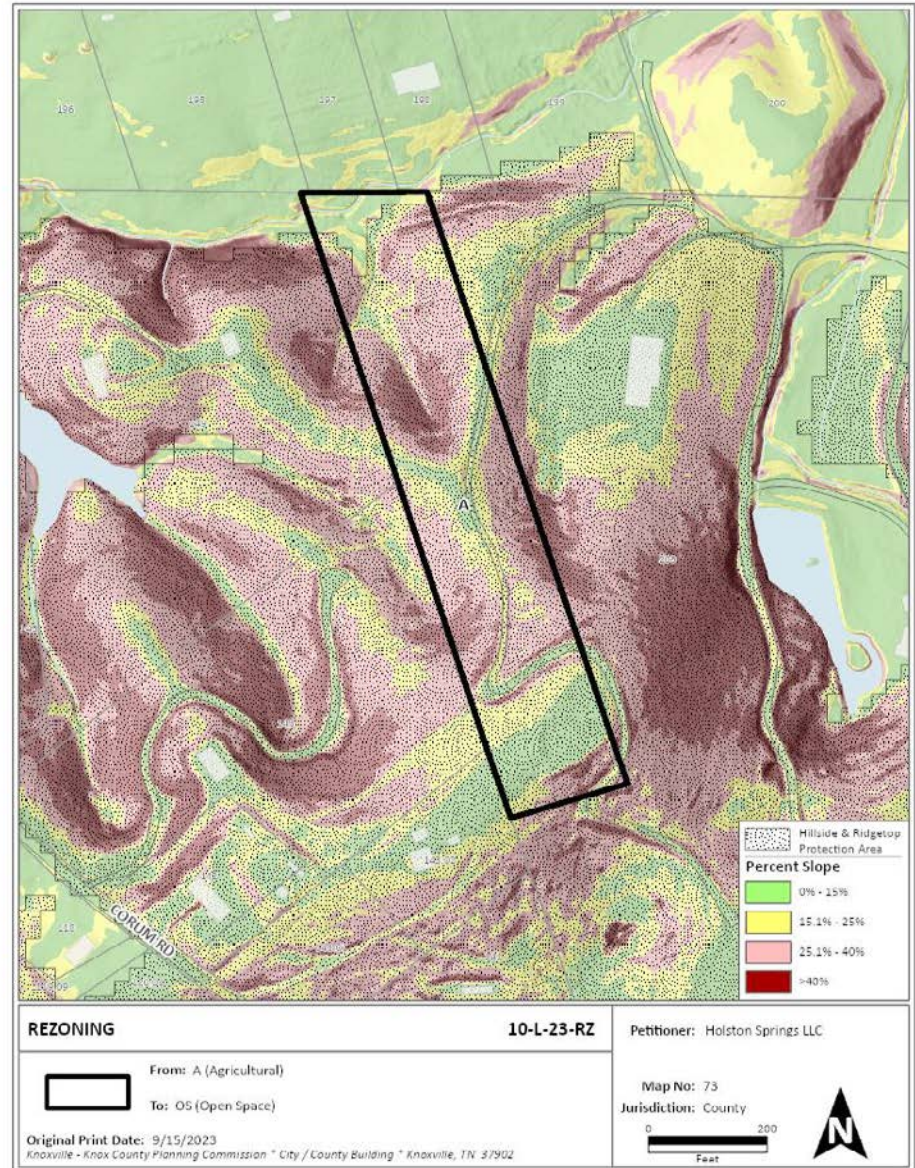
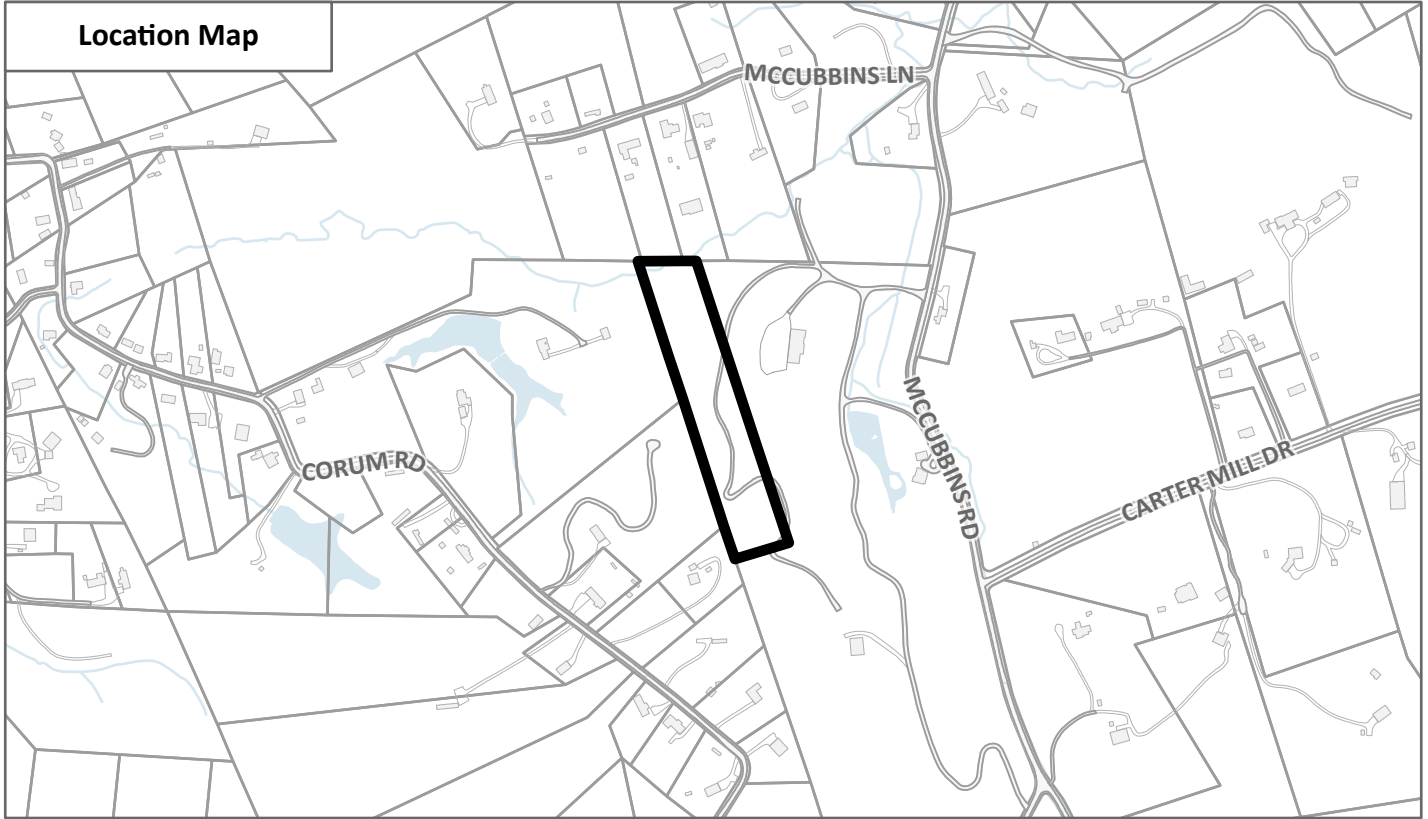
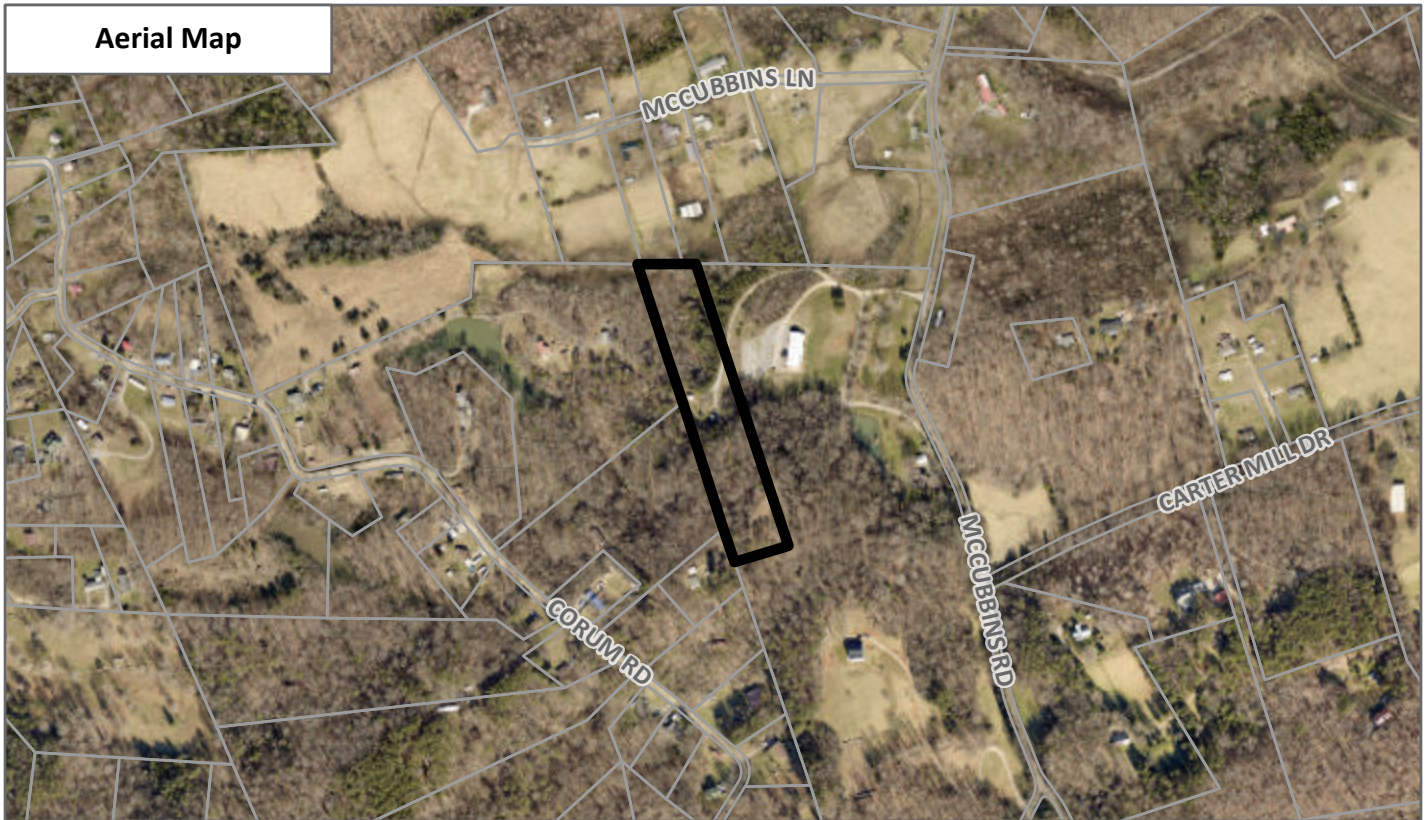


Exhibit A. Contextual Images

Location Map



Aerial Map

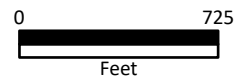


CONTEXTUAL MAPS 1

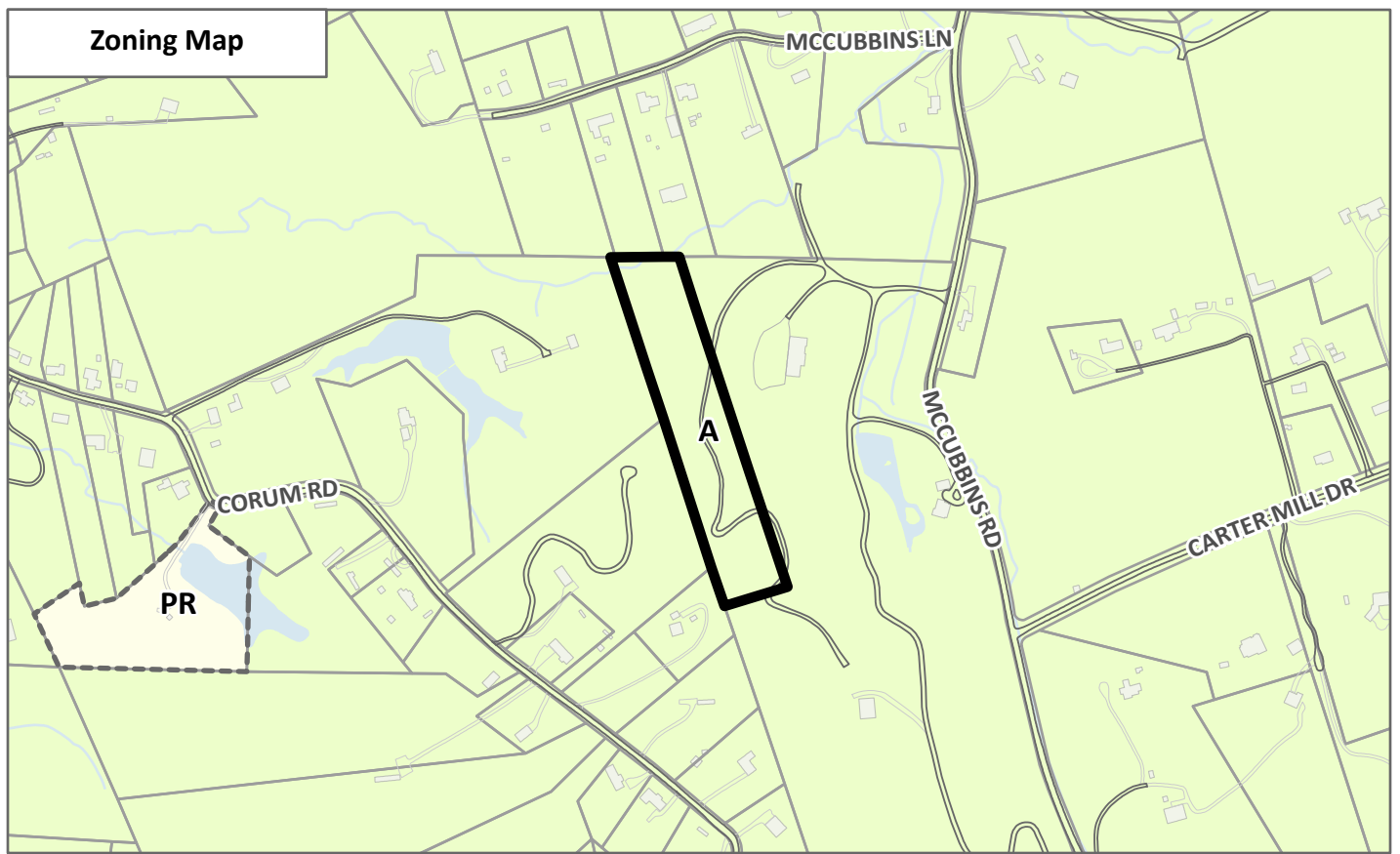
10-G-23-SP / 10-L-23-RZ



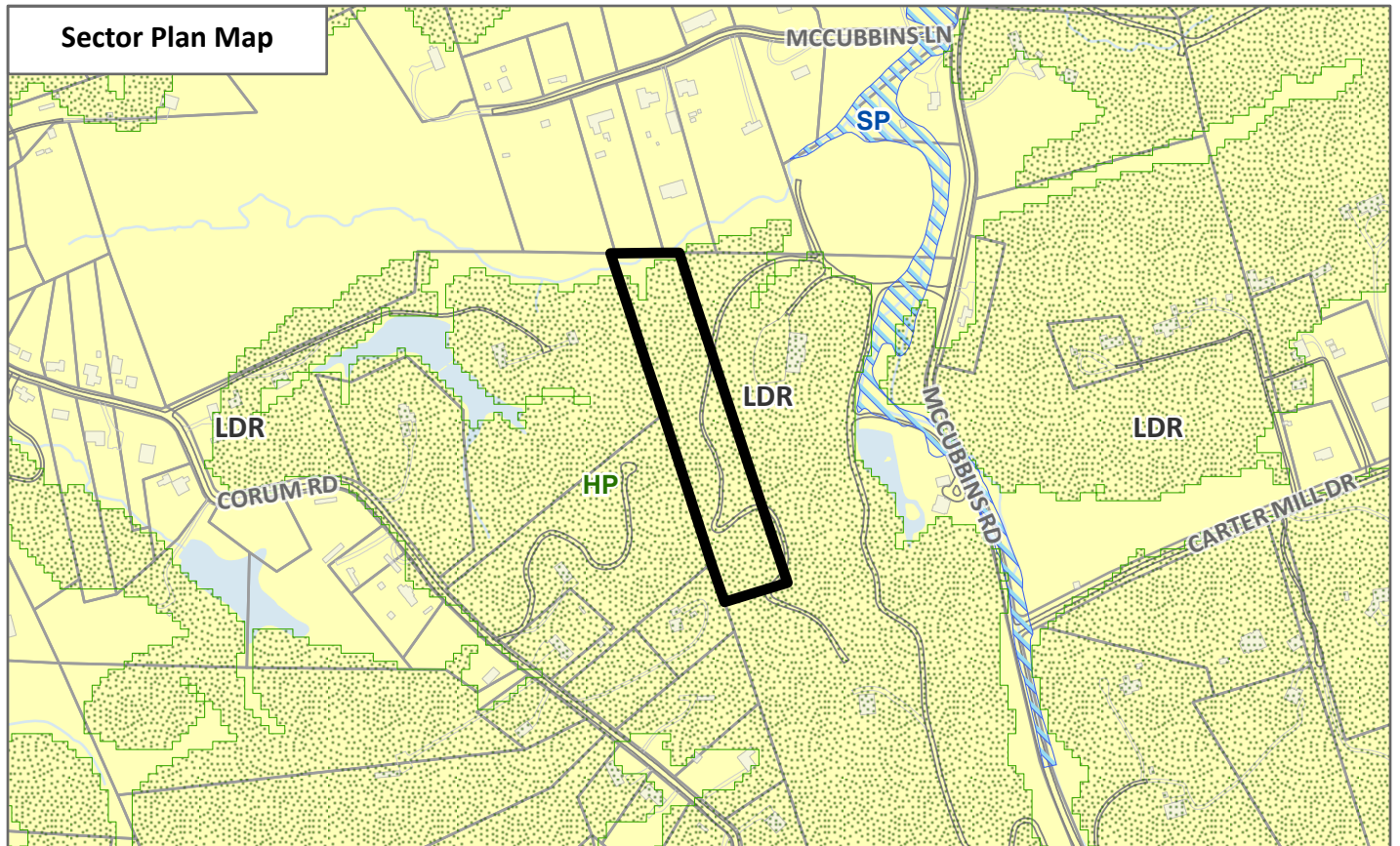
Case boundary



Zoning Map



Sector Plan Map

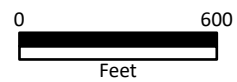


CONTEXTUAL MAPS 2

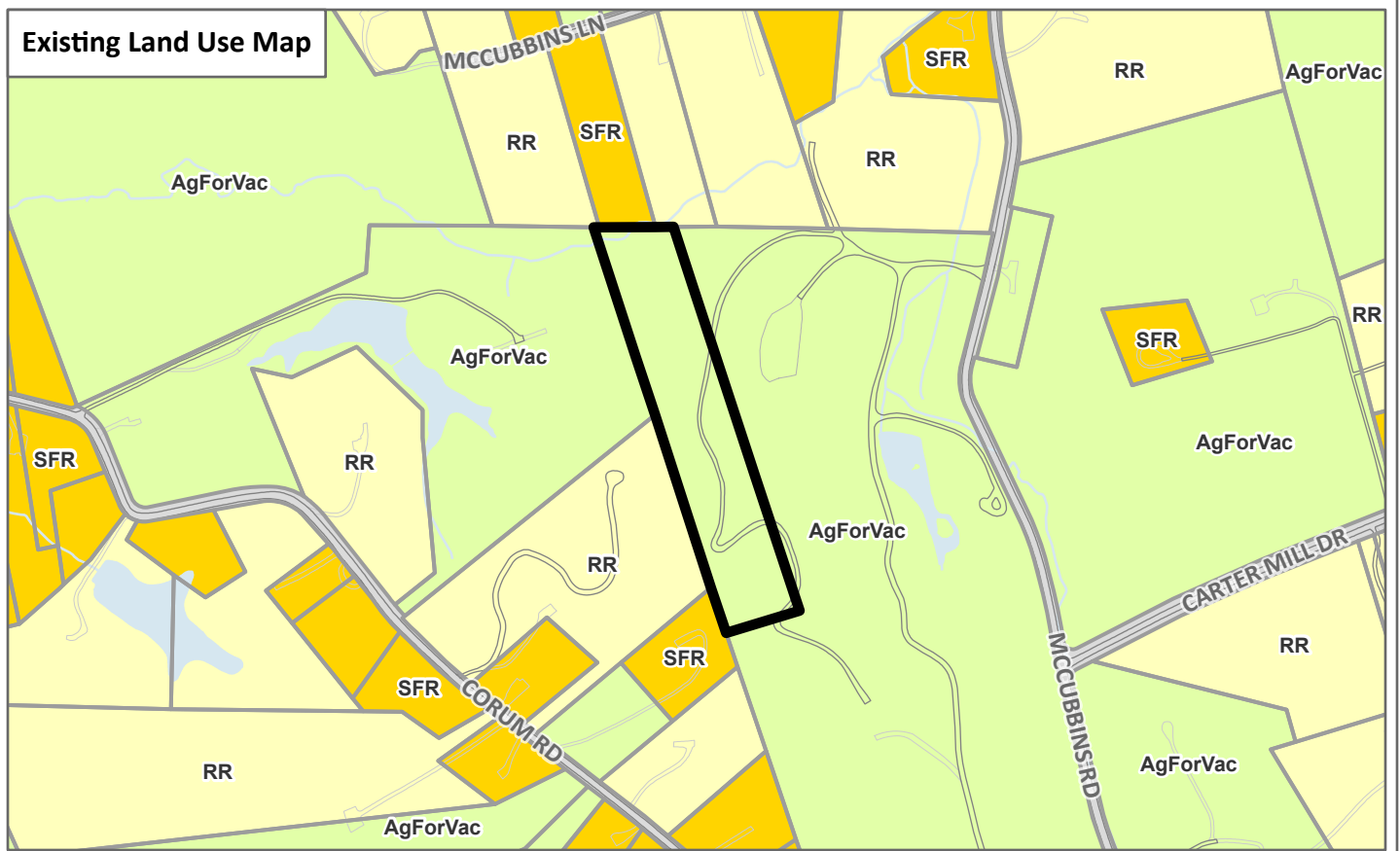
10-G-23-SP / 10-L-23-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

10-G-23-SP / 10-L-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

Holston Springs LLC

Applicant Name

Affiliation

8/23/2023

Date Filed

10/5/2023

Meeting Date (if applicable)

10-G-23-SP / 10-L-23-RZ

File Number(s)

CORRESPONDENCE

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

Bobby Bramhall Holston Springs LLC

Name / Company

733 Mccubbins Rd Knoxville TN 37924

Address

979-777-0882 / bobbybramhall@yahoo.com

Phone / Email

CURRENT PROPERTY INFO

Bobby Bramhall Holston Springs LLC

Owner Name (if different)

733 Mccubbins Rd Knoxville TN 37924

Owner Address

979-777-0882 / bobbybramhall

Owner Phone / Email

733 MCCUBBINS RD / 1144 WOODDALE CHURCH RD

Property Address

73 203 P/O

Parcel ID

5 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of McCubbins Rd, north side of Wooddale Church Rd

General Location

City **Commission District 8 A (Agricultural)**

Agriculture/Forestry/Vacant Land

County District Zoning District

Existing Land Use

East 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 OS (Open Space)	Pending Plat File Number
Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment HP (Hillside Protection);RR (Rural Residential)	
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	\$1,300.00	
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

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	Holston Springs LLC	8/23/2023
	Please Print	Date

Property Owner Signature	Bobby Bramhall Holston Springs LLC	8/23/2023
	Please Print	Date

(1) Download and fill out this form at your convenience.
Authentisign ID: 998F6C60-FAB4-4CEB-93C8-B32A1893182D
(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

Holston Springs LLC

Applicant Name

Affiliation

8/18/23

10/5/2023

File Number(s)

Date Filed

Meeting Date (if applicable)

10-L-23-RZ
10-G-23-SP

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

Bobby Bramhall

Holston Springs LLC

Name

Company

733 McCubbins Rd.

Knoxville

TN

37924

Address

City

State

ZIP

(979) 777-0882

bobbybramhall@yahoo.com

Phone

Email

CURRENT PROPERTY INFO

4817 River Place Dr.

(979) 777-0882

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

733 McCubbins Rd. & 1144 WOODDALE CHURCH RD

073 203

Property Address

Parcel ID

Corum Well Drilling & Pump Service

Y

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

May 1, 2023

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)
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SUBDIVISION REQUEST

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



<input checked="" type="checkbox"/> Zoning Change (OS) Open Space for portion of the property indicated on attachments Proposed Zoning _____ <input checked="" type="checkbox"/> Plan Amendment Change LDR to RR land use classification Proposed Plan Designation(s) _____ 0.25 units/acre Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify) _____	Pending Plat File Number
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STAFF USE ONLY

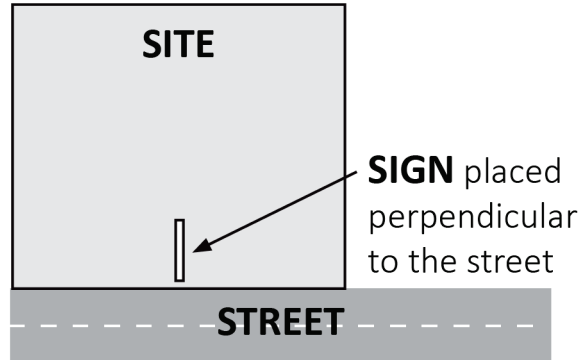
PLAT TYPE <input type="checkbox"/> Staff Review <input checked="" type="checkbox"/> Planning Commission ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final 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:20%;">Fee 1</td> <td style="width:40%;"></td> <td style="width:40%;">Total</td> </tr> <tr> <td>0603</td> <td>\$650.00</td> <td rowspan="3">\$1300.00</td> </tr> <tr> <td>Fee 2</td> <td></td> </tr> <tr> <td>0801</td> <td>\$650.00</td> </tr> <tr> <td>Fee 3</td> <td></td> <td></td> </tr> </table>	Fee 1		Total	0603	\$650.00	\$1300.00	Fee 2		0801	\$650.00	Fee 3		
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0603	\$650.00	\$1300.00												
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0801	\$650.00													
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

Authentisign  Applicant Signature	Holston Springs LLC Please Print	8/18/23 Date
(979) 777-0882 Phone Number	bobbybramhall@yahoo.com Email	SG, 08/23/2023 Date Paid
Authentisign  Property Owner Signature	Bobby Bramhall Please Print	8/18/23 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: Holston Springs LLC

Date: 08/23/2023

File Number: 10-L-23-RZ & 10-G-23-SP

- Sign posted by Staff
- Sign posted by Applicant