



# 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.