

PLAN AMENDMENT/ **REZONING REPORT**

► FILE #: AGENDA ITEM #: 4-V-24-RZ 21

> **AGENDA DATE:** 4-N-24-SP 4/11/2024

APPLICANT: STORM SHULAR

OWNER(S): Erin and Bronce Rodgers

TAX ID NUMBER: 150 044 View map on KGIS

Commission District 9 JURISDICTION: STREET ADDRESS: 8922 PICKENS GAP RD

LOCATION: East side of Pickens Gap Rd, north of Whaley Ln

TRACT INFORMATION: 84.44 acres. SECTOR PLAN: South County **GROWTH POLICY PLAN:** Rural Area

ACCESSIBILITY: Access is off of Pickens Gap Road, a minor collector with 17-22 ft of

pavement width within 50-75 ft of right-of-way.

UTILITIES: Water Source: **Knox-Chapman Utility District**

> **Knox-Chapman Utility District** Sewer Source:

WATERSHED: Stock Creek

PRESENT PLAN AG (Agricultural), HP (Hillside Protection) / A (Agricultural), RB

DESIGNATION/ZONING: (General Residential)

PROPOSED PLAN RR (Rural Residential), HP (Hillside Protection) / PR (Planned

DESIGNATION/ZONING: Residential)

EXISTING LAND USE: Agriculture/Forestry/Vacant Land

DENSITY PROPOSED: up to 2 du/ac

ZONING

EXTENSION OF PLAN No, this is not an extension of the land use designation or the zone. DESIGNATION/ZONING:

HISTORY OF ZONING A request to rezone part of the property from A (Agricultural) to RA (Low Density Residential) in 1997 was denied by the Planning Commission (Case REQUESTS:

10-K-97-RZ).

Agriculture/forestry/vacant land, rural residential, single family SURROUNDING LAND USE, North:

residential - AG (Agricultural) - A (Agricultural), RB (General PLAN DESIGNATION,

Residential)

Single-family residential, rural residential, agriculture/forestry/vacant South: land - AG (Agricultural), HP (Hillside Protection) - A (Agricultural)

East: Agricultural /forestry/vacant land - AG (Agricultural), HP (Hillside

Protection) - A (Agricultural)

West: Single-family residential, rural residential, agriculture/forestry/vacant

land - AG (Agricultural), HP (Hillside Protection) - A (Agricultural),

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RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: The surrounding area consists of predominantly single-family detached

houses on a range of lot sizes and farming.

STAFF RECOMMENDATION:

▶ Approve the sector plan amendment to the RR (Rural Residential) land use classification because it is consistent with development in the area. The HP (Hillside Protection) area would be retained.

- ▶ Approve the PR (Planned Residential) zone up to 1 du/ac because it is consistent with the Rural Residential land use classification and surrounding development, subject to one condition.
 - 1. The portion of the parcel delineated in Exhibit B shall be left undisturbed.

COMMENTS:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The residential development to the north and northwest are predominantly on half-acre lots and were platted in the 1960s. These have the AG (Agricultural) land use classification, though they align more with the RR (Rural Residential) land use.

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

1. There are no known road or utility improvements in the area that were not anticipated in the plan and make the development more feasible.

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. However, the area to the north and northwest of this property was developed in the 1960s with residential lots of half-acre and smaller. The sector plan should have considered the RR (Rural Residential) land use classification for those developments. RR may be considered in the Rural Area of the Growth Policy Plan.
- 2. The RR land use classification allows consideration of PR up to 1 du/ac in the South County Sector Plan.
- 3. Section 1, Policy 3.2 of the Growth Policy Plan allows consideration of PR (Planned Residential) up to 2 du/ac, with lower densities on sites with steep slopes.

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

1. New residential development and rezonings have happened to the east, near and along the Chapman Hwy corridor. The population has increased significantly over the past twenty years. The RR land use classification is consistent with this ongoing trend towards residential land use while also limiting density to maintain the rural character of the property's surrounding environment.

OTHER CONSIDERATIONS:

1. The subject property meets the RR (Rural Residential) land use classification's location criteria, which is for sites characterized as forested (tree-covered), especially on moderate and steep slopes and by sites adjacent to agricultural areas where conservation/cluster housing subdivisions may be appropriate.

State law regarding amendments to the general plan (which includes Sector Plan amendments) was changed with the 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):

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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 residential development to the north and northwest are predominantly on half-acre lots and were platted in the 1960s. These have the AG (Agricultural) land use classification, though they align more with the RR (Rural Residential) land use.

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

- 1. The PR (Planned Residential) zone provides flexibility for residential development on properties with environmental constraints by allowing clustered development in the optimal areas of a property to preserve more environmentally sensitive areas, such as steep slopes and streams.
- 2. This property has steep slopes along its two ridge features and a potential stream between them.
- 3. PR up to 1 du/ac on this 84.44-acre property would allow up to 84 units. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone.
- 4. The property currently has split zoning; approximately 40 acres are zoned RB (General Residential), and 44.5 acres are zoned A (Agricultural). The RB zone is located in the most developable portion of the site but does include some steep slopes and a potential stream. The RB zone allows houses, duplexes, and multi-dwelling developments. Houses must have a minimum lot size of 10,000 sqft. Multi-dwelling development is permitted by right up to 12 du/ac.
- 5. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 impact on the street system will be minimal as the property has direct access to a minor collector road.
- 2. Considering the environmental constraints, staff recommends approving the PR zone at 1 du/ac on the condition that the steep slopes delineated in Exhibit B remain undisturbed. This condition is supported by the following development policies of the General Plan:
- a) Rigorously enforce zoning regulations and conditions of approval to maintain public confidence in the planned development process (10.4),
- b) Encourage flexible, planned development zones to protect hillsides, woodlands, wildlife habitats, and stream corridors (6.1), and
- c) Compliment natural land forms when grading, and minimize grading on steep slopes and within floodways (6.2).
- 3. Approximately 60 percent of the property is within the Hillside Protection area. The slope analysis recommends a density of 1.36 du/ac for the property.
- 4. PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as topography, surrounding character, and access are evaluated, and community input may be provided regarding the proposed development plan.

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 recommended amendment for the South County Sector Plan to RR (Rural Residential) makes the recommended zoning density consistent with the land use plan, which allows up to 1 du/ac.
- 2. The proposed PR zone up to 1 du/ac is consistent with the Rural Area of the Growth Policy Plan, which allows up to 2 du/ac (Policy 3.2) with reductions in density when the site has steep slopes (Policy 3.3). The maximum density recommendation by the slope analysis (attached) is 1.36 du/ac based on the Hillside and Ridgetop Protection Plan. The maximim density allowed based on the Policy 3.3 of the Growth Policy Plan is approximately 1.2 du/ac.
- 3. With adherence to the noted condition, the proposed PR zone aligns with Policies 6.1, 6.2, and 6.3 of the General Plan, which encourages using flexible planned development zones to protect sensitive natural features and develop in areas with the fewest environmental constraints.
- 4. The PR zone requires development plan approval by the Planning Commission. This aligns with Policy 9.3 of the General Plan, which encourages the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

ESTIMATED TRAFFIC IMPACT: 1626 (average daily vehicle trips)

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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.

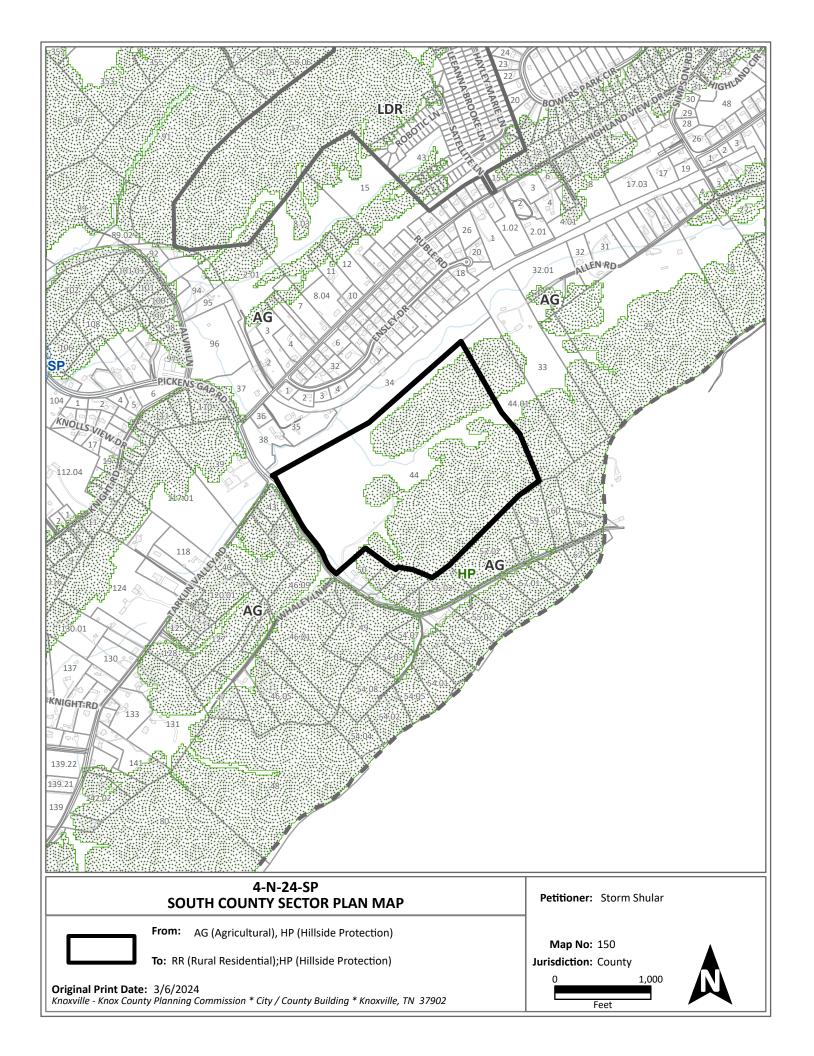
ESTIMATED STUDENT YIELD: 37 (public school children, grades K-12)

Schools affected by this proposal: New Hopewell Elementary, South Doyle Middle, and South Doyle 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 5/20/2024. 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.

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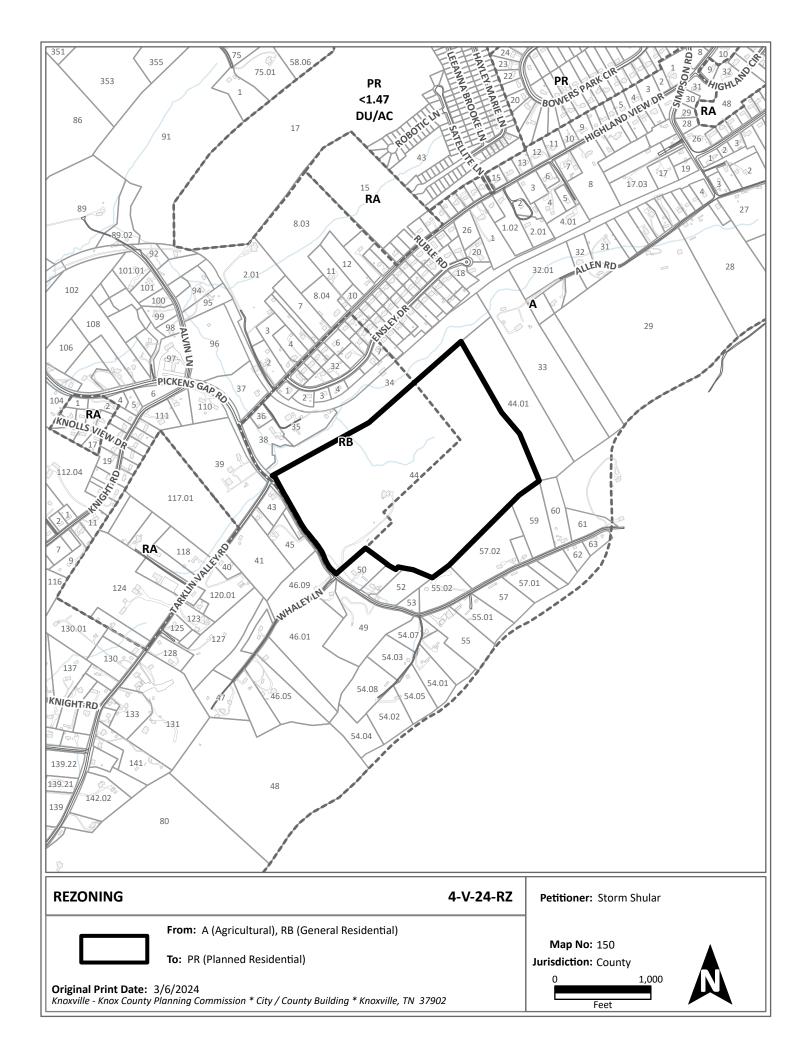
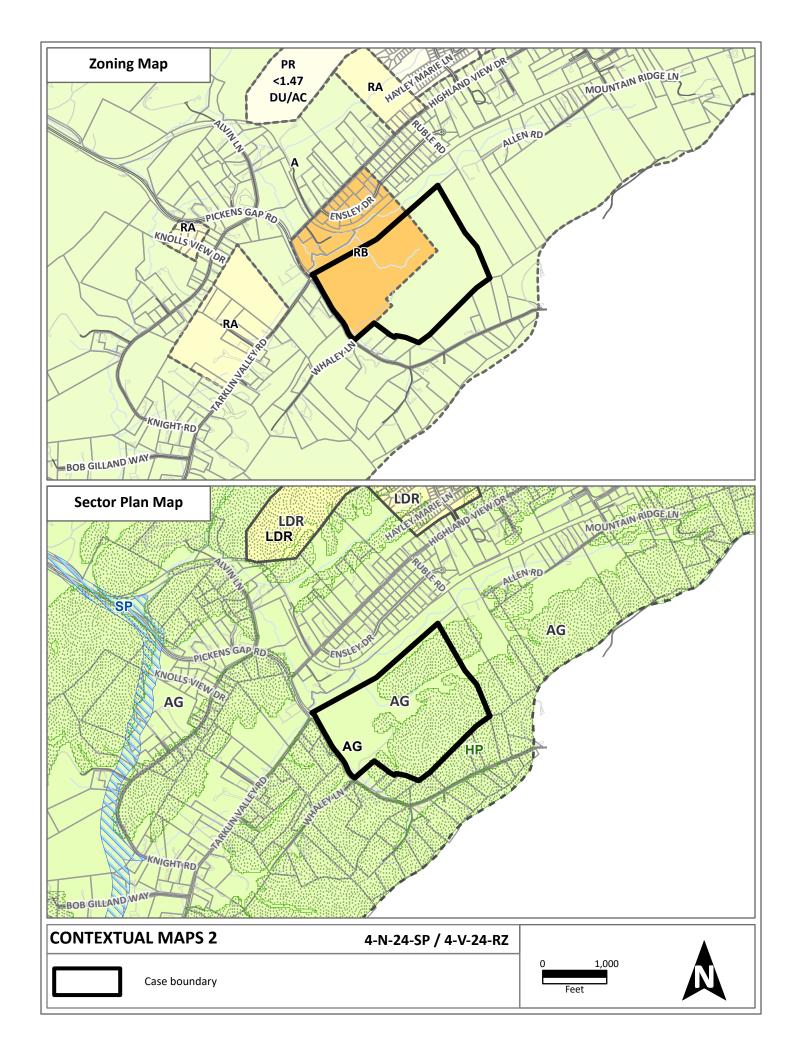
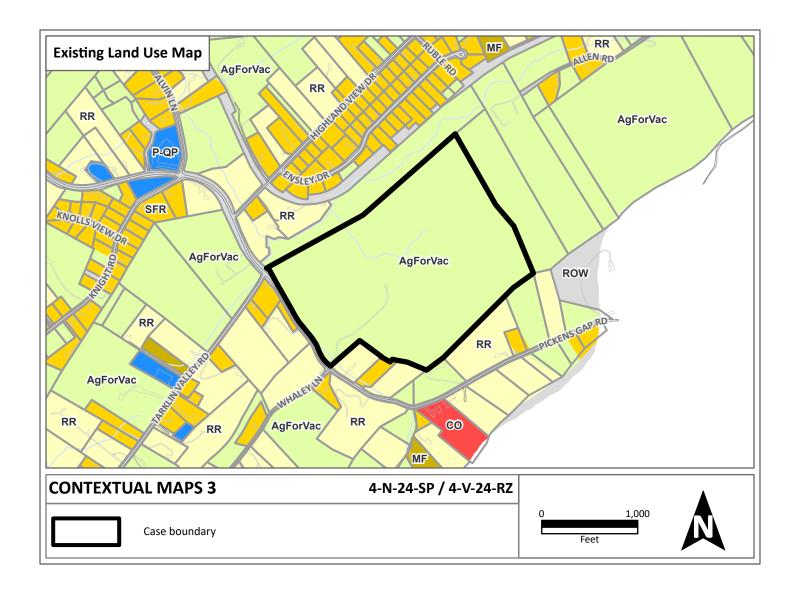


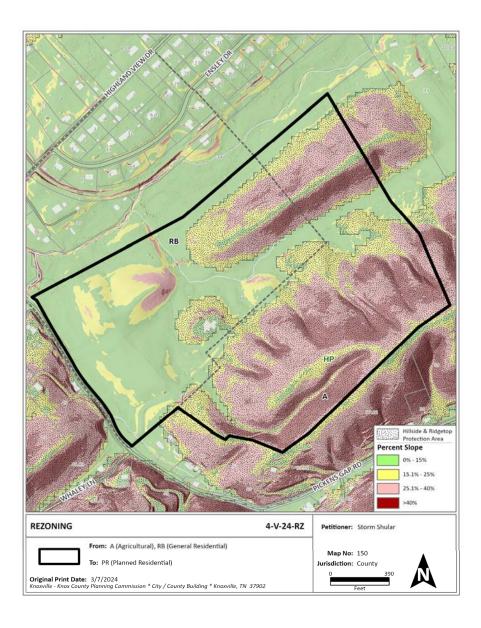
Exhibit A. Contextual Images Location Map MOUNTAIN RIDGE LY PICKENS GAP RD KNOLLS VIEW OR KNIGHT RD BOB GILLAND WAY **Aerial Map CONTEXTUAL MAPS 1** 4-N-24-SP / 4-V-24-RZ 1,000 Case boundary

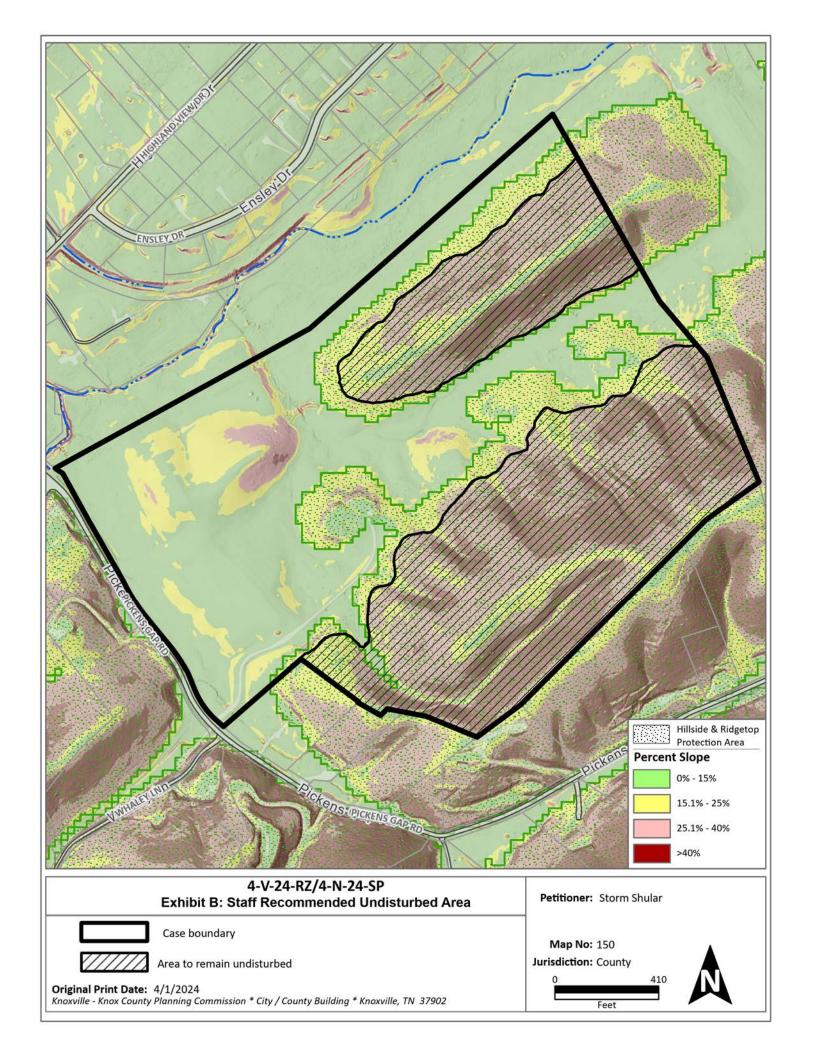




CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	84.4		
Non-Hillside	34.2	N/A	
0-15% Slope	3.2	100%	3.2
15-25% Slope	13.6	50%	6.8
25-40% Slope	20.3	20%	4.1
Greater than 40% Slope	13.0	10%	1.3
Ridgetops			
Hillside Protection (HP) Area	50.2	Recommended disturbance budget within HP Area (acres)	15.4
		Percent of HP Area	30.7%

CATEGORY Non-Hillside	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre) 2.00	NUMBER OF UNITS
0-15% Slope	3.2	2.00	6.5
15-25% Slope	13.6	2.00	27.2
25-40% Slope	20.3	0.50	10.2
Greater than 40% Slope	13.0	0.20	2.6
Ridgetops	0.0	2.00	0.0
Subtotal: Sloped Land	50.2		46.5
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	84.4	1.36	114.9
Proposed Density (Applicant)	84.4	2.00	168.9





KNOXVILLE-KNOX COUNTY PLANNING COMMISSION A RESOLUTION AMENDING THE SOUTH COUNTY SECTOR PLAN

WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the South County Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Storm Shular has submitted an application for an amendment to the South County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Agricultural to Rural Residential consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing on April 11, 2024, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the South County Sector Plan, with its accompanying staff report and map, file #4-N-24-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

-	Date		
		Secretary	



Development Request

	DEVELOPMENT	SORDIVISION	ZONING
Diamin	Development Plan	☐ Concept Plan	✓ Plan Amendment
Plannin	☐ Planned Development	☐ Final Plat	✓ Sector Plan
KNOXVILLE I KNOX COUNTY	☐ Use on Review / Special Use		☐ One Year Plan
	☐ Hillside Protection COA		Rezoning
Storm Shular			
Applicant Name		Affiliation	
2/29/2024	4/11/2024	4-V-24-RZ / 4-N-24	I-SP
Date Filed	Meeting Date (if applicable)	File Number(s)	
CORRESPONDENCE	All correspondence related to this application s	should be directed to the app	roved contact listed below.
Storm Shular Heartland Dev	elopment LLC		
Name / Company			
307 Blue Peacock Way Seym	our TN 37865		
Address			
865-654-6236 / storm@hear	tlanddevelopmentlic.com		
Phone / Email			
CURRENT PROPERTY II	NFO		
Erin and Bronce Rodgers	8922 Pickens Gap Rd Knoxville T	'N 865	5-209-8705
Owner Name (if different)	Owner Address	Ow	ner Phone / Email
8922 PICKENS GAP RD			
Property Address			
150 044		84.	44 acres
Parcel ID	Part of	Parcel (Y/N)? Tra	ct Size
Knox Chapman Sewer	Knox-Chapman Ut	ility District	
Sewer Provider	Water Provider		Septic (Y/N)
STAFF USE ONLY			
East side of Pickens Gap Rd,	north of Whaley Ln		
General Location			
City Commission District	t 9 A (Agricultural), RB (General Residential)	Agriculture	e/Forestry/Vacant Land
⊘ County District	Zoning District	Existing La	and Use
South County	AG (Agricultural), HP (Hillside Protection)	Rural Area	<u> </u>
Planning Sector	Sector Plan Land Use Classification	Growth Po	licy Plan Designation

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DEVELOPMEN'	T REQUEST					
☐ Development Pla	an 🗌 Planned D)evelopment	☐ Use on Review	/ / Special Use	Related City I	Permit Number(s)
☐ Hillside Protection	on COA		Residential	☐ Non-residential		
Home Occupation (specify)					
Other (specify)						
SUBDIVSION R	EQUEST					
					Related Rezo	ning File Number
Proposed Subdivision	on Name				-	
Unit / Phase Number	 er		Total	Number of Lots Created	<u>l</u>	
Additional Informat	ion					
☐ Attachments / A	dditional Requirem	ents				
ZONING REQU	EST					
✓ Zoning Change	PR (Planned Resid	dential)			Pending Plat File Number	
	Proposed Zoning]	
✓ Plan	RR (Rural Reside	ential), HP (Hil	llside Protection)			
Amendment	Proposed Plan D	esignation(s)				
up to 2 du/ac						
Proposed Density (ous Zoning Red	quests			
Additional Informat						
STAFF USE ON	LY					
PLAT TYPE				Fee 1	Fee 1 Total	
Staff Review	☐ Planning Co	mmission		\$5,722.00		
ATTACHMENTS Property Owners		□ Varian	ce Request	Fee 2		
ADDITIONAL RE		varian	ce nequest	1002		
COA Checklist (H	•					
☐ Design Plan Cert		ł		Fee 3		
☐ Site Plan (Develo☐ Traffic Impact St						
Use on Review /		ept Plan)				
AUTHORIZATIO	ON					
		foregoing is tru	ue and correct: 1) He/s	he/it is the owner of the pro	perty, AND 2) th	e application and
	terials are being sub			,	,	
A 1: 10: 1		Storm Shul				2/29/2024
Applicant Signature		Please Prin	ι			Date
Phone / Email						
		Erin and Bı	ronce Rodgers			2/29/2024
Property Owner Sig	nature	Please Print	t			Date

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Development Request SUBDIVISION ZO **ZONING** ☐ Development Plan ☐ Concept Plan Plan Amendment ☐ Planned Development

KNOXVILLE ! KNOX COUNTY	☐ Use on Revie	I Planned Development I Use on Review / Special Use I Hillside Protection COA		at	■ SP □ OYP ■ Rezoning
Storm Shular				Heartlar	nd Development
Applicant Name				Affiliation	
2/23/2024	4/11/2024		<u></u>	Annation	
Date Filed	Meeting Dat	e (if applicable)			File Number(s)
CORRESPONDENCE All corr	respondence relate	d to this application sh	ould be directed	d to the approv	ved contact listed below.
Applicant LJ Property Owner [Option Holder	☐ Project Surveyor			
Storm Shular			nd Developr		randscape Architect
Name		Company			
307 Blue Peacock Way		Seymou	ır	TN	37865
Address		City		State	ZIP
865-654-6236	Storm@he	artlanddevelopmer	ntlic.com		LIF
Phone	Email			· · · · · · · · · · · · · · · · · · ·	
CURRENT PROPERTY INFO					
rin And Bronce Rogers . Rodge:	s 8922	2 Pickens Gap Rd			
roperty Owner Name (if different)	Prope	Property Owner Address		865-209-8705	
922 Pickens Gap Rd Knoxville, TN	V	,		Pro	perty Owner Phone
operty Address		De	LID		
CUD		KCUD	arcel ID		
wer Provider					
TAFF UŞE ONLY		Water Provider			Septic (Y/N)
neral Location				Tract Cine	
City County				Tract Size	
City County District	Zoning District	I	Existing Land U	se	
nning Sector	Sector Plan Land	Use Classification		Growth Policy	Plan Designation

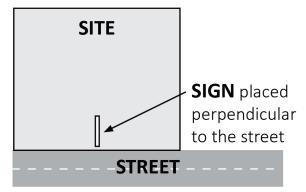
DEVELOPMENT REQUEST			
☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA ☐ Residential ☐ Non-Residential Home Occupation (specify)			Related City Permit Number(s)
Other (specify)			
SUBDIVISION REQUEST			
			Related Rezoning File Number
Proposed Subdivision Name			
Unit / Phase Number Combine	e Parcels Divide Parcel Total i	Number of Lots Created	
Other (specify)			
Attachments / Additional Requirem	ents		
ZONING REQUEST			
Zoning Change PR			Pending Plat File Number
Proposed Zoning			
Plan Amendment Change	Residential		
Proposi du/ac 2 du/ac	ed Plan Designation(s)		
Proposed Density (units/acre)	Previous Rezoning Requests		
☐ Other (specify)			
STAFF USE ONLY			
PLAT TYPE		Fee 1	Total
☐ Staff Review ☐ Planning Com	mission		
ATTACHMENTS	_	Fee 2	
Property Owners / Option Holders	☐ Variance Request		
ADDITIONAL REQUIREMENTS	1		
 □ Design Plan Certification (Final Plat) □ Use on Review / Special Use (Conce) 		Fee 3	
☐ Traffic Impact Study	perially		
COA Checklist (Hillside Protection)			
AUTHORIZATION		<u> </u>	
I declare under penalty of perjury the He/she/it is the owner of the proper	foregoing is true and correct: ty AND 2) The application and all associa	ted materials are being subn	nitted with his/her/its consent
XXX Xx I	Storm Shular		7123/2024
Applicant Signature	Please Print		2/23/2024 Date
Storkas 865-654	1-6236 @ Storr	10 Heartland	development/10.co
Phone Number	Email		
Tickedel	Erin Rodges		
Property Owner Signature	Please Print		Date Paid



Sign Posting & Removal Requirement

Revised April 2021

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-ofway 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:

March 26, 2024	and	April 12, 2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Storm Shular		
Date: 02/29/2024		Sign posted by Staff
File Number: 4-V-24-RZ_4-N-24-SP		Sign posted by Applicant