

# **USE ON REVIEW REPORT**

►	FILE #: 8-A-24-UR	AGENDA ITEM #: 46				
		AGENDA DATE: 8/8/2024				
►	APPLICANT:	STRAWBERRY PLAINS PIKE PICKLEBALL, LLC				
	OWNER(S):	Wayne Hodge Strawberry Plains Pike Pickleball, LLC				
	TAX ID NUMBER:	73 014.03 View map on KGIS				
	JURISDICTION:	County Commission District 8				
	STREET ADDRESS:	7729 STRAWBERRY PLAINS PIKE				
Þ	LOCATION:	Northwest side of Strawberry Plains Pike, northeast of Wooddale Church Rd, southwest of S Wooddale Rd				
•	APPX. SIZE OF TRACT:	6.42 acres				
	GROWTH POLICY PLAN:	Urban Growth Area (Outside City Limits)				
	ACCESSIBILITY:	Access is via Strawberry Plains Pike, a minor arterial street with a 25-ft pavement width within a 100-ft to 105-ft right-of-way.				
	UTILITIES:	Water Source: Knoxville Utilities Board				
		Sewer Source: Knoxville Utilities Board				
	FIRE DISTRICT:	Rural Metro Fire				
	WATERSHED:	Sinking East Creek				
►	ZONING:	A (Agricultural)				
►	EXISTING LAND USE:	Agriculture/Forestry/Vacant Land				
►	PROPOSED USE:	Indoor pickleball facility landscape plan revision				
	HISTORY OF ZONING:	A request to rezone the property from A (Agricultural) to PR (Planned Residential) was withdrawn in 2021 (10-O-21-RZ).				
	SURROUNDING LAND	North: Agriculture/forestry/vacant land - A (Agricultural)				
	USE AND ZONING:	South: Agriculture/forestry/vacant land - A (Agricultural)				
		East: Agriculture/forestry/vacant land, rural residential - A (Agricultural)				
		West: Agriculture/forestry/vacant land, rural residential - A (Agricultural)				
	NEIGHBORHOOD CONTEXT:	The property is surrounded by single family residential and agricultural properties among forest. Nearby to the southwest is a commercial node on Strawberry Plains Pike as it intersects with I-40.				

### STAFF RECOMMENDATION:

Deny the request to revise the landscaping plan because it is inconsistent with adopted plans and policies.

### **COMMENTS:**

This is a request to revise the landscaping plan for an indoor pickleball facility at 7729 Strawberry Plains Pike, which was previously approved through the Use on Review process last year (case 5-D-23-UR). The original plan provides a landscape screen along the eastern lot line containing two offset rows of 26 American Holly trees and 26 Eastern Red Cedar trees. The applicant is requesting to remove all but 12 of the Eastern Red Cedar trees and cluster them closer to the front lot line. The reason provided is that the slope, created by the development and consistent with the original plan, is too steep for the trees to be viable. The steepness of the constructed slope was known when the landscaping was proposed, and the grade of the slope did not change. A UT Extension Agent with the Natural Resources Division joined Planning staff for a site visit and determined that the slope is not too steep to plant as originally planned. The Extension Agent is an ISA Certified Arborist and took three soil core samples at varying levels of the slope. He found that there is enough soil depth for newly planted trees to take root, and provided guidance on planting slopes with up to a 50% grade, which is the max steepness of the subject property's slope according to the applicant. This determination and guidance, including a recommendation to plant native grasses that do not require mowing instead of fescue grass on the slope, can be found in Exhibit B.

The applicant has provided an alternative plan to install a 6-ft tall wooden privacy fence along the eastern lot line in place of the vegetation, but would prefer to only install the 12 trees in the revised landscaping plan.

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 - SECTION 2). The Planning Commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

# 1) THE USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE COMPREHENSIVE PLAN.

A. The native tree buffer serves several functions. It provides a visual screen between the pickleball building/parking lot, which will be illuminated at night, and the single-family dwelling adjacent to it. It also provides modest native reforestation on a wooded lot that was cleared by approximately 40% for the pickleball development. This replanting complies with the adopted East County Community Plan, which lists "forested areas" and "native landscaping" as defining features of the rural character the plan strives to preserve. It would be inconsistent with this plan to remove 40 trees when it has been determined that they are viable on the site. B. The Comprehensive Plan has several Implementation Policies that are incompatible with the proposed tree removal. They include Policy 2 to ensure that development is sensitive to existing community character and Policy 7 to encourage development practices that conserve and connect natural features and habitat.

# 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE

A. The subject property is zoned A (Agricultural), and the use of an indoor pickleball facility is uncharacteristic of the activities that would typically occur in this zone. Providing minimal reforestation along the edge of the property better aligns the use with the rural land uses more common with this zone.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY. A. This section of the Strawberry Plains Pike corridor is characterized by significant forest coverage. The original planting plan increased compatibility of the pickleball facility with the area in this context.

### 4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The applicant has provided a letter from the adjacent property owner to the east at 7737 Strawberry Plains Pike. It states that she approves of the revised landscaping plan and does not desire a buffer between these properties. It is noteworthy that this person sold the property where the pickleball facility is now being developed. She also recently sold the 2-acre lot east of the 7737 property, which was entirely cleared for one single-family home. It is unclear from the letter whether this person resides at 7737, as it was also advertised as being for sale by the owner not long ago.

B. The construction of the recreational facility is still underway, and the parking lot and subsequent lighting have not been installed. It is not known at this point what the full aesthetic, lighting and noise impacts of this development will be on current or future residents of the neighboring property. The vegetative buffer provides protection from this recreational use which is an outlier among the agricultural and rural residential uses along this section of the corridor.

### 5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The proposed landscaping revision will not alter the previously approved use with regards to traffic impact.

PAGE #:

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. The removal or maintenance of the trees does not pose a risk to the function of the indoor pickleball facility.

### 7) ADDITIONAL NOTE:

A. The revised landscaping plan provides an additional Foster Holly tree next to the detention pond. Staff have no concerns with this revision and generally encourage enhanced landscaping.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.











### Exhibit B: Correspondence from UT Extension Agent



### 7729 Strawberry Plains Pike

Rumble, Lee <drumble@utk.edu> To: Jessie Hillman <jessie.hillman@knoxplanning.org>

Hi Jessie,

Thank you for meeting with me on Friday of last week.

I have reviewed the original and revised landscape plan(s) and feel confident that the original plan could still be implemented. Unfortunately, I wasn't able to pull out of the plans the actual percent (%) slope of that hillside (maybe it is in the plans somewhere), but I don't feel this to be an impossible hillside to plant into. Certainly, trees will grow on steep hillsides, though this will (more than likely) add in a manual labor component for the planting process, as it is unlikely that any machinery would be able to access these areas. Further, after taking three (3) cores with a soil probe at varying levels on the slope, there appears to be plenty of rooting depth for newly-planted trees.

The species chosen for the slope in these plans are great choices! Eastern Red Cedar (*Juniperus virginiana*) are native, as are American Holly (*llex opaca*)—both slated to be near the top of the hillside. Now, I may could argue against the monoculture nature of the plantings (i.e., putting 26 of the same species one after the next in a straight row) as we know the consequences of monocultures in terms of pests, diseases, and environmental factors, but these are both very hardy species that would work on that hillside. I could certainly see a benefit to a more diverse planting list and possibly even arranging them in a more offset pattern (that would ultimately cover more surface area in terms of that hillside), but this may well be another chapter in a different book.

### In keeping with your theme you asked me to consider:

#### "Rural Feel"

There are few trees more iconic that our native Eastern Red Cedar and as a result, I think we would easily get this "rural feel" from a stand of Eastern Red Cedars—they literally grow everywhere around here, are extremely hardy, low maintenance, attract wildlife, and as they mature, would create the iconic "living fence line" that often accompany large acreage tracts surrounded by barbwire.

### "Buffering"

Again, with Eastern Red Cedar and American Holly combined, this will definitely create a very dense buffer that restricts a view (into or out-of) the new development (fairly quickly, but more-so, in time). Fortunately, this will also be a long-lasting buffer, unlike some other short-lived choices, such as "Leyland Cypress" or "Arborvitae" monocultures, which typically begin to decline 20-25 years post planting.

#### "Tree Habitat"

Both, Eastern Red Cedar and American Holly are excellent trees for habitat and wildlife. Eastern Red Cedar attract songbirds, butterflies, moths, and small mammals, while American Holly attracts bees, butterflies, moths (and other pollinators), and small mammals. You can read more about specific wildlife values for each here:

### Eastern Red Cedar

American Holly

I am attaching some documents that may could be held/shared with others that will be doing the actual planting. These all come from Dr. Ed Gilman with University of Florida (combined with the Urban Tree Foundation) on their "Planting Details – Planting" page. I would surmise that this slope would fall under the "*modified soil*" detailed specifications (being a newly-graded hillside). When planting on steep slopes like these, there are more specific practices that should be followed for planting properly—again, these details assume this slope is between 5% and 50% slope.

Planting Details and Specifications: Tree on Slope 5% (20:1) to 50% (50:1) (modified soil)

This same document, as well as many others are also hosted on the International Society of Arboriculture (ISA) website. The ISA is the governing body and accrediting organization that upholds proper arboricultural practices.

https://wwv.isa-arbor.com/education/onlineresources/cadplanningspecifications (scroll down to "planting").

Lastly, should the planting of trees be deemed unacceptable or another revision is warranted, then the alternative planting could be the implementation of native warm season grasses that could help here as well. This has become more popular in recent years, particularly in areas where steep hillsides really

Jessie Hillman <jessie.hillman@knoxplanning.org>

Mon, Jul 22, 2024 at 11:56 AM

restrict or limit access by lawnmowers. When planted as hillside clusters, native warm season grasses can develop extensive and deep root systems, add annual interest, attract wildlife, and suppress weeds/limit mowing of hillsides. Just another thought...

https://utbeef.tennessee.edu/wp-content/uploads/sites/127/2020/11/PB1752.pdf

I hope this helps; should you have any further questions, please don't hesitate to reach back out to me,

Lee

### Lee Rumble Extension Agent

Agriculture and Natural Resources

UT/TSU Extension—Knox County

400 West Main Street; Suite 560

Knoxville, TN 37902

865-215-2340 Office | 865-215-3556 Direct

drumble@utk.edu | https://knox.tennessee.edu/



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P	Lanning

# **Development Request**

### DEVELOPMENT

Development Plan

□ Planned Development

□ Hillside Protection COA

✓ Use on Review / Special Use

### **SUBDIVISION**

Concept Plan Final Plat

## ZONING

🗌 Rezoning
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Plan Amendment

City OYP / County Comp Plan

Strawberry Plains Pike Pickleball, LLC

Applicant Name		Affiliation	
6/24/2024	8/8/2024	8-A-24-UR	
Date Filed	Meeting Date (if applicable)	File Number(s)	

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

John R. Anderson, PE SITE, Inc.

**CORRESPONDENCE** 

Name / Company

### 10215 Technology Dr. Dr. Suite 304 Knoxville TN 37932

Address

### 865-777-4175 / janderson@site-incorporated.com

Phone / Email

CURRE	NT PROPERTY INFO				
Wayne He	odge Strawberry Plains	Pike Pic 8037 Straw	berry Plains Pike Knoxville TN 37924	423-676-6821 / wayneho	dge14
Owner Na	ame (if different)	Owner Addr	ess	Owner Phone / Email	
7729 STR	AWBERRY PLAINS PIKE				
Property /	Address				
73 014.0	13			6.42 acres	
Parcel ID			Part of Parcel (Y/N)?	Tract Size	
Knoxville	Utilities Board		Knoxville Utilities Board		
Sewer Provider		Water Provider	Septic	(Y/N)	
STAFF	USE ONLY				
Northwes	st side of Strawberry P	ains Pike, north of Wo	oddale Church Rd		
General L	ocation				
City	Commission District 8	A (Agricultural)		Agriculture/Forestry/Vacant Land	
✔County	District	Zoning District		Existing Land Use	
SR (Suburt	oan Residential), HP (Hills	ide Ridgetop Protection)	Urba	n Growth Area (Outside City Limits)	
Land Lise	(City)/Place Type (Coup	tv)	Grow	th Policy Plan Designation	

Land Use (City)/Place Type (County)

Growth Policy Plan Designation

DEVELOPMENT REQUEST				
Development Plan Plan	ned Development	✓ Use on Review / Special Use	Related City	Permit Number(s)
Hillside Protection COA		🗌 Residential 🛛 Non-residential		
Home Occupation (specify)				
Other (specify) Indoor Pickleba	ll Facility			
SUBDIVSION REQUEST				
			Related Rezo	oning File Number
Proposed Subdivision Name			_	
Unit / Phase Number		Total Number of Lots Created		
Additional Information				
Attachments / Additional Req	uirements			
ZONING REQUEST				
Zoning			Pending P	lat File Number
Change Proposed Zonin	g		_	
🗌 Plan				
Amendment Proposed Plan	Designation(s)			
Dranged Dansity (units (agra)		Dequests		
Proposed Density (units/acre) Additional Information	Previous Rezoning	Requests		
STAFF USE ONLY				
	Cii	Fee 1		Total
	ng Commission	\$250.00		
ATTACHMENTS Property Owners / Option Hol	iders 🗌 Variai	nce Request Fee 2		-
Amendment Request (Compre				
ADDITIONAL REQUIREMEN	JTS			
Use on Review / Special Use (		Fee 3		
Traffic Impact Study				
COA Checklist (Hillside Protect	:ion)			
AUTHORIZATION				
		ue and correct: 1) He/she/it is the owner of the pro	operty, AND 2) tł	ne application and
all associated materials are bein				
Applicant Signature	Strawberr Please Prir	ry Plains Pike Pickleball, LLC		6/24/2024 Date
קאוונמווג אצוומנעו כ	riedse fill	ι <b>ι</b>		Date
Phone / Email				
	Wayne Ho	odge Strawberry Plains Pike Pickleball, LLC		6/24/2024
Property Owner Signature	Please Prir	nt		Date

Planning KNOXVILLE   KNOX COUNTY	<ul> <li>Development Plan</li> <li>Planned Development</li> <li>Use on Review / Sp</li> <li>Hillside Protection (</li> </ul>	ent C ecial Use	] Concept Plan ] Final Plat	□ Plan Amendment □ SP □ PA □ Rezoning
Strawberry Plains Pike Pickle	eball, LLC		Own	er
Applicant Name			Affilia	tion
06/24/2024	08/08/2024			File Number(s)
Date Filed	Meeting Date (if ap	plicable)	8	8-A-24-UR
CORRESPONDENCE A	ll correspondence related to th	is application should	l be directed to the a	pproved contact listed below.
🗌 Applicant 🗌 Property Owne	r 🗌 Option Holder 🗌 P	roject Surveyor	Engineer 🗌 Arcl	nitect/Landscape Architect
John R. Anderson, P.E.		SITE, Incol	rporated	
Name		Company		
10215 Technology Drive, Sui	ite 304	Knoxville	TN	37932
Address		City	State	ZIP
865-777-4165	janderson@site	-incorporated.cc	m	
Phone	Email			
CURRENT PROPERTY INFO				
Strawberry Plains Pike Pickle	eball, LLC 8037 Str	awberry Plains P	ike 37924	423-676-6821
Property Owner Name (if different	) Property C	)wner Address		Property Owner Phone
7729 Strawberry Plains Pike	37924	07.	3 01403	
Property Address		Pare	cel ID	
KUB	К	КИВ		Ν
Sewer Provider	W	/ater Provider		Septic (Y/N)
STAFF USE ONLY				
General Location			Tract	Size
City County District	Zoning District	E	xisting Land Use	
Planning Sector	Land Use / Place CITY COUR		Grow	th Policy Plan Designation

## **DEVELOPMENT REQUEST**

Development Plan	Use on Review / Special Use	Hillside Protection COA	Related City Permit Number(s)
Residential	Non-Residential		
Home Occupation (spe	cify)		
Other (specify)	or Pickleball Facility		

**SUBDIVISION REQUEST** 

		Related Rezoning File Number
Proposed Subdivision Name		
Unit / Phase Number Combine Parcels Divide Parcel Tot	al Number of Lots Created	
Other (specify)		
Attachments / Additional Requirements		
ZONING REQUEST		
Zoning Change Proposed Zoning		Pending Plat File Number
Plan Amendment Change Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Rezoning Reques	ts	
Other (specify)		
STAFF USE ONLY		
PLAT TYPE	Fee 1	Total
ATTACHMENTS  Property Owners / Option Holders  Variance Request Amendment Request (Comprehensive Plan)	Fee 2	
ADDITIONAL REQUIREMENTS Use on Review / Special Use (Concept Plan) Traffic Impact Study	Fee 3	
COA Checklist (Hillside Protection)		

### AUTHORIZATION

🗗 I dec	e under penalty of perjury the foregoing is true and correct:	
<b>1)</b> He	he/it is the owner of the property AND 2) The application and all associated materials are being submitted with	his/her/its consent
. /		

War Applicant Signature

Strawberry Plains Pike Pickleball, LLC	06/24/2024			
Please Print	Date			
waynehodge14@gmail.com				

## 423-676-6821

Phone Number Property Owner Signature

### Fmail

### Wayne Hodge

06/24/2024

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-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:

07/26/2024	and	08/09/2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Strawberry Plains Pike P Date: 06/26/2024	Pickleball, LLC	Sign posted by Staff Sign posted by Applicant
File Number: 8-A-24-UR		Sign posted by Applicant