

REZONING REPORT

► **FILE #:** 8-N-24-RZ

AGENDA ITEM #: 39

AGENDA DATE: 8/8/2024

► **APPLICANT:** OLEG CHEBAN

OWNER(S): Oleg Cheban

TAX ID NUMBER: 91 201

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 BALL CAMP PIKE

► **LOCATION:** North side of Ball Camp Pike, west of Valley Grove Ln

► **APPX. SIZE OF TRACT:** 8.07 acres

GROWTH POLICY PLAN: Knoxville Urban Growth Area

ACCESSIBILITY: Access is via Ball Camp Pike, a major collector street with a 21-ft pavement width within a right-of-way that varies from 50 ft to 74 ft. The property also has frontage along Schaad Road, but its unclear whether the property will have access via this major collector street under construction.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: West Knox Utility District, Knoxville Utilities Board

FIRE DISTRICT: Karns Fire Department

WATERSHED: Grassy Creek

► **PRESENT ZONING:** A (Agricultural)

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

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

► **DENSITY PROPOSED:** 8 du/ac

EXTENSION OF ZONE: No, but PR with up to 3 du/ac is adjacent to the south.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - PR (Planned Residential) at up to 4 du/ac

South: Agriculture/forestry/vacant land, single family residential - PR (Planned Residential) at up to 3 du/ac, A (Agricultural)

East: Rural residential, single family residential, public-quasi public land (church) - A (Agricultural)

West: Agriculture/forestry/vacant land, rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is comprised of single family houses on large lots off the main thoroughfares and smaller-lot subdivisions off of side streets. There are a number of undeveloped forested properties.

STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone with up to 8 du/ac because it would be consistent with the Knox County Comprehensive Plan and the growing pattern of this area, subject to 2 conditions.**

1. During the Development Plan review, ensuring that the property has viable access to Schaad Road. If

access to Schaad Road is not feasible, the property owner may be required to make appropriate improvements to Ball Camp Pike as deemed necessary by the Knox County Engineering & Public Works Department.

2. No grading permit shall be issued until the construction of Schaad Road is complete.

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 area has been transitioning from large agricultural lots to single family residential since the early 2000s. The new Schaad Road expansion that is under construction will provide improved pedestrian access and traffic capacity to accommodate more residential development in the vicinity.
2. There is a service-oriented commercial node planned to be developed at the intersection of Schaad Rd and Bakertown Rd 0.7-miles to the west of the subject property. It would be accessible by sidewalk with the completion of Schaad Rd. This prospective commercial asset supports consideration of more residential intensity for the subject property.

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

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. The subject property is partially within the HP (Hillside Protection) area with some steep slopes. It also has a blue-line stream running through the the parcel, which requires a 50-ft buffer. The PR zone would enable concentrated development in the optimal portions of the property.
2. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone. At 8 du/ac, this 8.07-acre property could accommodate up to 64 dwelling units.
3. 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. No significant adverse impacts anticipated to occur with the PR zone. The property's location along Schaad Road and its proximity to Amherst Elementary support the recommended density.
2. Any development under the PR zone would require development plan approval by the Planning Commission. The Knox County Engineering & Public Works Department has indicated that access to Schaad Road should be limited to a right-in, right-out entry/exit. If any geographic or unforeseeable conditions prohibit vehicular access via Schaad Road, the development plan review would ensure that the proposed development is compatible with the development pattern and infrastructure along Ball Camp Pike. The property owner may be required to make appropriate improvements to Ball Camp Pike if deemed necessary by the Knox County Engineering & Public Works Department.

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

1. The proposed PR zone with 8 du/ac is consistent with the subject property's location in the Knox County Urban Growth Boundary of the Growth Policy Plan.
2. The proposed rezoning is compatible with the property's split CMU (Corridor Mixed-use) and SR (Suburban Residential) place types as designated in the Comprehensive Plan. The CMU place type allows consideration of the PR zone with a density of up to 24 du/ac as a partially related zone, whereas the SR place type allows up to 12 du/ac.
3. Partially related zone considerations must meet additional criteria provided in Appendix H of the Comprehensive Plan to ensure their compatibility with the place type. The PR zone with 8 du/ac is appropriate here because it would permit uses and development forms that are consistent with the primary and secondary uses described in the place type (criteria 1 of this section).
4. The rezoning request is not in conflict with any other adopted plans for this area.

ESTIMATED TRAFFIC IMPACT: 669 (average daily vehicle trips)

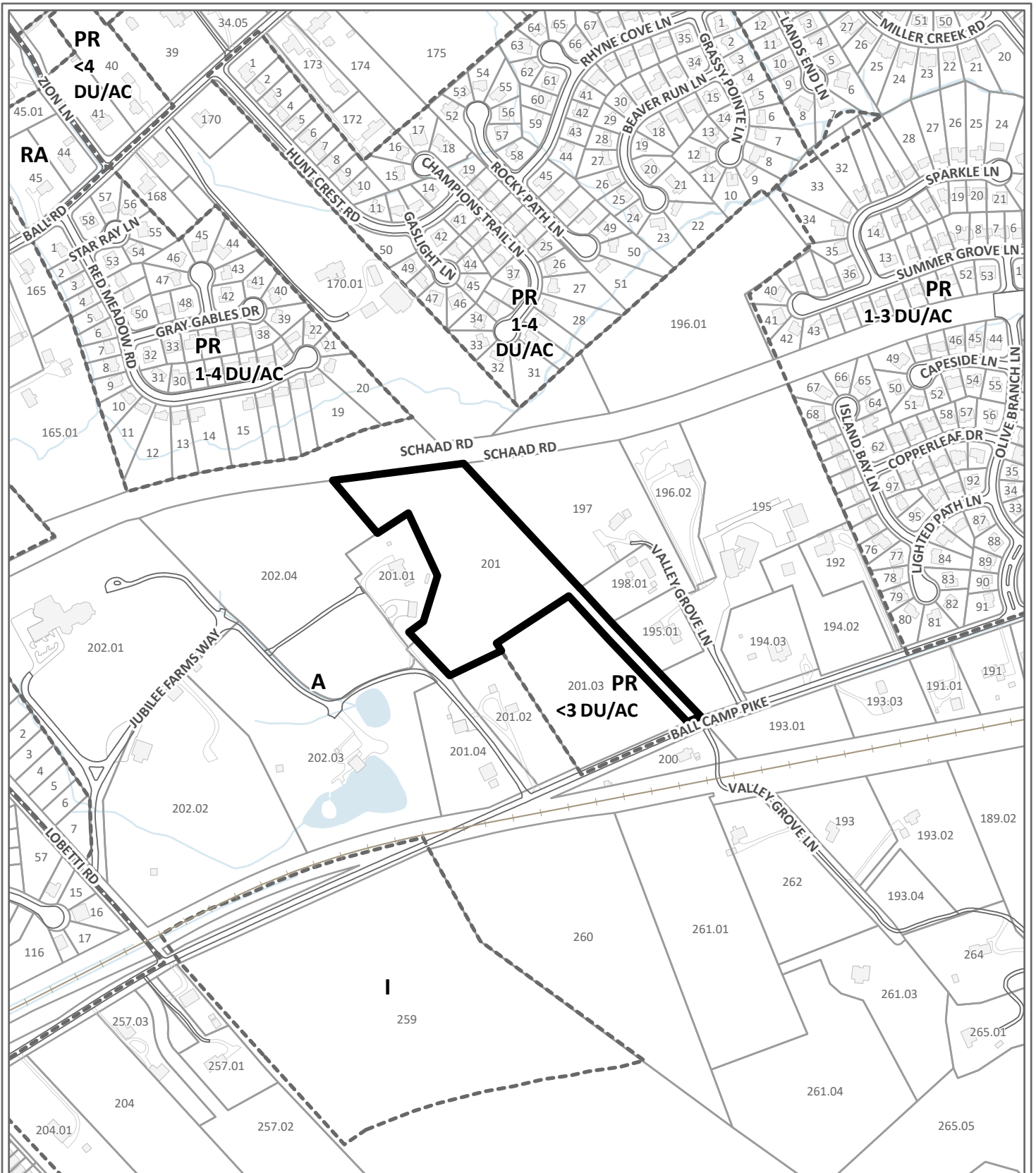
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 26 (public school children, grades K-12)

Schools affected by this proposal: Amherst 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 9/16/2024. 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.



REZONING

8-N-24-RZ

Petitioner: Oleg Cheban



From: A (Agricultural)

To: PR (Planned Residential) 8 du/ac

Map No: 91

Jurisdiction: County

Original Print Date: 7/10/2024

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

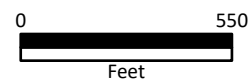
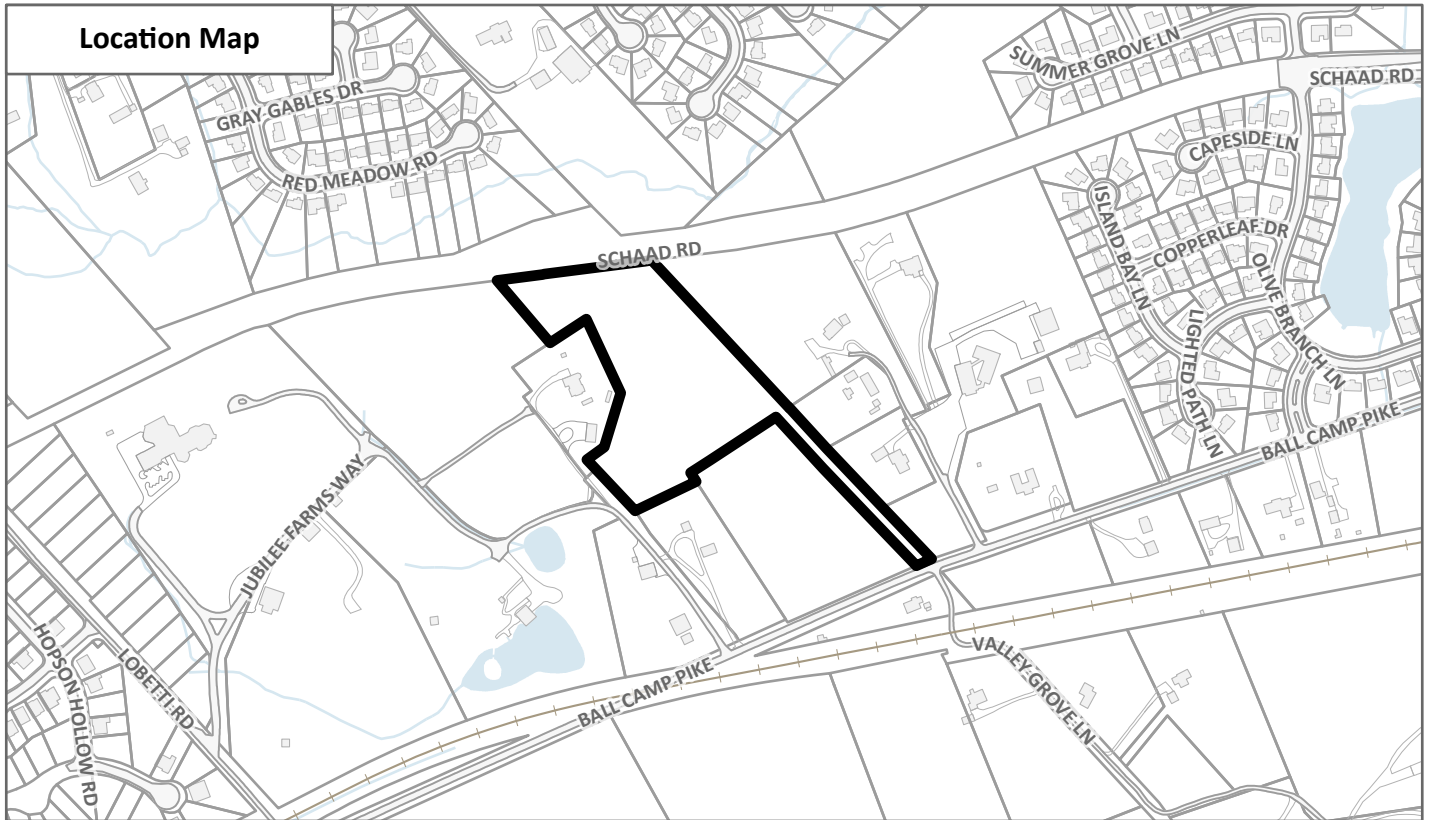


Exhibit A. Contextual Images

Location Map



Aerial Map

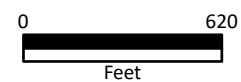


CONTEXTUAL MAPS 1

8-N-24-RZ



Case boundary



Zoning Map

PR 1-4 DU/AC

PR 1-4 DU/AC

PR <5 DU/AC

PR(k) <5 DU/AC 8-C-08-RZ

PR 1-3 DU/AC

PR <3 DU/AC

Streets: Red Meadow Rd, Jubilee Farms Way, Schaad Rd, Valley Grove Ln, Ball Camp Pike, Summer Grove Ln, Capeside Ln, Island Bay Ln, Copperleaf Dr, Lighted Path Ln, Five Branch Ln, Glenlake Blvd, Lobett Rd, Bailey Landing Ln.

Comprehensive Plan Map

The map displays various land use designations and a proposed development area. The designations include:

- SMR** (Single Medium Density Residential): Yellow areas.
- HP** (Heavy Professional): Green stippled areas.
- CMU** (Community Medium Density): Red stippled areas.
- CI** (Community Intermediate Density): Blue areas.
- SR** (Single Residential): Light yellow areas.
- RC** (Residential Medium Density): Green stippled areas.

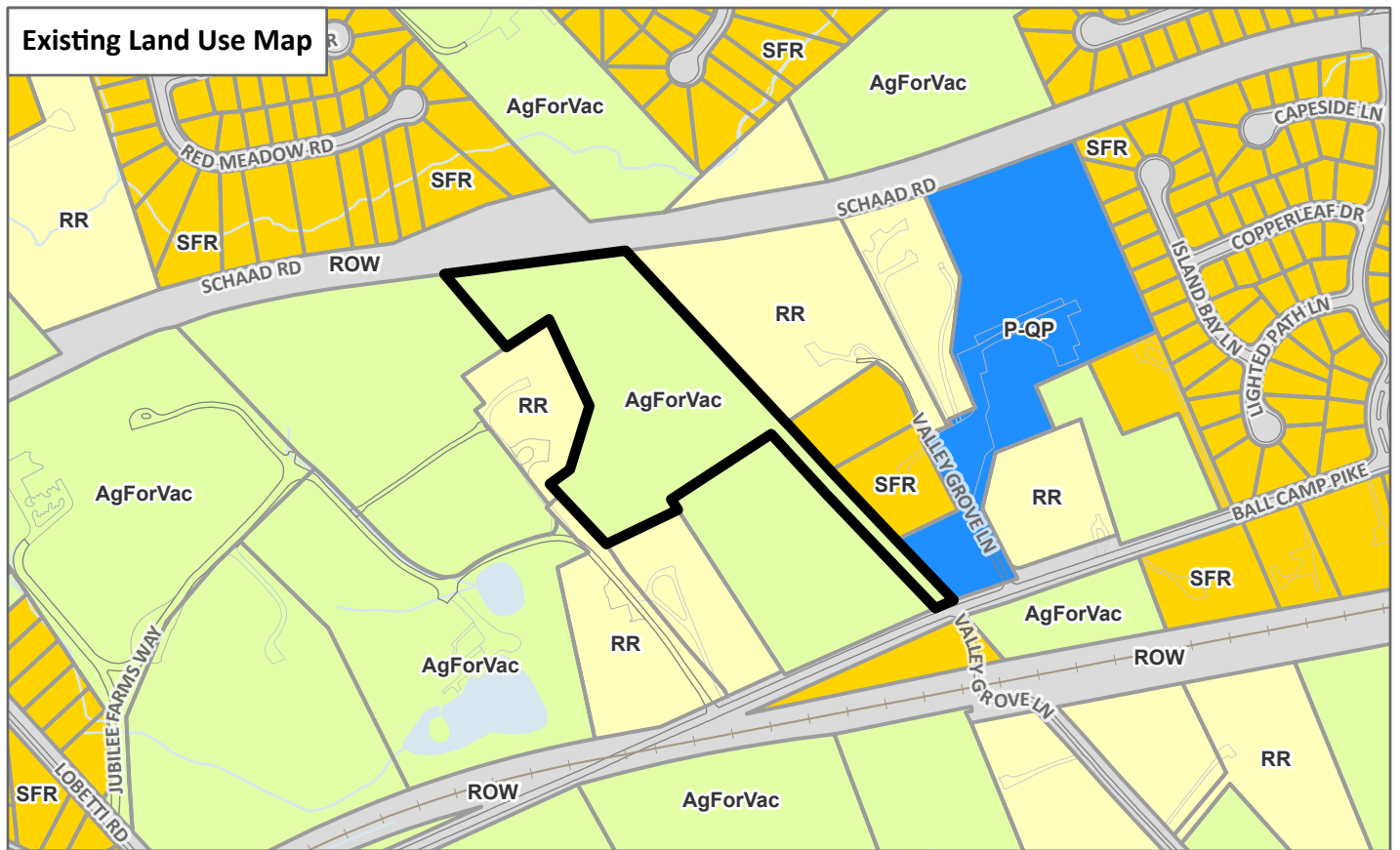
A proposed development area is outlined in black, located in the center of the map. The map also shows several streets, including Gray Gables Dr, Red Meadow Rd, Schaad Rd, Jubilee Farms Way, Lobetti Rd, Bailey Landing Ln, Summer Grove Ln, Capeside Ln, Copperleaf Dr, Island Bay Ln, Lighted Path Ln, Glenlake Blvd, Valley Grove Ln, and Ball Camp Pike.

Box

A horizontal number line with a black bar above it. The line starts at 0 on the left and ends at 600 on the right. The word "Feet" is written below the line.



Existing Land Use Map

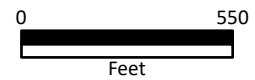


CONTEXTUAL MAPS 3

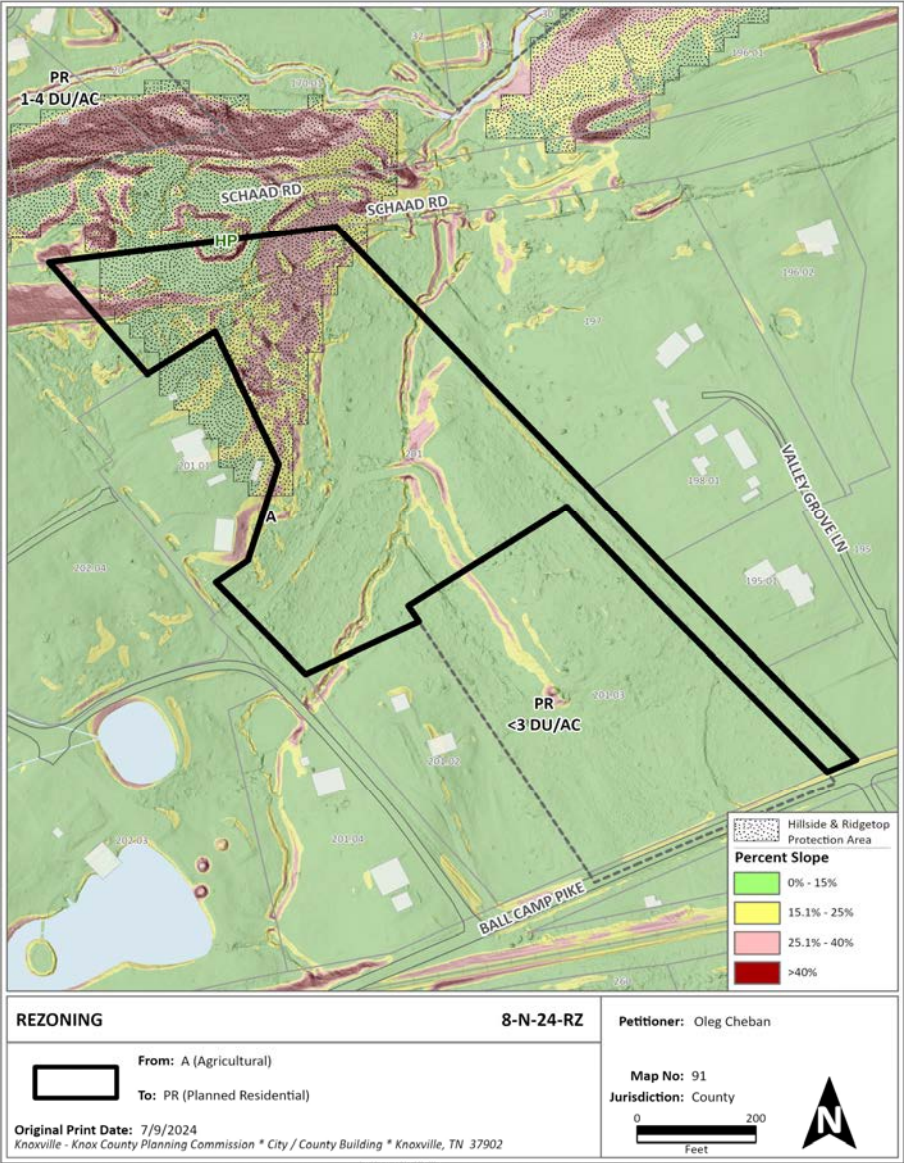
8-N-24-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	8.07		
Non-Hillside	6.00	N/A	
0-15% Slope	0.67	100%	0.67
15-25% Slope	0.62	50%	0.31
25-40% Slope	0.69	20%	0.14
Greater than 40% Slope	0.10	10%	0.01
Ridgetops			
Hillside Protection (HP) Area	2.08	Recommended disturbance budget within HP Area (acres)	1.13
		Percent of HP Area	54.2%





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Rezoning
☐ Plan Amendment
☐ Sector Plan
☐ City OYP / County Comp Plan

Oleg Cheban

Applicant Name

Affiliation

6/25/2024

Date Filed

8/8/2024

Meeting Date (if applicable)

8-N-24-RZ

File Number(s)

CORRESPONDENCE

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

David Harbin Batson, Himes, Norvell and Poe

Name / Company

4334 Papermill Dr. Dr. Knoxville TN 37909

Address

865-588-6472 / harbin@bhn-p.com

Phone / Email

CURRENT PROPERTY INFO

Oleg Cheban

Owner Name (if different)

7008 Hurst Ln Knoxville TN 37918

Owner Address

865-323-2487

Owner Phone / Email

0 BALL CAMP PIKE

Property Address

91 201

Parcel ID

8.07 acres

Tract Size

West Knox Utility District, Knoxville Utiliti

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Ball Camp Pike, west of Valley Grove Ln

General Location

☐ City Commission District 6 A (Agricultural)

☒ County District Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

CMU (Corridor Mixed-use), SR (Suburban Residential), HP (Hillside Ridgetop Protection)

Land Use (City)/Place Type (County)

Urban Growth Area (Outside City Limits)

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	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	PR (Planned Residential)	Pending Plat File Number
	Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	

8 du/ac

Proposed Density (units/acre)	Previous Rezoning Requests
Additional Information	

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1	Total
\$1,053.50	
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.

	Oleg Cheban	6/25/2024
Applicant Signature	Please Print	Date

Phone / Email

	Oleg Cheban	6/25/2024
Property Owner Signature	Please Print	Date



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ PA
☒ Rezoning

OLEG CHEBAN

Applicant Name

Affiliation

6.24.24

Date Filed

August 8, 2024

Meeting Date (if applicable)

File Number(s)

08-N-24-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

DAVID HARBIN

Name

BATSON HINES HORVELL + POE

Company

4334 Papermill Dr Knoxville TN 37909

Address

City

State

ZIP

865-588-6472

Phone

harbin@bhn-p.com

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

7008 HURST LN
KNOXVILLE, TN 37918

Property Owner Address

865-323-2487

Property Owner Phone

0 BALL CAMP PIKE

Property Address

091 201

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

NO

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type
CITY COUNTY

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 @ 8 units per acre
Proposed Zoning☐ Plan Amendment Change
Proposed Plan Designation(s) _____

Pending Plat File Number

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____**STAFF USE ONLY****PLAT TYPE**

- ☐ Staff Review ☒ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (*Concept Plan*)
☐ Traffic Impact Study
☐ COA Checklist (*Hillside Protection*)

Fee 1	Total
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

DAVID HARBIN
Please Print6.24.24
Date

Phone Number

865-588-6472

Email

harbin@bhn-p.com

Property Owner Signature

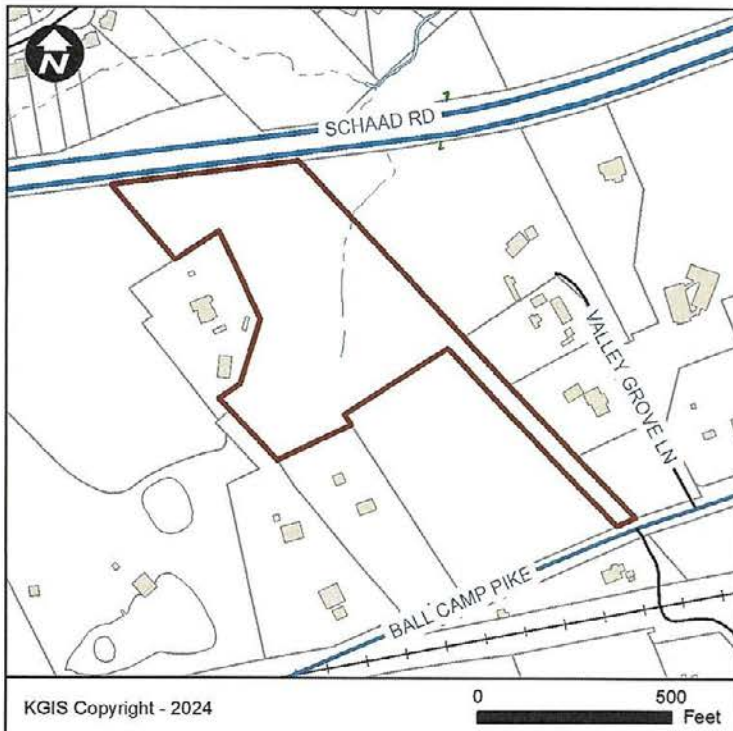
Please Print

OLEG CHEBAN

Date Paid

06/24/2024, SG

Parcel 091 201 - Property Map and Details Report



Property Information

Parcel ID: 091 201
Location Address: 0 BALL CAMP PIKE
CLT Map: 91
Insert:
Group:
Condo Letter:
Parcel: 201
Parcel Type: NORMAL
District: W6
Ward:
City Block:
Subdivision: JUBILEE FARMS RESUB
Rec. Acreage: 8.07
Calc. Acreage: 0
Recorded Plat: 20220629 - 0097274
Recorded Deed: 20231213 - 0029616
Deed Type: QC:Quit Claim D
Deed Date: 12/13/2023

25521

Address Information

Site Address: 0 BALL CAMP PIKE
KNOXVILLE - 37931

Address Type: UNUSED LAND

Site Name:

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Jurisdiction Information

County: KNOX COUNTY

City / Township:

Political Districts

Voting Precinct: 70E

Voting Location: Amherst Elementary School
5101 SCHAAD RD

TN State House: 89

TN State Senate: 7

County Commission: 6 Terry Hill
(at large seat 10) Larsen Jay
(at large seat 11) Kim Frazier

School Board: 6 Betsy Henderson

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Owner Information

CHEBAN OLEG & OKSANA

7008 HURST LN

KNOXVILLE, TN 37918

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Other Information

Census Tract: 46.07

Planning Sector: Northwest County

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

School Zones

Elementary: AMHERST
ELEMENTARY

Intermediate:

Middle: KARNs MIDDLE

High: KARNs HIGH

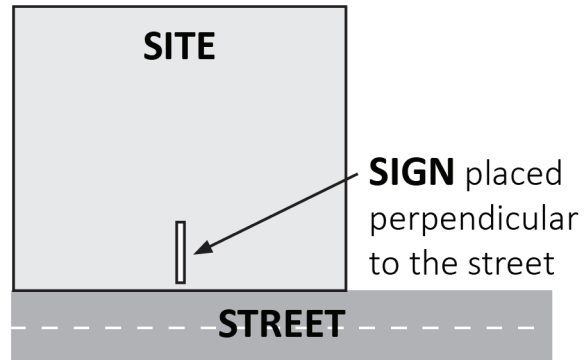
PRC Banks / new

AG -

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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: Oleg Cheban

Date: 06/26/2024

File Number: 8-N-24-RZ



Sign posted by Staff



Sign posted by Applicant