

REZONING REPORT

| | | | |
|----------------------------------|---|---|-------------------|
| ▶ FILE #: | 11-A-24-RZ | AGENDA ITEM #: | 22 |
| POSTPONEMENT(S): | 11/14/2024 | AGENDA DATE: | 12/12/2024 |
| ▶ APPLICANT: | DAVID HARBIN (ENGINEER) | | |
| OWNER(S): | Daniel Grozav | | |
| <hr/> | | | |
| TAX ID NUMBER: | 91 20103 | <u>View map on KGIS</u> | |
| JURISDICTION: | County Commission District 6 | | |
| STREET ADDRESS: | 7507 BALL CAMP Pk. | | |
| ▶ LOCATION: | North side of Ball Camp Pk, west of Valley Grove Ln | | |
| ▶ APPX. SIZE OF TRACT: | 5.05 acres | | |
| GROWTH POLICY PLAN: | Urban Growth Area (Outside City Limits) | | |
| ACCESSIBILITY: | Access is via Ball Camp Pike, a major collector street with a 19-ft pavement width within a right-of-way that varies from 50 ft to 74 ft. | | |
| UTILITIES: | Water Source: Knoxville Utilities Board Sewer Source: West Knox Utility District | | |
| FIRE DISTRICT: | Karns Fire Department | | |
| WATERSHED: | Grassy Creek | | |
| <hr/> | | | |
| ▶ PRESENT ZONING: | PR (Planned Residential) up to 3 du/ac | | |
| ▶ ZONING REQUESTED: | PR (Planned Residential) | | |
| ▶ EXISTING LAND USE: | Agriculture/Forestry/Vacant Land | | |
| ▶ DENSITY PROPOSED: | at 8 du/ac | | |
| EXTENSION OF ZONE: | Yes, PR up to 8 du/ac abuts to the north. | | |
| HISTORY OF ZONING: | This property was rezoned from A (Agricultural) to PR (Planned Residential) up to 3 du/ac in 2022 (6-D-22-RZ). | | |
| SURROUNDING LAND USE AND ZONING: | North: Agriculture/forestry/vacant land - PR (Planned Residential) up to 8 du/ac South: Single family residential, railroad right-of-way - A (Agricultural) East: Single family residential, agriculture/forestry/vacant land, public/quasi-public land (church) - A (Agricultural) West: 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, some of which have been zoned PR. | | |

STAFF RECOMMENDATION:

- **Deny the PR (Planned Residential) zone with up to 8 du/ac because it is inconsistent with the Knox County Comprehensive Plan and the surrounding development accessed off of Ball Camp Pike.**

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 ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Since the early 2000s, the surrounding area has experienced a transition from I (Industrial) and A (Agricultural) zoning to PR (Planned Residential) zoning, with densities ranging from up to 3 du/ac to up to 8 du/ac.
2. This past September, the parcel abutting the subject property on the north side was rezoned from the A zone to the PR zone with up to 8 du/ac on the condition that the property has viable access to Schaad Road (8-N-24-RZ). That parcel has frontage along Schaad Road, while the subject property only has access off of Ball Camp Pike.
3. Since 2006, there have been four residential subdivisions constructed along this section of Ball Camp Pike. The developments have been primarily single-family dwellings, with some multi-family development near the intersection of Bakertown Road.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The PR zone is intended to provide optional land development methods that encourage more imaginative solutions to environmental design problems. There are closed contours that could possibly be sinkholes on the southeastern portion of the property and near the northwest corner (Exhibit A, Topographical Map).
2. The PR zone also intends to ensure potential development is harmonious with the surrounding area. Though PR zoning is prevalent in the surrounding area, those properties with access off of Ball Camp Pike have densities ranging from up to 3 to 5 du/ac.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AN AMENDMENT.

1. The proposed density of 8 du/ac could yield up to 40 lots. The density is inconsistent with the development along this section of Ball Camp Pike, between Bakertown Road and Amherst Road. Subdivisions accessed directly off of Ball Camp Pike are zoned PR with densities at 3 and 4 du/ac. Those subdivisions with higher densities, while near the subject property, are accessed off of Schaad Road.
2. The PR zone ensures that site plans undergo a public review process and obtain Planning Commission approval before construction begins. The plan will be reviewed to determine whether the proposed development is compatible with the surrounding community.

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 subject property is designated as SR (Suburban Residential) in the Comprehensive Plan, which allows consideration of the PR zone with up to 8 du/ac.
2. The PR zone with a density of 8 du/ac is considered a partially related zone in the SR place type. Per Appendix H of the Comprehensive Plan, partially related zones must meet specific criteria. The rezoning meets the first criterion, as the allowed land uses in the PR zone align with the SR place type's preferred housing mix, primarily featuring single-family homes and small-scale attached residential dwellings.
3. The proposed rezoning does not comply with Comprehensive Plan's Implementation Policy 9.3, to focus growth in areas already served by adequate infrastructure. The Knox County Engineering & Public Works Department has expressed concerns about additional significant development along this section of Ball Camp Pike, and roadway improvements would likely be required. The subject property is also located 415 ft east of an elevated railroad crossing, which may restrict visibility for drivers exiting the property. Knox County does not have a capital improvement project planned for this section of Ball Camp Pike in the foreseeable future.

ESTIMATED TRAFFIC IMPACT: 434 (average daily vehicle trips)

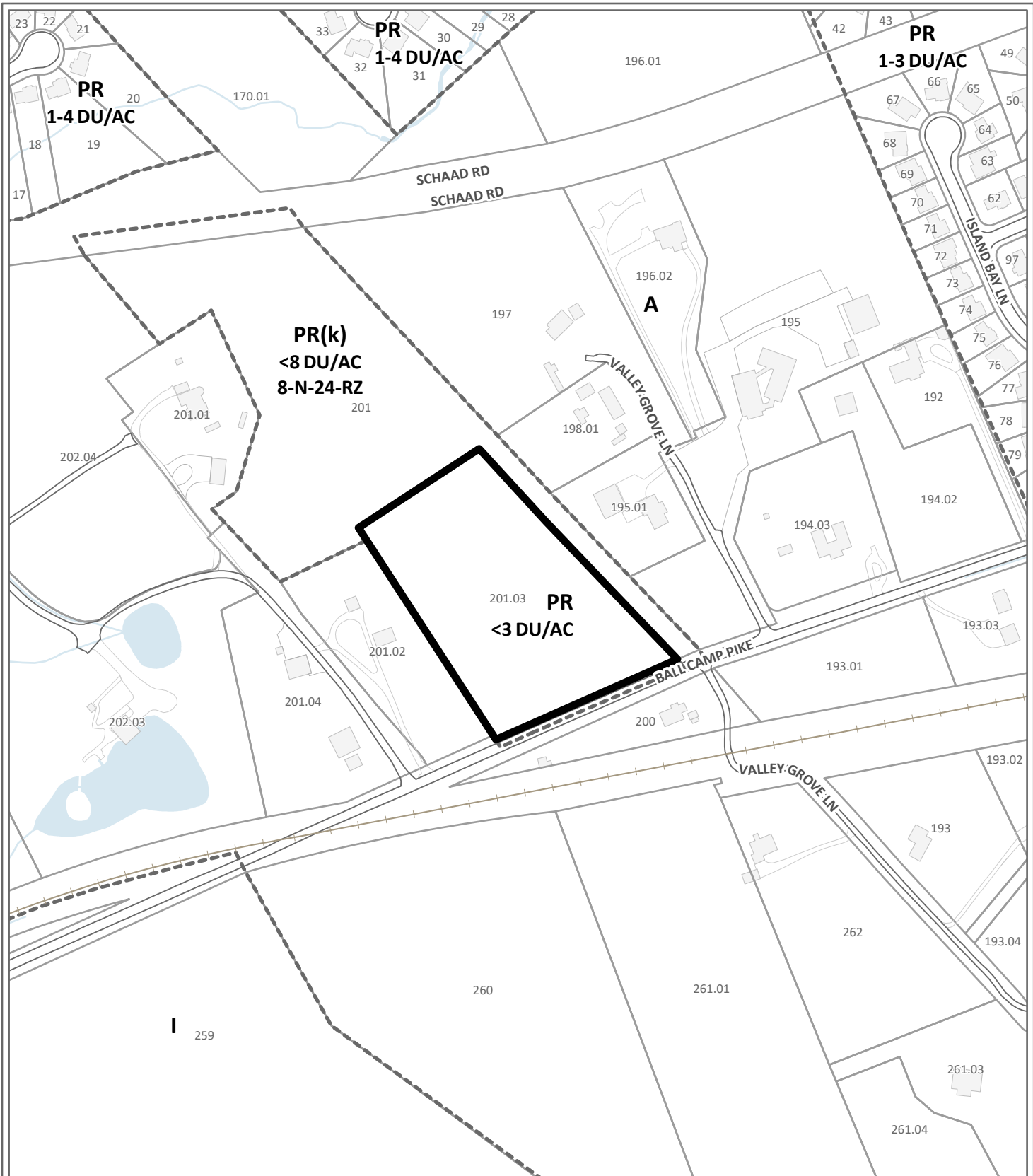
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 17 (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 1/27/2025. 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

11-A-24-RZ

Petitioner: David Harbin

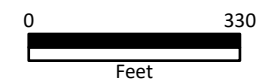


From: PR (Planned Residential) up to 3 du/ac

To: PR (Planned Residential) at 8 du/ac

Map No: 91

Jurisdiction: County

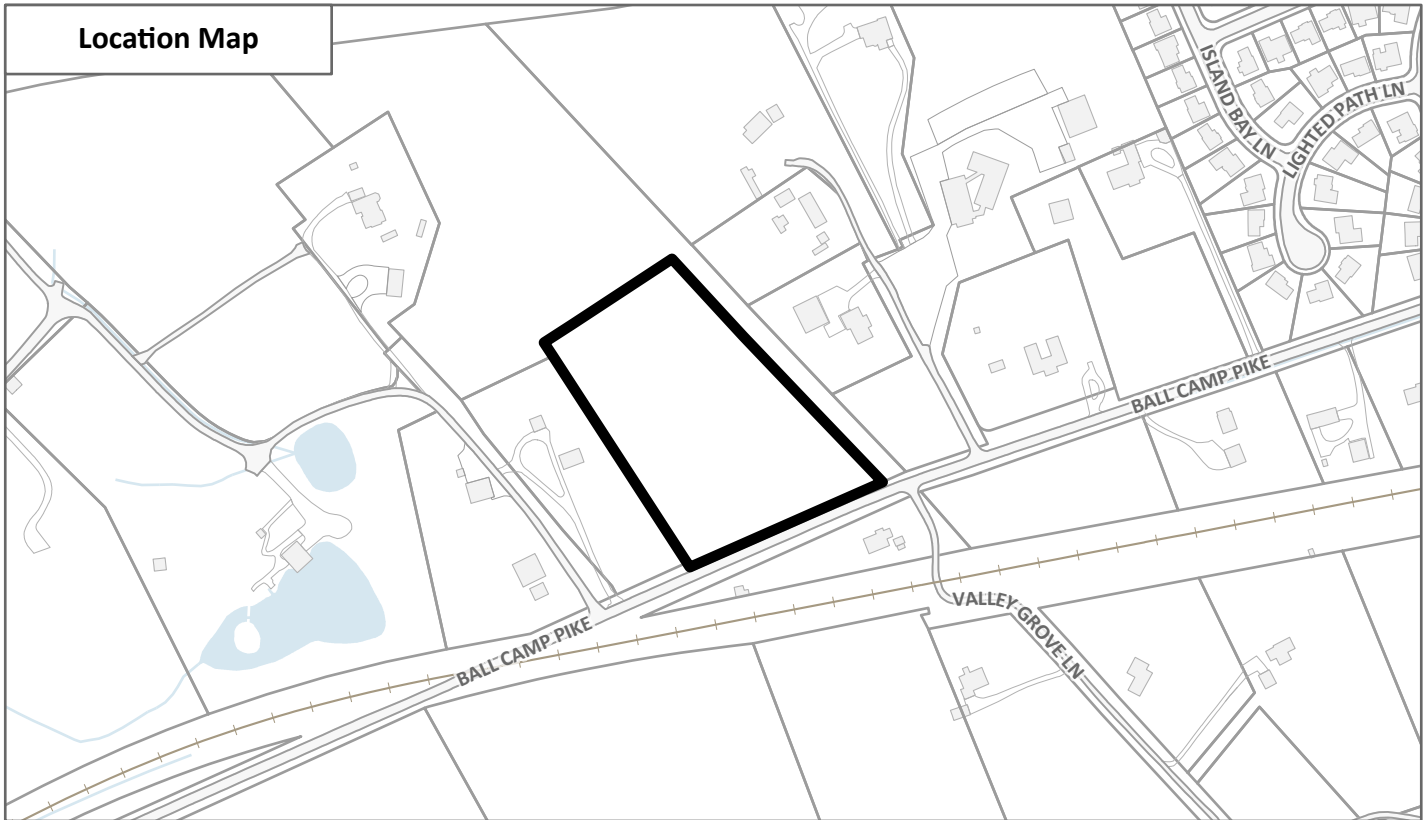


Original Print Date: 10/9/2024

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

Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

11-A-24-RZ

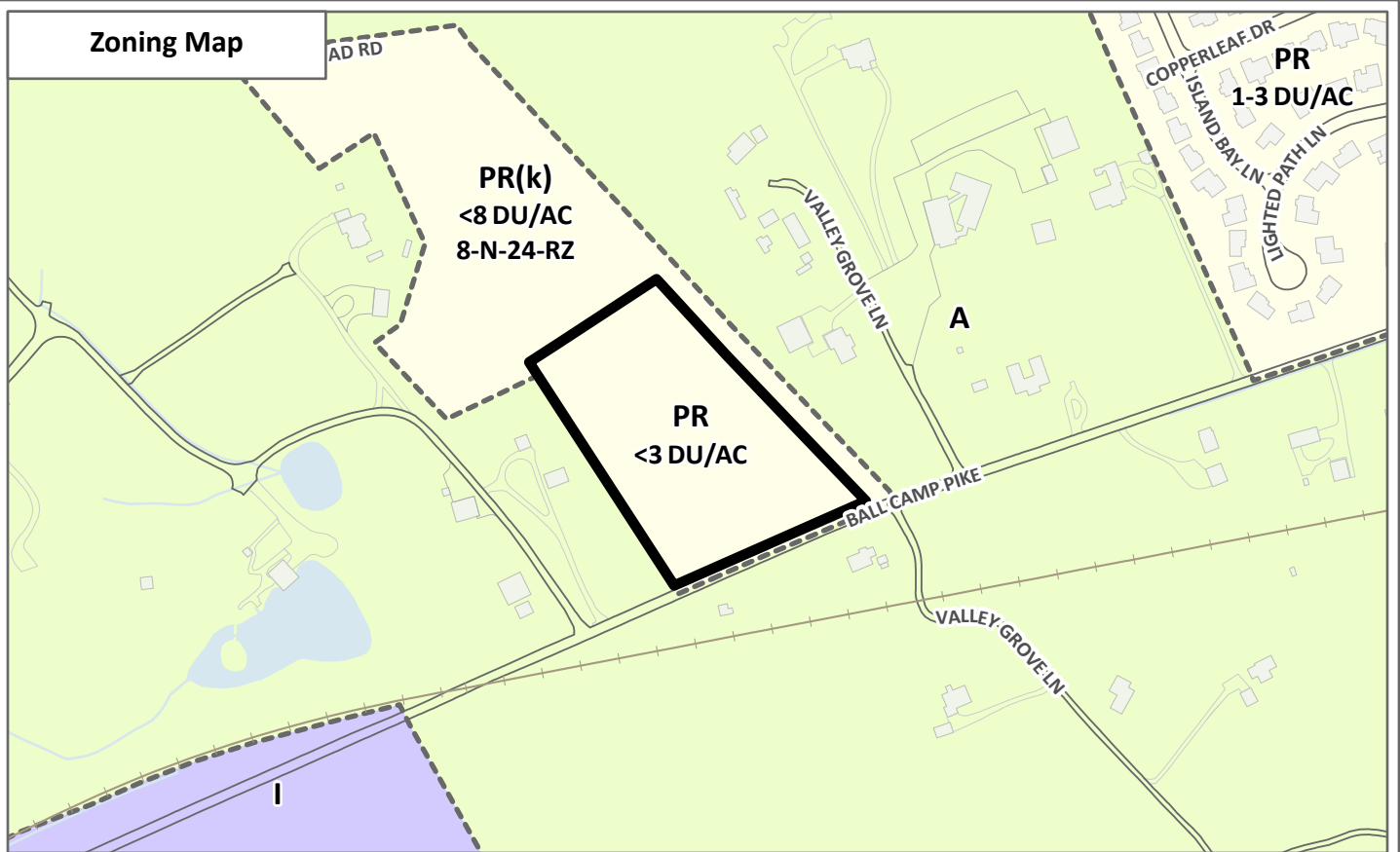


Case boundary

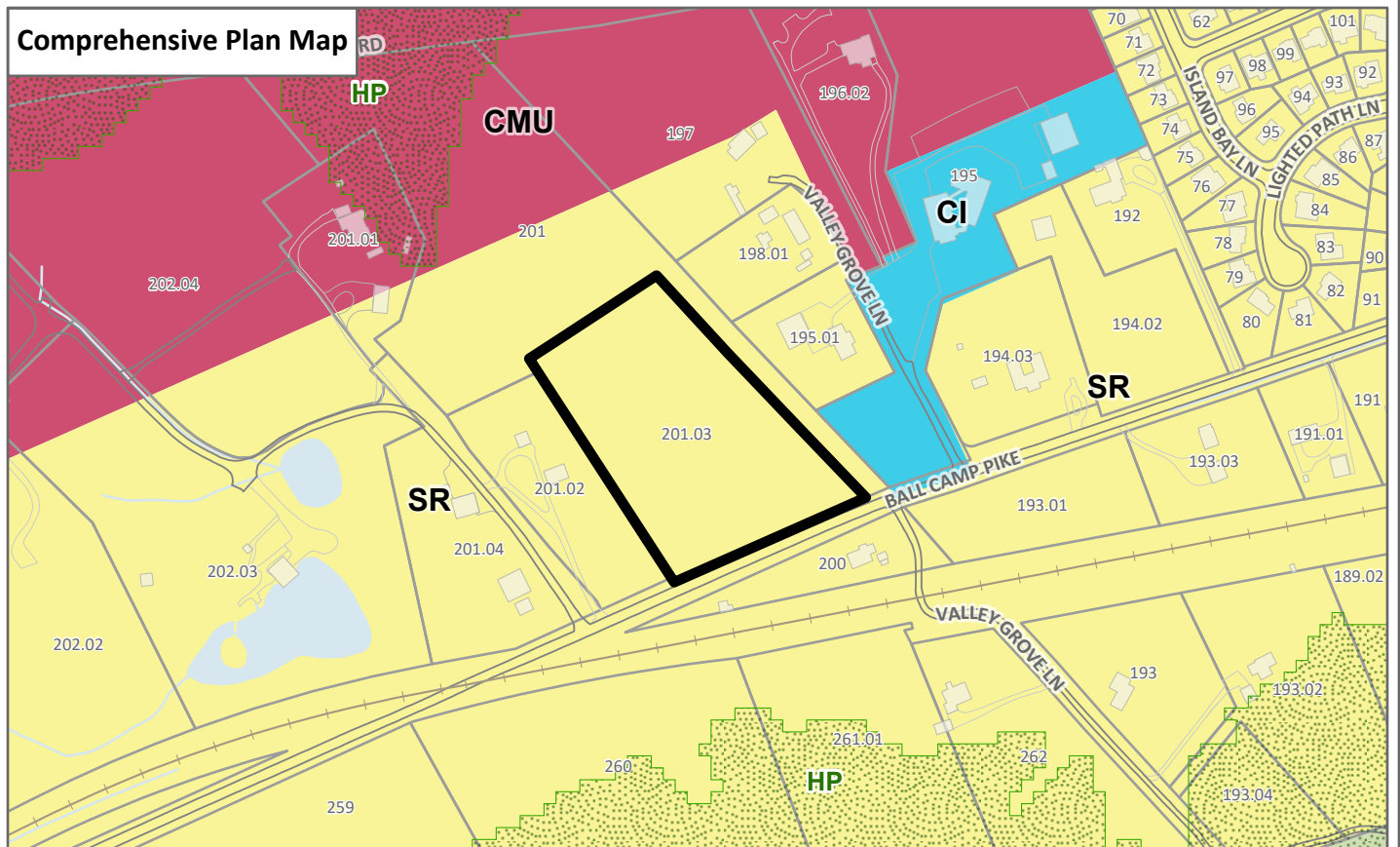
0 440
Feet



Zoning Map



Comprehensive Plan Map



CONTEXTUAL MAPS 2

11-A-24-RZ



Case boundary

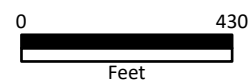
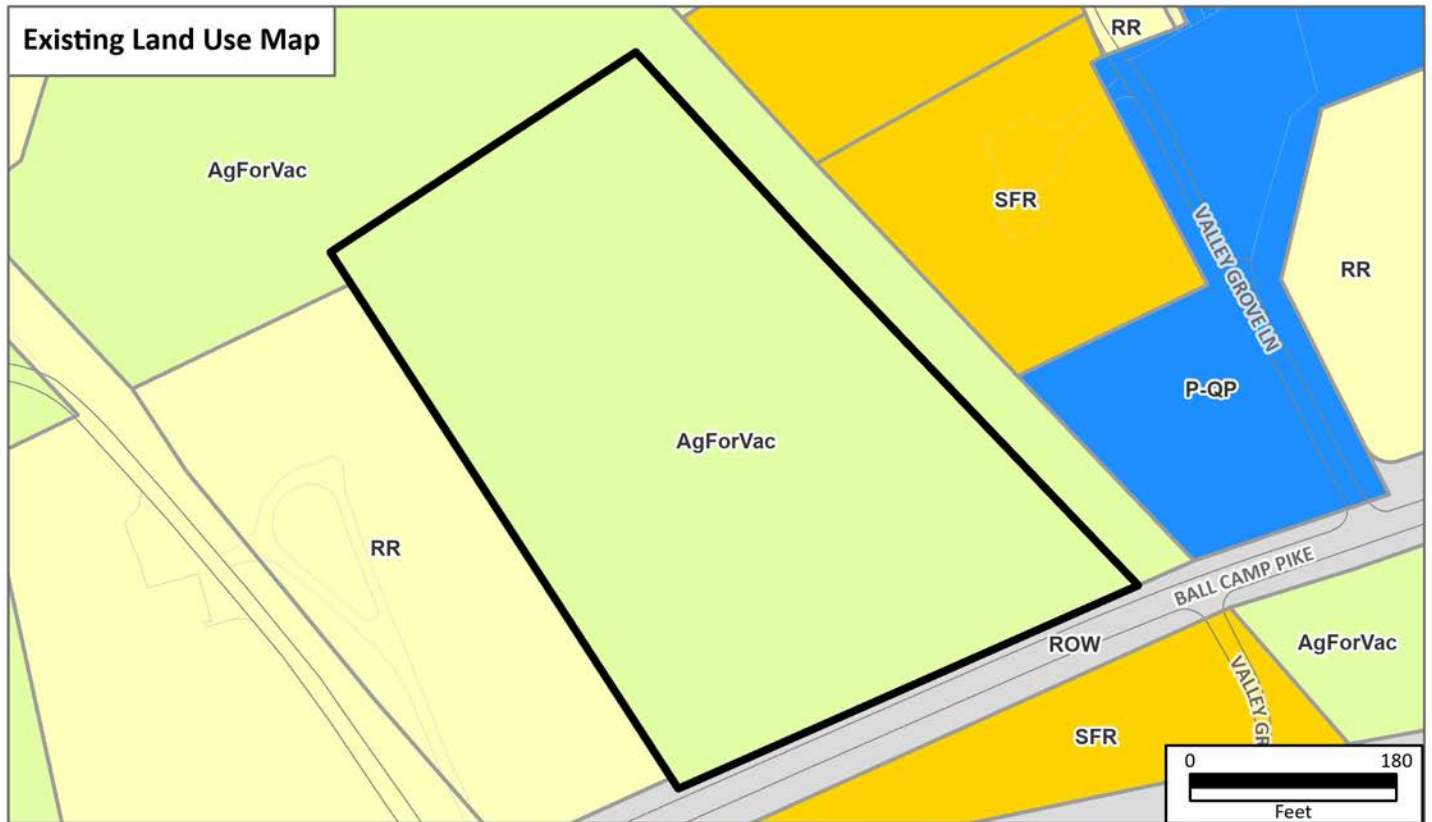
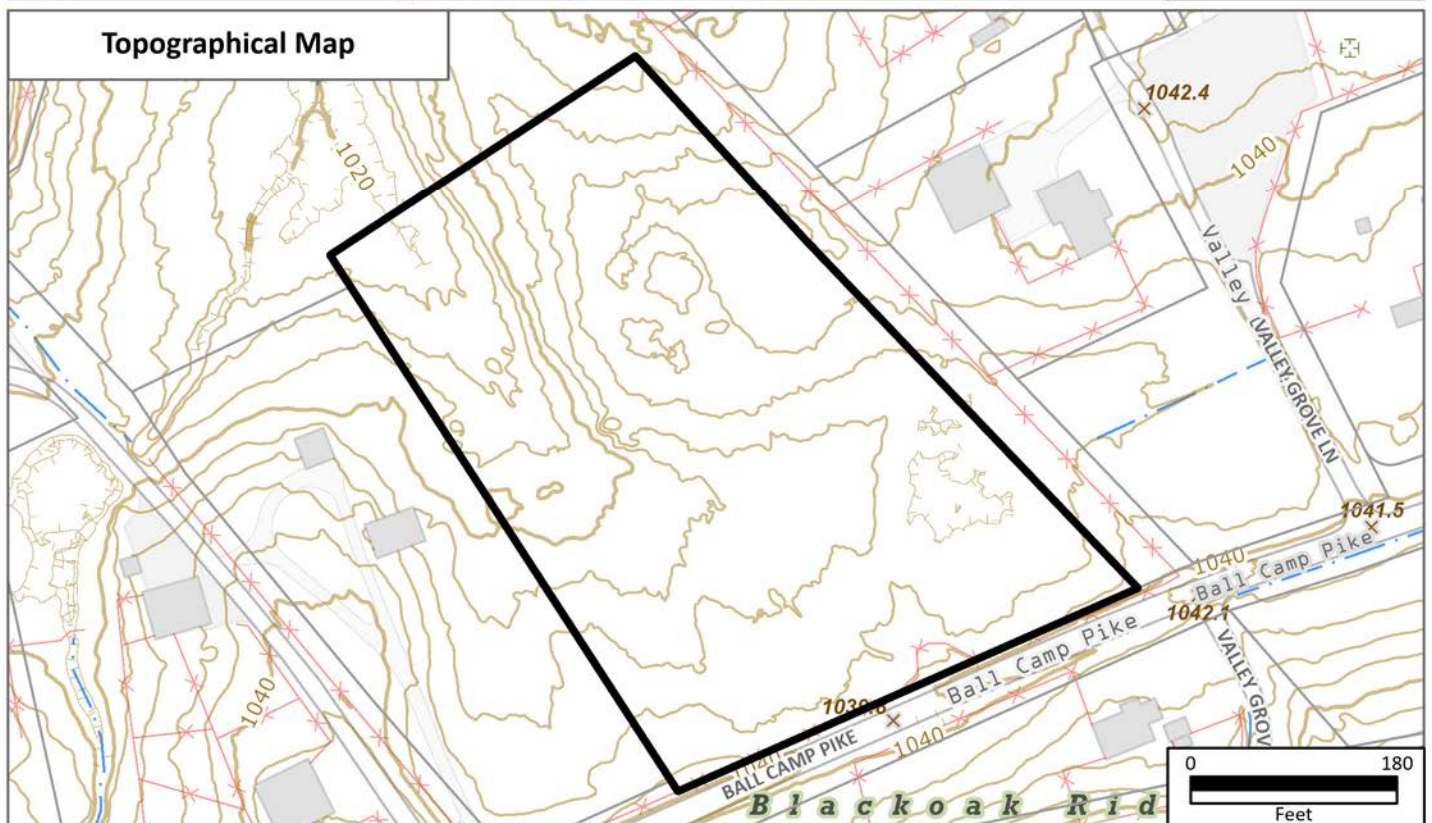


Exhibit A. Contextual Images

Existing Land Use Map



Topographical Map



CONTEXTUAL MAPS 3

11-A-24-RZ



Case boundary





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

David Harbin

Applicant Name

Engineer

Affiliation

8/20/2024

Date Filed

11/14/2024

Meeting Date (if applicable)

11-A-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

Daniel Grozav

Owner Name (if different)

7507 Ball Cp

Owner Address

Owner Phone / Email

7507 BALL CAMP Pk.

Property Address

91 20103

Parcel ID

5.05 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **PR (Planned Residential)**
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment Proposed Plan Designation(s)

at 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

\$902.50

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.

David Harbin

8/20/2024

Applicant Signature

Please Print

Date

Phone / Email

Daniel Grozav

8/20/2024

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

Daniel Grozan

Applicant Name

Owner

Affiliation

08/20/2024

Date Filed

November 14, 2024

Meeting Date (if applicable)

File Number(s)

11-A-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 Himes NORVELL + POE

Company

4334 Paper Mill Rd

Address

KNOXVILLE

City

TN

State

37909

ZIP

865-588-6472

Phone

harbin@bhn-p.com

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7507 Ball Camp Pike

Property Address

91-201.03

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

N

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

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 ChangePR @ 8dw/ac
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 \$650.00 |
| 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

Daniel Groza

Please Print

8/20/2024

Date

909 997 5097

Phone Number

CL500king@live.com

Email

08/20/2024, SG

8/20/2024

Date Paid



Property Owner Signature

Daniel Groza

Please Print

Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

11/01/2024

11/15/2024

Date to be Posted

Date to be Removed

**Have you engaged the
surrounding property owners
to discuss your request?**

☐ Yes ☒ No

☐ No, but I plan to prior to the
Planning Commission meeting


Applicant Signature

Daniel Grozau
Applicant Name

8/20/24
Date

11-A-24-RZ

FILE NUMBER