

REZONING REPORT

▶ **FILE #:** 1-C-24-RZ

AGENDA ITEM #: 21

AGENDA DATE: 1/11/2024

▶ **APPLICANT:** CONNOR P. KELLY
OWNER(S): Estate of Laverne Coppock

TAX ID NUMBER: 29 01 [View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 7933 MAYNARDVILLE PIKE

▶ **LOCATION:** **West side of Maynardville Pike, southeast of Gray Road**

▶ **APPX. SIZE OF TRACT:** **59.28 acres**

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Maynardville Pike, a four-lane major arterial with a center turn lane and a 58-ft pavement width within a right-of-way that varies widely in width, ranging from 340-545 ft.

UTILITIES: Water Source: Hallsdale-Powell Utility District
 Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** **F (Floodway), A (Agricultural)**

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

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

▶ **DENSITY PROPOSED:** **up to 5 du/ac**

EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING:
 North: Agriculture/forestry/vacant, single family residential - A (Agricultural)
 South: Agriculture/forestry/vacant - A (Agricultural)
 East: Rural residential, water - A (Agricultural), F (Floodway)
 West: Single family residential, agriculture/forestry/vacant - A (Agricultural), RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area is primarily agricultural and single family residential uses. There is a commercial node along Maynardville Pike to the south.

STAFF RECOMMENDATION:

▶ **Approve PR up to 4 du/ac because it is consistent with the sector plan and surrounding development.**

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. The area west of Maynardville Pike has been changing from the Agricultural to the Low Density Residential zone and the Planned Residential zone with densities ranging from 3 du/ac to 5 du/ac and since 1985.
2. About .5 miles to the south along Maynardville Pike, there have been a series of rezonings from agricultural uses to commercial uses since 1998 extending this major commercial corridor further north.

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

1. The regulations established in the PR zone are intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems.
2. The majority of the property is within the Hillside Protection area. There are some closed contour lines, indicating the potential presence of a sinkhole, and a blue line stream runs across the eastern boundary of the property paralleling Maynardville Pike. The PR zone is an appropriate consideration in this context because it clusters the development preserving natural features of the site and requiring site plan approval by the Planning Commission.
3. Rezoning the approximately 60-acre subject property to PR with a density of up to 4 du/ac could result in up to 240 new units on this property. The PR zone allows houses, duplexes and multi-dwelling structures and developments along with some nonresidential uses.
4. Rezoning 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 recommended density of 4 du/ac is consistent with surrounding development.
2. Staff recommends rezoning to PR up to 4 du/ac instead of the requested PR up to 5 du/ac because of both the steep slopes and sink holes on the property. The environmental constraints of the property would likely result in higher concentration of development on a portion of the site which could result in a development out of character with other developments in the area.
3. The PR zone requires development plan approval by the Planning Commission prior to construction. This will allow staff to review the plan and address issues such as traffic circulation, lot layout, drainage and other potential development concerns. It will also provide the opportunity for public input at the Planning Commission meeting.
4. Maynardville Pike is classified as a major arterial, so no traffic will be required through residential streets.

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 proposed PR zone of up to 4 du/ac is consistent with the North County Sector Plan's LDR (Low Density Residential) land use designation, which can consider densities up to 5 du/ac in the County's Planned Growth Area.
2. The clustered development facilitated by the proposed PR zone of 4 du/ac aligns with 6.3 of the General Plan, which encourages development in areas with the fewest environmental constraints.
3. The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 2755 (average daily vehicle trips)

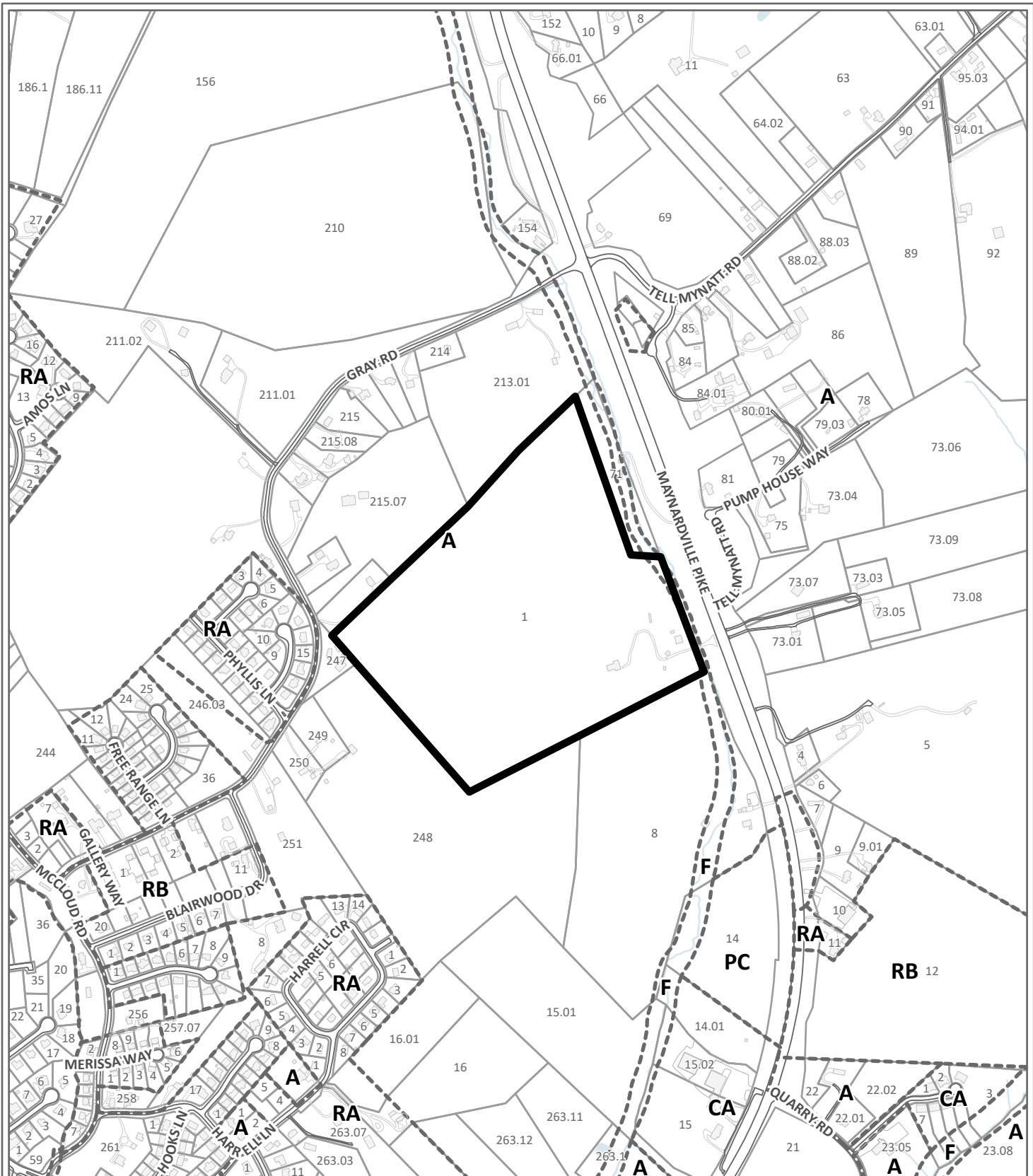
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 126 (public school children, grades K-12)

Schools affected by this proposal: Halls Elementary, Halls Middle, and Halls 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 2/26/2024. 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

1-C-24-RZ

Petitioner: Connor P. Kelly



From: F (Floodway), A (Agricultural)

To: PR (Planned Residential)

Map No: 29

Jurisdiction: County

Original Print Date: 12/7/2023

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

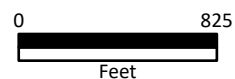
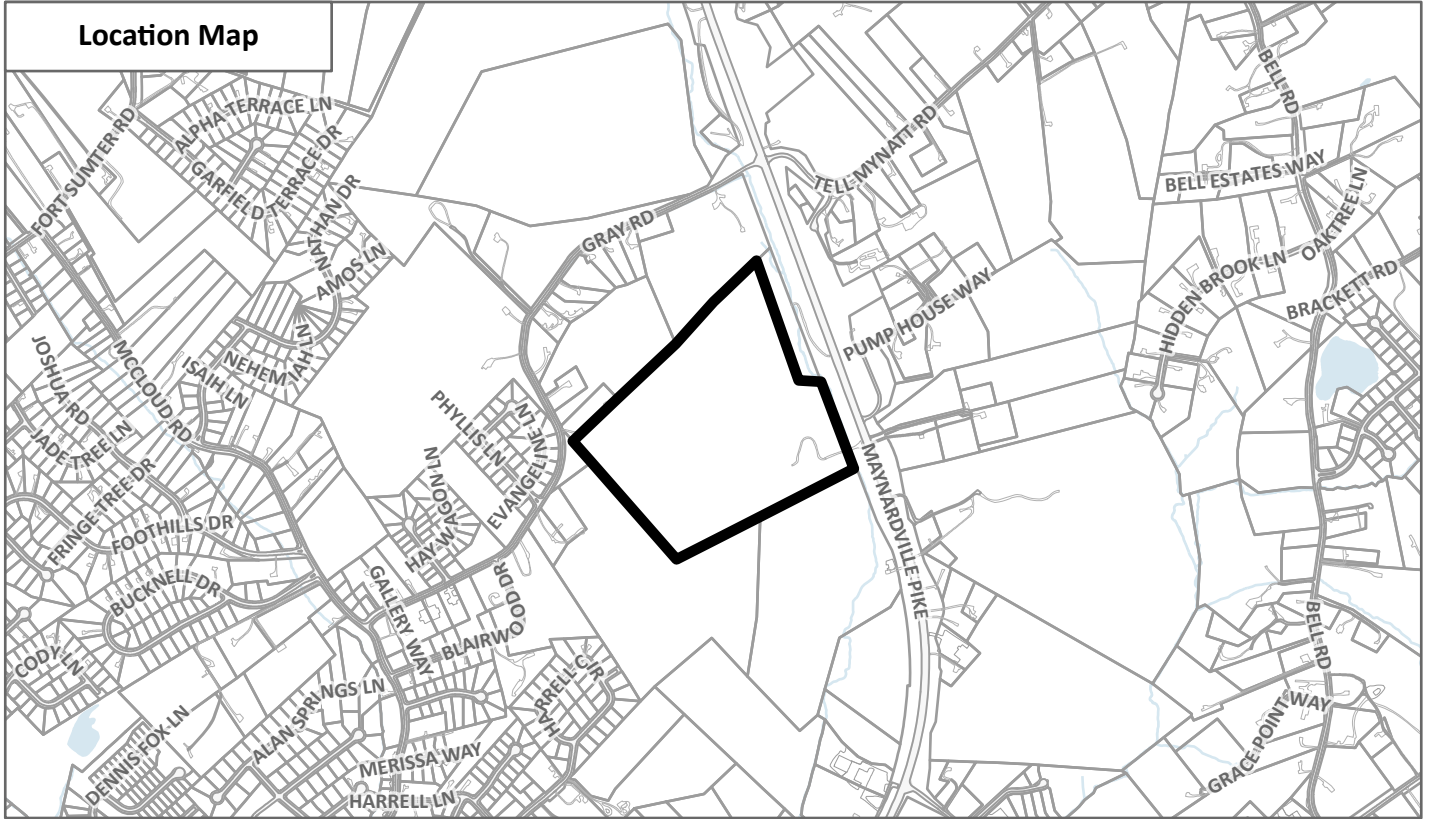
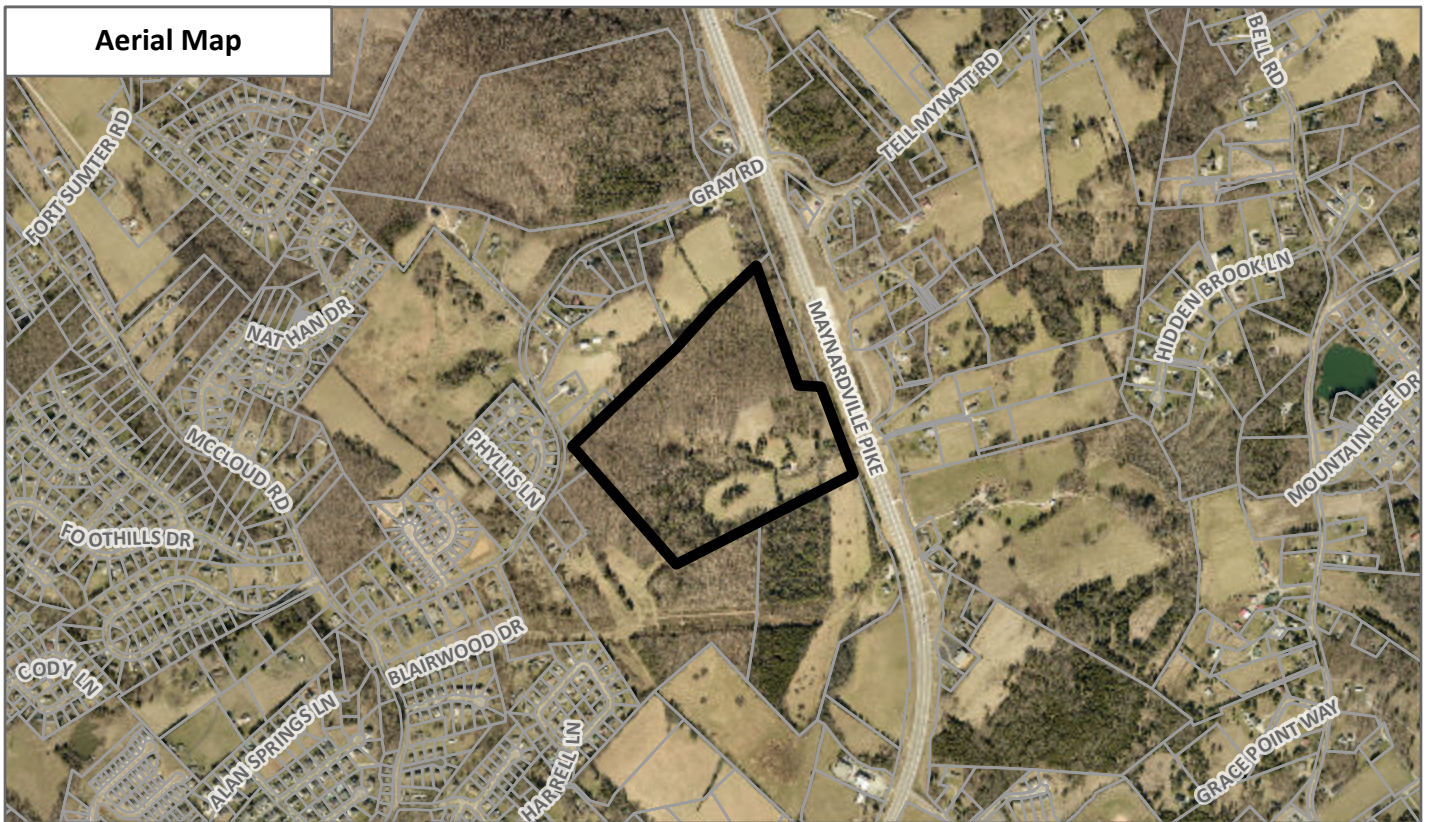


Exhibit A. Contextual Images

Location Map



Aerial Map

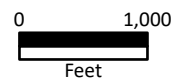


CONTEXTUAL MAPS 1

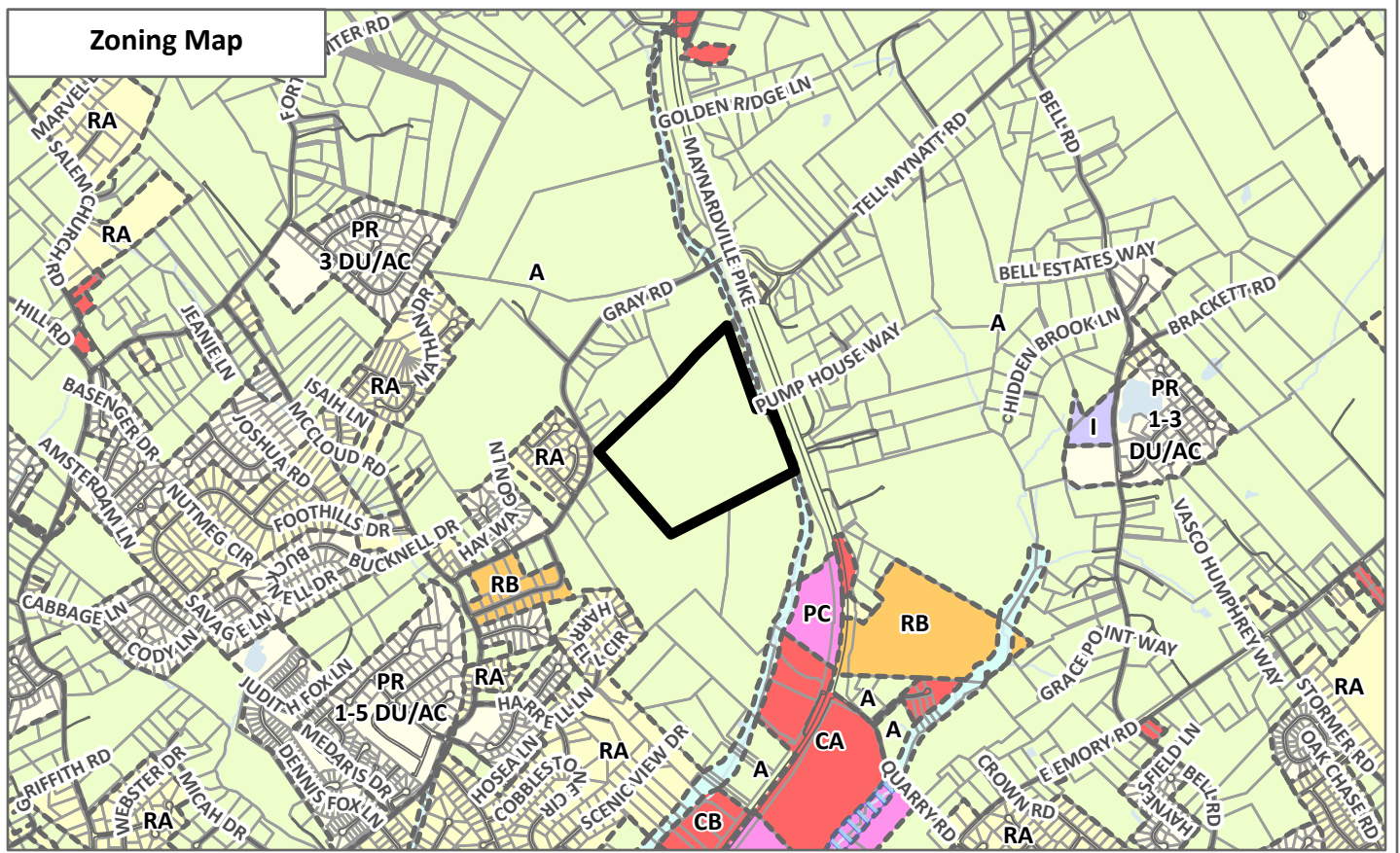
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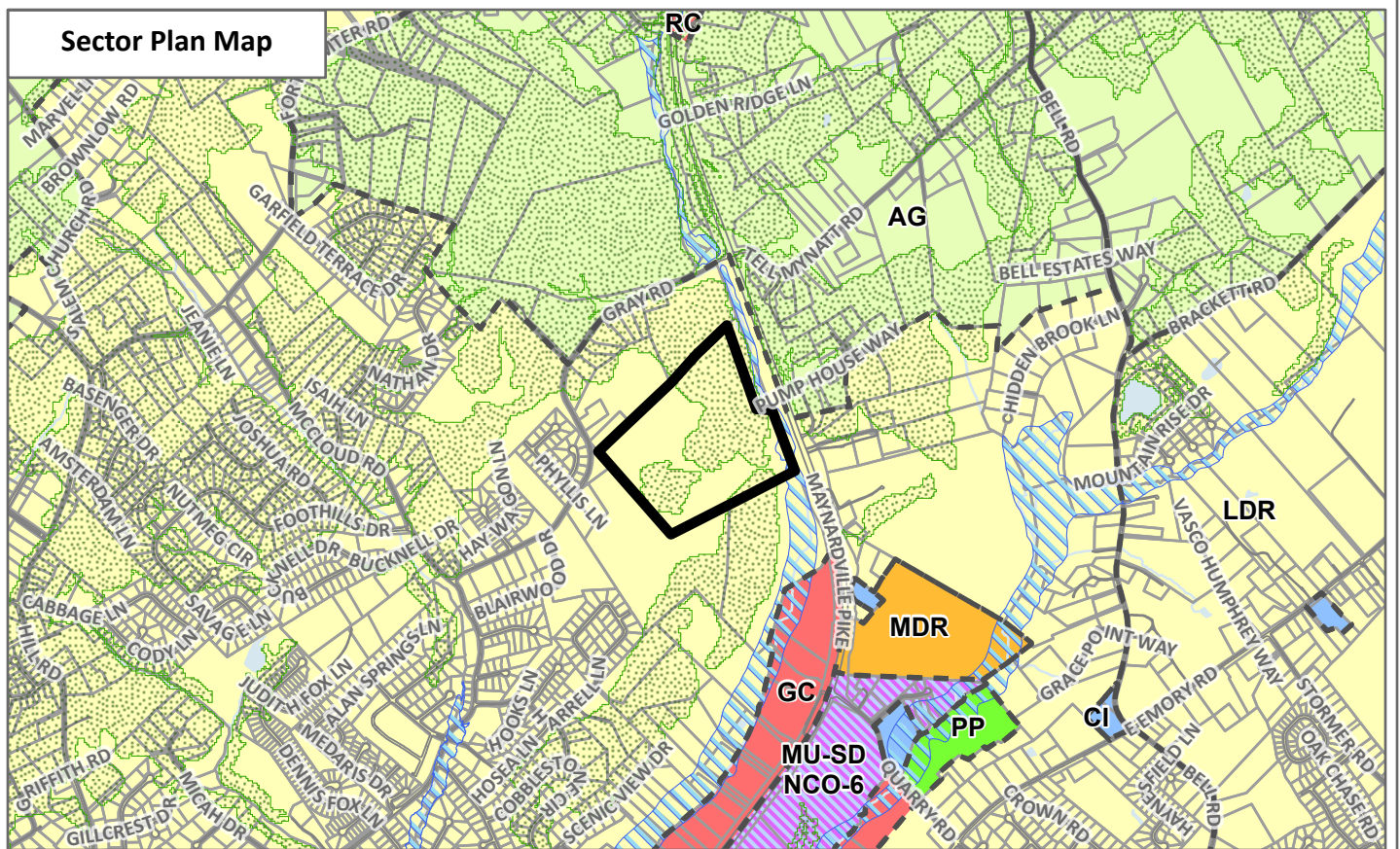
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

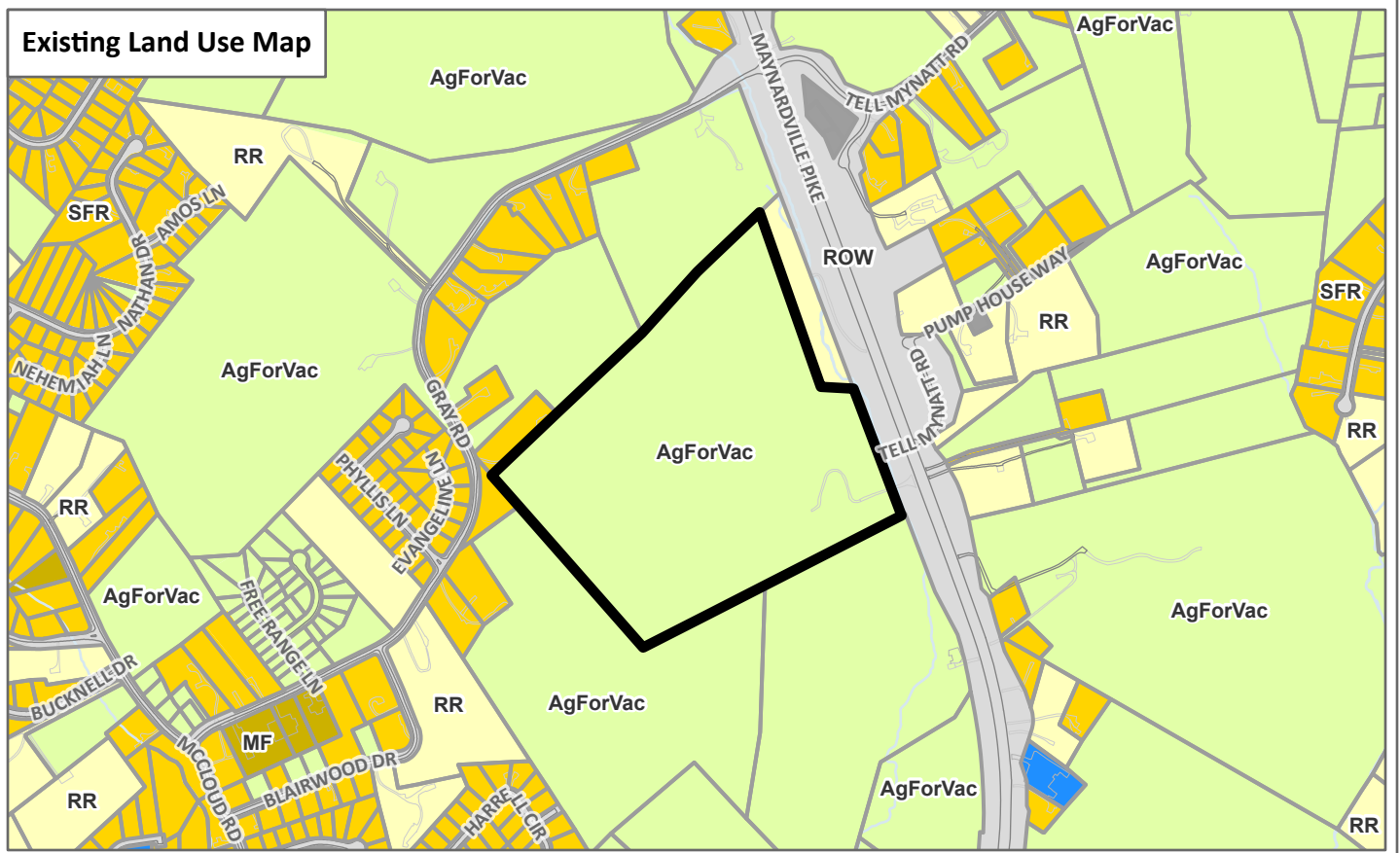
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Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

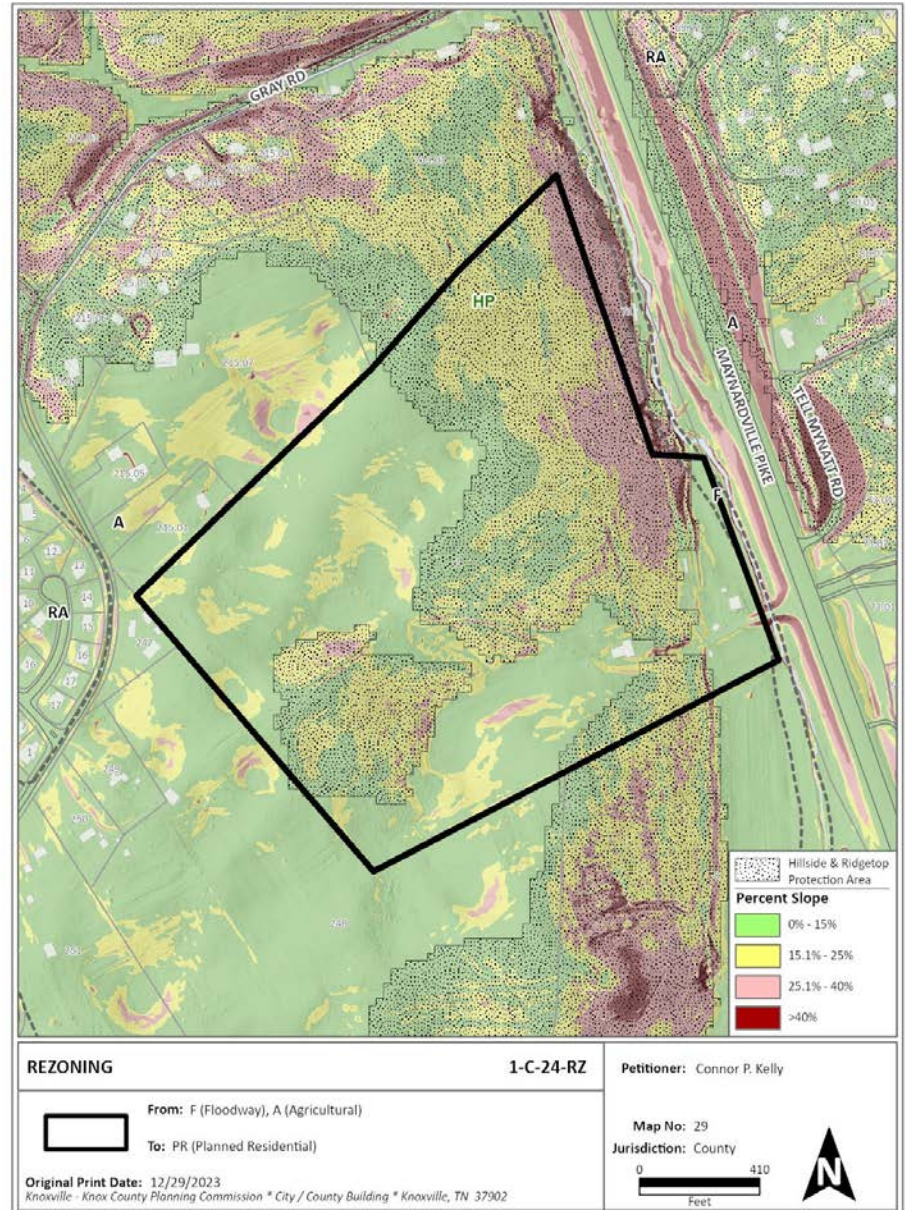
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Case boundary



CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	28.3	5.00	141.5
0-15% Slope	10.7	5.00	53.3
15-25% Slope	15.3	2.00	30.7
25-40% Slope	4.8	0.50	2.4
Greater than 40% Slope	0.2	0.20	0.0
Ridgetops	0.0	0.00	0.0
Subtotal: Sloped Land	31.0		86.4
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	59.3	3.84	227.9
Proposed Density (Applicant)		5.00	296.5





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Connor P. Kelly

Applicant Name

Affiliation

11/22/2023

Date Filed

1/11/2024

Meeting Date (if applicable)

1-C-24-RZ

File Number(s)

CORRESPONDENCE

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

Connor P. Kelly Heritage Land Development Partners, LLC

Name / Company

3571 Louisville Rd Louisville TN 37777

Address

346-666-8119 / ckelly@cbh.email

Phone / Email

CURRENT PROPERTY INFO

Estate of Laverne Coppock

Owner Name (if different)

7933 Maynardville Pike Knoxville TN 37938

Owner Address

Owner Phone / Email

7933 MAYNARDVILLE PIKE

Property Address

29 01

Parcel ID

59.28 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of Maynardville Pike, Southeast of Gray Road

General Location

City **Commission District 7** **F (Floodway), A (Agricultural)**

County District

Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

North County

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection), S

Sector Plan Land Use Classification

Planned Growth Area

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)	

up to 5 du/ac

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

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
- Design Plan Certification (Final Plat)
- Site Plan (Development Request)
- Traffic Impact Study
- Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$3,614.00	
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	Connor P. Kelly Please Print	11/22/2023 Date
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Phone / Email		
Property Owner Signature	Estate of Laverne Coppock Please Print	11/22/2023 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 OYP
- Rezoning

Connor P. Kelly
Applicant Name

Developer
Affiliation

11/20/23
Date Filed

11/11/24
Meeting Date (if applicable)

File Number(s)
1-C-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

Connor P. Kelly
Name

Heritage Land Development Partners
Company

3571 Louisville Rd
Address

Louisville
City

TN
State

37777
ZIP

346.666.8119
Phone

ckelly@cbh-email
Email

CURRENT PROPERTY INFO

Estate of Laverne Coppock
Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7933 Maynardville Pike, Knoxville, TN 37938 / 029 001
Property Address

Parcel ID →

HPUD
Sewer Provider

HPUD
Water Provider

N
Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning 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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name _____

Combine Parcels
 Divide Parcel
 Unit / Phase Number _____ Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change PR 5 du / AC
 Proposed Zoning

Plan Amendment Change _____
 Proposed Plan Designation(s)

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

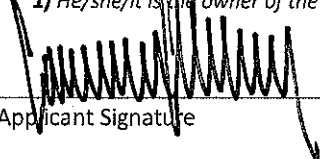
ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1		Total
0802	\$3,614.00	
Fee 2		\$3,614.00
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



Connor P. Kelly
Please Print

11/20/23
Date

346.666.8119
Phone Number

ckelly@cbh-email
Email

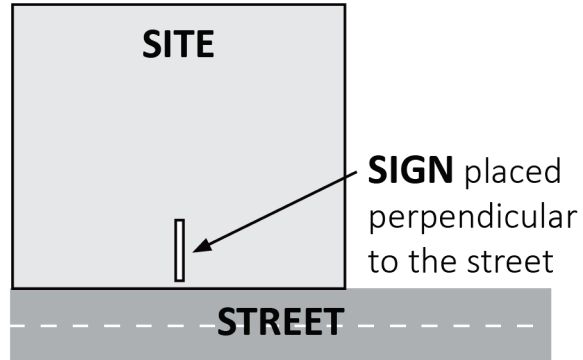
11/22/2024, SG

Property Owner Signature

Please Print

Date Paid

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:

_____ 12/29/2023 _____ and _____ 01/12/2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Connor P. Kelly

Date: 11/22/2023

File Number: 1-C-24-RZ

- Sign posted by Staff
- Sign posted by Applicant