

REZONING REPORT

▶ **FILE #:** 1-E-24-RZ

AGENDA ITEM #: 23

AGENDA DATE: 1/11/2024

▶ **APPLICANT:** CONNOR P. KELLY

OWNER(S): Sam W. Harvey

TAX ID NUMBER: 169 09

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 1630 HARVEY RD

▶ **LOCATION:** Northwest side of S. Northshore Dr., east side of Harvey Rd.

▶ **APPX. SIZE OF TRACT:** 42.44 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: S Northshore Drive is a minor arterial with a 20-ft pavement width within a 70-ft right-of-way. Access is also via Harvey Road, a minor collector with a 20-ft pavement width within a 54-ft right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

▶ **PRESENT ZONING:** 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, but the PR (Planned Residential) with up to 3 du/ac is adjacent to the to the south and east.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant, single family residential - A (Agricultural)

South: Single family residential, public/quasi public land, agriculture/forestry/vacant - PR (Planned Residential) up to 3 du/ac and 3.5 du/ac

East: Commercial, agriculture/forestry/vacant - RA (Low Density Residential), A (Agricultural)

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

NEIGHBORHOOD CONTEXT: This is a suburban area predominantly consisting of single family detached houses. There is a commercial node a little less than 0.5 miles to the north at the Choto Road/S. Northshore Drive intersection.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone with up to 3 du/ac because it is consistent with the sector plan and surrounding development.**

COMMENTS:

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. Since 1997, there has been a significant amount of A to PR rezonings in the area. The general trend in the immediate area consists of small-lot, single family detached residential neighborhoods.
2. The recommended PR (Planned Residential) zone at a density of 3 du/ac is an extension of the zone to the south and west.

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

1. The PR zone is intended to encourage more imaginative solutions to environmental design problems by enabling concentrated development in less environmentally sensitive areas of a property. The PR zone calls for each development to be compatible with the surrounding or adjacent zones.
2. At a density of 3 du/ac on this 42.6-acre property, a maximum of 127 units could be built. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses.
3. 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.

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. S. Northshore Dr. is a minor arterial street. This portion of Northshore Drive connects many parks and residential communities. Knox County has a planned greenway on S Northshore Dr extending from Concord Park to Choto Rd. Additionally, there is a commercial node at Choto Rd and S Northshore Dr. A sidewalk could be required along the frontage to improve multimodal conditions.
2. Staff recommends rezoning to PR up to 3 du/ac instead of the requested PR up to 5 du/ac because the majority of the area is PR with densities ranging from 1-3 du/ac. PR up to 3 du/ac is also an extension of the zone from the south and west.
3. If the property is rezoned to PR up to 3 du/ac, a traffic study would be required during the development plan phase.

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 PR zone at 3 du/ac is consistent with the LDR land use classification in the to the Northwest County Sector Plan, which allows consideration of up to 5 du/ac in the County's Planned Growth Area.
2. This property has frontage on S Northshore Dr., which is largely made up of PR up to 3 du/ac subdivisions. Residential development at the proposed density is appropriate at this location and is consistent with General Plan's Policy 9.3 that calls to Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

ESTIMATED TRAFFIC IMPACT: 2014 (average daily vehicle trips)

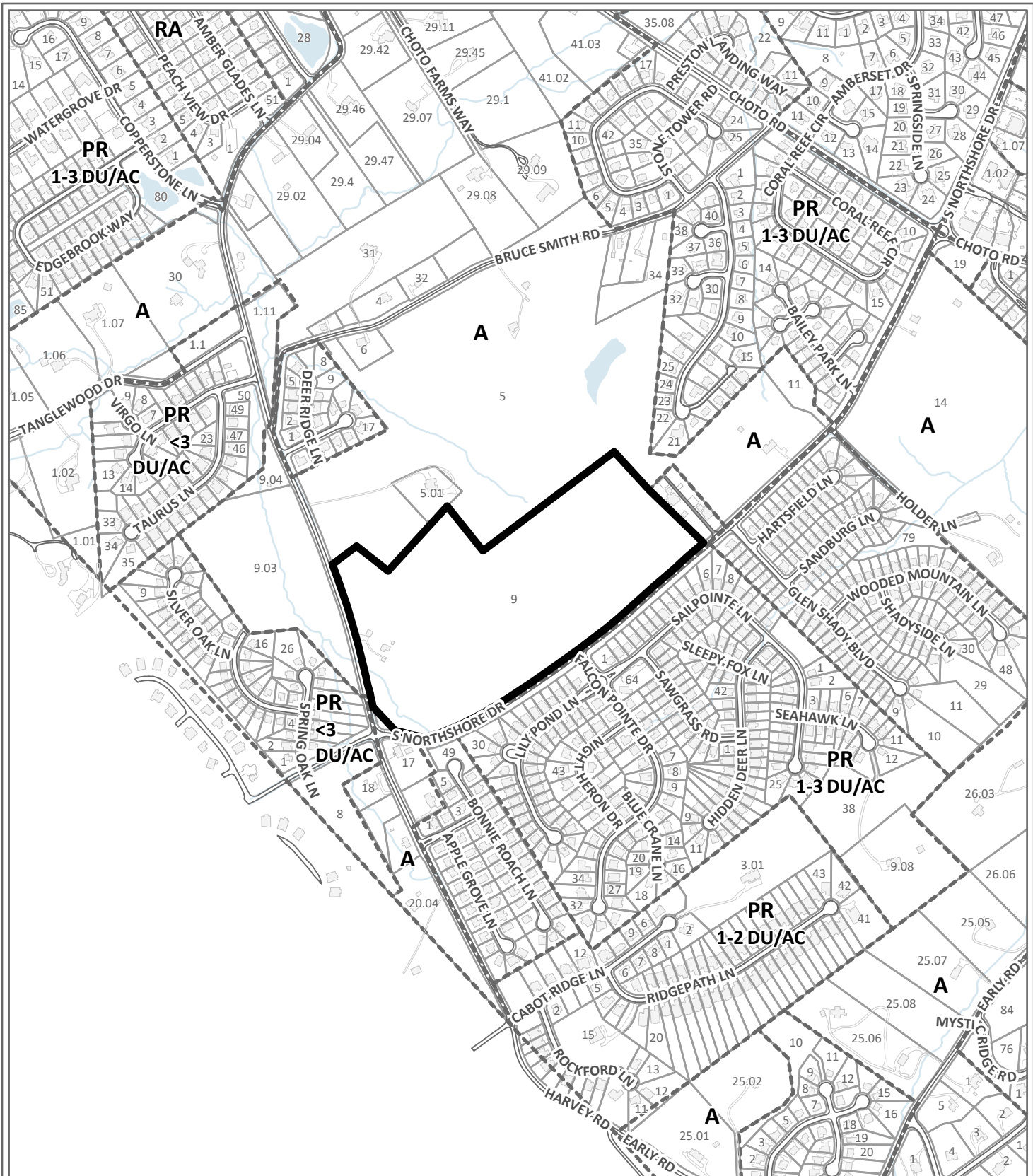
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 88 (public school children, grades K-12)

Schools affected by this proposal: Northshore Elementary, Farragut Middle, and Farragut 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-E-24-RZ

Petitioner: Connor P. Kelly



From: A (Agricultural)
To: PR (Planned Residential)

Map No: 169
Jurisdiction: County

Original Print Date: 12/7/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

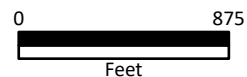
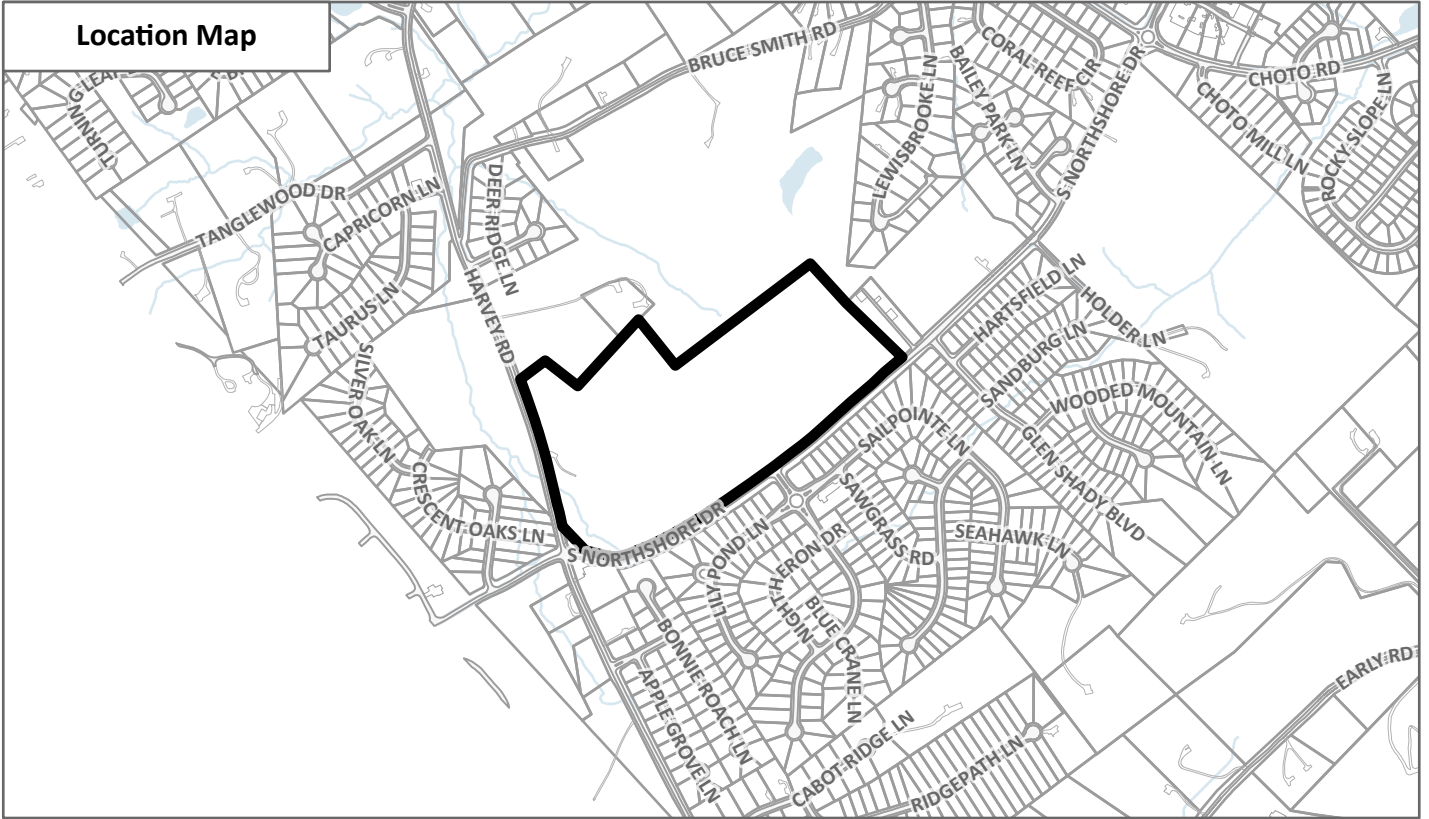
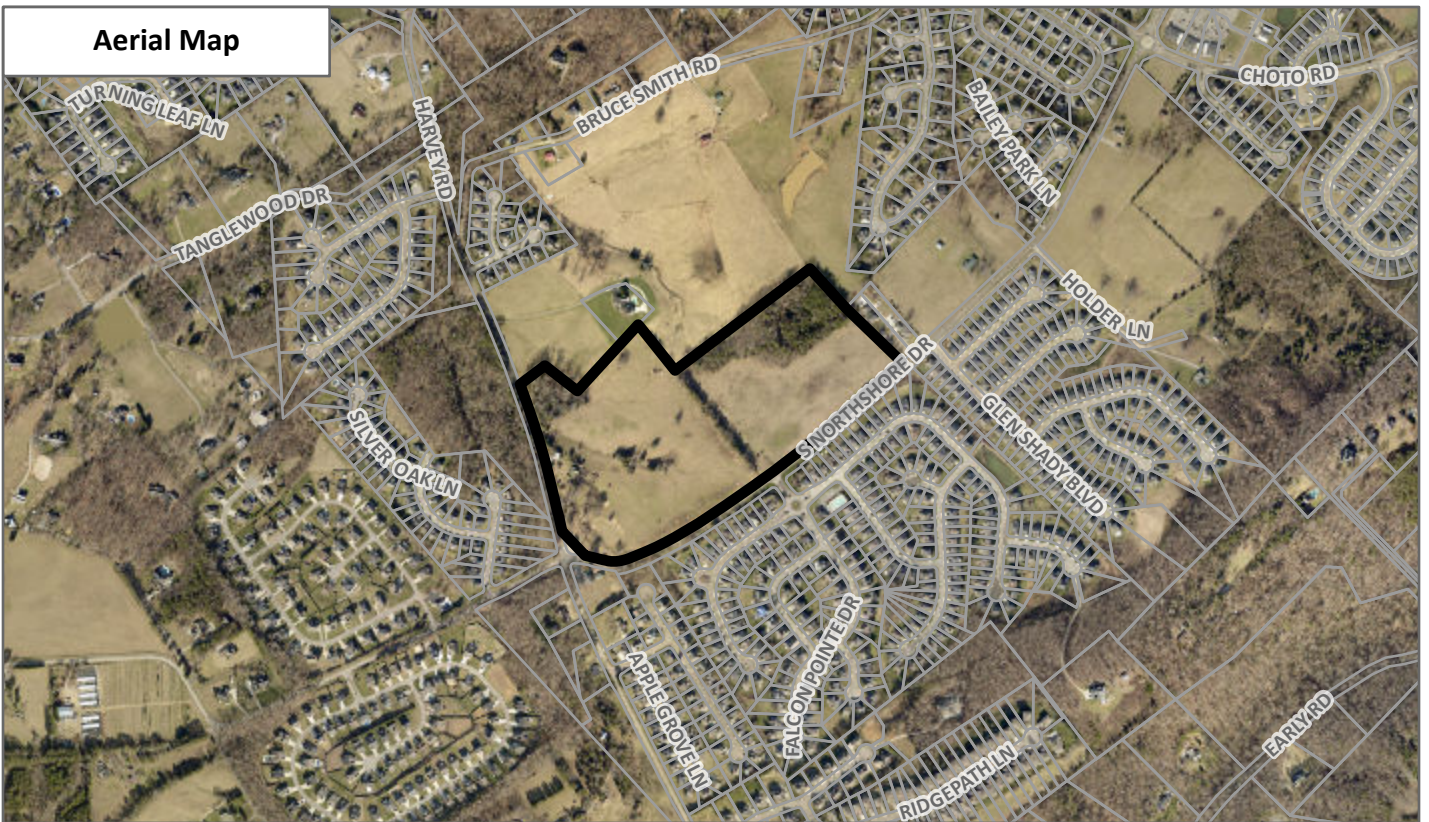


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

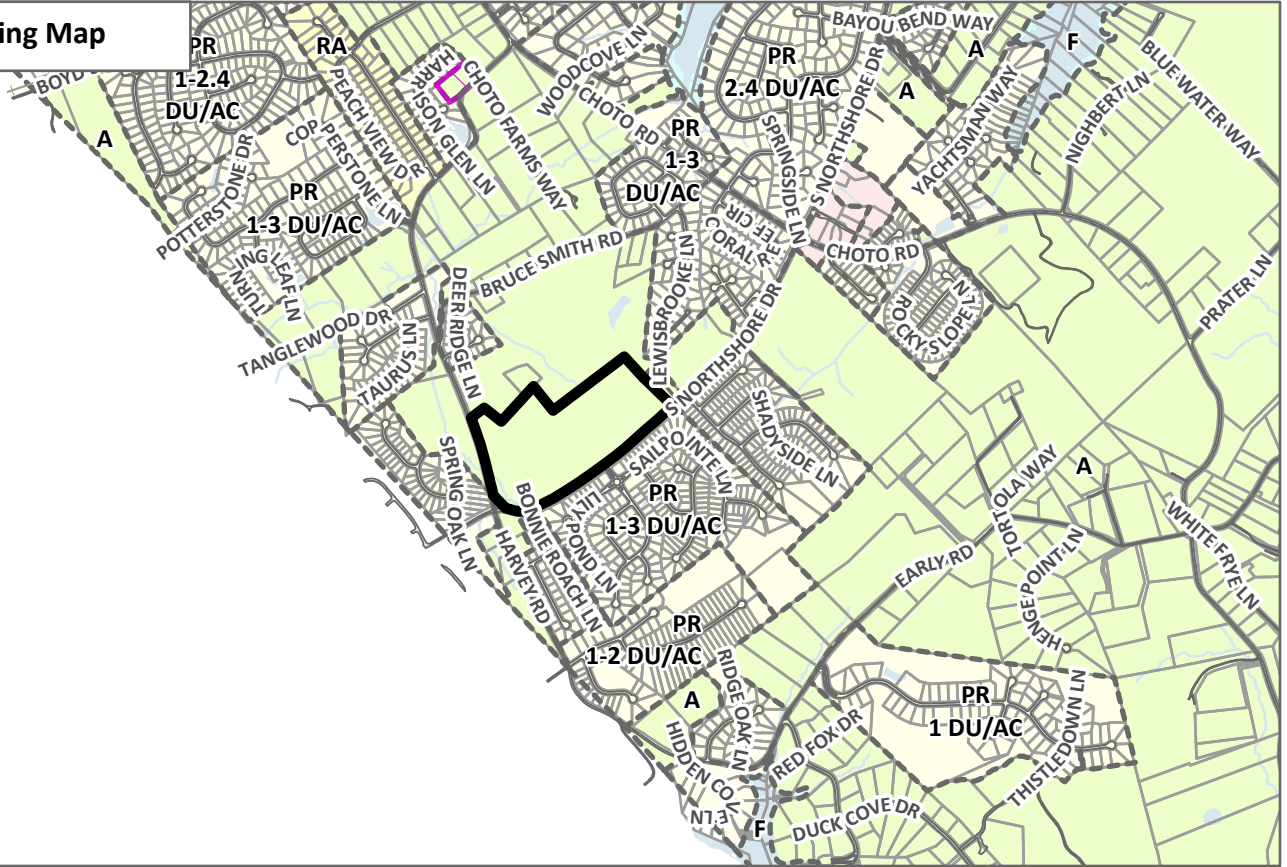
1-E-24-RZ



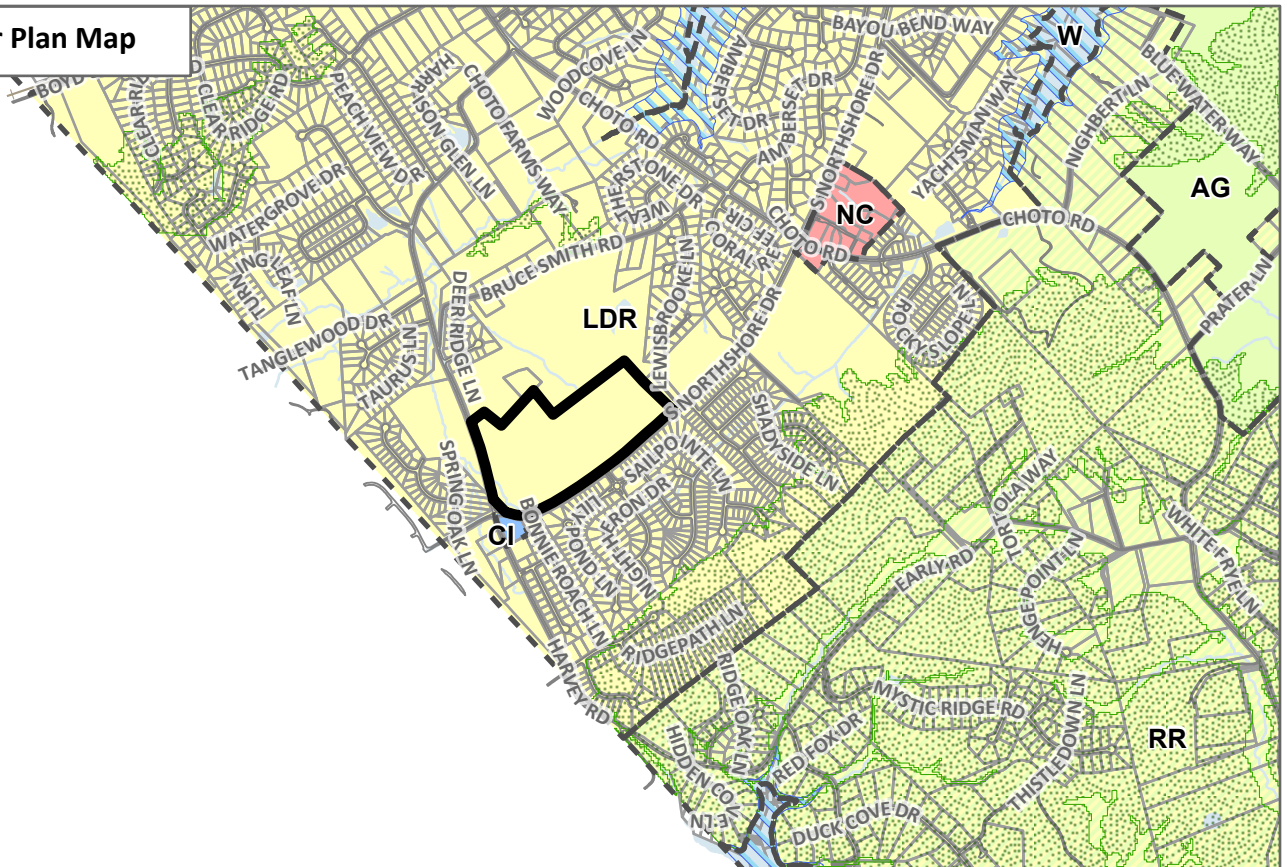
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

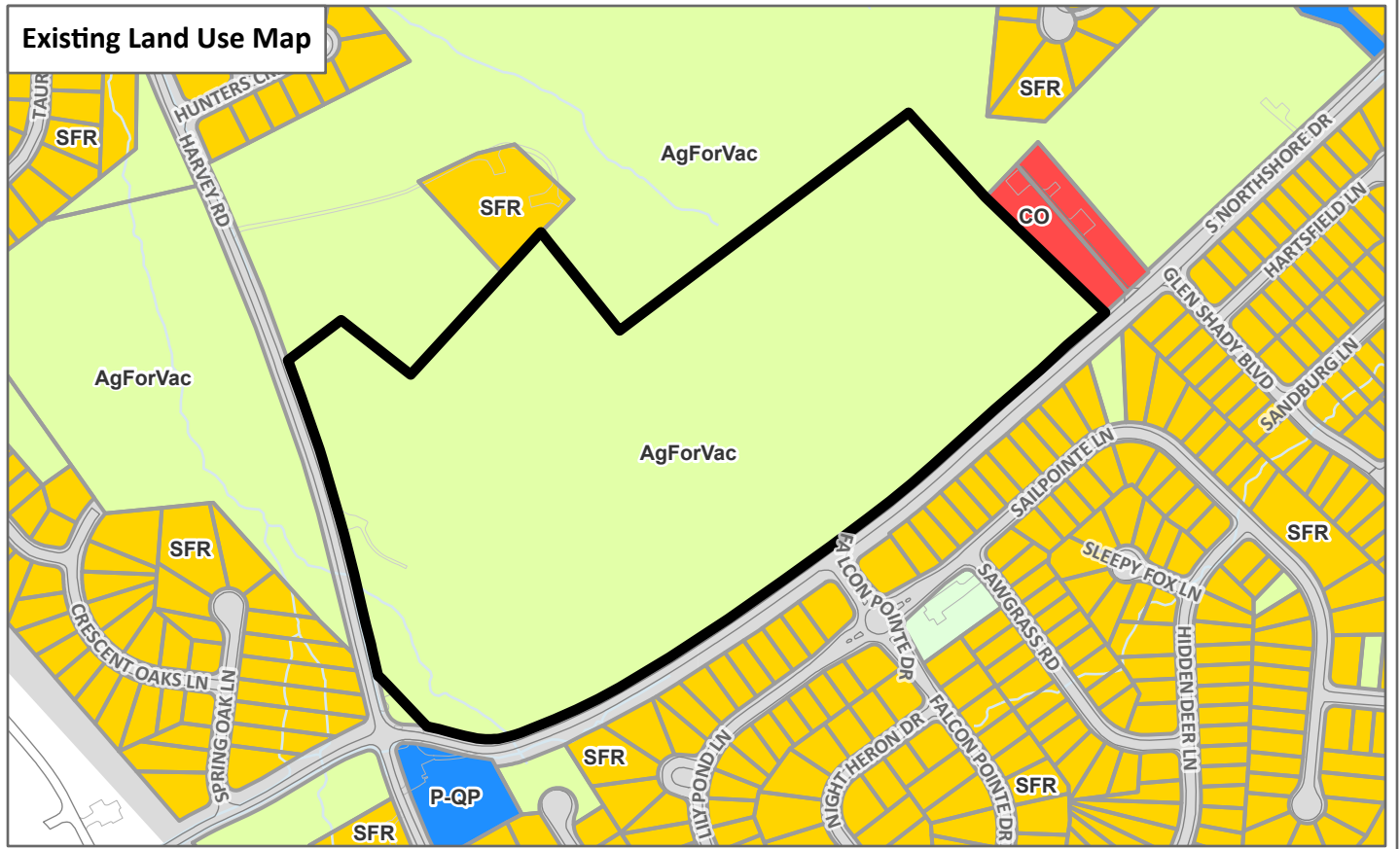
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Case boundary



Existing Land Use Map

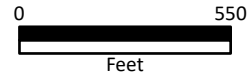


CONTEXTUAL MAPS 3

1-E-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

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

Connor P. Kelly

Applicant Name

Affiliation

11/27/2023

Date Filed

1/11/2024

Meeting Date (if applicable)

1-E-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

Sam W. Harvey

Owner Name (if different)

1630 Harvey Rd Knoxville TN 37922

Owner Address

Owner Phone / Email

1630 HARVEY RD

Property Address

169 09

Parcel ID

42.44 acres

Tract Size

Part of Parcel (Y/N)?

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of S. Northshore Dr., East side of Harvey Rd.

General Location

City

Commission District 5

A (Agricultural)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

Southwest County

Planning Sector

LDR (Low Density Residential)

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	
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
\$2,772.00	
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 **11/27/2023** Date

Phone / Email

Property Owner Signature: **Sam W. Harvey** Please Print **11/27/2023** Date

(1) Download and fill out this form at your convenience.
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



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

11/22/23

Date Filed

1/11/2024

Meeting Date (if applicable)

Developer

Affiliation

1-E-24-RZ

File Number(s)

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

3571 Louisville Rd

Address

346.666.8119

Phone

Heritage Land Development Partners

Company

Louisville

City

TN

State

37777

ZIP

ckelly@cbh.email

Email

CURRENT PROPERTY INFO

Sam W. Harvey

Property Owner Name (if different)

1630 Harvey Rd, Knoxville, TN

Property Address

Property Owner Address

169 009

Parcel ID

Property Owner Phone

FUD

Sewer Provider

FUD

Water Provider

N/A

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
 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	\$2,772.00	\$2,772.00
Fee 2		
Fee 3		

AUTHORIZATION

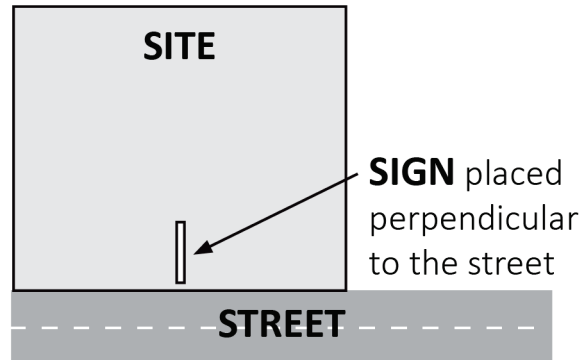
I declare under penalty of perjury the foregoing is true and correct:
 1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent

Applicant Signature:  Connor P. Kelly 11/22/2023
 Please Print Date

Phone Number: 346.666.3119 Email: ckelly@chh.email

Property Owner Signature:  Sam W Harvey 11/27/2023, SG
 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: 11/27/2023

File Number: 1-E-24-RZ

- Sign posted by Staff
- Sign posted by Applicant