

REZONING REPORT

► **FILE #:** 6-G-24-RZ

AGENDA ITEM #: 19

AGENDA DATE: 6/13/2024

► **APPLICANT:** **LESLIE BRUSSEL-SMITH**

OWNER(S): Leslie Brussel-Smith

TAX ID NUMBER: 46 142

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 8237 COLLIER RD

► **LOCATION:** **West side of Collier Rd, east of Ponderosa Dr**

► **APPX. SIZE OF TRACT:** **1.64 acres**

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Collier Road, a local street with a 21.25-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

► **ZONING REQUESTED:** **RA (Low Density Residential)**

► **EXISTING LAND USE:** **Single Family Residential**

►
EXTENSION OF ZONE: No, this is not an extension of the zone.

HISTORY OF ZONING: None noted for this property.

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agriculture)

South: Rural residential - A (Agriculture)

East: Single family residential, Agriculture/forestry/vacant land - A (Agriculture)

West: Single family residential - A (Agriculture)

NEIGHBORHOOD CONTEXT: The surrounding area largely consists of single-family houses situated on large lots.

STAFF RECOMMENDATION:

► **Approve the RA (Low Density Residential) zone because it is consistent with the Knox County Comprehensive Plan and other development in the area.**

COMMENTS:

This plan was submitted prior to the adoption of the Knox County Comprehensive Land Use and Transportation Plan. The new Comprehensive Land Use and Transportation Plan was adopted on April 26, 2024 and this request was evaluated under it.

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 surrounding the subject property has experienced a transition from the A (Agricultural) zone to the PR (Planned Residential) zone since the early 1990s. Additionally, a lot of RB (General Residential) and RA (Low Density Residential) is present in the area.

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

1. The RA zone provides for residential areas with low population densities. The surrounding area consists of low density residential development, so the request for RA on this property is consistent with the zone's intent.
2. 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 RA zone allows predominantly residential uses, though there are a handful of low-impact, nonresidential uses allowed.

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 rear of the property is in an HP (Hillside Protection) area. Most of the rear of the site has a slope ranging from 15-25%, though there is a small ridge of slope above 40% in the rear corner of the property along the southern lot line.
2. There appears to be a blue-line stream running through the property from north to south. If this is a blue-line stream, it will require a stream buffer area on each side of the stream. Site plans would need to comply with the Knox County Stormwater Ordinance, and this would be reviewed during the permitting phase.
3. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a density of roughly 4 du/ac. Built at maximum capacity, this property could be developed with up to 7 lots. However, the topography will make the property challenging to develop with the maximum number of lots allowed by the RA zone.
4. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes the A, RB, RA, and PR zones, the latter with densities of up to 2, 2.5, and 3 du/ac. The RA zone is consistent with the area.
5. This property is approximately 1/3 mile south of W Copeland Drive, a major collector, so no traffic would be required through residential streets to access the property.

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 property is in the Planned Growth Area of Knox County. The Purpose Statement of the Planned Growth Area includes the intent to encourage a reasonably compact pattern of development, offer a range of housing options, and coordinate actions of the public and private sectors regarding the provision of adequate roads, utilities, schools, drainage, and other public facilities and services. The subject property has access to sewer and abuts Gibbs Elementary School to the west. Its location on Gibbs Road, which connects Tazewell Pike, a minor arterial, and E Emory Road, a major arterial, meet the stated intent of the Planned Growth Area.
2. This application was accepted when the General Plan was still in effect. The subject property was designated as the LDR (Low Density Residential) land use classification in the North County Sector Plan, which allowed consideration of the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.
3. Under the Comprehensive Plan, the plan in effect at the time of this request being heard by the Planning Commission, the property is designated as the SR (Suburban Residential) place type in the Knox County Comprehensive Plan, which allows consideration of the RA zone.
4. The RA zone is consistent with the Comprehensive Plan's implementation policy 2, to ensure that new development is sensitive to existing community character. The lot sizes and uses allowed by the RA zone are consistent with other residential development in the area.

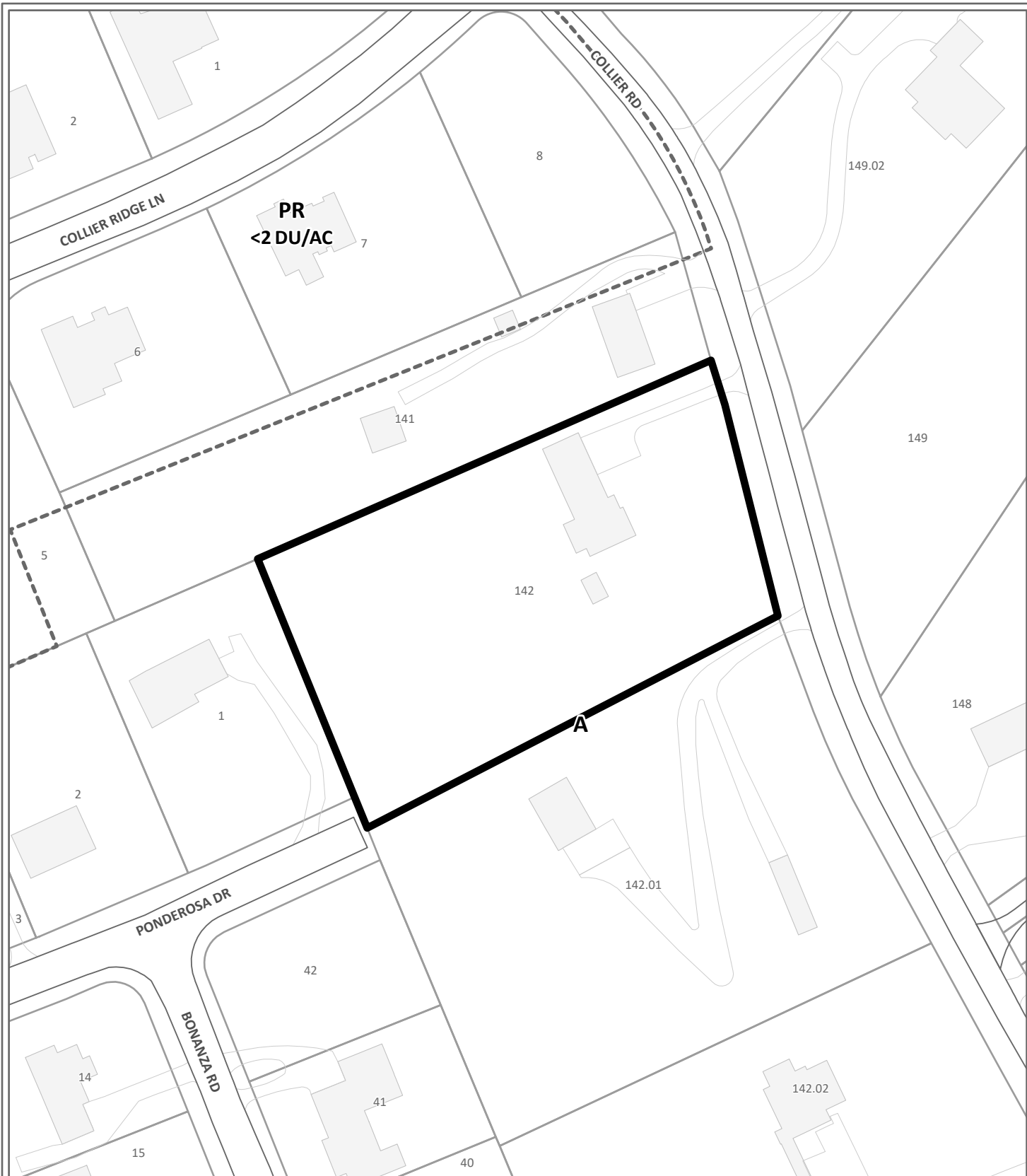
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Powell Elementary, Powell Middle, and Powell 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 7/15/2024. 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

6-G-24-RZ

Petitioner: Leslie Brussel-Smith

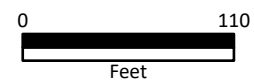


From: A (Agricultural)

To: RA (Low Density Residential)

Map No: 46

Jurisdiction: County

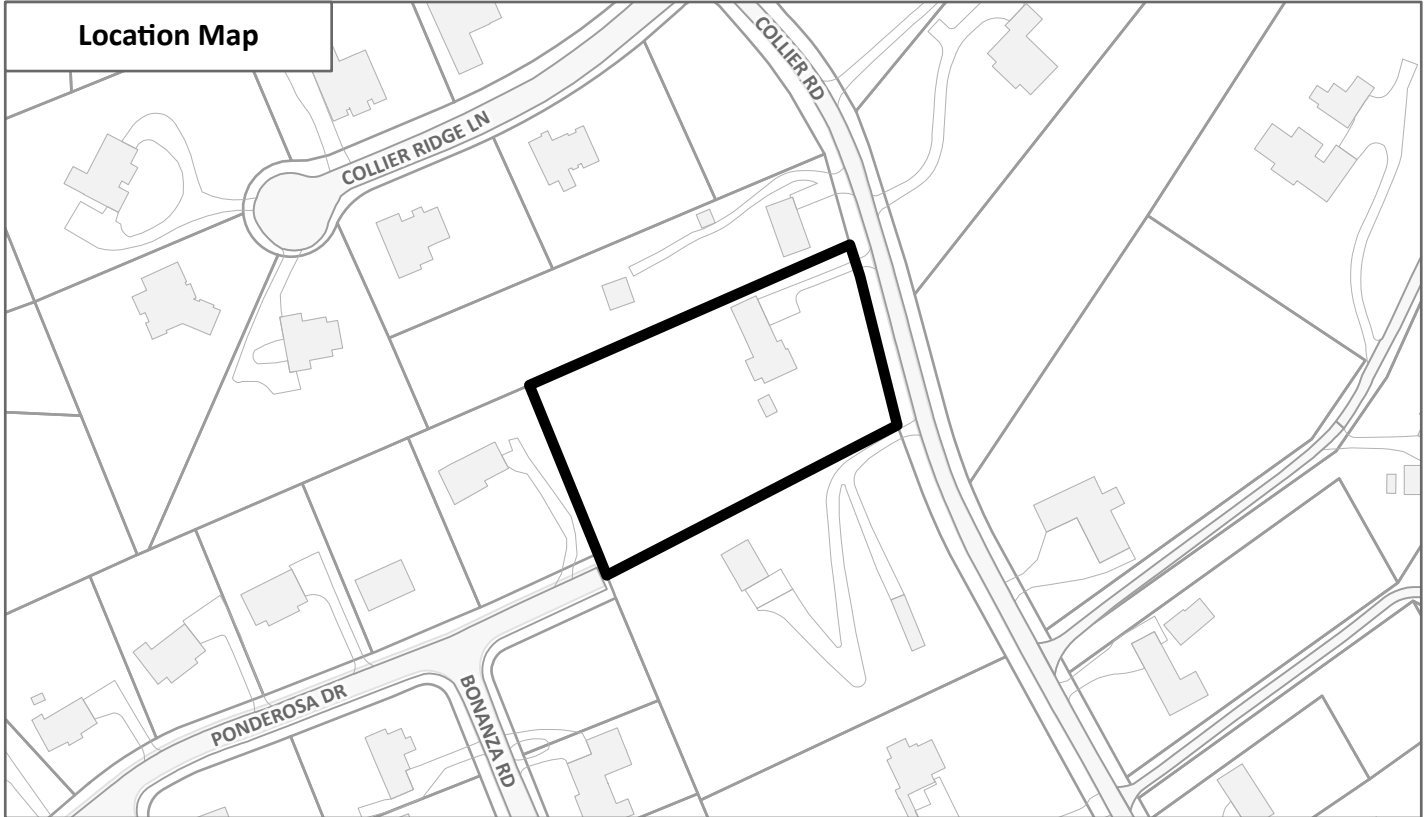


Original Print Date: 5/6/2024

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

Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

6-G-24-RZ

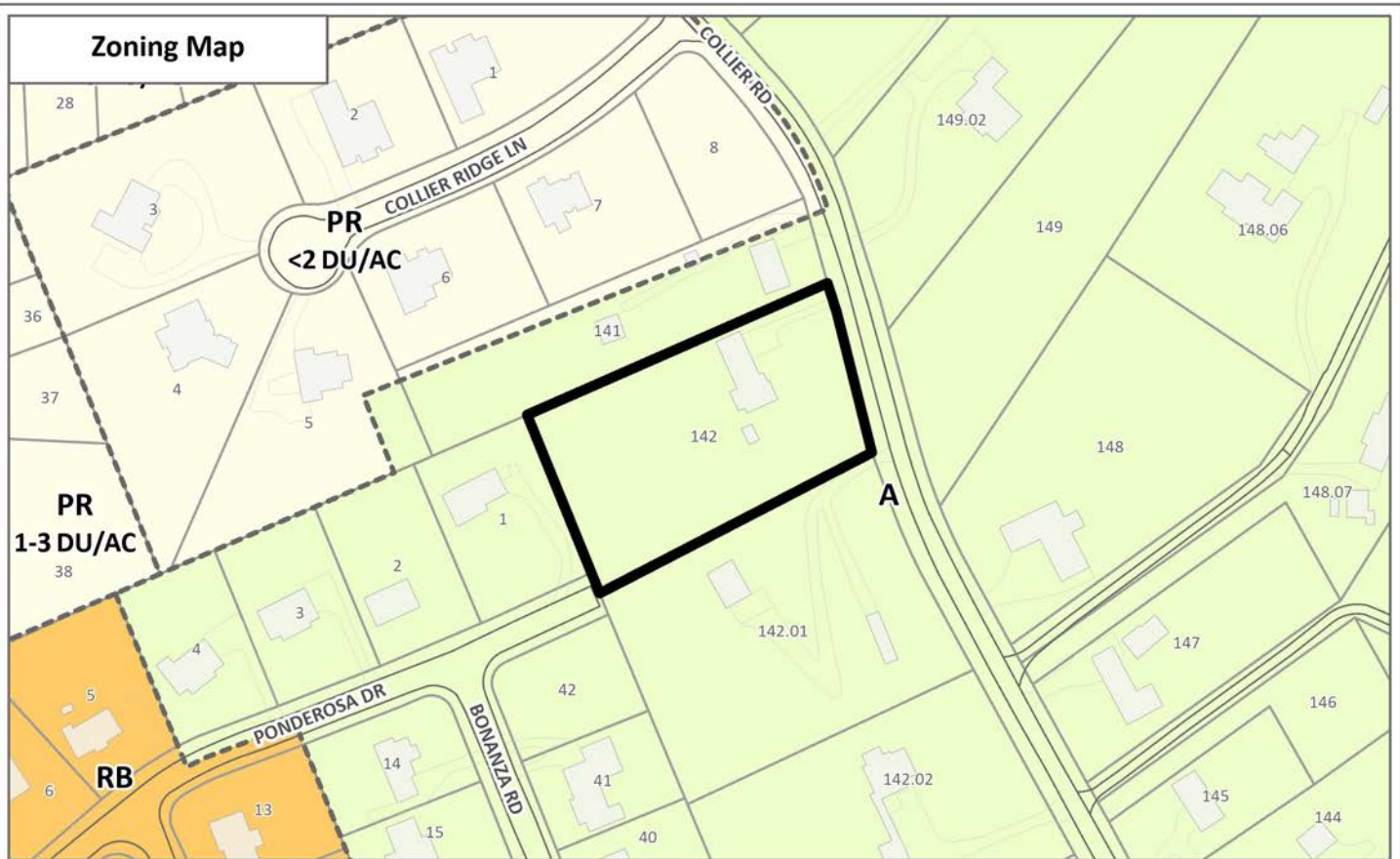


Case boundary

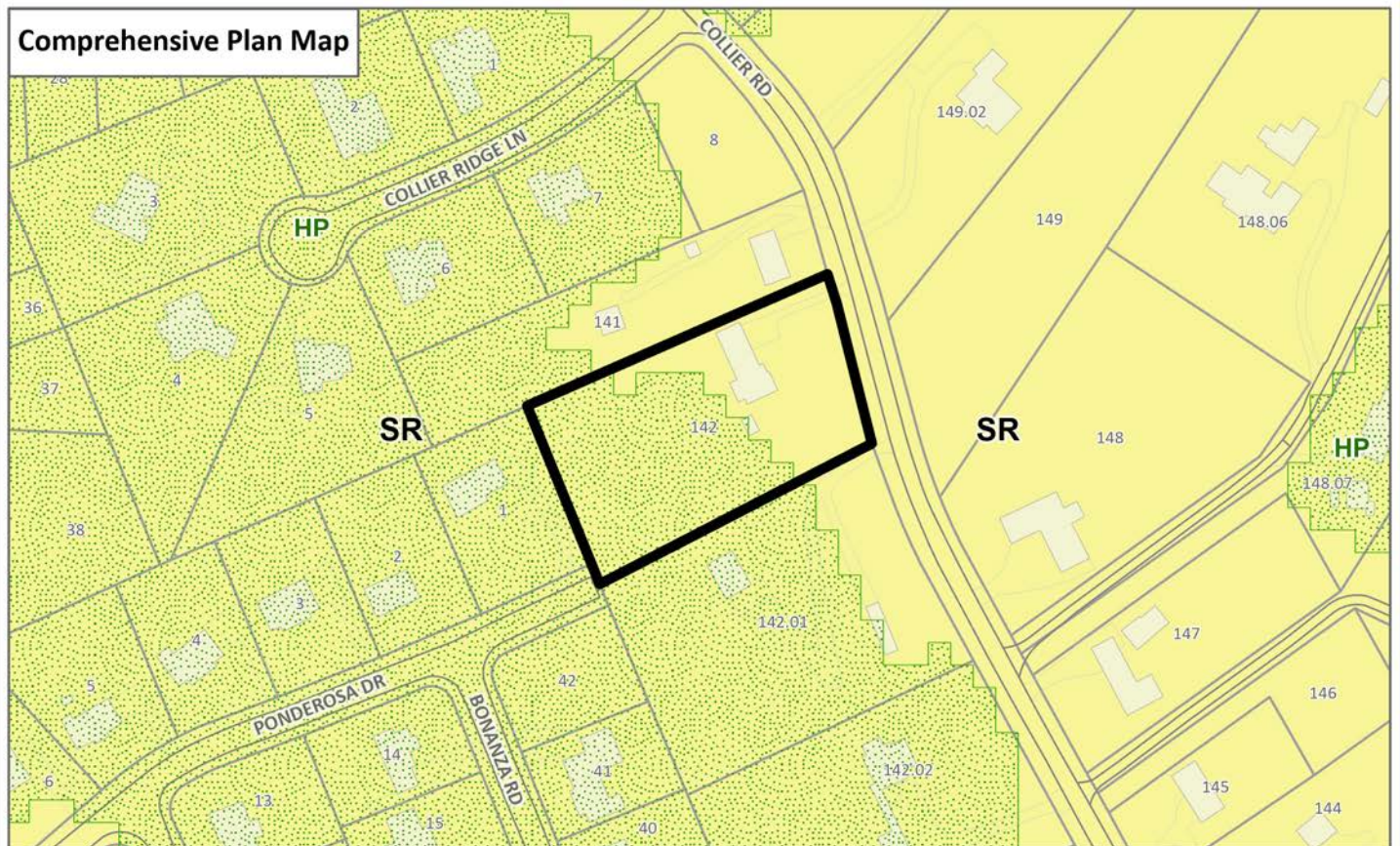
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Zoning Map



Comprehensive Plan Map

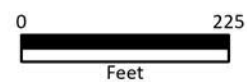


CONTEXTUAL MAPS 2

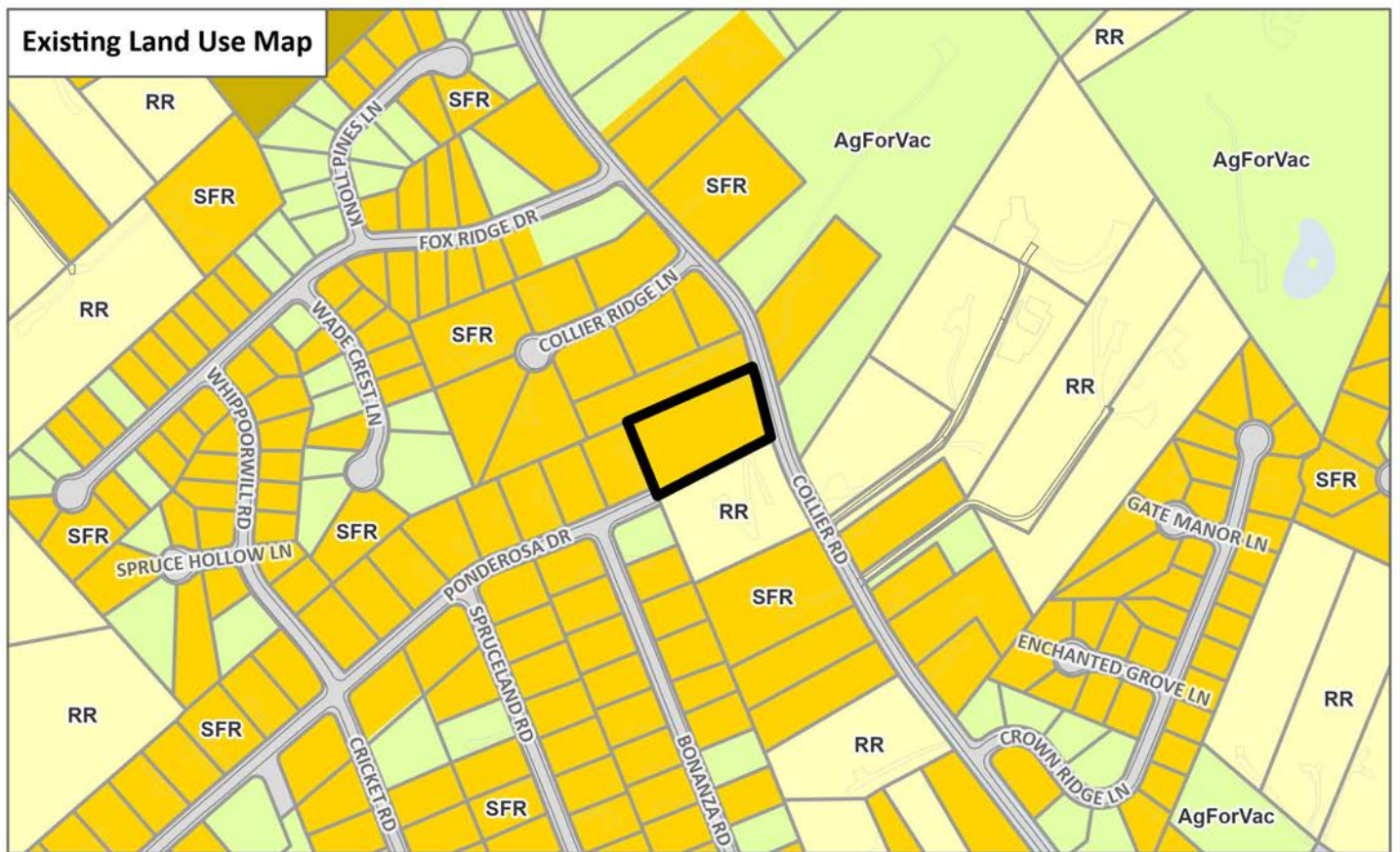
6-G-24-RZ



Case boundary



Existing Land Use Map

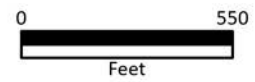


CONTEXTUAL MAPS 3

6-G-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

Leslie Brussel-Smith

Applicant Name

Affiliation

4/25/2024

Date Filed

6/13/2024

Meeting Date (if applicable)

6-G-24-RZ

File Number(s)

CORRESPONDENCE

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

Leslie Brussel-Smith

Name / Company

8237 Collier Rd Powell TN 37849

Address

845-797-2936 / lbrusselsmith@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Leslie Brussel-Smith

Owner Name (if different)

8237 Collier Rd Powell TN 37849

Owner Address

845-797-2936 / lbrusselsmith@

Owner Phone / Email

8237 COLLIER RD

Property Address

46 142

Parcel ID

1.64 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

West side of Collier Rd, east of Ponderosa Dr

General Location

☐ City
☒ County

Commission District 7

District

A (Agricultural)

Zoning District

Single Family Residential

Existing Land Use

North County

Planning Sector

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

Land Use (City)/Place Type (County)

Planned Growth Area

Growth Policy Plan Designation

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 **RA (Low Density Residential)**
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment Proposed Plan Designation(s)

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

\$650.00

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.

Leslie Brussel-Smith

4/25/2024

Applicant Signature

Please Print

Date

Phone / Email

Leslie Brussel-Smith

4/25/2024

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 ☐ OYP
☒ Rezoning

Leslie Brussel-Smith

Applicant Name

Affiliation

4/22/24

June 13, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

6-G-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

Leslie Brussel-Smith

Name

Company

8237 Collier Rd

Powell

TN

37849

Address

City

State

ZIP

845-797-2936

LBRUSSELSMITH@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

8237 Collier Road, Powell TN

046-142

Property Address

Parcel ID

Hallsdale-Powell Utility District

Hallsdale-Powell Utility District

N

Sewer Provider

Water Provider

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

May 1, 2023

DEVELOPMENT REQUEST☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Related City Permit Number(s) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements _____**ZONING REQUEST**☒ Zoning Change **RA**
Proposed Zoning _____

Pending Plat File Number _____

☐ 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
Fee 2		
Fee 3		\$650.00

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

Leslie Brussel-Smith

Please Print

4/22/24

Date

845-797-2936

Phone Number

LBRUSSELSMITH@gmail.com

Email



Property Owner Signature

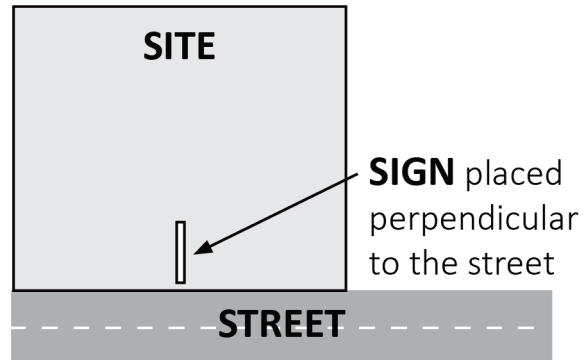
Leslie Brussel-Smith

Please Print

04/25/2024, SG

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:

_____ **05/31/2024** _____ and _____ **06/14/2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Leslie Brussel-Smith

Date: 04/25/2024

File Number: 6-G-24-RZ



Sign posted by Staff



Sign posted by Applicant