

# REZONING REPORT

► **FILE #:** 6-L-24-RZ

**AGENDA ITEM #:** 23

**AGENDA DATE:** 6/13/2024

► **APPLICANT:** TAYLOR D FORRESTER

OWNER(S): W Boyd Thomas Limited Partnership

TAX ID NUMBER: 103 059

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 11326 SAM LEE RD

► **LOCATION:** Southeast side of Sam Lee Rd, east of Steele Rd

► **APPX. SIZE OF TRACT:** 49.86 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Sam Lee Road, a major collector street with an 18-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek, Conner Creek

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

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

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

► **DENSITY PROPOSED:** up to 8 du/ac

EXTENSION OF ZONE: It is an extension of the PR zone, but not at the requested density.

HISTORY OF ZONING: None noted.

SURROUNDING LAND North: Agriculture/forestry/vacant land, rural residential - A (Agricultural)

USE AND ZONING: South: Public/quasi-public land (public schools) - I (Industrial)

East: Rural residential, single family residential, agriculture/forestry/vacant land - A (Agricultural) & PR (Planned Residential) up to 4.5 du/ac

West: Single family residential - A (Agricultural). PR (Planned Residential) up to 3 du/ac

NEIGHBORHOOD CONTEXT: This area largely consists of single-family homes and farmland. Abutting the property to the south are three schools: Hardin Valley Elementary School, Hardin Valley Middle School, and Hardin Valley Academy High School.

## STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone with up to 8 du/ac because it is consistent with the Knox County Comprehensive Plan and is supported by residential amenities.**

## 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 subject property is located in the Hardin Valley area, which has experienced a broad shift in land use from farmland and forest to residential subdivisions and service-oriented commercial developments over the past two decades.
2. Abutting the rear lot line of the almost 50-acre subject property is the Hardin Valley Elementary School, which was established in 2000. This development was followed by the adjacent construction of Hardin Valley Academy High School in 2008 and Hardin Valley Middle School in 2018, forming a major public education hub next to the subject lot.
3. In 2009 a big box grocery store was built as part of a developing retail node at the corner of Sam Lee Road and Hardin Valley Road, ¼ mile from the subject property.
4. The requested rezoning from A (Agricultural) to PR (Planned Residential) with a density of up to 8 du/ac is consistent with these changing conditions in the immediate area and in the Hardin Valley region generally.

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 creative solutions to environmental design problems. This is accomplished through the ability to cluster development in the optimal areas of a property to preserve more environmentally sensitive areas, such as locations with steep slopes and streams.
2. There are several closed contours on the property, some of which are quite large, which could indicate the presence of sinkholes. There is also a blue line stream running through the property and steep slopes throughout the lot, especially to the rear. The PR zone enables residential development that is responsive to the environmental challenges.

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. Hardin Valley has been the fastest developing region of Knox County for many years, and this has put pressure on existing infrastructure and community facilities. Many in the Hardin Valley community express concern about traffic conditions, loss of green space, crowded schools and other impacts of rapid population growth.
2. The requested PR density of 8 du/ac is the highest in the general vicinity. However, it is in a location where more intensive residential development is well-supported by its close proximity to numerous amenities. This differs from suburban sprawl, which can require long drive times for access to resources like schools and day-to-day supplies. It is also noteworthy that with a potential development of this size, infrastructure improvements may be negotiated with the County to update or expand upon public facilities like sidewalks and streets. This kind of coordination is already being demonstrated through capital improvement conversations between Knox County Engineering & Public Works and the owner of a recently rezoned PR property at 11308 and 11234 Sam Lee Road. The County is hoping to acquire the necessary right-of-way to introduce a series of gradual reverse curves that would replace the existing sharp 90-degree turns on that major collector street.

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 subject property's place type in the Comprehensive Plan is TN (Traditional Neighborhood). The TN place type is intended to feature a mix of housing that ranges from single-family to townhomes and small multi-family buildings. They have a walkable block pattern and neighborhood amenities such as parks and schools. Compared to suburban neighborhoods, there is more public open space in the form of neighborhood and community parks, pocket parks, and preserved passive open space. Private yards tend to be small and secondary to other open space. The TN place type permits consideration of PR at the requested density of 8 du/ac.
2. The requested rezoning aligns with the Comprehensive Plan's implementation policy 5 to create neighborhoods with a variety of housing types and amenities in close proximity. The PR zone at the requested density promotes a range of housing forms near amenities like schools and a grocery store.
3. The subject property is within the boundaries of the Hardin Valley Mobility Plan, adopted in 2019. The plan describes a long-range goal to widen existing travel lanes on Sam Lee Road and create additional shoulder width for all users. If 8 du/ac were pursued, a residential development of this scale would require a traffic impact study and infrastructure improvements could be required, which would help implement the plan's road-widening and multimodal aspirations.
4. The property is within the Planned Growth Area of the Growth Policy Plan, which is intended to encourage a reasonably compact pattern of development, promote expansion of the Knox County economy, and offer a wide range of housing alongside the provision of adequate transportation infrastructure, utilities and public facilities.

ESTIMATED TRAFFIC IMPACT: 3251 (average daily vehicle trips)

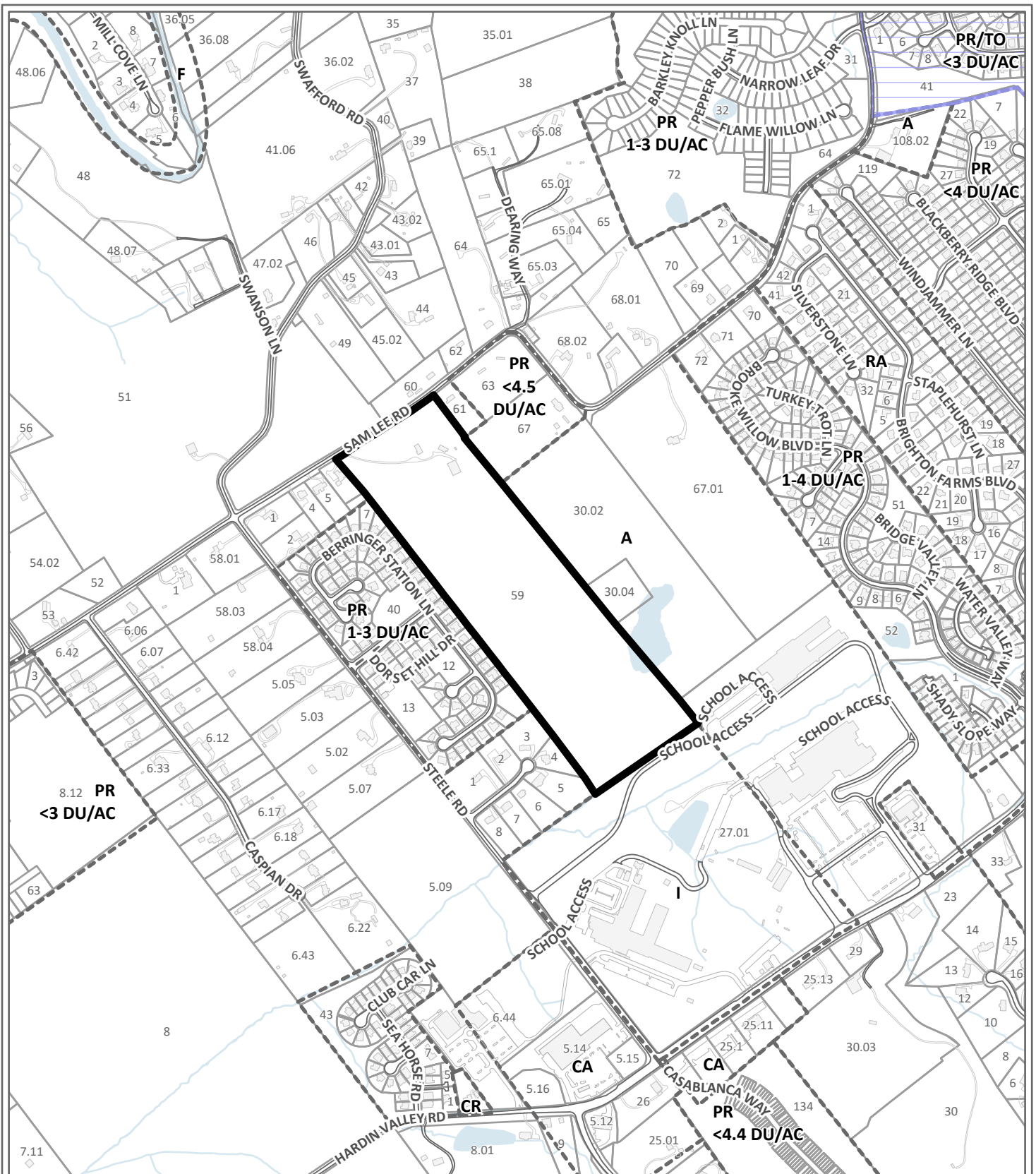
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 22 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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-L-24-RZ**

Petitioner: Taylor D Forrester



**From:** A (Agricultural)

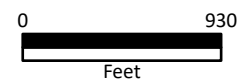
**To:** PR (Planned Residential) 8 du/ac

**Map No:** 103

**Jurisdiction:** County

**Original Print Date:** 5/6/2024

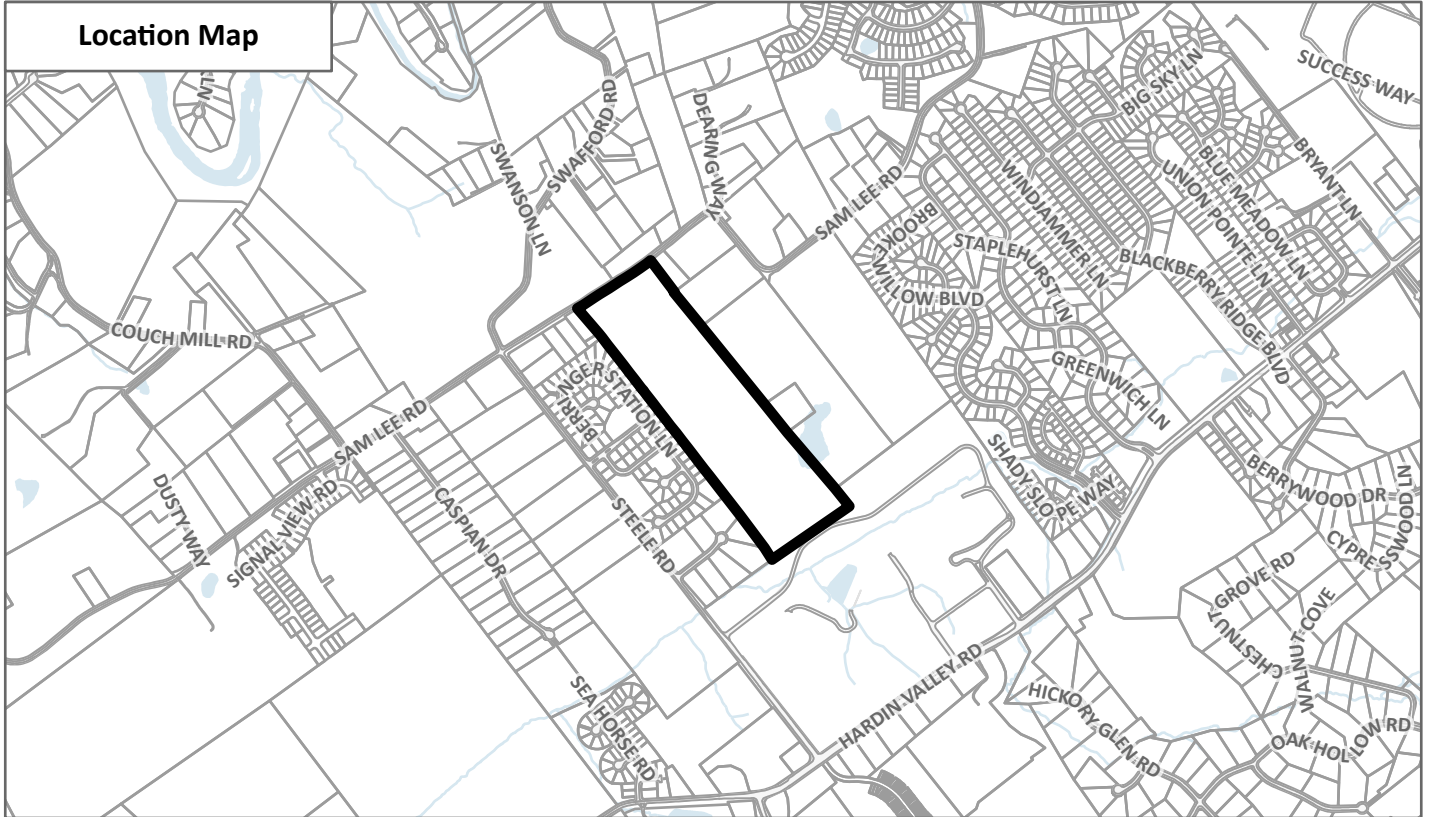
Knoxville - Knoxville County Planning Commission \* City / County Building \* Knoxville, TN 37902



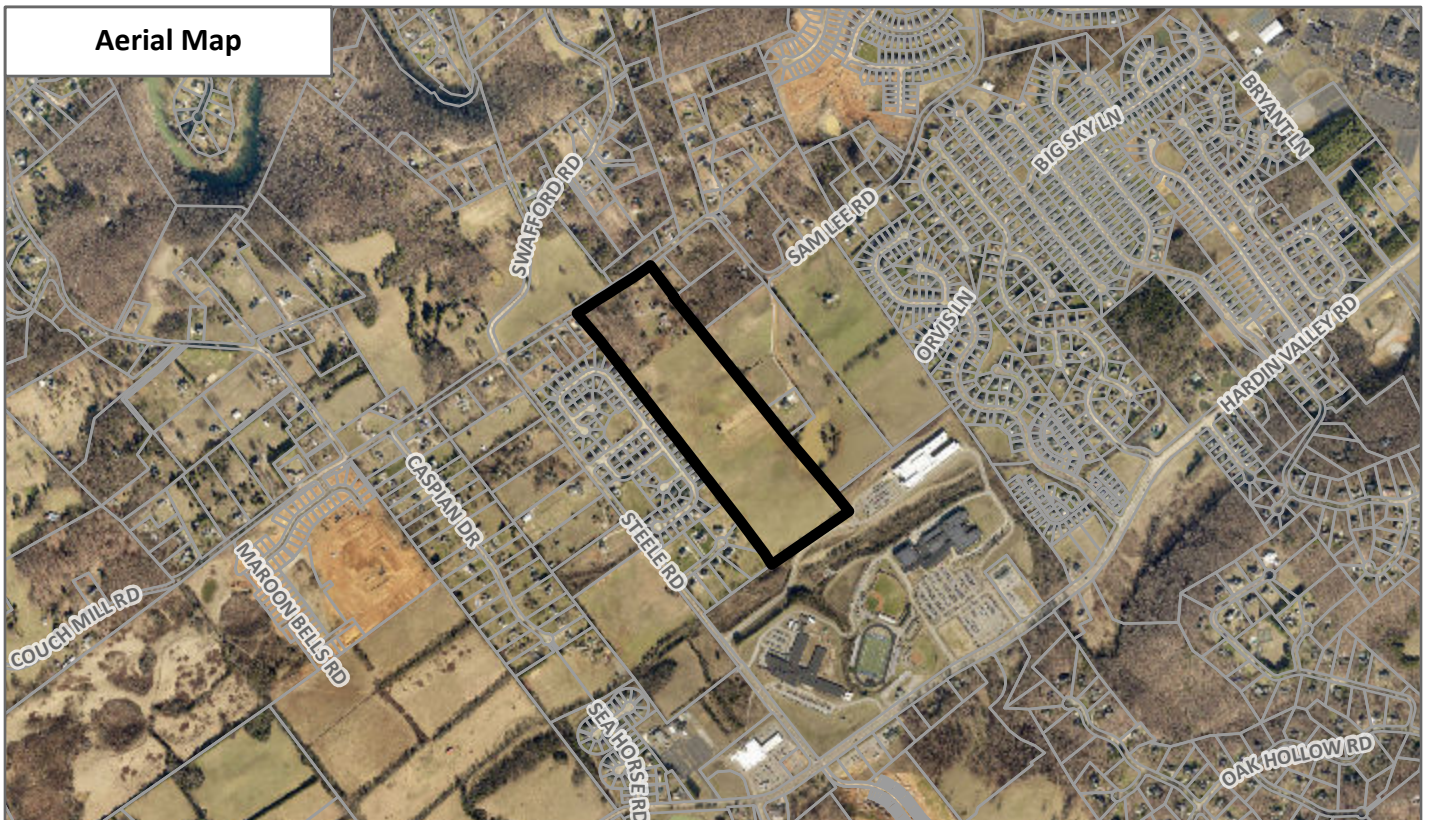


## Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

6-L-24-RZ



Case boundary

0 1,000  
Feet





The map displays the following zoning districts and their locations:

- PR <3 DU/AC:** Located in the bottom left corner.
- PR 1-3 DU/AC:** Located in the top left corner.
- PR <4 DU/AC:** Located in the top right corner.
- PR 1-4 DU/AC:** Located in the middle right area.
- PR <2 DU/AC:** Located in the bottom right area.
- PR <1 DU/AC:** Located in the bottom right corner.
- CA:** Located in the bottom center and bottom right.
- RA:** Located in the middle right area.
- A:** Located in the top center and middle right.
- I:** Located in the bottom center.
- BP/TO:** Located in the top right corner.

The highlighted parcel is located in the center of the map, bounded by Swanson Ln to the north, Sam Leerd Rd to the east, and Berranger Station Ln to the south. It is currently zoned 'A'.

**Comprehensive Plan Map**

Legend:

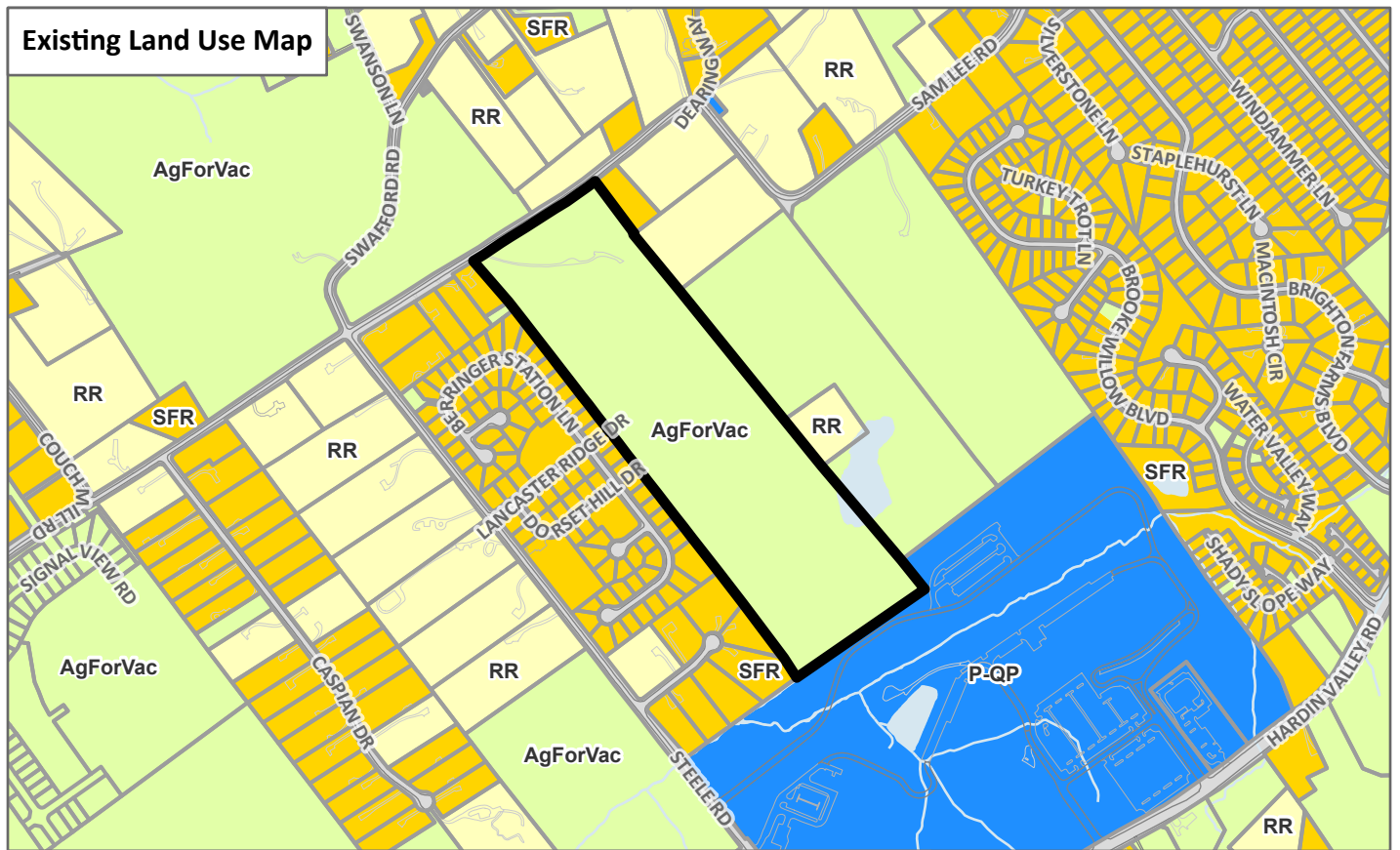
- RA: Residential Single-Family
- SR: Single-Family Residential
- HP: Heavy Residential
- RL: Residential Medium-Density
- RC: Residential Medium-Density
- SMR: Single-Family Residential Medium-Density
- CI: Community Institutional
- TN: Town Center
- TCMU: Town Center Medium-Density
- SP: Special Purpose

The map shows a large black-outlined rectangular area in the center, likely indicating a specific project site or area of interest. The area is surrounded by various land use designations and streets.

A horizontal scale bar with a black top half and a white bottom half. The word "Feet" is centered below the bar. The number "0" is at the left end, and "1,000" is at the right end.



Existing Land Use Map



CONTEXTUAL MAPS 3

6-L-24-RZ



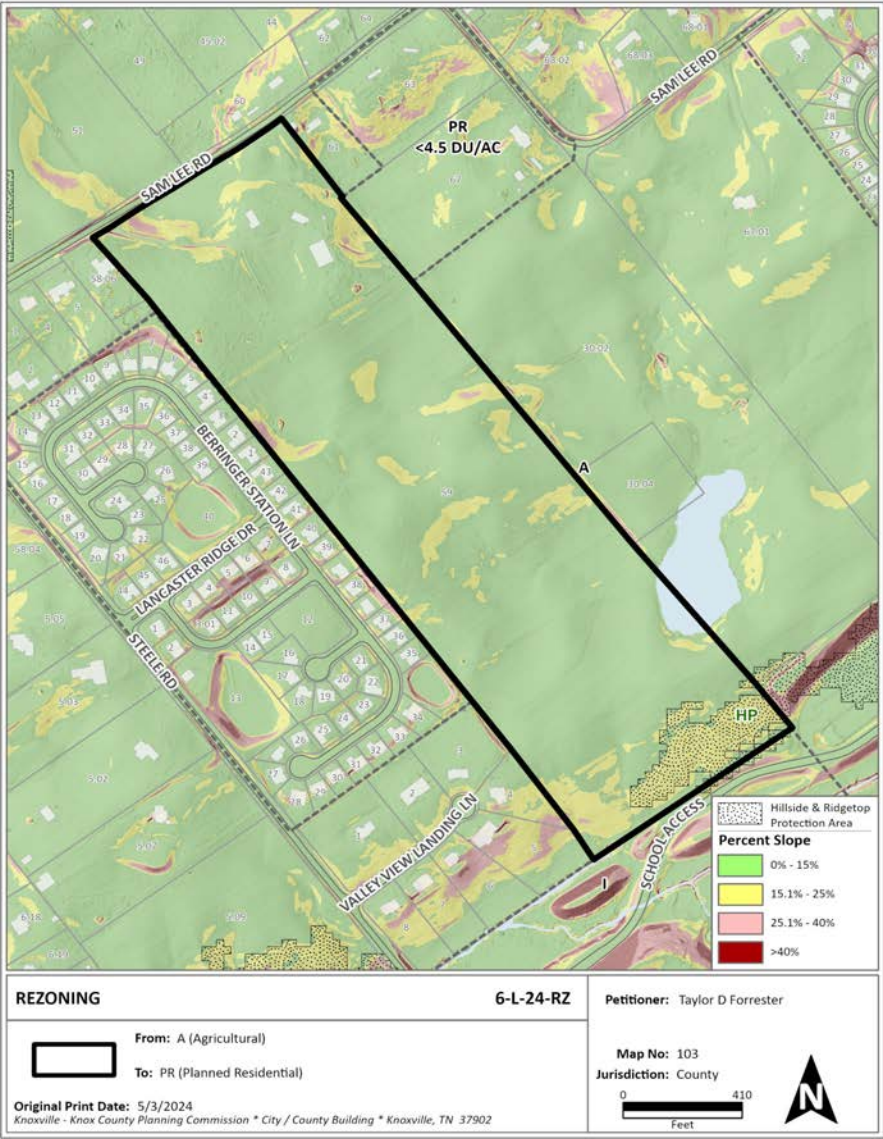
Case boundary





| CATEGORY                      | ACRES | RECOMMENDED DISTURBANCE BUDGET (Percent)              | DISTURBANCE AREA (Acres) |
|-------------------------------|-------|---|--------------------------|
| Total Area of Site            | 49.86 |   |                          |
| Non-Hillside                  | 47.58 | N/A   |                          |
| 0-15% Slope                   | 0.43  | 100%  | 0.43                     |
| 15-25% Slope                  | 1.85  | 50%   | 0.92                     |
| 25-40% Slope                  | 0.00  | 20%   | 0.00                     |
| Greater than 40% Slope        | 0.00  | 10%   | 0.00                     |
| Ridgetops                     |       |   |                          |
| Hillside Protection (HP) Area | 2.28  | Recommended disturbance budget within HP Area (acres) | 1.36                     |
|                               |       | Percent of HP Area                                    | 59.5%                    |

| CATEGORY  | ACRES | RECOMMENDED DENSITY (Dwelling Units / Acre) | NUMBER OF UNITS |
|---|-------|---|-----------------|
| Non-Hillside  | 47.58 | 8.00  | 380.7           |
| 0-15% Slope   | 0.43  | 8.00  | 3.4             |
| 15-25% Slope  | 1.85  | 2.00  | 3.7             |
| 25-40% Slope  | 0.00  | 0.50  | 0.0             |
| Greater than 40% Slope  | 0.00  | 0.20  | 0.0             |
| Ridgetops   | 0.00  | 3.00  | 0.0             |
| Subtotal: Sloped Land   | 2.28  |   | 7.1             |
| Maximum Density Guideline (Hillside & Ridgetop Protection Plan) | 49.86 | 7.78  | 387.8           |
| Proposed Density (Applicant)                                    | 49.86 | 8.00  | 398.9           |







# 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

**Taylor D Forrester**

Applicant Name

Affiliation

**4/29/2024**

Date Filed

**6/13/2024**

Meeting Date (if applicable)

**6-L-24-RZ**

File Number(s)

## CORRESPONDENCE

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

**Taylor D. Forrester Long, Ragsdale and Waters, PC**

Name / Company

**1111 N. Northshore Dr. Dr. Suite S-700 Knoxville TN 37919**

Address

**865-584-4040 / tforrester@lrwlaw.com**

Phone / Email

## CURRENT PROPERTY INFO

**W Boyd Thomas Limited Partnership**

Owner Name (if different)

**P.O. Box 10124 Knoxville TN**

Owner Address

**865-679-0026**

Owner Phone / Email

**11326 SAM LEE RD**

Property Address

**103 059**

Parcel ID

**49.86 acres**

Tract Size

**West Knox Utility District**

Sewer Provider

**West Knox Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**Southeast side of Sam Lee Rd, east of Steele Rd**

General Location

☐ City

**Commission District 6**

**A (Agricultural)**

**Agriculture/Forestry/Vacant Land**

☒ County District

Zoning District

Existing Land Use

**Northwest County**

**MDR (Medium Density Residential), HP (Hillside Protection), SP (Stream Protection)**

**Planned Growth Area**

Planning Sector

Land Use (City)/Place Type (County)

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   **PR (Planned Residential)**  
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment   Proposed Plan Designation(s)

**up to 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

**\$3,143.00**

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.

**Taylor D Forrester**

**4/29/2024**

Applicant Signature

Please Print

Date

Phone / Email

**W Boyd Thomas Limited Partnership**

**4/29/2024**

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

Taylor D. Forrester

Attorney

Applicant Name

Affiliation

April 26, 2024

June 13, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

## 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

Taylor D. Forrester

Long, Ragsdale & Waters, P.C.

Name

Company

1111 N. Northshore Drive; Suite S-700

Knoxville

TN

37919

Address

City

State

ZIP

865-584-4040

tforrester@lrwlaw.com

Phone

Email

## CURRENT PROPERTY INFO

W. Boyd Lonas Limited Partnership

P.O. Box 10124

865-679-0026

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

11326 Sam Lee Rd

103 059

Property Address

Parcel ID

WKUD

WKUD

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)

Other (specify)

Related City Permit Number(s)

**SUBDIVISION REQUEST**

Proposed Subdivision Name

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number

Total Number of Lots Created

☐ Other (specify)☐ Attachments / Additional Requirements

Related Rezoning File Number

**ZONING REQUEST**☒ Zoning Change

PR at 8 du/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

Fee 1

Total

**ATTACHMENTS**☐ Property Owners / Option Holders ☐ Variance Request

Fee 2

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

Fee 3

☒ 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

Taylor D. Forrester

Applicant Signature

865-584-4040

Phone Number

Property Owner Signature

Taylor D. Forrester

Please Print

tforrester@lrwlaw.com

Email

Boyd Lonas

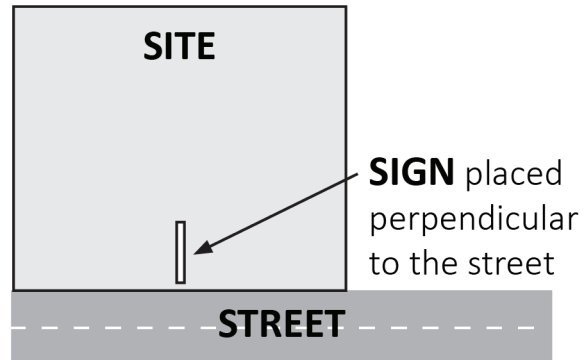
Please Print

4/26/2024

Date

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:***

\_\_\_\_\_ **May 10, 2024** \_\_\_\_\_ and \_\_\_\_\_ **June 14, 2024** \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Taylor D. Forester

**Date:** 4/29/2024

**File Number:** 6-L-24-RZ



Sign posted by Staff



Sign posted by Applicant