

REZONING REPORT

▶ **FILE #:** 6-M-24-RZ

AGENDA ITEM #: 24

AGENDA DATE: 6/13/2024

▶ **APPLICANT:** STEFAN CLAAR - 1222 DEVELOPMENT

OWNER(S): Express Ventures

TAX ID NUMBER: 51 D C 01001

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 8511 HOWELL LN

▶ **LOCATION:** North side of Howell Ln, south side of Foust Dr, southwest of Mascot Rd

▶ **APPX. SIZE OF TRACT:** 5.24 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Howell Lane, an unstriped local road with a pavement width of 12 ft within a 30-ft right-of-way. Access is also via Foust Dr, a local street with a 14-ft pavement width within a 40-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Holston-French Broad

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

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

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

▶ **DENSITY PROPOSED:** up to 2 du/ac

EXTENSION OF ZONE: No, this will not be an extension of the zone.

HISTORY OF ZONING: None noted.

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

South: Agriculture/forestry/vacant land - A (Agricultural)

East: Single family residential, rural residential - A (Agricultural)

West: Single family residential, agriculture/forestry/vacant land - A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is located in the Three Points community, south of Rutledge Pike and west of Mascot Road. The area is developed primarily with single family residential houses and a couple of duplexes. There are two small commercial nodes to the northeast.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive 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 CITY/COUNTY GENERALLY:

1. The immediate area has a modest transition from the A zone to the PR and RA zones, which began in 1985 but has undergone a small uptick in the frequency of these requests, picking up momentum in the mid 2000s. One of these rezoning cases led to the development of the 38-lot Brooks Meadow subdivision north of the subject property, on a property with the PR zone with a density up to 4.7 du/ac.
2. Residential development under the PR zone with a density of 2 du/ac would allow lot sizes that would likely be compatible with the area. Many of the surrounding properties with the A (Agricultural) zone are nonconforming to the 1-acre minimum lot size requirement and were developed as single-family residential uses.

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

1. The PR zone is intended to provide flexibility for different types of residential development. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses.
2. At the requested density of 2 du/ac, this 5.28-acre property could have up to 10 dwelling units.
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. No adverse impacts are anticipated with this rezoning. PR zone at the requested density would be compatible with this area.
2. A Development Plan review by the Planning Commission will be required to further ensure compatibility with the surrounding area and mitigate any potential adverse issues.

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 PR zone is consistent with the subject property's location in the Planned Growth boundary of the Growth Policy Plan, which encourages a reasonably compact pattern of development and wide range of housing choices.
2. The proposed rezoning is compatible with the property's RL (Rural Living) place type as defined in the new Comprehensive Plan, which allows consideration of the PR zone with densities up to 2 du/ac.
3. Residential development at the requested density would be consistent with the Comprehensive Plan's implementation policy 2, which encourages to ensure that development is sensitive to existing community character.

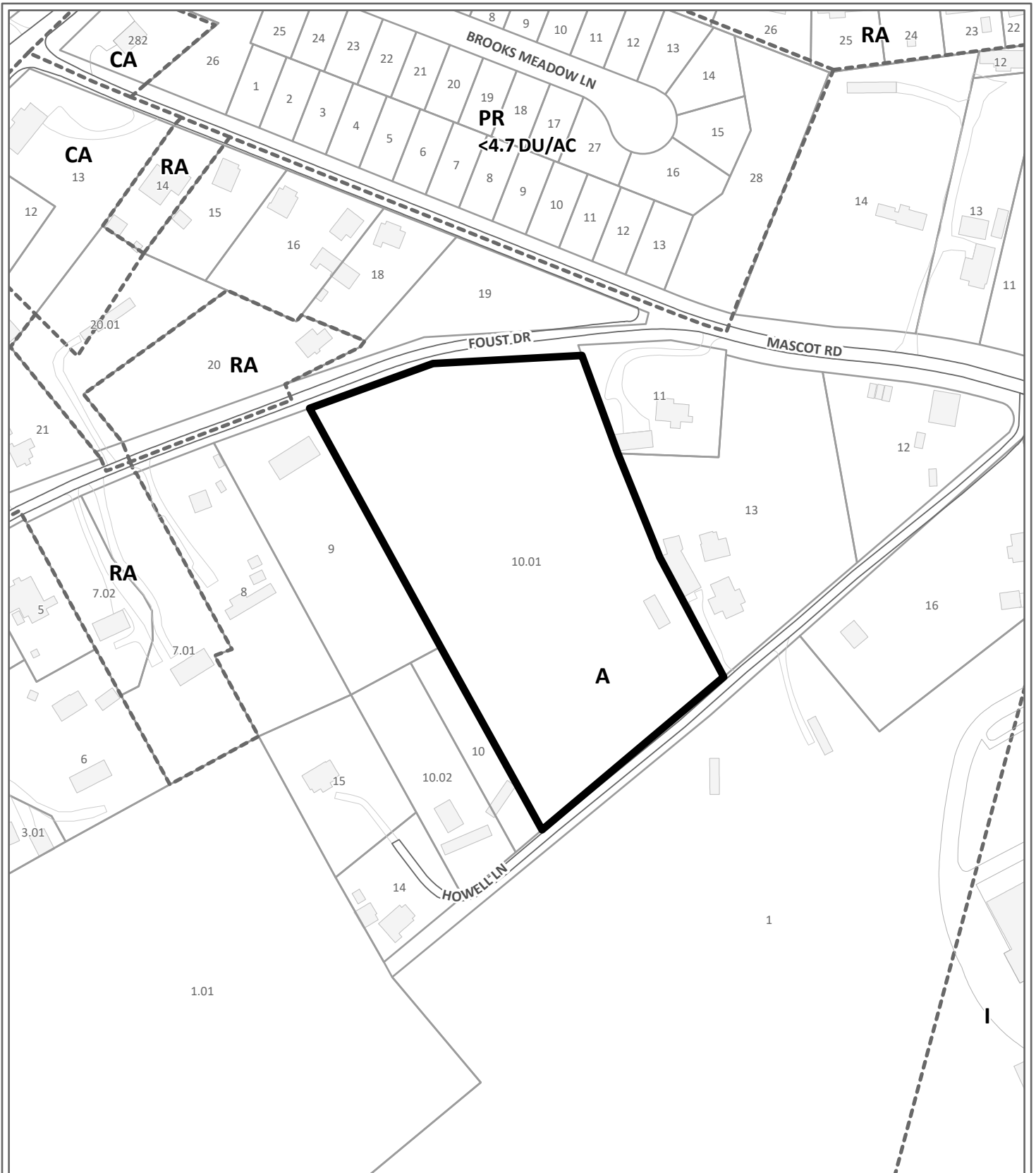
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 4 (public school children, grades K-12)

Schools affected by this proposal: East Knox County Elementary, Carter Middle, and Carter 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-M-24-RZ

Petitioner: Stefan Claar



From: A (Agricultural)

To: PR (Planned Residential) 2 du/ac

Map No: 51

Jurisdiction: County

Original Print Date: 5/6/2024

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

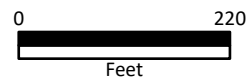
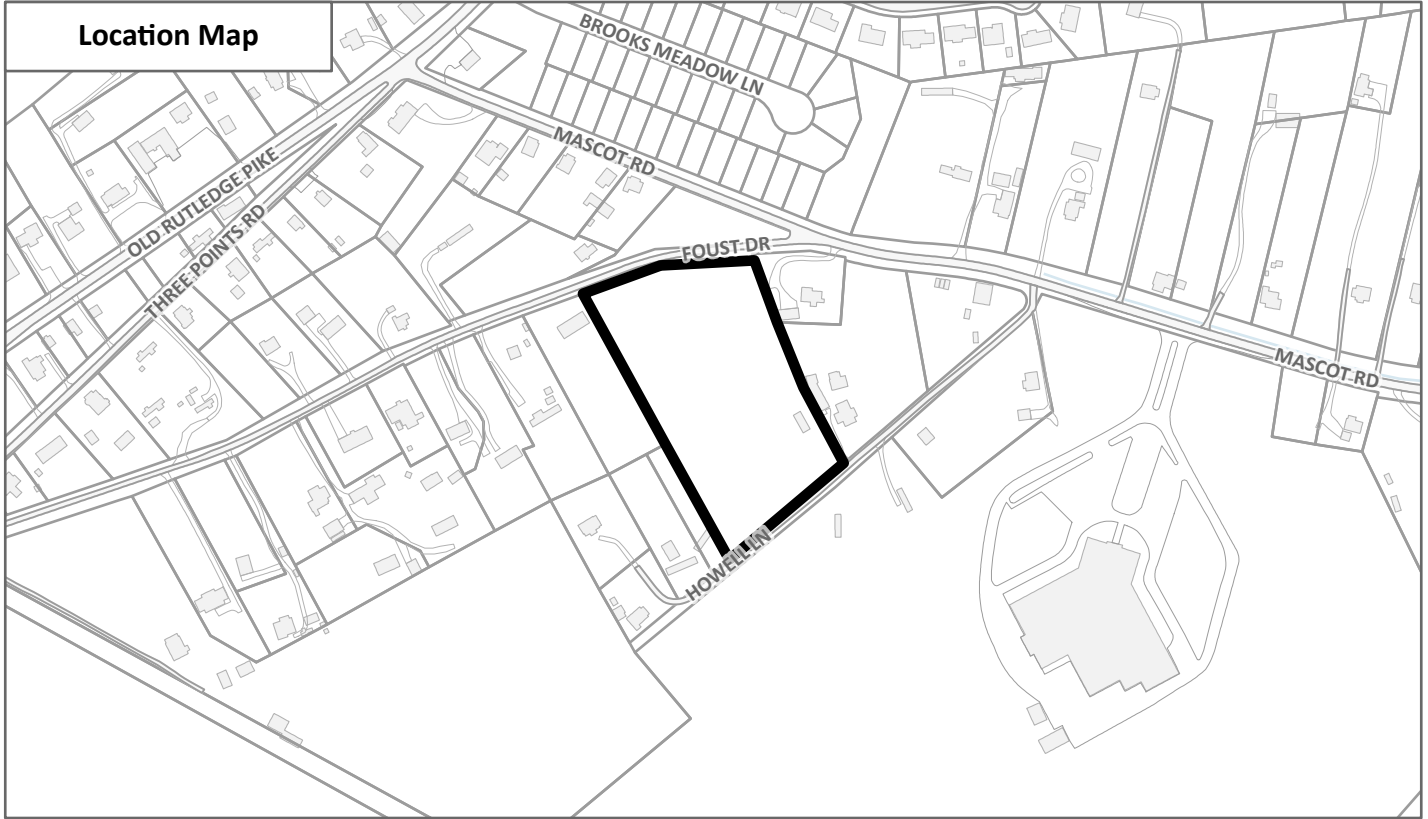


Exhibit A. Contextual Images

Location Map



Aerial Map

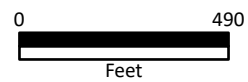


CONTEXTUAL MAPS 1

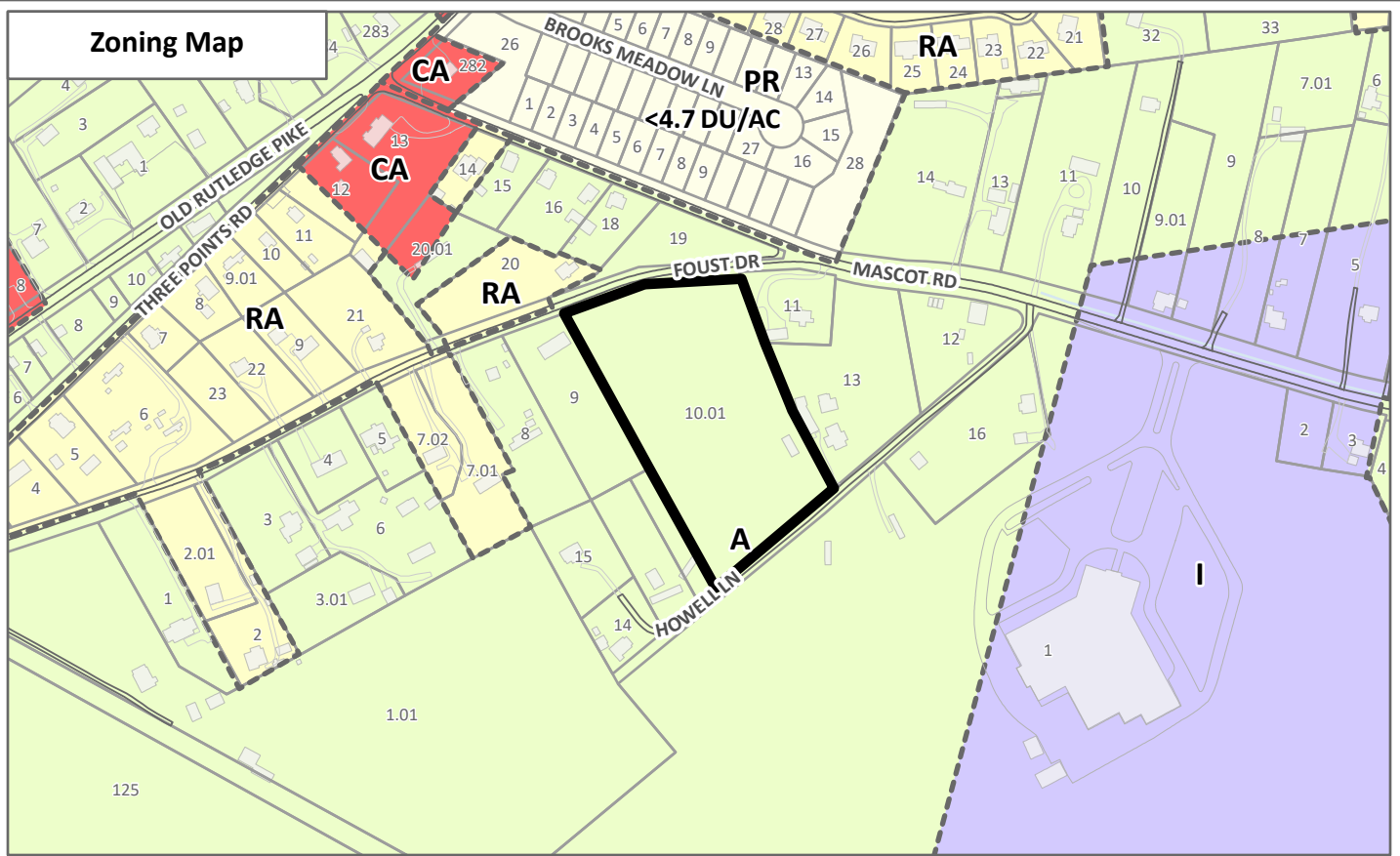
6-M-24-RZ



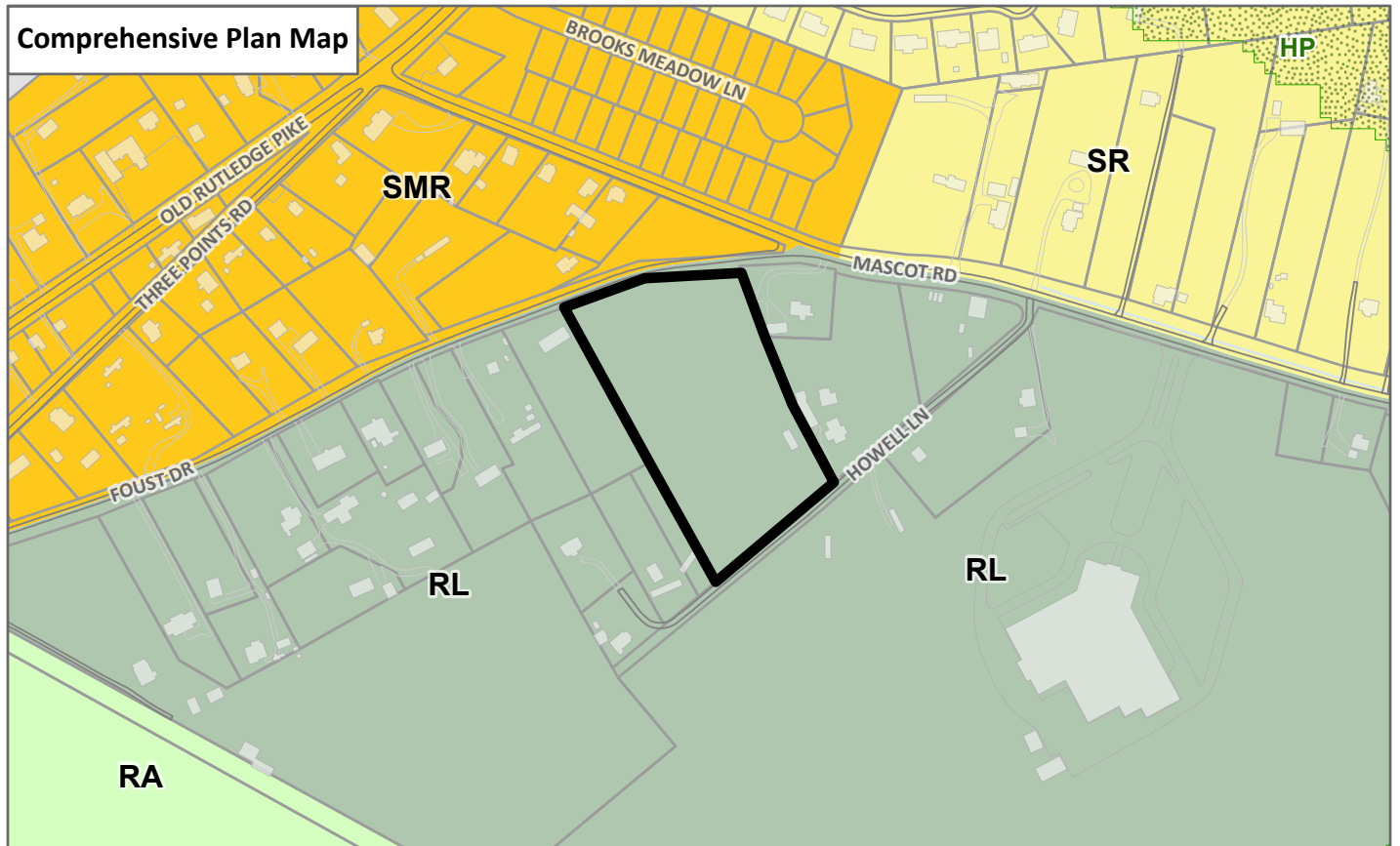
Case boundary



Zoning Map



Comprehensive Plan Map



CONTEXTUAL MAPS 2

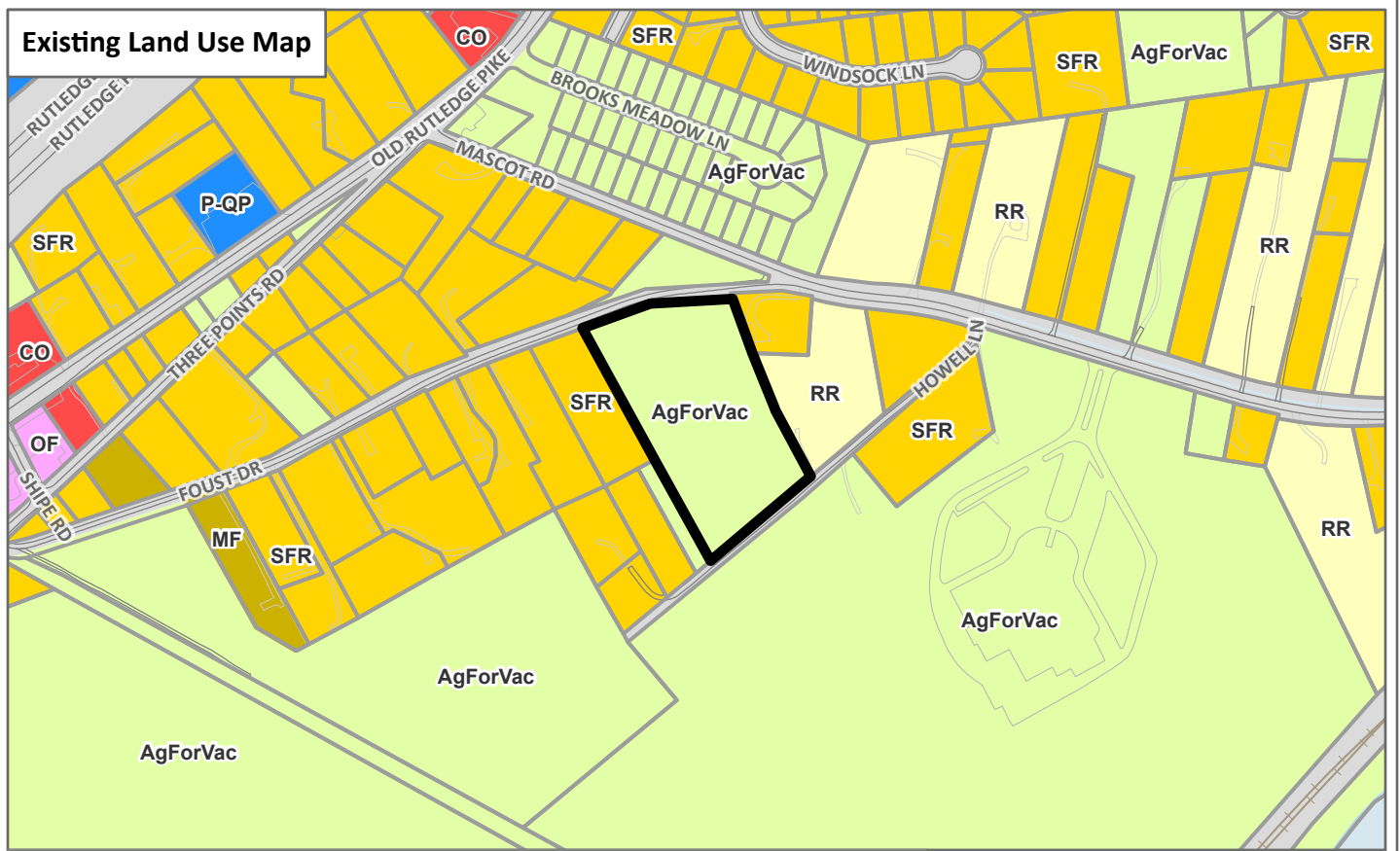
6-M-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

6-M-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

Stefan Claar - 1222 Development

Applicant Name _____ Affiliation _____

4/29/2024

6/13/2024

6-M-24-RZ

Date Filed

Meeting Date (if applicable)

File Number(s)

CORRESPONDENCE

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

Stefan Claar 1222 Development

Name / Company _____

7800 Senate Ln Knoxville TN 37931

Address _____

865-804-9802 / stefan@1222development.com

Phone / Email _____

CURRENT PROPERTY INFO

Express Ventures

2409 Rural Rd Ste A Tempe AZ 85282

949-296-5362

Owner Name (if different)

Owner Address

Owner Phone / Email

8511 HOWELL LN

Property Address _____

51 D C 010 01

5.24 acres

Parcel ID

Part of Parcel (Y/N)?

Tract Size

Knoxville Utilities Board

Northeast Knox Utility District

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Howell Ln, south west of Mastcot Rd

General Location _____

City

Commission District 8

A (Agricultural)

Agriculture/Forestry/Vacant Land

County District

Zoning District

Existing Land Use

Planned Growth Area

Planning Sector

Land Use (City)/Place Type (County)

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 2 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	Total
\$912.00	
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: **Stefan Claar - 1222 Development** Date: **4/29/2024**
Please Print

Phone / Email

Property Owner Signature: **Express Ventures** Date: **4/29/2024**
Please Print

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

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

Stefan Claar-1222 Development

Representative

Applicant Name		Affiliation	
04/22/24	06/13/24	File Number(s) 6-M-24-RZ	
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

Stefan Claar		1222 Development	
Name		Company	
7800 Senate Lane	Knoxville	TN	37931
Address		City	State ZIP
865-804-9802	stefan@1222development.com		
Phone	Email		

CURRENT PROPERTY INFO

Express Ventures LLC	2409 Rural Rd Ste A Tempe AZ 85282	949-296-5362
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
8511 Howell Lane Knoxville TN 37924	051DC01001	
Property Address	Parcel ID	
KUB	NE Knox Utility District	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

General Location		Tract Size
<input type="checkbox"/> City <input type="checkbox"/> 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
 Proposed Zoning PR

Plan Amendment Change
 Proposed Plan Designation(s) _____

Proposed Density (units/acre) 2 DUA Due to New Plan Overlay
 Previous Rezoning Requests N/A

Other (specify) _____

STAFF USE ONLY

PLAT TYPE
 Staff Review
 Planning Commission

ATTACHMENTS
 Property Owners / Option Holders
 Variance Request

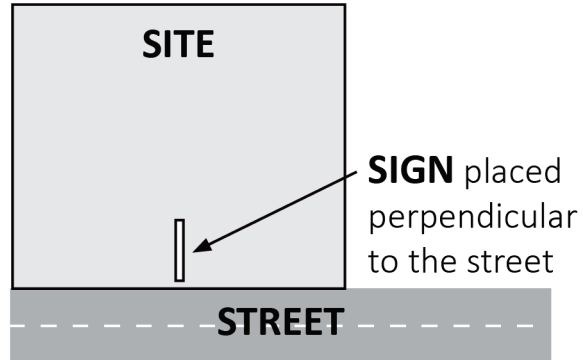
ADDITIONAL REQUIREMENTS
 Design Plan Certification (Final Plat)
 Use on Review / Special Use (Concept Plan)
 Traffic Impact Study
 COA Checklist (Hillside Protection)

Fee 1		Total
0802	\$912.00	
Fee 2		
		\$912.00
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

Stefan Claar Applicant Signature	Digitally signed by Stefan Claar Date: 2024.04.20 12:09:29 -04'00'	Stefan Claar-1222 Development Please Print	04/20/24 Date
865.804.9802 Phone Number	stefan@1222development.com Email	Daniel Wang Please Print	04/29/2024, SG 04/23/24 Date Paid
Daniel Wang Property Owner Signature			

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: Stefan Claar

Date: 04/29/2024

File Number: 6-M-24-RZ

- Sign posted by Staff
- Sign posted by Applicant