

REZONING REPORT

▶ **FILE #:** 10-B-24-RZ

AGENDA ITEM #: 13

AGENDA DATE: 10/3/2024

▶ **APPLICANT:** JACOB BEREZANSKY

OWNER(S): Jacob Berezansky Unique Construct LLC

TAX ID NUMBER: 27 09405

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 8640 GREENWELL RD

▶ **LOCATION:** North side of Greenwell Rd, east of Childress Rd

▶ **APPX. SIZE OF TRACT:** 1.1 acres

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Greenwell Road, an unstriped, major collector street with a pavement width ranging from 13.5 to 17 ft within a 50-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Bullrun Creek

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

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

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

▶ **DENSITY PROPOSED:** up to 2 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 land - A (Agricultural)

South: Single family residential - A (Agricultural)

East: Single family residential - A (Agricultural)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The surrounding area has a rural feel with large lot, single-family residential lots and undeveloped, forested lands.

STAFF RECOMMENDATION:

▶ **Deny the PR (Planned Residential) zone with up to 2 du/ac because is it inconsistent with the Knox County Comprehensive Plan and the Growth Policy Plan.**

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 ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Development within a .3-mile radius has been sporadic and limited to single-family dwellings since the early 1990s. The most recent development occurred in 2012, with a single-family subdivision constructed .5-miles southwest of the subject property.
2. A property has not been rezoned within a half-mile of the subject property since 2000.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The PR (Planned Residential) zone is intended to provide optional land development methods that encourage more imaginative solutions to environmental design problems. There is a possible sinkhole at the front of the property, near the 1200 contour line (Exhibit A, Topographical Map), and the rear of the property is relatively steep, with slopes ranging between 25% and 40% (Exhibit B).
2. The PR zone also calls for compatibility with adjacent zones. Though the PR zone with a density of 2 du/ac is generally compatible with the abutting A (Agricultural) zone, approval of this request would create an isolated pocket of the PR zone as all properties within approximately a half-mile radius of the subject site are zoned A.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AN AMENDMENT.

1. The proposed 2 du/ac density could yield up to two lots. Though the requested density is consistent with the surrounding area, which mainly consists of single-family dwellings on large lots, Planning is concerned about the precedent a rezoning in this area will set. Additional rezonings would lead to more dwellings in an area with inadequate infrastructure.
2. While Greenwell Road is technically a major collector, it is an unstriped road with a pavement width as narrow as 13.5 ft in some locations. This sub-par road is not suitable for additional lots or dwellings.

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 is RL (Rural Living), which allows consideration of the PR zone with a density of up to 2 du/ac.
2. The PR zone is partially related to the RL place type. For partially related zones, additional approval criteria are required per Appendix H of the Comprehensive Plan. The rezoning meets the first one of these, as the allowed land uses in the PR zone aligns with the preferred housing mix of the RL place type.
3. The subject property is within the Rural area of the Growth Policy Plan. The rezoning does not comply with Policy 4.3 of the Growth Policy Plan, which requires future residential development in a rural area to be on a collector road with a minimum pavement width of 18 ft. As mentioned previously, Greenwell Road is unstriped and is as narrow as 13.5 ft in some locations, which does not meet this requirement.
4. The rezoning is inconsistent with the Comprehensive Plan's Implementation Policy 9.3, to focus growth in areas already served by adequate infrastructure and 9.5, to avoid approving isolated developments where infrastructure is inadequate or yet to be planned. Knox County does not have a road improvement project planned for Greenwell Road in the foreseeable future.

ESTIMATED TRAFFIC IMPACT: 28 (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.

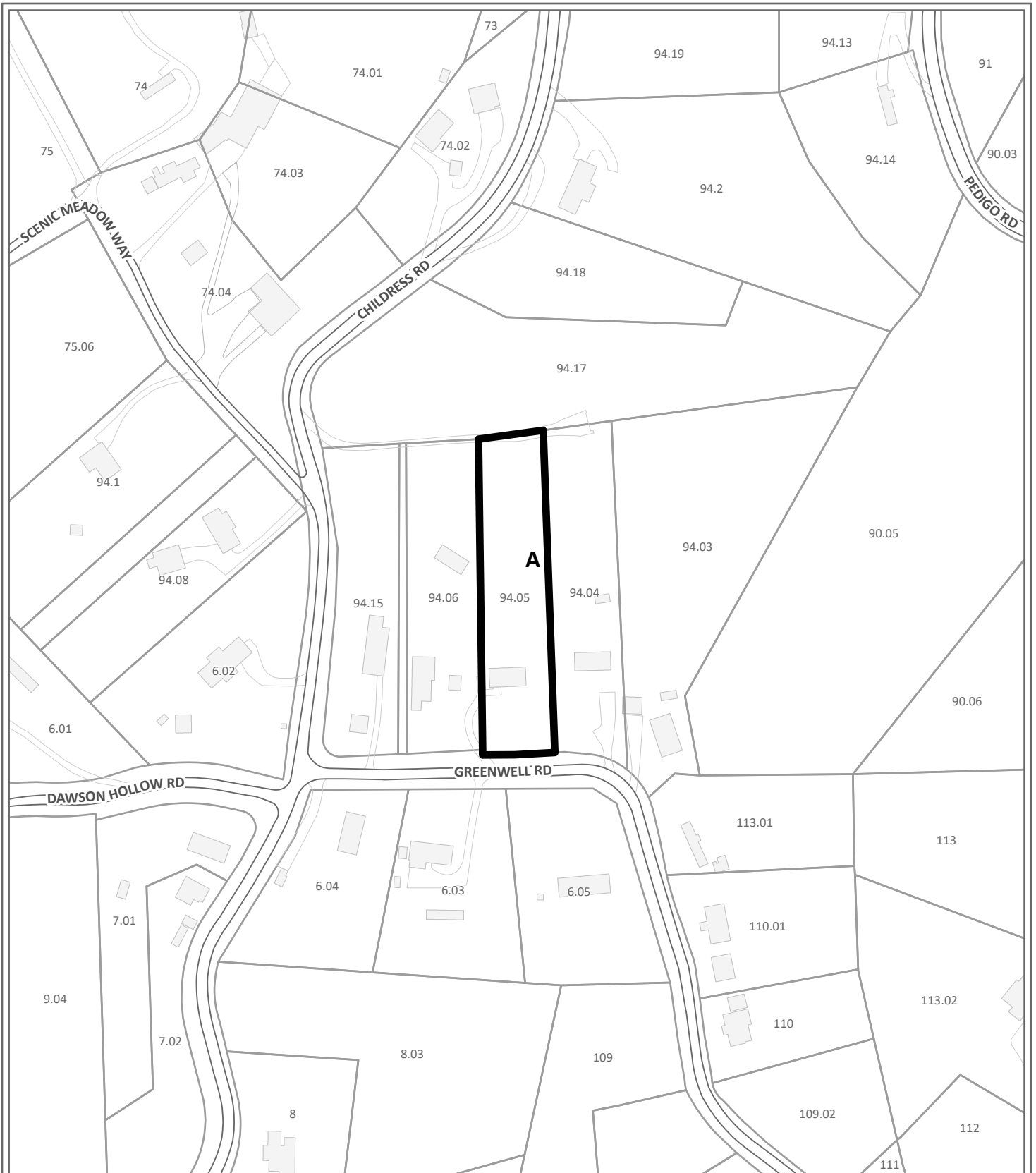
ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: Copper Ridge 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 11/12/2024. 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

10-B-24-RZ

Petitioner: Jacob Berezansky



From: A (Agricultural)

To: PR (Planned Residential) 2 du/ac

Map No: 27

Jurisdiction: County

Original Print Date: 8/26/2024

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

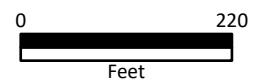
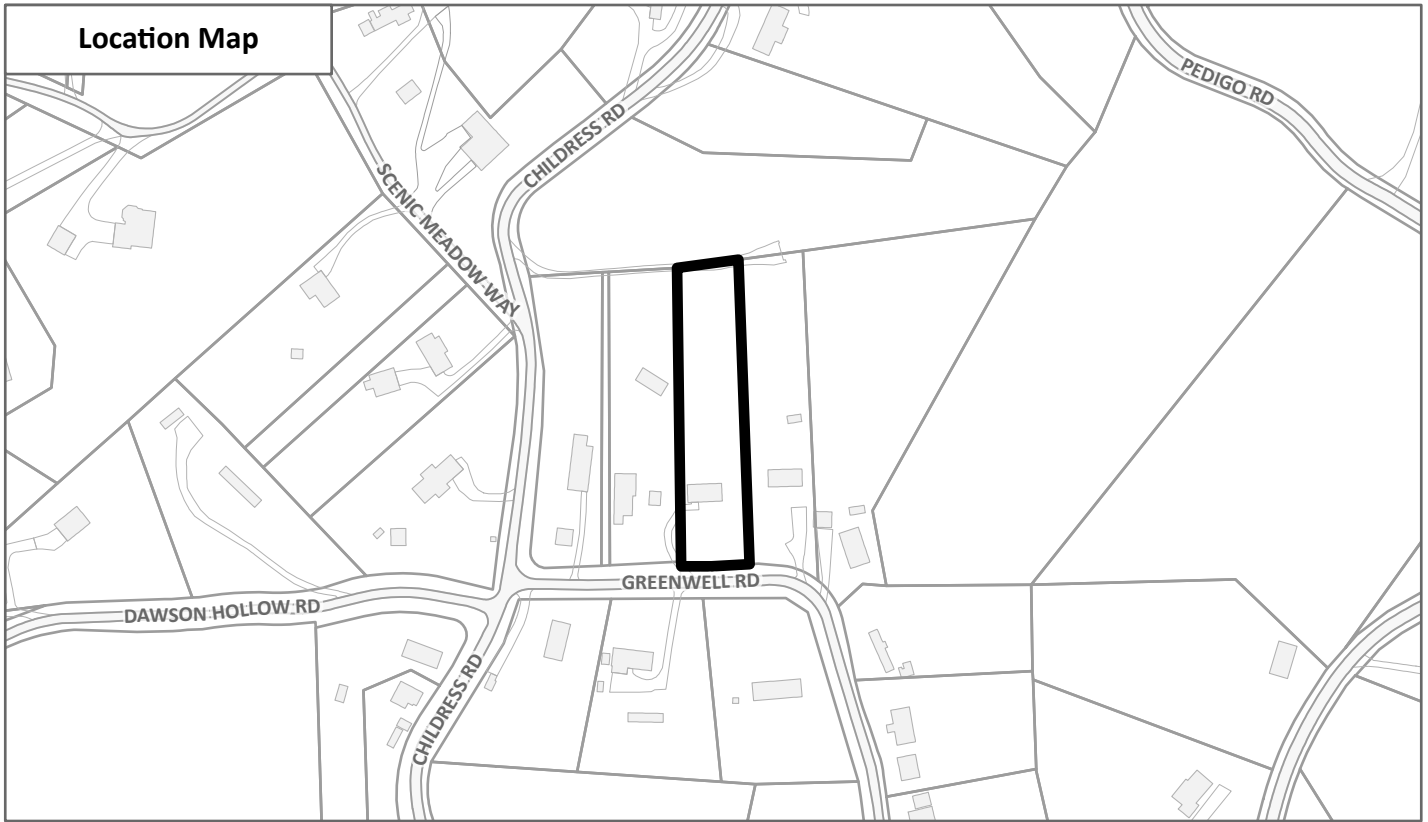


Exhibit A. Contextual Images

Location Map



Aerial Map

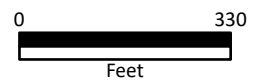


CONTEXTUAL MAPS 1

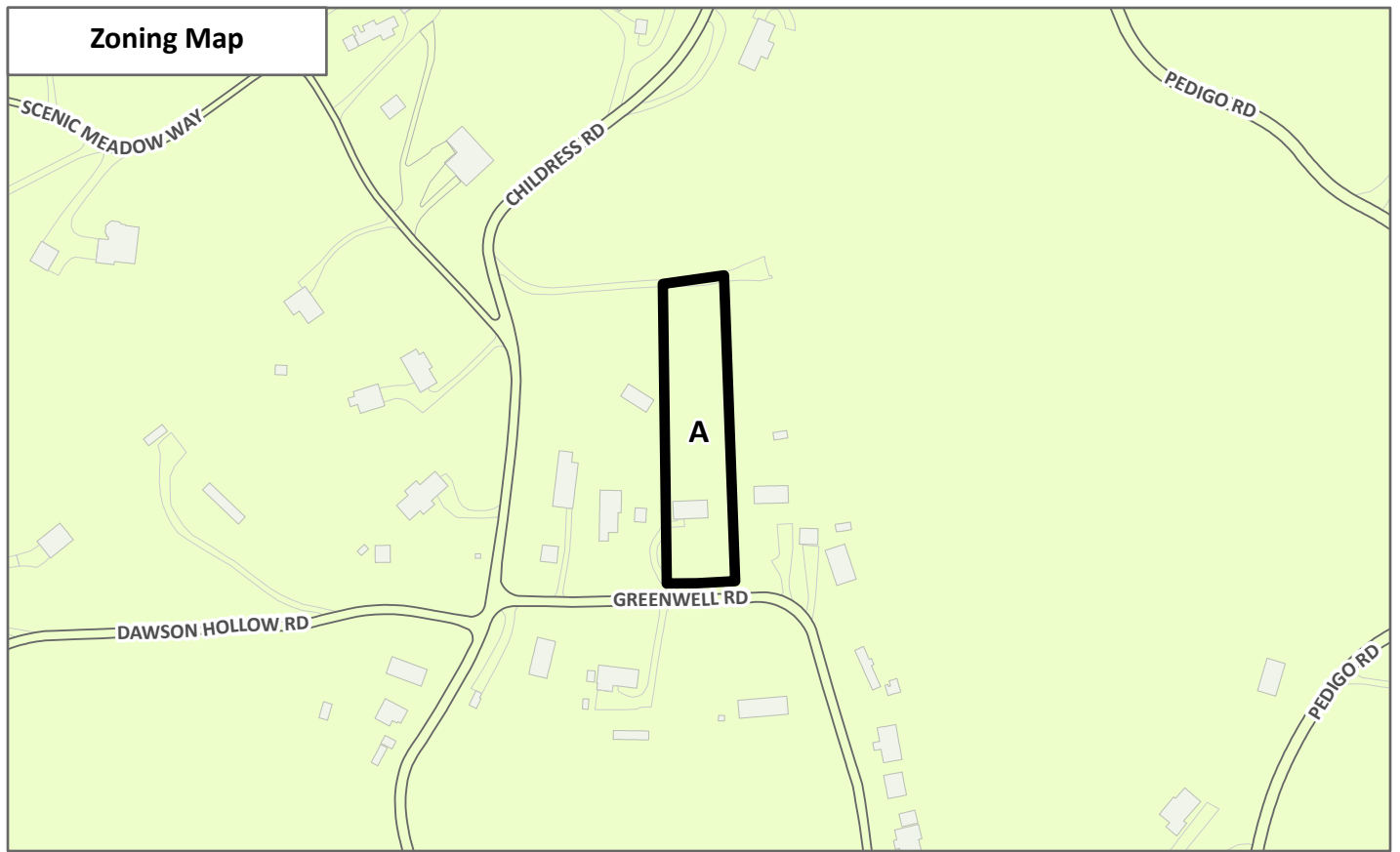
10-B-24-RZ



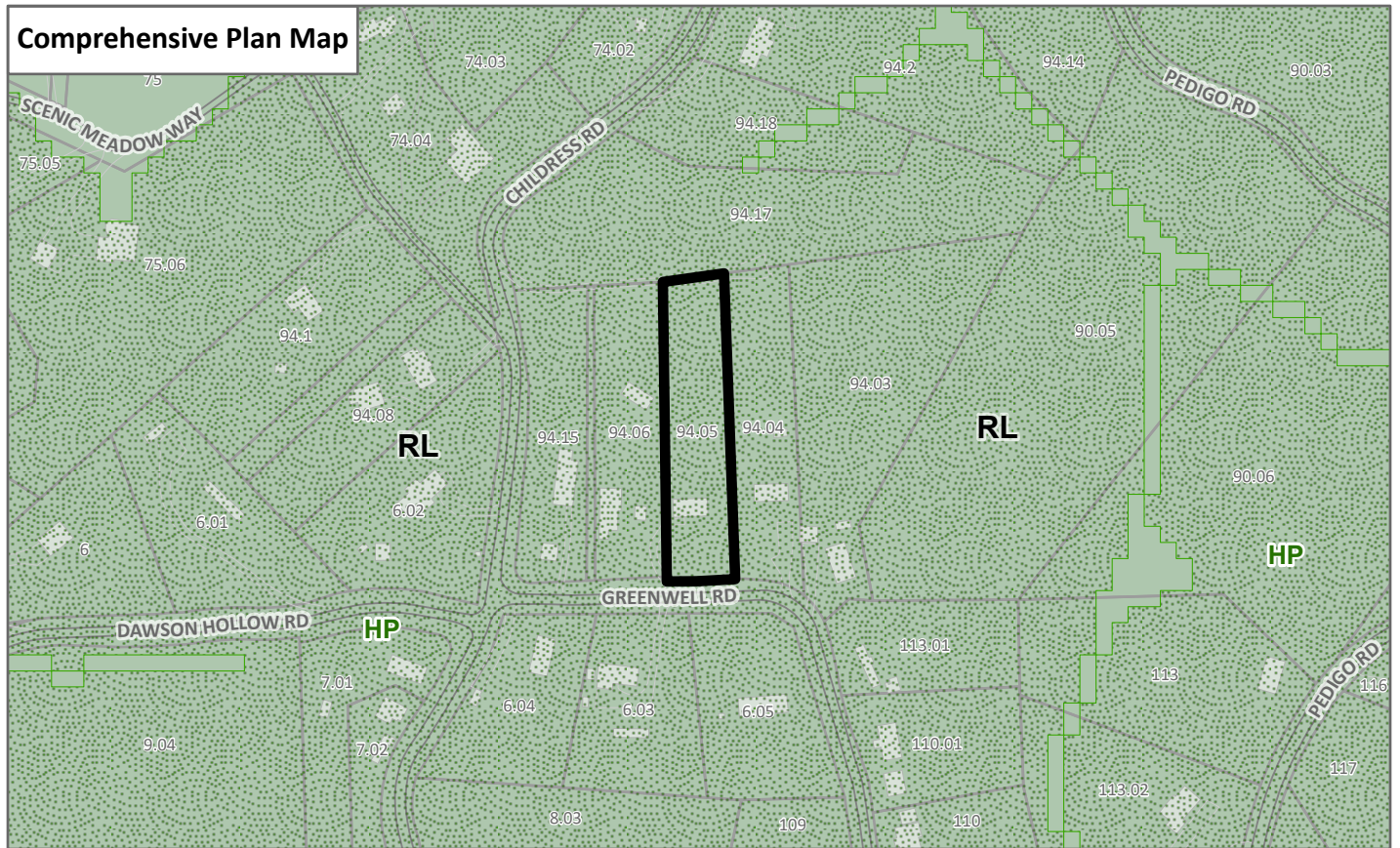
Case boundary



Zoning Map



Comprehensive Plan Map



CONTEXTUAL MAPS 2

10-B-24-RZ



Case boundary

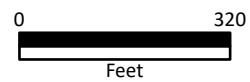
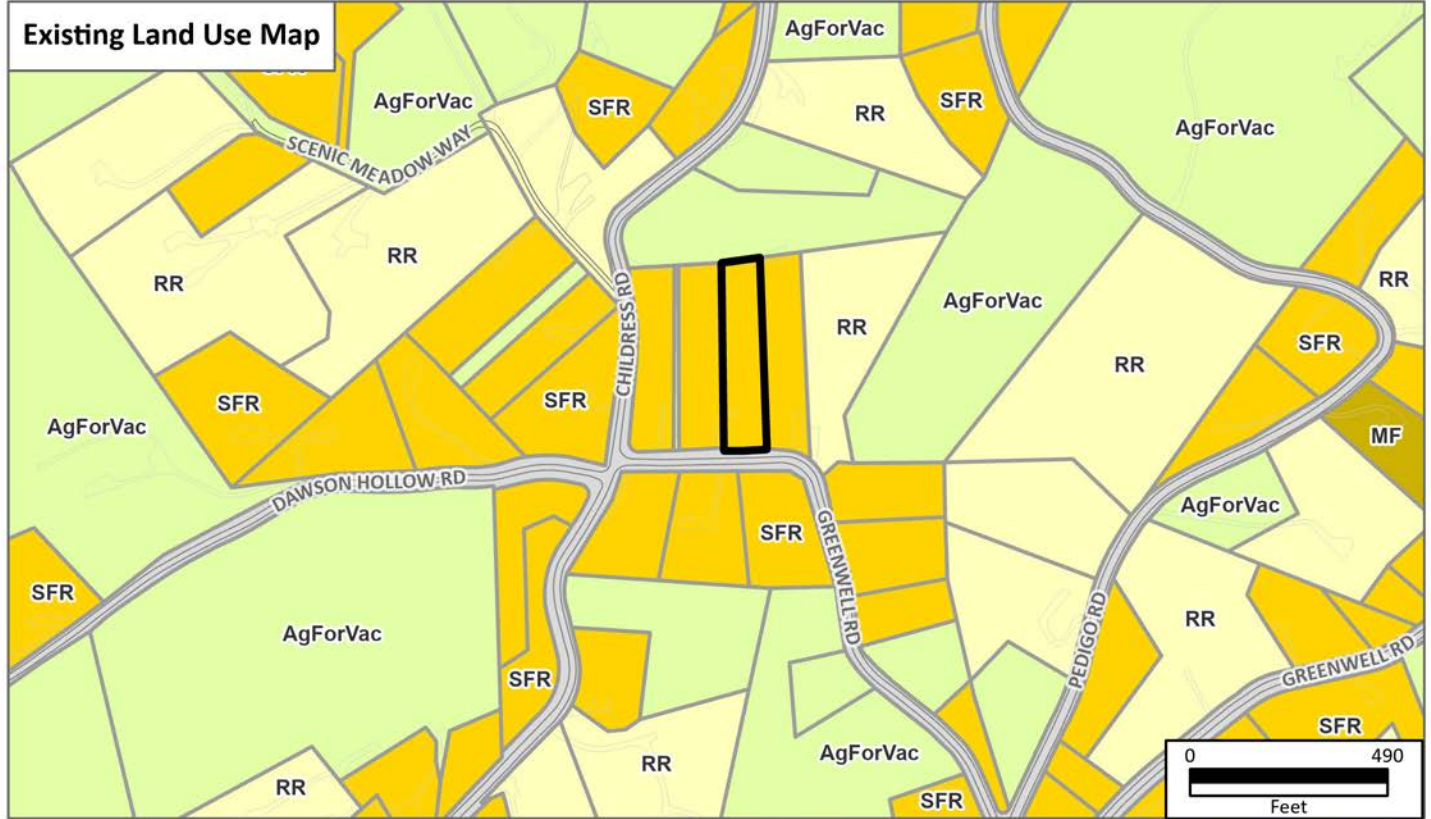
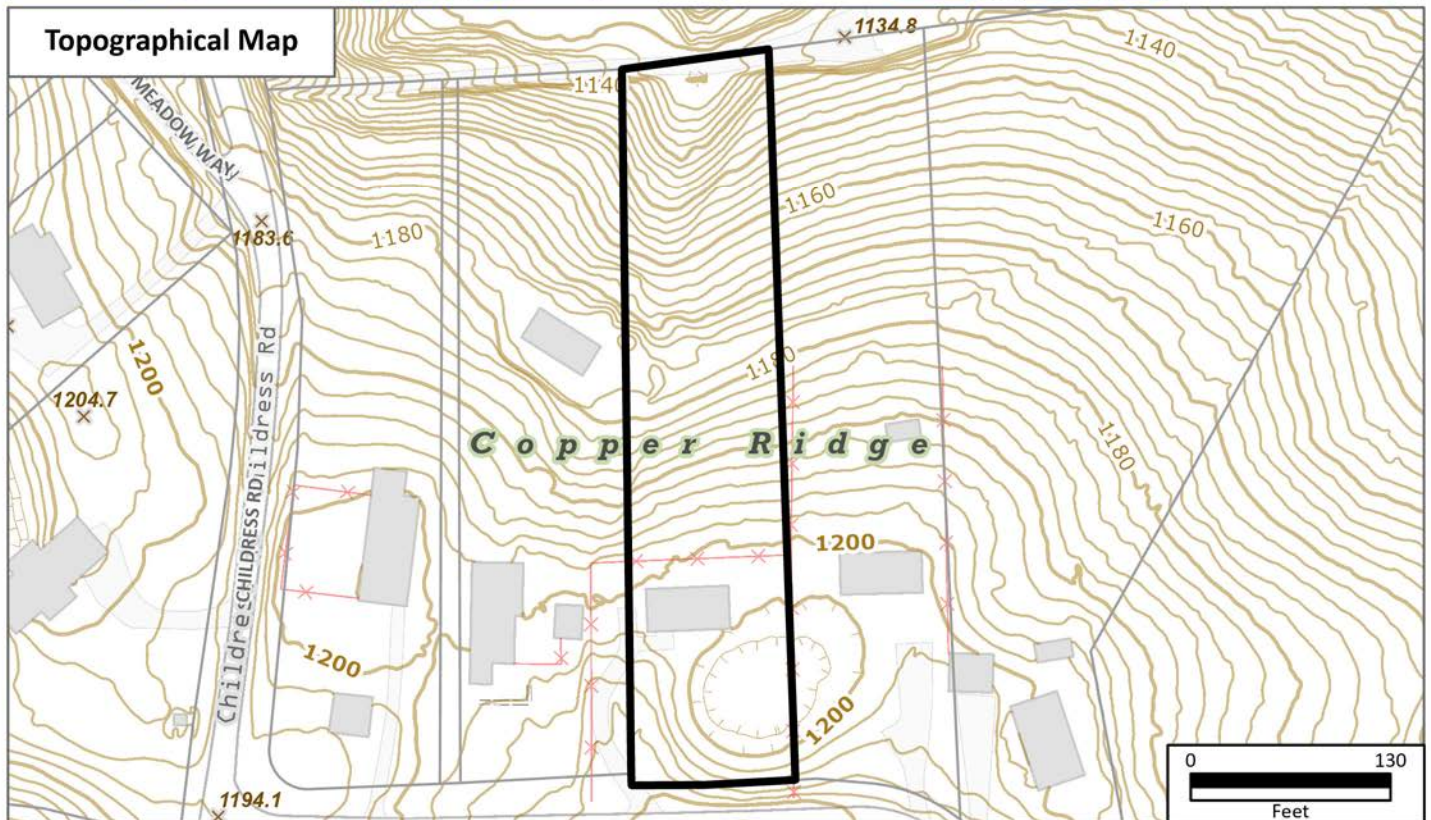


Exhibit A. Contextual Images

Existing Land Use Map



Topographical Map



CONTEXTUAL MAPS 3

10-B-24-RZ



Case boundary



Exhibit A. Contextual Images

Greenwell Rd Looking West
from the Subject Property



Greenwell Road Looking
East from the Subject



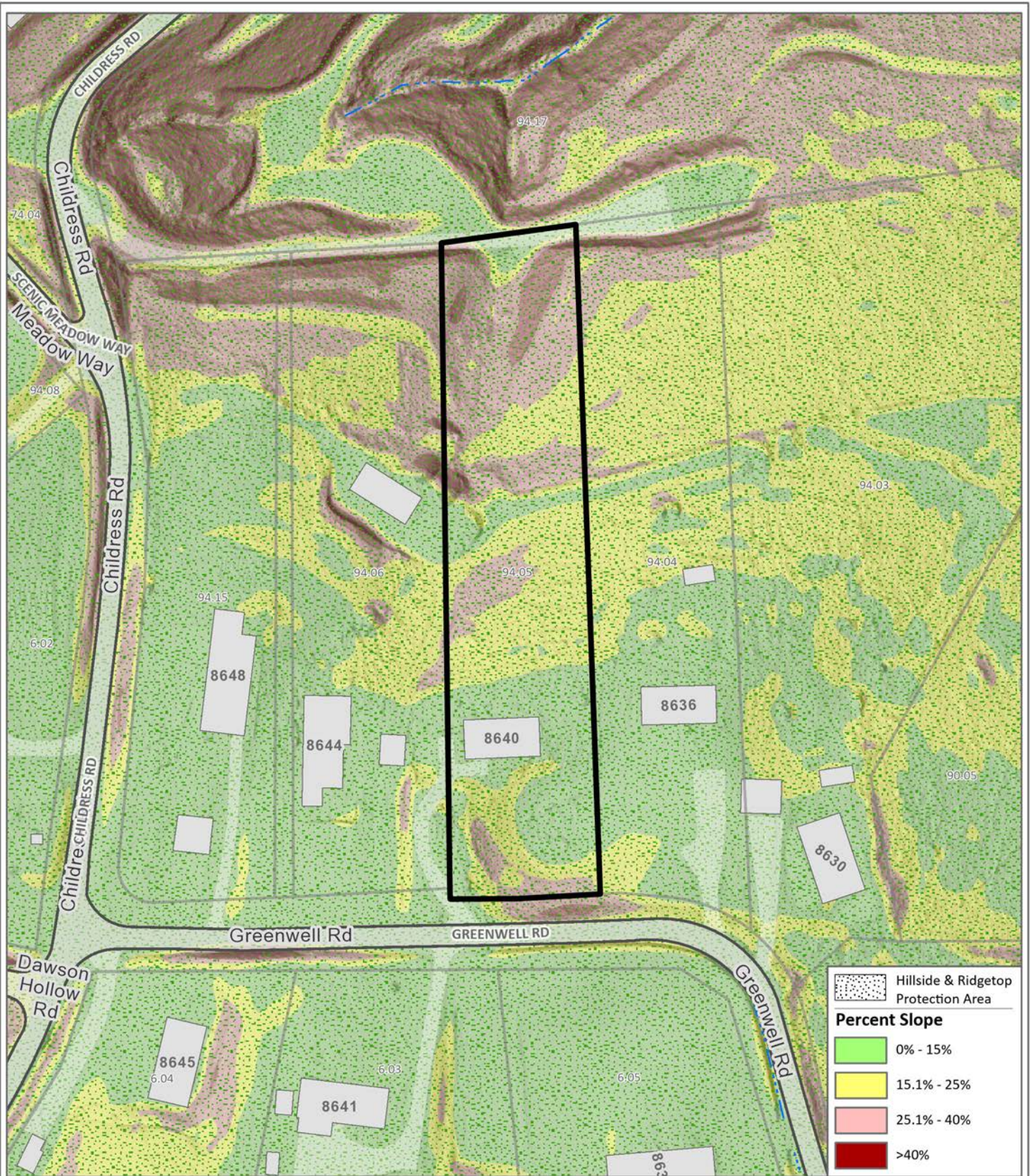


Exhibit B

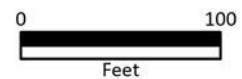
10-B-24-RZ

Petitioner: Jacob Berezansky

 Case Boundary

Map No: 27
Jurisdiction: County

Original Print Date: 9/23/2024
 Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902





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

Jacob Berezansky

Applicant Name

Affiliation

7/30/2024

Date Filed

10/3/2024

Meeting Date (if applicable)

10-B-24-RZ

File Number(s)

CORRESPONDENCE

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

Jacob Berezansky Unique Construct LLC

Name / Company

PO Box 27570 Knoxville TN 37927

Address

865-405-6263 / jake@ucstn.com

Phone / Email

CURRENT PROPERTY INFO

Jacob Berezansky Unique Construct LLC

Owner Name (if different)

PO Box 27570 Knoxville TN 37927

Owner Address

865-405-6263 / jake@ucstn.co

Owner Phone / Email

8640 GREENWELL RD

Property Address

27 09405

Parcel ID

Part of Parcel (Y/N)?

1.1 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

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) Proposed Zoning	Pending Plat File Number
<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
\$650.00	
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	Jacob Berezansky Please Print	7/30/2024 Date
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Phone / Email

Property Owner Signature	Jacob Berezansky Unique Construct LLC Please Print	7/30/2024 Date
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Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - PA
- Rezoning

Jacob Berezansky Applicant Name SELF Affiliation

7/30/24 Date Filed October 3, 2024 Meeting Date (if applicable)

File Number(s)
10-B-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

Jacob Berezansky Name Unique CONSTRUCT LLC Company

Po Box 27570 Address Knoxville City Tn State 37027 ZIP

865 405 6263 Phone Jake@ucstr.com Email

CURRENT PROPERTY INFO

Same Property Owner Name (if different) Same Property Owner Address Same Property Owner Phone

8640 Greenwell Road Property Address 027 01405 Parcel ID

Hallsdale Powell Sewer Provider Hallsdale Powell Water Provider

Sepptic (Y/N)

STAFF USE ONLY

General Location _____ Tract Size _____

City County _____ District _____ Zoning District _____ Existing Land Use _____

Planning Sector _____ Land Use / Place Type _____ Growth Policy Plan Designation _____
CITY COUNTY

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

Proposed Zoning Planned Residential PR

Pending Plat File Number

Plan Amendment Change

Proposed Plan Designation(s)

Proposed Density (units/acre) 2 Dwelling per acre
 Previous Rezoning Requests up to 2 du/ac

Other (specify) _____

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
Fee 2	\$650.00
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

Applicant Signature

Please Print

Date

Phone Number

Email

Pd. 07/30/2024, 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:

_____ 09/20/2024 _____ and _____ 10/04/2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Jacob Berezansky

Date: 07/31/2024

File Number: 10-B-24-RZ

- Sign posted by Staff
- Sign posted by Applicant