

# REZONING REPORT

▶ **FILE #:** 10-N-24-RZ

**AGENDA ITEM #:** 34

**AGENDA DATE:** 10/3/2024

▶ **APPLICANT:** JOSH HAUN  
OWNER(S): Peter Koopman

TAX ID NUMBER: 123 H F 020 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 4720 W MARTIN MILL PIKE

▶ **LOCATION:** East side of W Martin Mill Pike, south of Hialeah Dr

▶ **APPX. SIZE OF TRACT:** 5.22 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via W Martin Mill Pike, a minor arterial street with a pavement width of 22 ft within a right-of-way that varies from 35 ft to 44 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Goose Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **ZONING REQUESTED:** RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

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

▶ **EXTENSION OF ZONE:** No, this would not be an extension.

**HISTORY OF ZONING:** In 1984, the Planning Commission requested a downzoning from R-2 to R-1A, but the request was later withdrawn (7-N-84-RZ).

**SURROUNDING LAND USE AND ZONING:**

North: Single family residential, multifamily residential - RN-1 (Single-Family Residential Neighborhood), RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay)

South: Rural residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Agriculture/forestry/vacant land - RN-1(C) (Single-Family Residential Neighborhood) (former planned district), HP (Hillside Protection Overlay)

West: Single family residential - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

**NEIGHBORHOOD CONTEXT:** This area southwest of the Chapman Highway has a mix of single-family residential on lots that vary greatly in size and multi-family residential developments.

**STAFF RECOMMENDATION:**

- ▶ **Deny the RN-2 (Single-Family Residential Neighborhood) district because it does not meet the criteria for a rezoning.**

**COMMENTS:**

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. There have been no substantial changes in the area in recent times that warrant the proposed rezoning. While Mooreland Heights Elementary School was expanded in 2015, the immediate vicinity on the south side of Vestal neighborhood has remained unchanged.

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

1. The requested RN-2 district is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks compared to the RN-1 district.
2. The RN-2 district permits all the same uses as the RN-1 district but there are considerable differences in the dimensional standards including a reduction of the minimum lot size requirement from 10,000 to 5,000 sq ft for a single-family home. The surrounding properties along this winding portion of Martin Mill Pike are zoned RN-1 and the acreage varies from 10,000 sq ft to several acres. The current RN-1 zoning is consistent with the surrounding development and appropriate for the road has sight distance issues at this section. The more intensive zoning in this broader area has safer access off of side streets.
3. With the RN-1 lot size standards, the 5.22-acres parcel permits consideration of up to 22 single-family units. This would be doubled to 45 units in the RN-2 zone. The feasibility of this number of units would be limited by road layout, the HP Overlay district's disturbance budget, and other dimensional standards. However, this dramatic increase in residential intensity is worth noting since the dimensional standards are the primary distinction between the two zoning districts.
4. 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 PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The City of Knoxville Engineering department has indicated that the property has sight distance issues. Based on the speed limit of 35mph on this street, the required sight distance is 390 feet. Though there may be locations where this is obtainable on Martin Mill Pike, it is going to be very challenging because of the steep slope along the front of the property.
2. Even if the above issue is resolved, there is nowhere in the frontage of the property that they could have the required 400 ft intersection spacing from both Hialeah Drive and Lester Road.
3. A potential alternative access may be possible through the extension of Gayview Drive at the rear side of the property, which is relatively flatter. However, for a subdivision of over 30 houses or duplexes, a secondary access is required for emergency services. If the property were to be subdivided using the minimum lot size standard of the RN-2 districts, this would require additional access via Martin Mill Pike which, as discussed above, will not meet the required safety standards.
4. The entire property is within the HP Overlay district and any development would need to comply with the 75.2% disturbance budget calculated by slope analysis.

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 General Plan calls for minimum standards for construction of roads that are necessary to protect the safety of the public, minimize tax-funded maintenance costs, and promote convenient, efficient travel (Action Proposal on p. 41). This rezoning could potentially create a safety issue for this area which is inconsistent with the General Plan's Development Policy 9.3 that encourages to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.
2. The proposed amendment is not in conflict with the LDR (Low Density Residential) land use classification as defined in the South City Sector Plan and the One Year Plan.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. There is a school (Mooreland Heights Elementary), a couple of parks (Charter E Doyle Park and Vestal Gateway Park), and a transit stop nearby. However, it is not safe for pedestrians to walk to any of these since this section of Martin Mill Pike has very narrow shoulders with no sidewalks.

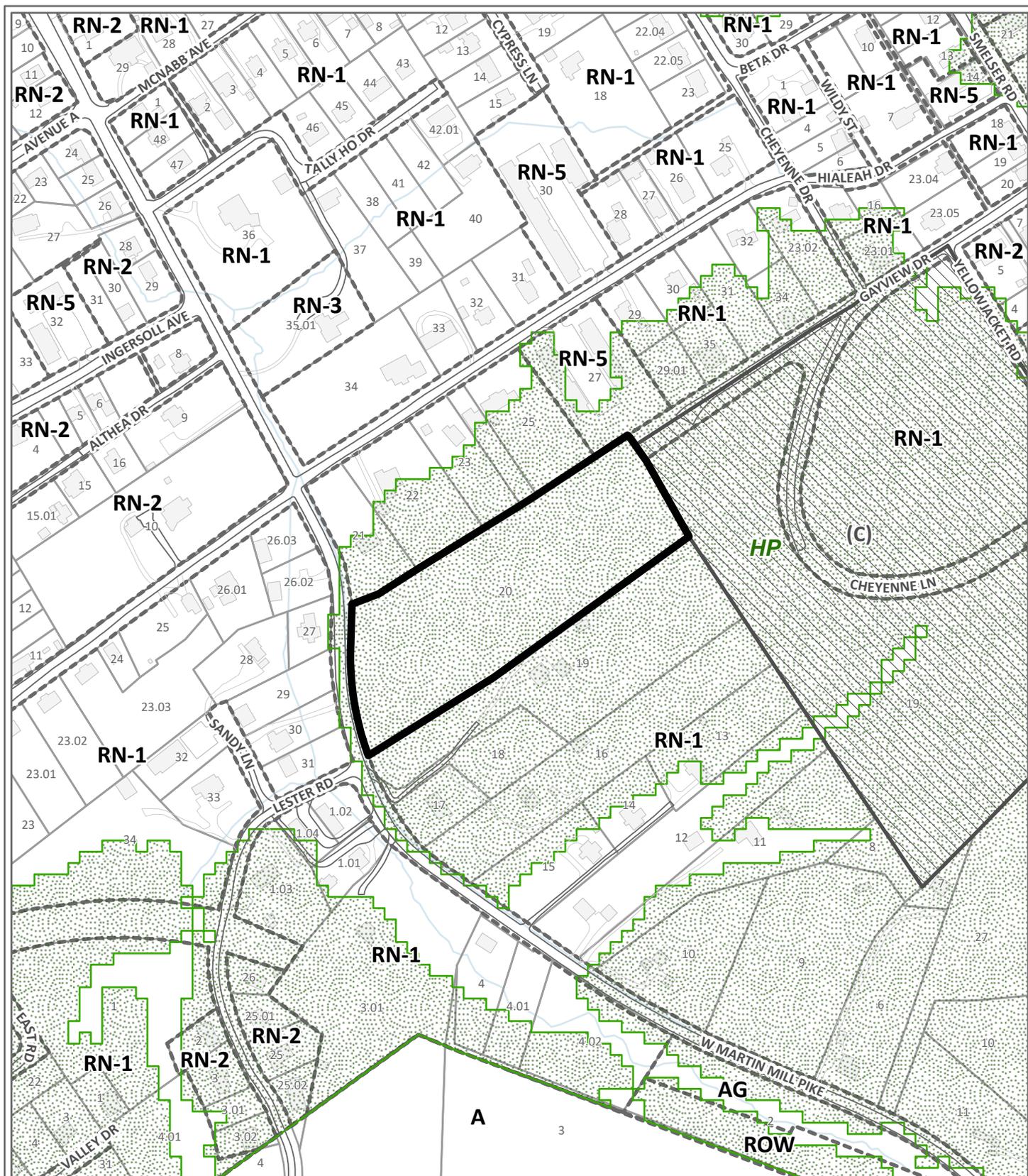
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Mooreland Heights Elementary, South Doyle Middle, and South Doyle 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 Knoxville City Council for action on 11/12/2024 and 11/26/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**REZONING**

**10-N-24-RZ**

Petitioner: Josh Haun



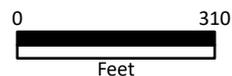
**From:** RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
**To:** RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Map No: 123

Jurisdiction: City

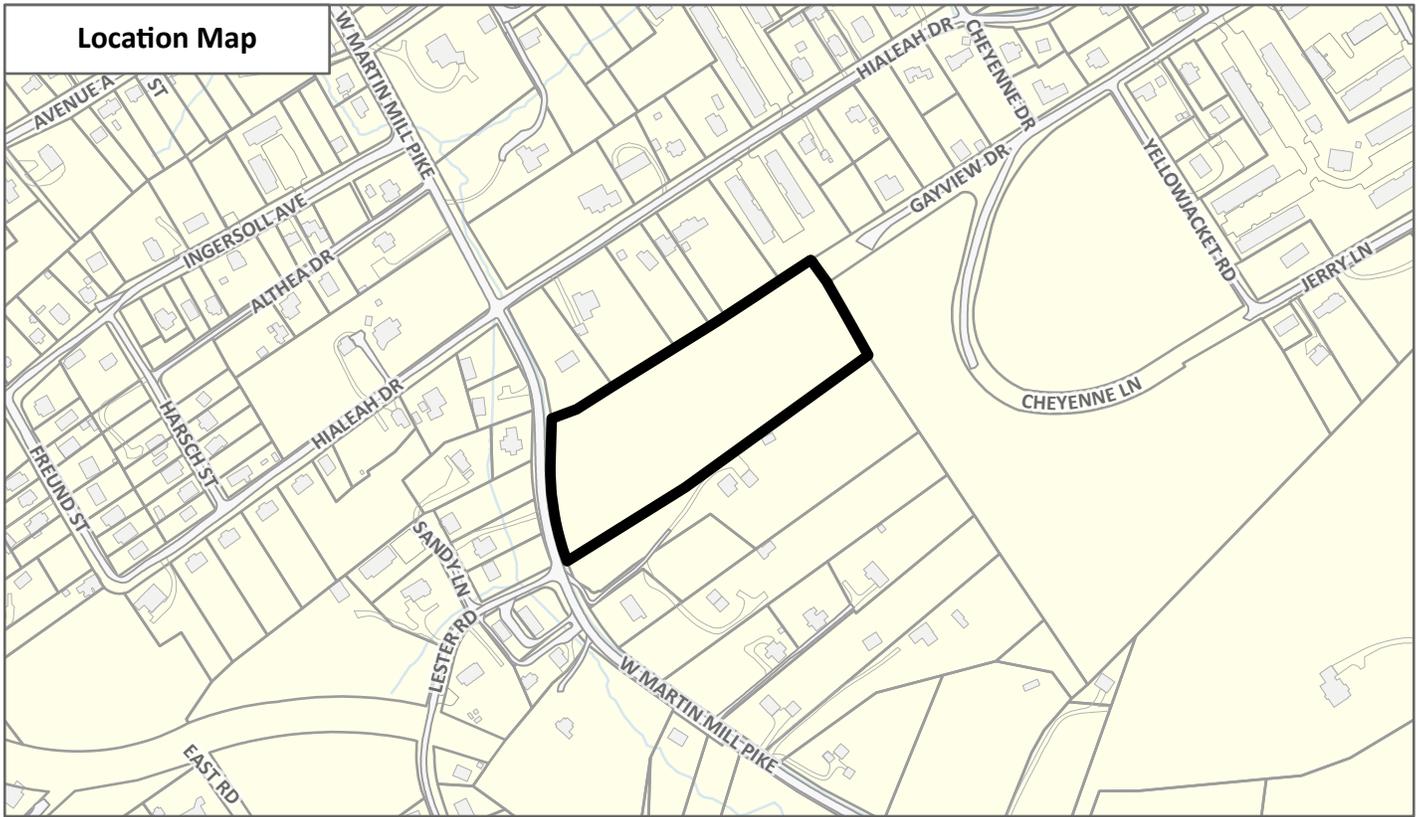
Original Print Date: 8/26/2024

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



# Exhibit A. Contextual Images

Location Map



Aerial Map

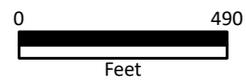


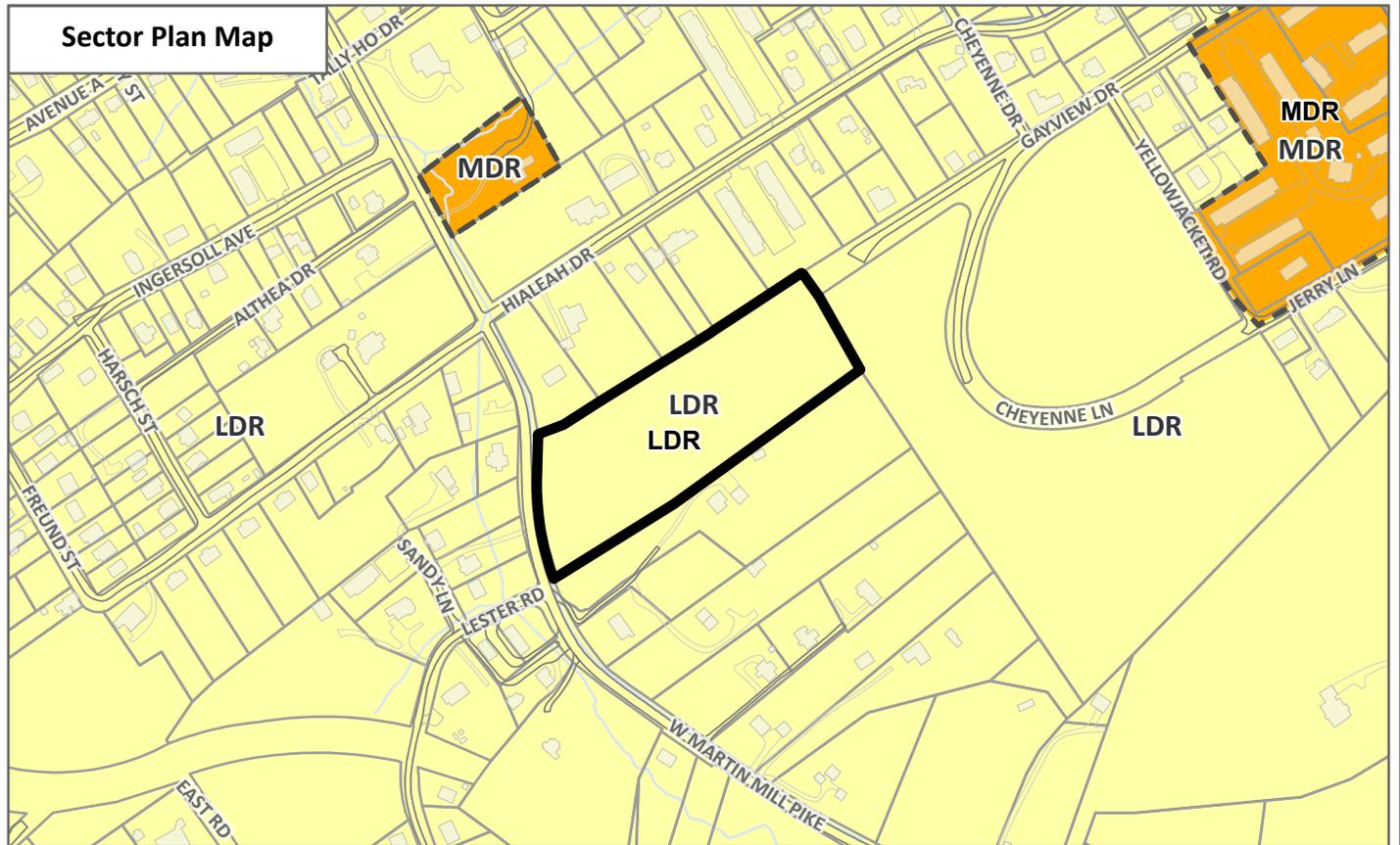
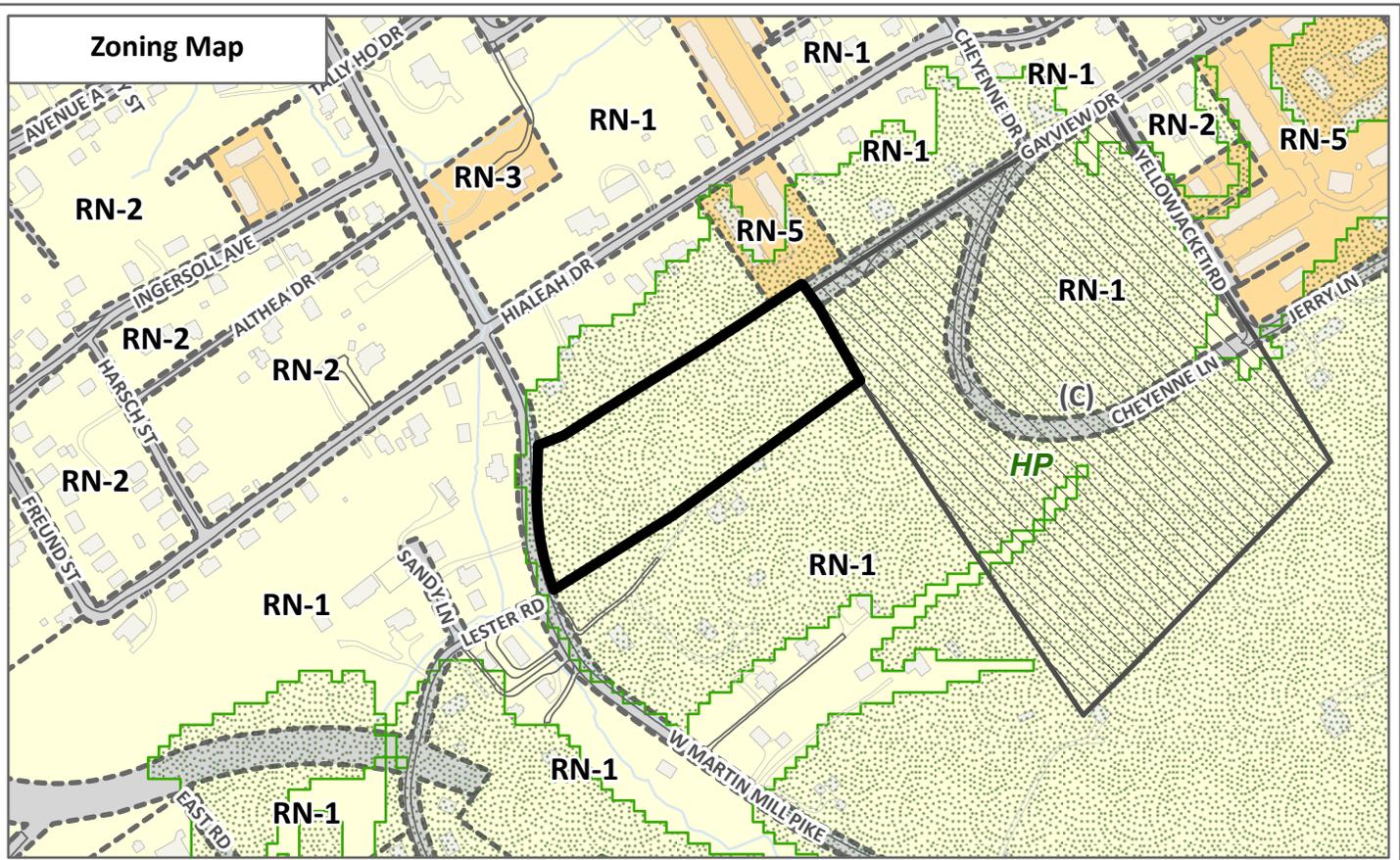
CONTEXTUAL MAPS 1

10-N-24-RZ



Case boundary





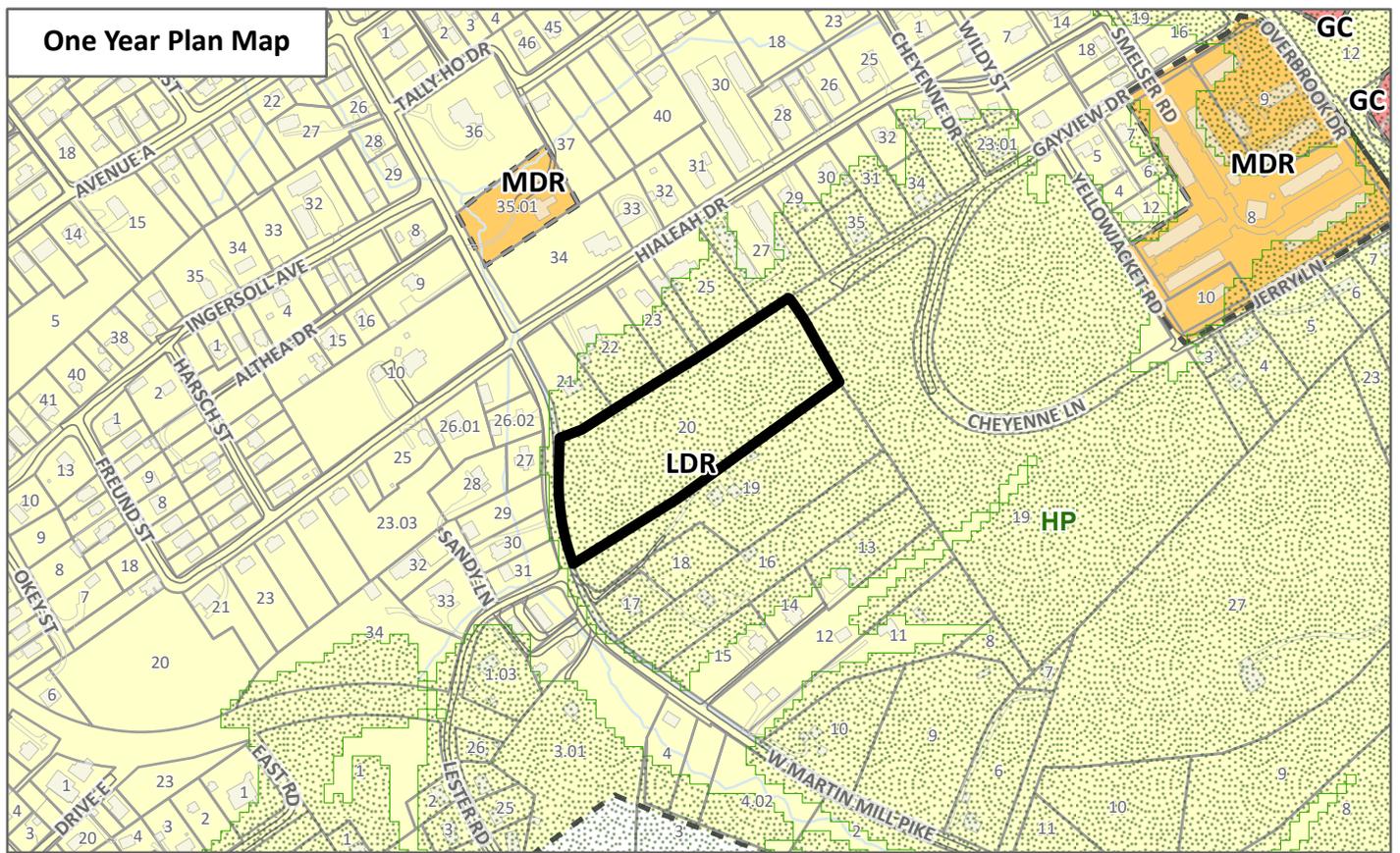
**CONTEXTUAL MAPS 2** **10-N-24-RZ**

 Case boundary

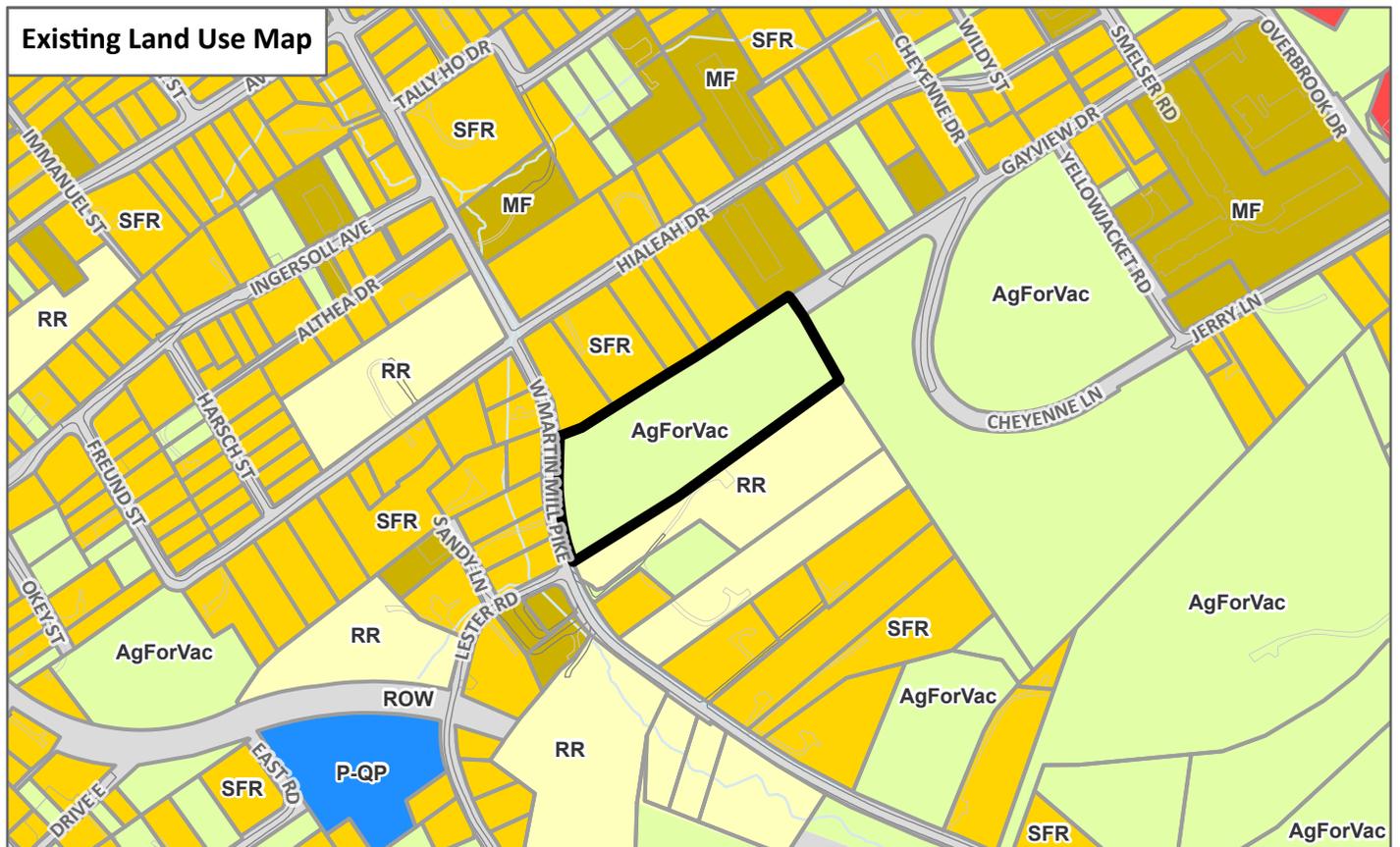
0 475  
  
 Feet



**One Year Plan Map**



**Existing Land Use Map**

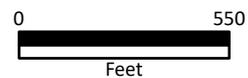


**CONTEXTUAL MAPS 3**

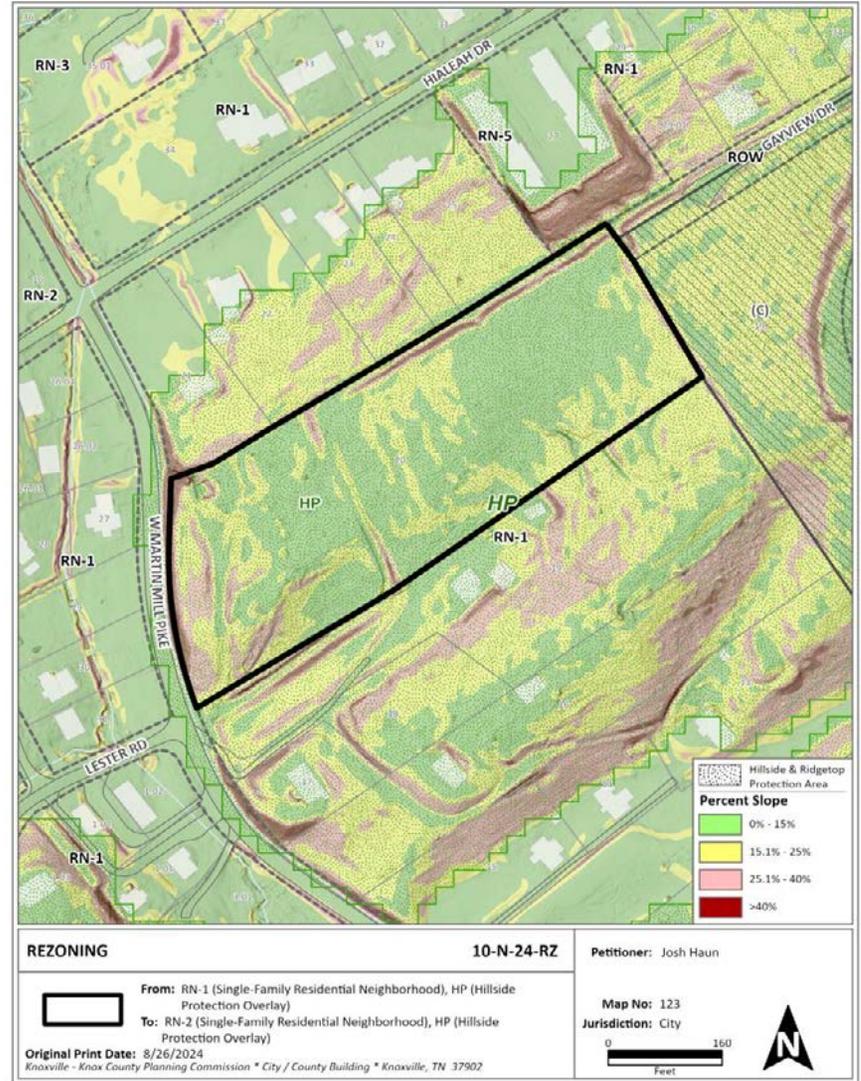
**10-N-24-RZ**



Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>227,307.2</b>	<b>5.22</b>			
Non-Hillside	0.0	0.00	N/A		
0-15% Slope	131,761.6	3.02	100%	131,761.6	3.02
15-25% Slope	69,467.6	1.59	50%	34,733.8	0.80
25-40% Slope	18,985.6	0.44	20%	3,797.1	0.09
Greater than 40% Slope	7,092.4	0.16	10%	709.2	0.02
Ridgetops					
<b>Hillside Protection (HP) Area</b>	<b>227,307.2</b>	<b>5.22</b>	Recommended disturbance budget within HP Area	<b>171,001.8</b>	<b>3.93</b>
			Percent of HP Area	<b>75.2%</b>	





# 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

**Josh Haun**

Applicant Name

Affiliation

**8/20/2024**

Date Filed

**10/3/2024**

Meeting Date (if applicable)

**10-N-24-RZ**

File Number(s)

## CORRESPONDENCE

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

**Joshua Haun Trueline Land Surveying**

Name / Company

**PO Box 32242 Knoxville TN 37930**

Address

**865-382-7466 / Josh.Haun@TrueLineLS.com**

Phone / Email

## CURRENT PROPERTY INFO

**Peter Koopman**

Owner Name (if different)

**4720 W Martin MI Knoxville TN**

Owner Address

**865-654-8505**

Owner Phone / Email

**4720 W MARTIN MILL PIKE**

Property Address

**123 H F 020**

Parcel ID

**5.22 acres**

Tract Size

Part of Parcel (Y/N)?

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

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	<b>RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)</b>	Pending Plat File Number
	Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
Proposed Density (units/acre)    Previous Rezoning Requests		
Additional Information _____		

## STAFF USE ONLY

<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request (Comprehensive Plan)	<b>\$911.00</b>	
<b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Use on Review / Special Use (Concept Plan) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (Hillside Protection)	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	<b>Josh Haun</b> Please Print	<b>8/20/2024</b> Date
Phone / Email		
Property Owner Signature	<b>Peter Koopman</b> Please Print	<b>8/20/2024</b> 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
  - PA
- Rezoning

Josh Haun

Project Manager

Applicant Name

Affiliation

8/16/2024

October 3, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

10-N-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

Josh Haun

Trueline Land Surveying

Name

Company

P.O. Box 32242

Knoxville

Tn

Address

City

State

ZIP

865-382-7466

josh.haun@truelinels.com

Phone

Email

### CURRENT PROPERTY INFO

Peter Koopman

4720 W. Martin Mill Pke

865-654-8505

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

123H F 020.00

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

### COMMUNITY ENGAGEMENT

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

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**DEVELOPMENT REQUEST**

<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential Home Occupation (specify) _____  Other (specify) _____	Related City Permit Number(s)
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**SUBDIVISION REQUEST**

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel    Total Number of Lots Created  <input type="checkbox"/> Other (specify) _____  <input type="checkbox"/> Attachments / Additional Requirements	

**ZONING REQUEST**

<input checked="" type="checkbox"/> Zoning Change <b>Propose to change the property zoning from RN-1 to RN-2</b> Proposed Zoning _____  <input type="checkbox"/> Plan Amendment Change    Proposed Plan Designation(s) _____  Proposed Density (units/acre)                      Previous Rezoning Requests  <input type="checkbox"/> Other (specify) _____	Pending Plat File Number
--	--------------------------

**STAFF USE ONLY**

<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input checked="" type="checkbox"/> Planning Commission  <b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request ( <i>Comprehensive Plan</i> )  <b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> Use on Review / Special Use ( <i>Concept Plan</i> ) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist ( <i>Hillside Protection</i> )	<table border="1"> <tr> <td>Fee 1</td> <td rowspan="3">Total</td> </tr> <tr> <td>Fee 2</td> </tr> <tr> <td>Fee 3</td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>\$911.00</b></td> </tr> </table>	Fee 1	Total	Fee 2	Fee 3	<b>\$911.00</b>	
Fee 1	Total						
Fee 2							
Fee 3							
<b>\$911.00</b>							

**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**

	Josh Haun	8/16/2024
Applicant Signature	Please Print	Date

josh.haun@truelinels.com

	Peter Koopman	08/20/2024,SG
Property Owner Signature	Please Print	Date Paid



# Public Notice and Community Engagement

## Sign Posting and Removal

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.

**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.

## Community Engagement

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).

### Acknowledgement

*By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.*

09/20/2024

10/04/2024

Date to be Posted

Date to be Removed

**Have you engaged the surrounding property owners to discuss your request?**

Yes  No

No, but I plan to prior to the Planning Commission meeting

Applicant Signature

Applicant Name

Date

*Peter Koopman*

PETER KOOPMAN

8/19/24

10-N-24-RZ  
FILE NUMBER