

REZONING REPORT

► FILE #: 9-G-24-RZ	AGENDA ITEM #: 10
	AGENDA DATE: 9/12/2024
APPLICANT:	BENJAMIN C. MULLINS
OWNER(S):	Stephen D. McFarland
TAX ID NUMBER:	77 053 View map on KGIS
JURISDICTION:	County Commission District 6
STREET ADDRESS:	8920 KARNS VALLEY DR
► LOCATION:	North and south sides of Karns Valley Dr, north of Oak Ridge Hwy, west of Wavetree Dr
APPX. SIZE OF TRACT:	20.54 acres
GROWTH POLICY PLAN:	Planned Growth Area
ACCESSIBILITY:	Access is via Karns Valley Drive, a major arterial street with a 40-ft pavement width within a 77-ft right-of-way.
UTILITIES:	Water Source: West Knox Utility District
	Sewer Source: West Knox Utility District
FIRE DISTRICT:	Karns Fire Department
WATERSHED:	Beaver Creek
PRESENT ZONING:	A (Agricultural), F (Floodway)
ZONING REQUESTED:	PR (Planned Residential), F (Floodway)
EXISTING LAND USE:	Agriculture/Forestry/Vacant Land
DENSITY PROPOSED:	up to 6 du/ac
EXTENSION OF ZONE:	It is an extension of the PR zone, but not the density.
HISTORY OF ZONING:	None noted.
SURROUNDING LAND USE AND ZONING:	North: Agriculture/forestry/vacant land, single-family residential - A (Agriculture)
	South: Rural residential, right-of-way - F (Floodway)
	East: Single-family residential, multifamily residential, rural residential, agriculture/forestry/vacant land - PR (Planned Residential) up to 3 du/ac and 5 du/ac
	West: Rural residential, agriculture/forestry/vacant land - A (Agriculture), F (Floodway)
NEIGHBORHOOD CONTEXT:	This is a residential area along Beaver Creek with a rural character. It is comprised of planned residential subdivisions, a park complex and farmland.

STAFF RECOMMENDATION:

Approve the PR (Planned Residential) zone up to 6 du/ac because it is compatible with surrounding development and zoning, and it is supported by recreational amenities, subject to 1 condition. The F (Floodway) zone would be retained.

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1. Preserving existing tree canopy along Beaver Creek and on slopes with a 25% grade or higher.

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. This area of Karns continues to see significant residential development since the completion of the capital project that connected Karns Valley Drive to the Hardin Valley area in 2017.

2. The subject property is adjacent to four different residential developments on the east side. The Walkers Gate and Brookhaven subdivisions were completed years ago, and the Archstone Condominiums and Emory Green subdivision are still being constructed.

 On the west side of the of the subject property is the Knox County Sportspark, which was completed in 2010 It surrounds the Karns Senior Center and includes five baseball/softball fields, three practice football/ rugby fields, a playground, a walking trail, a picnic pavilion and a launch pad for kayaks into Beaver Creek.
 These transportation improvements, residential developments, and recreational amenities support the requested PR (Planned Residential) district with a density of up to 6 du/ac.

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 development that encourage more creative solutions to environmental design problems. This can be accomplished by permitting clustered development in the more suitable areas of the property to avoid ecologically sensitive areas.

2. The subject property has some steep topography, and its southern border is formed by Beaver Creek. Beaver Creek is receiving new public investment as a formally established Knox County Water Trail for navigable recreation. The PR zone permits development that avoids these steep slopes as well as the natural areas around the waterway, preserving their scenic, wildlife and recreational value.

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 PR zone is a minor extension from the east. The density of 6 du/ac is compatible with the existing PR zoning in the area, which ranges in density from 1-5 du/ac and includes townhouse developments. The PR zone requires development plan review by the Planning Commission, which provides opportunity for public notice and feedback to inform what is approved to be built. If the maximum density is pursued, it will trigger a traffic impact study, which may result in safety improvements to Karns Valley Drive.

2. The noted condition to preserve existing tree canopy along the stream bed and steep slopes is intended to preserve the viewshed, natural assets, and rural character of the area, especially in light of Beaver Creek being designated by Knox County as a navigable Water Trail. This condition also complements the kayak launch pad at the neighboring park.

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 majority of the parcel's acreage is designated SMR (Suburban Mixed Residential) on the south side of Karns Valley Drive. The portion to the north is designated as TN (Traditional Neighborhood). The PR zone up to 6 du/ac is partially related to both the SMR and TN place types in the Comprehensive Plan. The property meets the review criteria for partially related zones by being compatible with the current zoning of adjacent sites.

2. The proposed rezoning is consistent with the Comprehensive Plan's Implementation Policy 9.3 to focus growth in areas already served by adequate infrastructure. This property has access to sewer infrastructure, a major arterial street that is a short distance from another major arterial street (Oak Ridge Highway), and a large park and senior center.

3. The tree preservation condition is consistent with Policy 7 to encourage development practices that conserve and connect natural features and habitat.

4. The requested rezoning is consistent with the property's location in the Planned Growth Area of the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 1221 (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.

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ESTIMATED STUDENT YIELD: 51 (public school children, grades K-12)

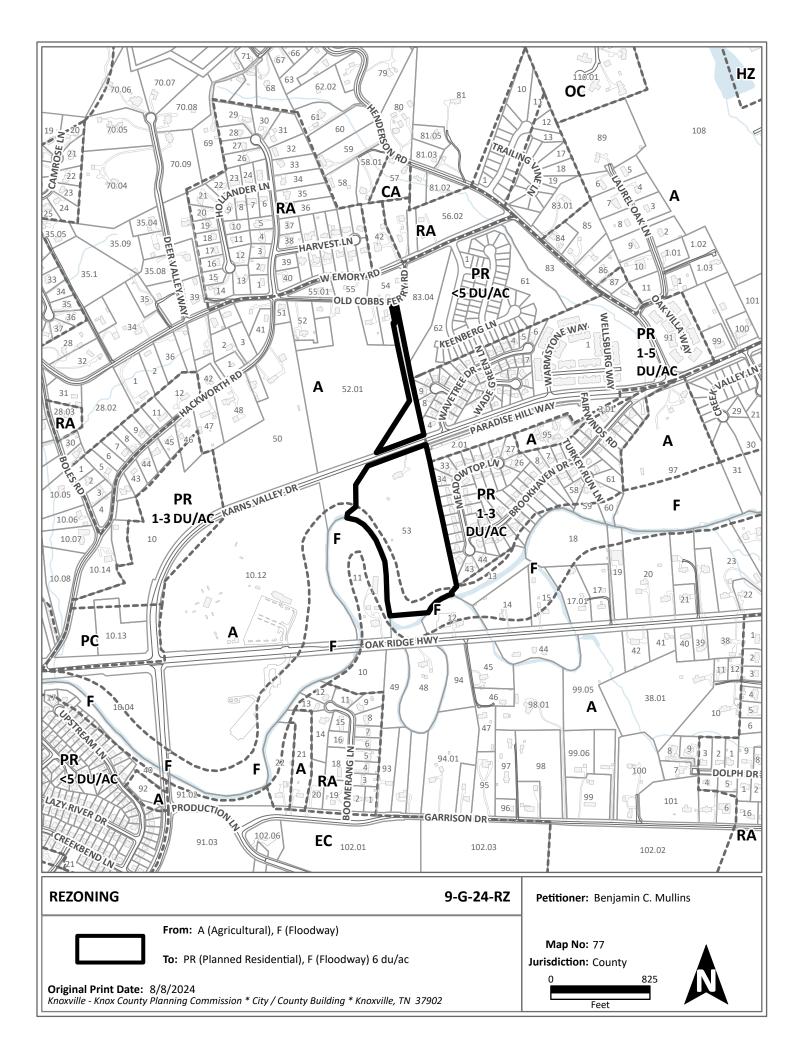
Schools affected by this proposal: Mill Creek Elementary, Karns Middle, and Karns High.

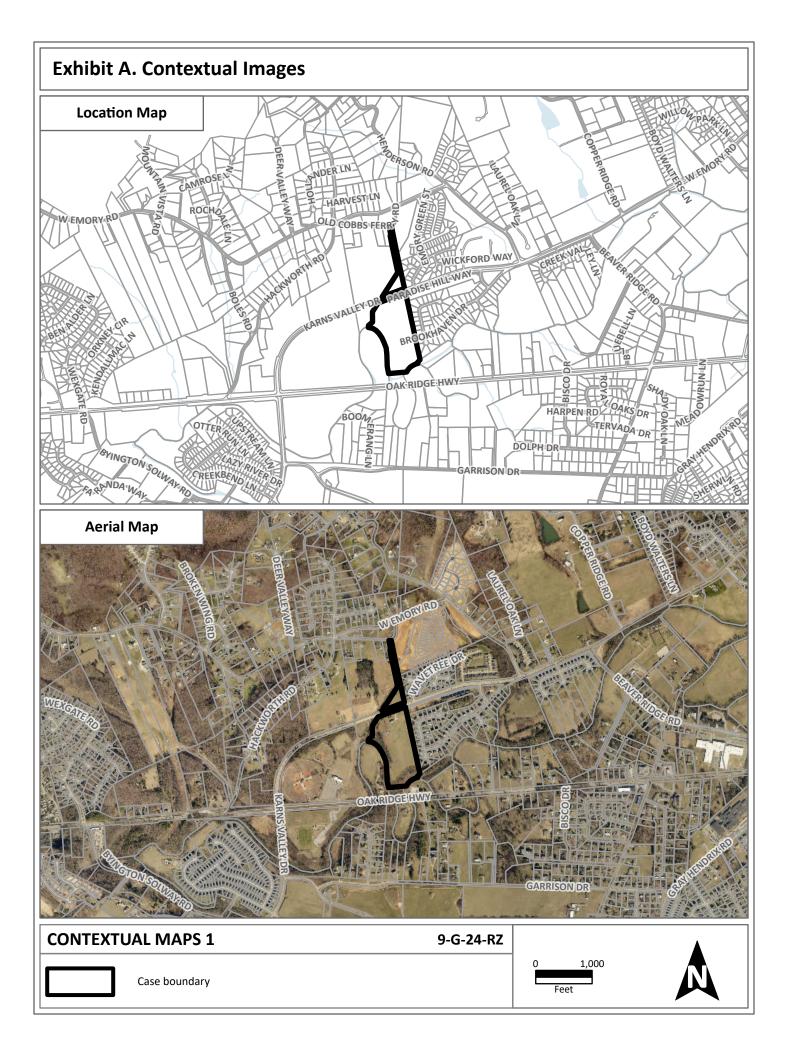
• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

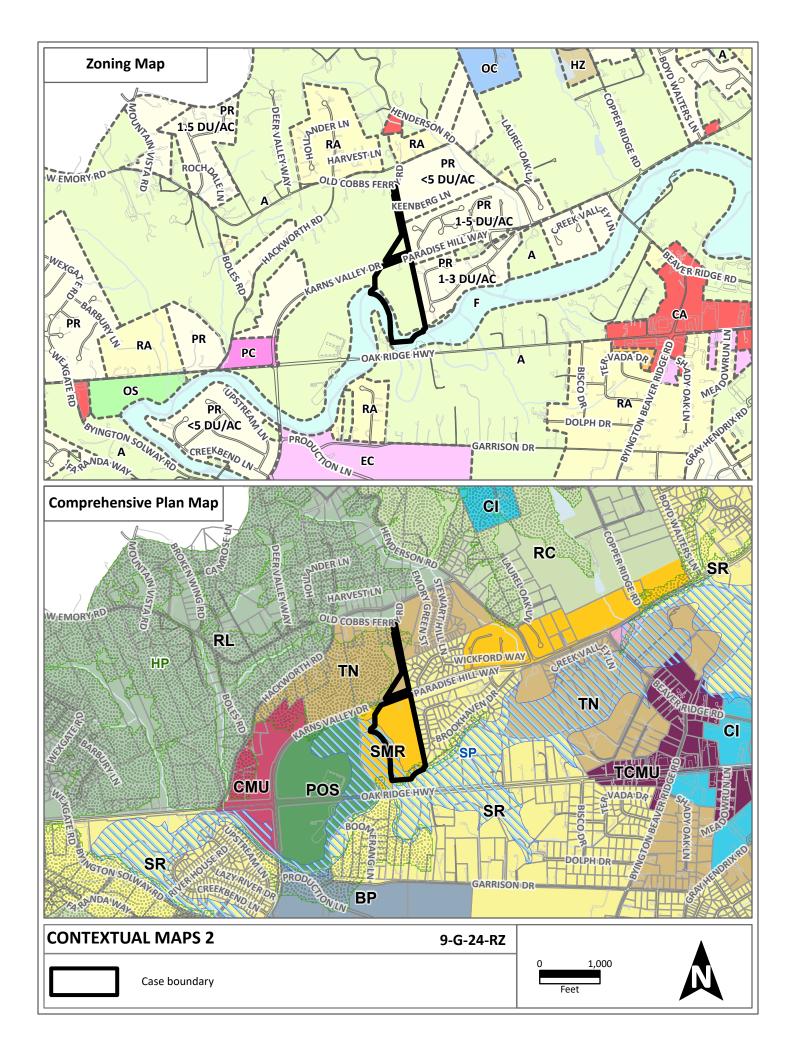
Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

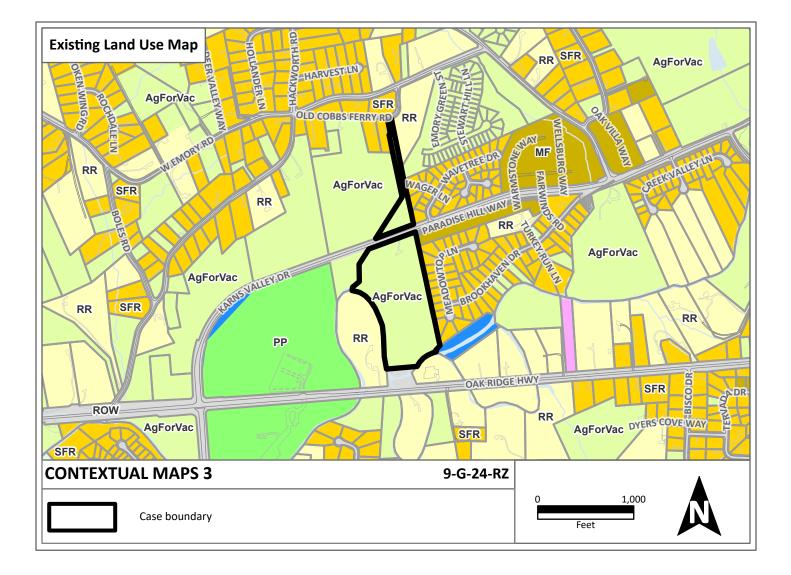
• Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 10/21/2024. 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.

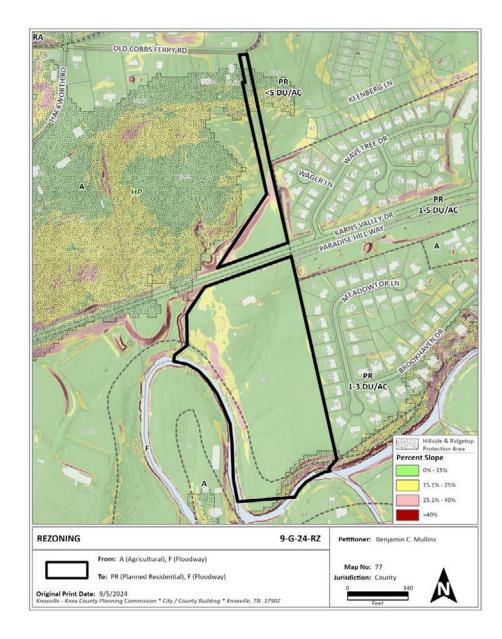








CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	20.54		
Non-Hillside	19.42	N/A	
0-15% Slope	0.40	100%	0.40
15-25% Slope	0.34	50%	0.17
25-40% Slope	0.33	20%	0.07
Greater than 40% Slope	0.05	10%	0.01
Ridgetops			
Hillside Protection (HP) Area	1.12	Recommended disturbance budget within HP Area (acres)	0.64
		Percent of HP Area	57.0%





Development Request

DEVELOPMENT

Development Plan

□ Planned Development

☐ Hillside Protection COA

Use on Review / Special Use

SUBDIVISION

Concept PlanFinal Plat

ZONING

✓	Rezoning	
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- Plan Amendment
 - Sector Plan
 - City OYP / County Comp Plan

Benjamin C. Mullins Affiliation Applicant Name 9-G-24-RZ 7/19/2024 9/12/2024 Date Filed File Number(s) Meeting Date (if applicable) CORRESPONDENCE All correspondence related to this application should be directed to the approved contact listed below. Benjamin C. Mullins Frantz, McConnell and Seymour, LLP Name / Company 550 W. Main St. St. Suite 500 Knoxville TN 37902 Address 865-546-9321 / bmullins@fmsllp.com Phone / Email **CURRENT PROPERTY INFO** 8920 Karns Valley Dr Knoxville TN 37931 865-690-0689 Stephen D. McFarland

Owner Name (if different) Owner Address Owner Phone / Email 8920 KARNS VALLEY DR 77 053 20.54 acres 77 053 Parcel ID Part of Parcel (Y/N)? Tract Size West Knox Utility District West Knox 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			
Development Plan Planned Development] Use on Review / Special Use	Related City Perr	mit Number(s)
Hillside Protection COA	Residential 🗌 Non-residential		
Home Occupation (specify)			
Other (specify)			
SUBDIVSION REQUEST			
		Related Rezonin	g File Number
Proposed Subdivision Name			
Unit / Phase Number	Total Number of Lots Created		
Additional Information			
Attachments / Additional Requirements			
ZONING REQUEST			
Zoning PR (Planned Residential), F (Floodway)		Pending Plat F	ile Number
Change Proposed Zoning			
Plan			
Amendment Proposed Plan Designation(s)			
up to 6 du/ac			
Proposed Density (units/acre) Previous Rezoning Reque Additional Information	ests		
STAFF USE ONLY			
PLAT TYPE	Fee 1		Total
□ Staff Review □ Planning Commission	\$1,677.00		
ATTACHMENTS	<i>\</i> 1 ,077100		
Property Owners / Option Holders Variance Re	equest Fee 2		
Amendment Request (Comprehensive Plan)			
ADDITIONAL REQUIREMENTS Use on Review / Special Use (Concept Plan)	Fee 3		
Traffic Impact Study			
COA Checklist (Hillside Protection)			
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.

	Benjamin C. Mullins	7/19/2024
Applicant Signature	Please Print	Date
Phone / Email		
	Stephen D. McFarland	7/19/2024
Property Owner Signature	Please Print	Date

Plann KNOXVILLE I KNOX	ing	Development Development Planned Development Use on Review Hillside Proteet 	lopment v / Special Use	SUBDIVIS Conce	pt Plan	ZONING Plan Amendment SP PA Rezoning
Benjamin C. Mul	lins				Attor	ney for Option Holder
Applicant Name				-	Affiliati	on
July 17, 2024		Septembe	r 12, 2024			File Number(s)
Date Filed		Meeting Dat	e (if applicable)		9-(G-24-RZ
CORRESPONDE	NCE All co	orrespondence relate	d to this application .	should be dired	cted to the ap	pproved contact listed below.
📕 Applicant 🗌 I	Property Owner	Option Holder	Project Surveyc	or 🗌 Engine	er 🗌 Archi	tect/Landscape Architect
Benjamin C. Mu	llins		Frant	tz, McConne	II & Seymo	our, LLP
Name			Compa	any		
550 West Main S	Street, Suite 50	00	Knox	ville	TN	37902
Address			City		State	ZIP
865-546-9321		bmullins@	fmsllp.com			
Phone		Email				
CURRENT PROF	PERTY INFO					
Stephen D. McFa	arland	89	20 Karns Valley D	r. Knoxville	TN 37931	865-690-0689
Property Owner Nar	ne (if different)	Pro	perty Owner Address	;		Property Owner Phone
8920 Karns Valle	ey Dr. Knoxville	TN 37931		077 053		
Property Address				Parcel ID		
WKUD			WKUD	(m. 1	•	No
Sewer Provider			Water Provider			Septic (Y/N)
STAFF USE ONL	Y					
N and S of Karne	es Valley Dr. an	d E of its interse	ction with Wavet	ree Dr.	~21.2	.9 ac
General Location					Tract S	ize
City Country	6	А		AgForV	ac	
🗌 City 🔳 County	District	Zoning Distri	t	Existing Land Use		
NW County		SMR and T	⁻ N	Planned Growth		
Planning Sector		Land Use	 / Place Type соимту 		Growt	h Policy Plan Designation

DEVELOPMENT REQUEST	
 Development Plan Use on Review / Special Use Hillside Protection C Residential Non-Residential Home Occupation (specify) 	OA Related City Permit Number(s)
Other (specify)	
SUBDIVISION REQUEST	
	Related Rezoning File Number

Proposed Subdivisio	n Name				_
Unit / Phase Numbe		Combine Parcels	Divide Parcel	Total Number of Lots Created	
🗌 Other (specify)					
Attachments / Ad	dditional R	equirements			
ZONING REQU	EST				
Zoning Change					Pending Plat File Number
201111g change	Proposed	Zoning			
🗌 Plan Amendmen	t Change	Proposed Plan D	esignation(s)		
6 units an acre			an ite den neer weite		
Proposed Density (u	inits/acre)	P	revious Rezoning Re	quests	
Other (specify)					

STAFF USE ONLY

PLAT TYPE	Fee 1		Total
🗌 Staff Review 🛛 🗹 Planning Commission	0802	\$1,677.00	
ATTACHMENTS Property Owners / Option Holders Variance Request Amendment Request (Comprehensive Plan)	Fee 2		\$1,677.00
ADDITIONAL REQUIREMENTS Use on Review / Special Use (Concept Plan) Traffic Impact Study COA Checklist (Hillside Protection)	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

Joeton Multo	- Benjamin C. Mullins	7-17-24
Applicant Signature	Please Print	Date
865-546-9321	bmullins@fmsllp.com	
Phone Number	Email	
	Stephen D. McFarland	07/19/2024, SG
Property Owner Signature	Please Print	Date Paid

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Home Decupation (specify)	Development Plan 🔲 Use on Review / Special Use 🔲 Hillside Protection COA			langungan saga sana sana sa	NY 151.95
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ArracHMENTS Property Owners / Option Holders Amendment Request (Comprehensive Plan) Amendment Request (Concept Plan) DDITIONAL REQUIREMENTS Use on Review / Special Use (Concept Plan) Traffic Impact Study COA Checklist (Hillside Protection) 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 Benjamin C. Mullins Applicant Signature Rese Print Bate Bate Bate Bonullins@fmsillp.com The application and all complex	PLAT TYPE		Fee 1	Total	
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) 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 Benjamin C. Mullins opplicant Signature Please Print Date bmullins@fmsllp.com those Number Email] Staff Review 🛛 🗌 Planning Commissio	Planning Commission		2	
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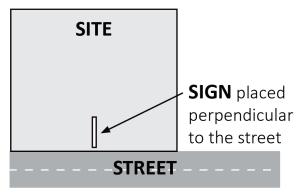
Property Owner Signature



Sign Posting & Removal Requirement

Revised April 2021

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:

08/30/2024	and	09/13/2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Benjamin C Mullins		
Date: 07/19/2024		Sign posted by Staff
File Number: 9-G-24-RZ		Sign posted by Applicant