

REZONING REPORT

▶ **FILE #:** 9-O-24-RZ

AGENDA ITEM #: 18

AGENDA DATE: 9/12/2024

▶ **APPLICANT:** HOMESTEAD LAND HOLDINGS, LLC

OWNER(S): Betty Ruth Smith

TAX ID NUMBER: 50 199

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 7514 MILLERTOWN PIKE

▶ **LOCATION:** South side of Millertown Pike, west of Robin Ben Ln

▶ **APPX. SIZE OF TRACT:** 13.61 acres

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Millertown Pike, a minor arterial street with a pavement width of 22 ft within a right-of-way ranging in width from 40-60 ft.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Legg Creek

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

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

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

▶ **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: The PR zone up to 4 du/ac is adjacent to the east.

HISTORY OF ZONING: None noted

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

South: Rural residential - A (Agricultural)

East: Rural residential - A (Agricultural)

West: Agriculture/forestry/vacant land - PR (Planned Residential) up to 4 du/ac

NEIGHBORHOOD CONTEXT: This area consists of single-family dwellings with a mix of lot sizes ranging from less than 1 acre to over 14 acres fronting Millertown Pike. Much of the area is forested or on large agricultural tracts.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone up to 4 du/ac because it is consistent with Knox County Comprehensive Plan and change of conditions.**

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 large distribution center that was recently constructed at the I-640 interchange with Millertown Pike and Washington Pike is approximately 3 miles away and will be a major employment center once open.

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 and encourage more imaginative solutions to environmental design problems. There are some environmental constraints on the site, which makes the PR zone an appropriate zone to consider since it allows clustering of lots.
2. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone.
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. While the properties in the area are zoned A, many of them are non-conforming to the minimum 1-acre lot size in the A zone because they were created before the current zoning regulations were adopted. There are also several lots in the area that are 0.25 acres, which is the same density requested.
2. The applicant owns the PR property next door to the west. If developed with the adjacent 37.14 acre property, then a traffic study would determine if road improvements were needed.
3. There are hatched, closed contour lines on the property, which indicate the potential presence of sinkholes. Should this be the case, a 50-ft buffer around the sinkhole would be required.
4. PR zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as topography, surrounding character, and access are evaluated, and community input may be provided regarding the proposed development plan.

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 property is within the RC (Rural Conservation) place type. When the proposed district is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district is compatible with the current zoning of adjacent sites. The proposed PR zoning is compatible with the current PR zoning of the adjoining site to the west.
2. It is intended to conserve significant natural areas by clustering development and minimizing land disturbance. Single family residential subdivisions shall be clustered in a pattern that preserves 50 percent or more open space on a given site. The uses allowed in the PR zone are consistent with those allowed in this place type.
3. The proposed rezoning is consistent with Knox County Comprehensive Plan Implementation Policy 6, which promotes attainable housing that meets the needs of current and future residents. The PR zone allows a mix of housing types. The rezoning is also consistent with Policy 9.3, focus growth in areas with adequate transportation infrastructure. The impact on the street system will be minimal as the property has direct access to a minor collector street.

ESTIMATED TRAFFIC IMPACT: 736 (average daily vehicle trips)

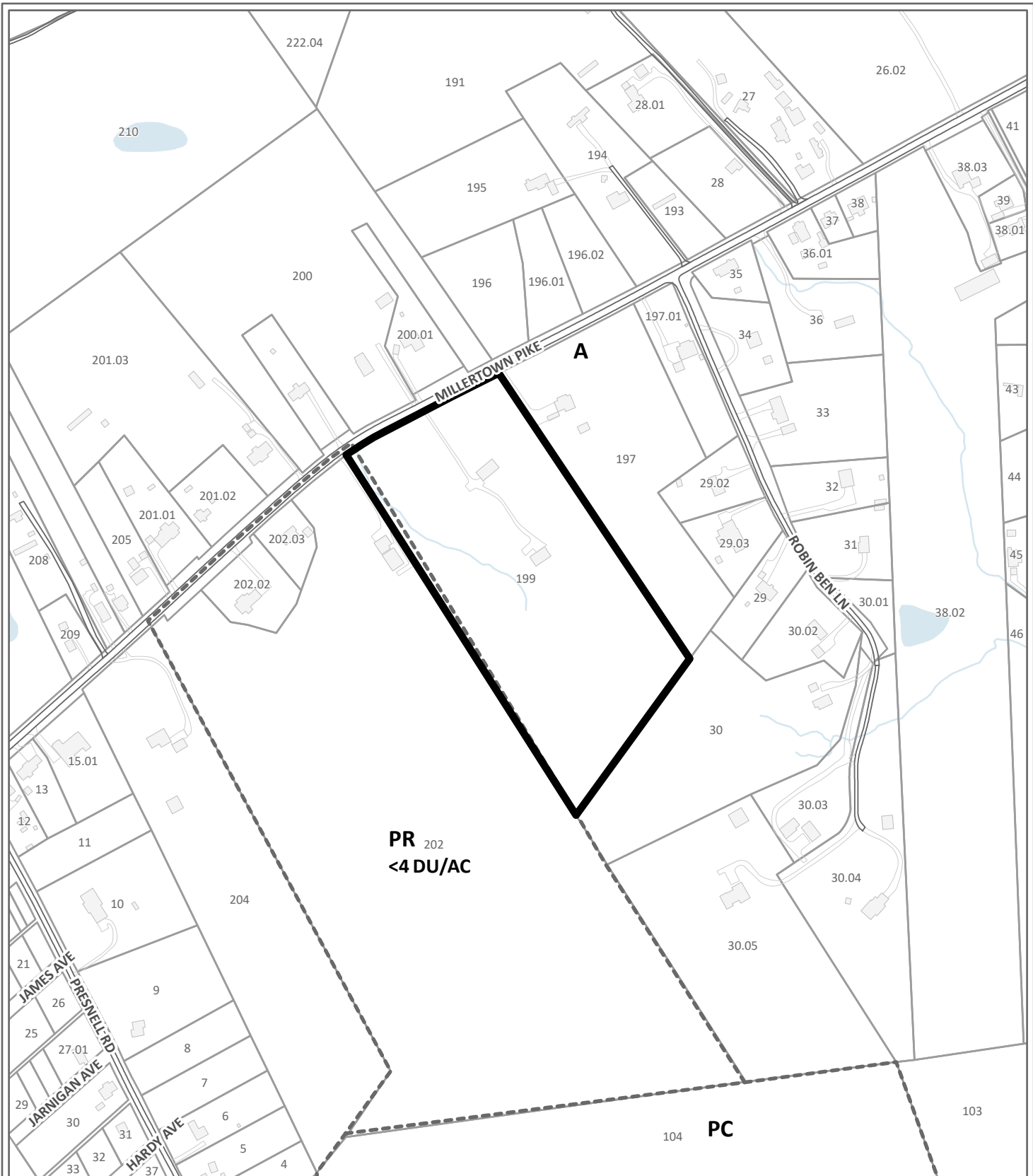
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 30 (public school children, grades K-12)

Schools affected by this proposal: East Knox County Elementary, Holston Middle, and Gibbs 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.



REZONING

9-O-24-RZ

Petitioner: Homestead Land Holdings, LLC

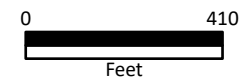


From: PR (Planned Residential), A (Agricultural)

To: PR (Planned Residential) 5 du/ac

Map No: 50

Jurisdiction: County



Original Print Date: 8/8/2024

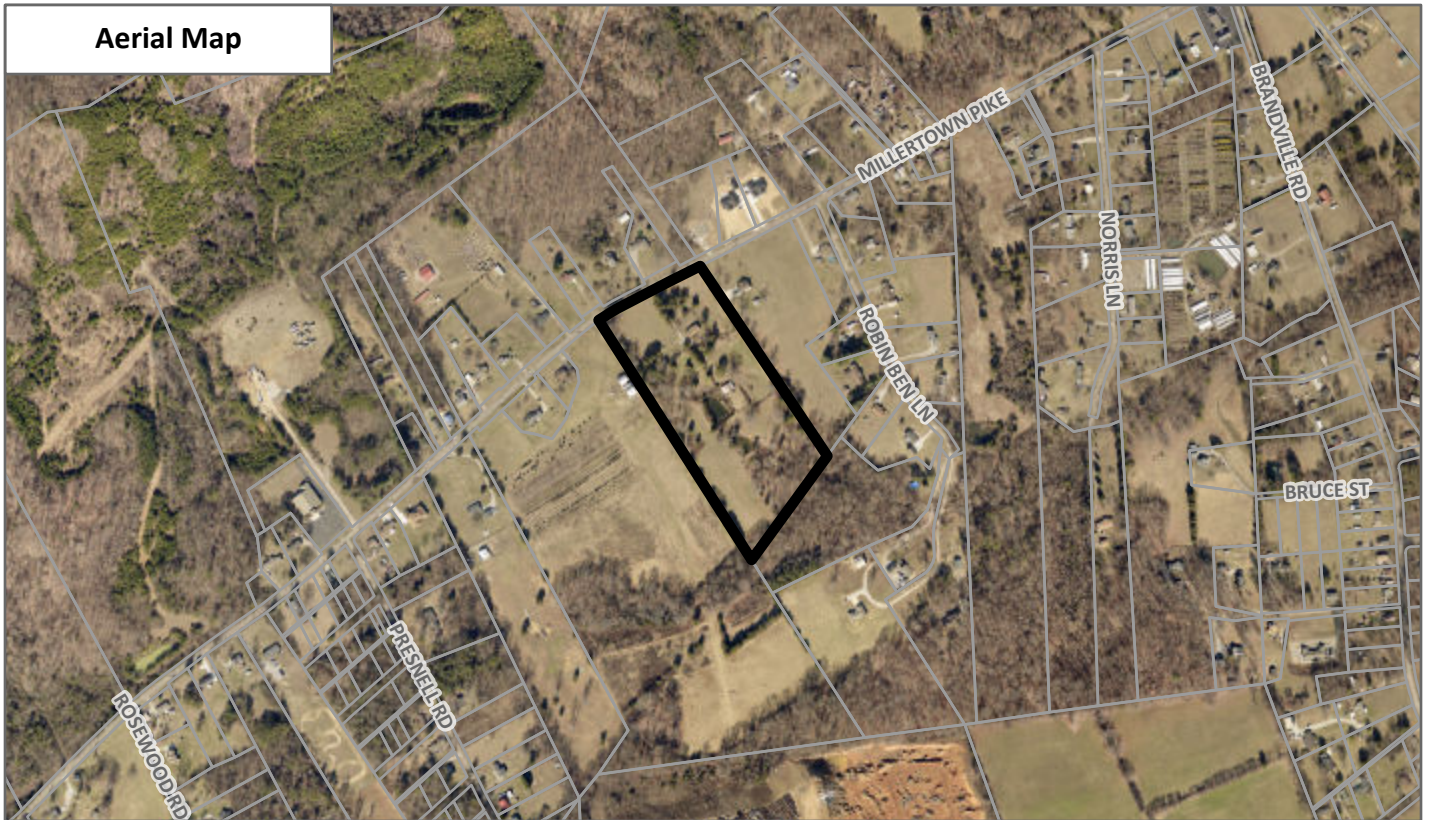
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. Contextual Images

Location Map



Aerial Map

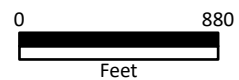


CONTEXTUAL MAPS 1

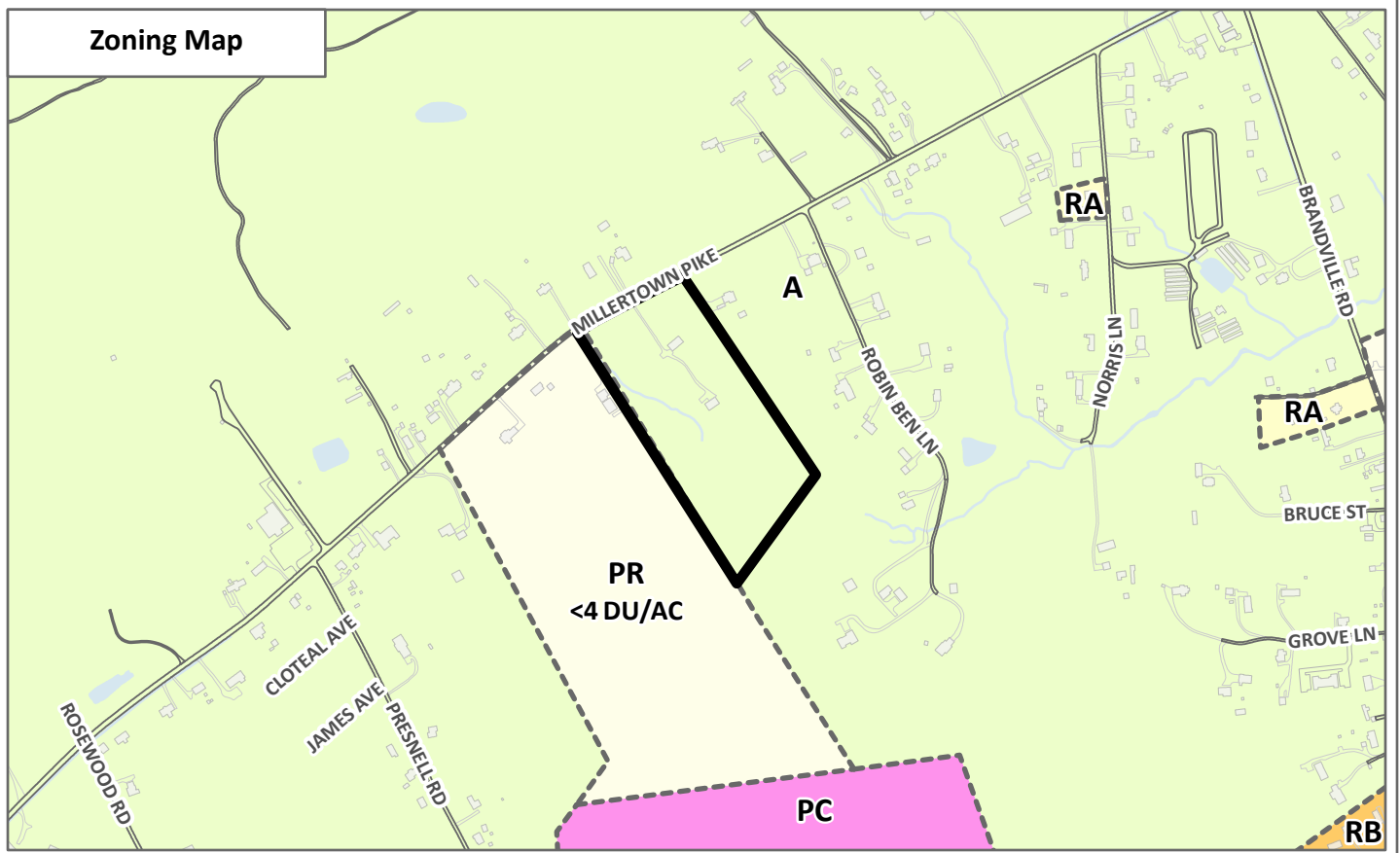
9-O-24-RZ



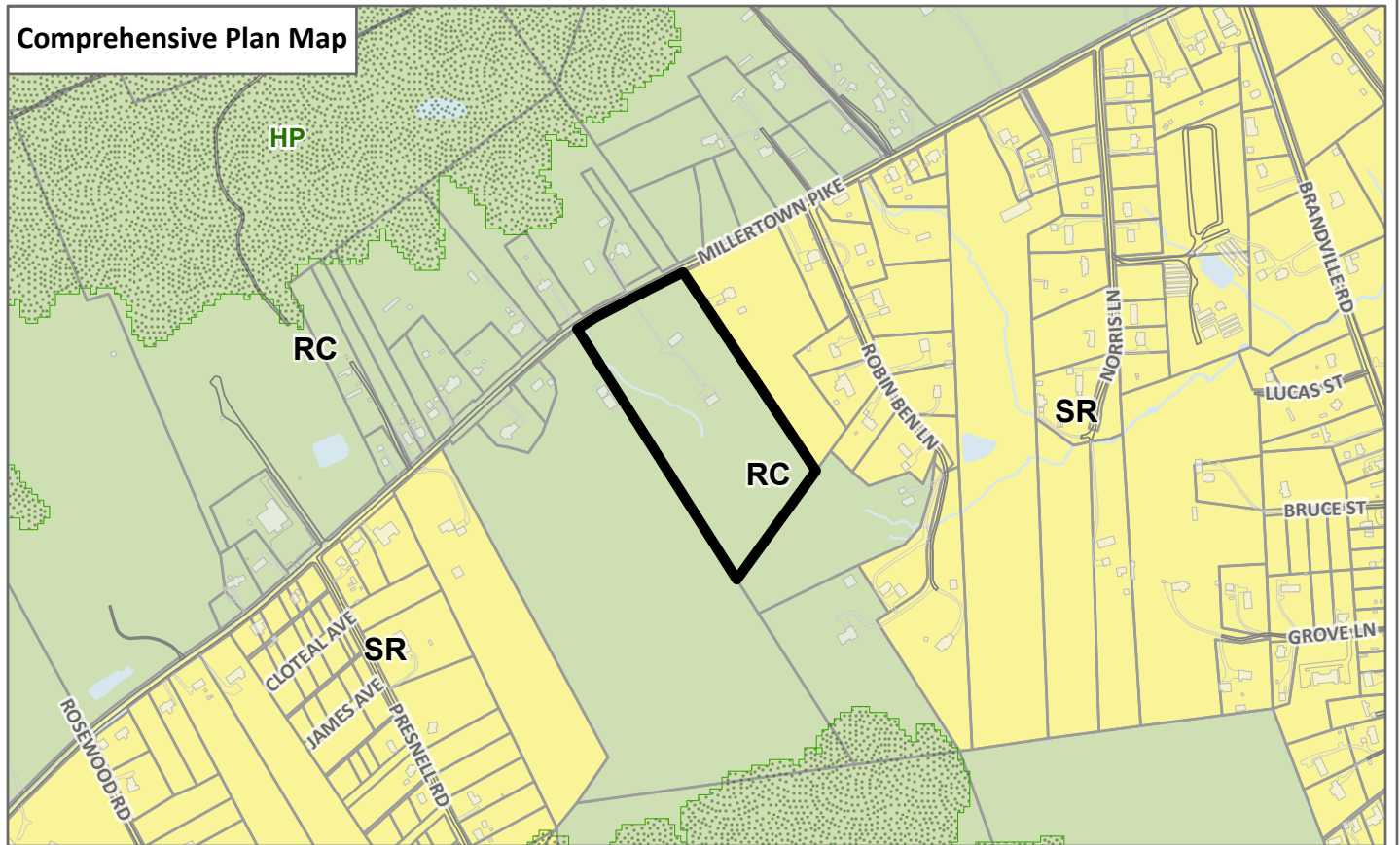
Case boundary



Zoning Map



Comprehensive Plan Map

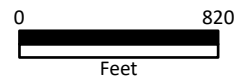


CONTEXTUAL MAPS 2

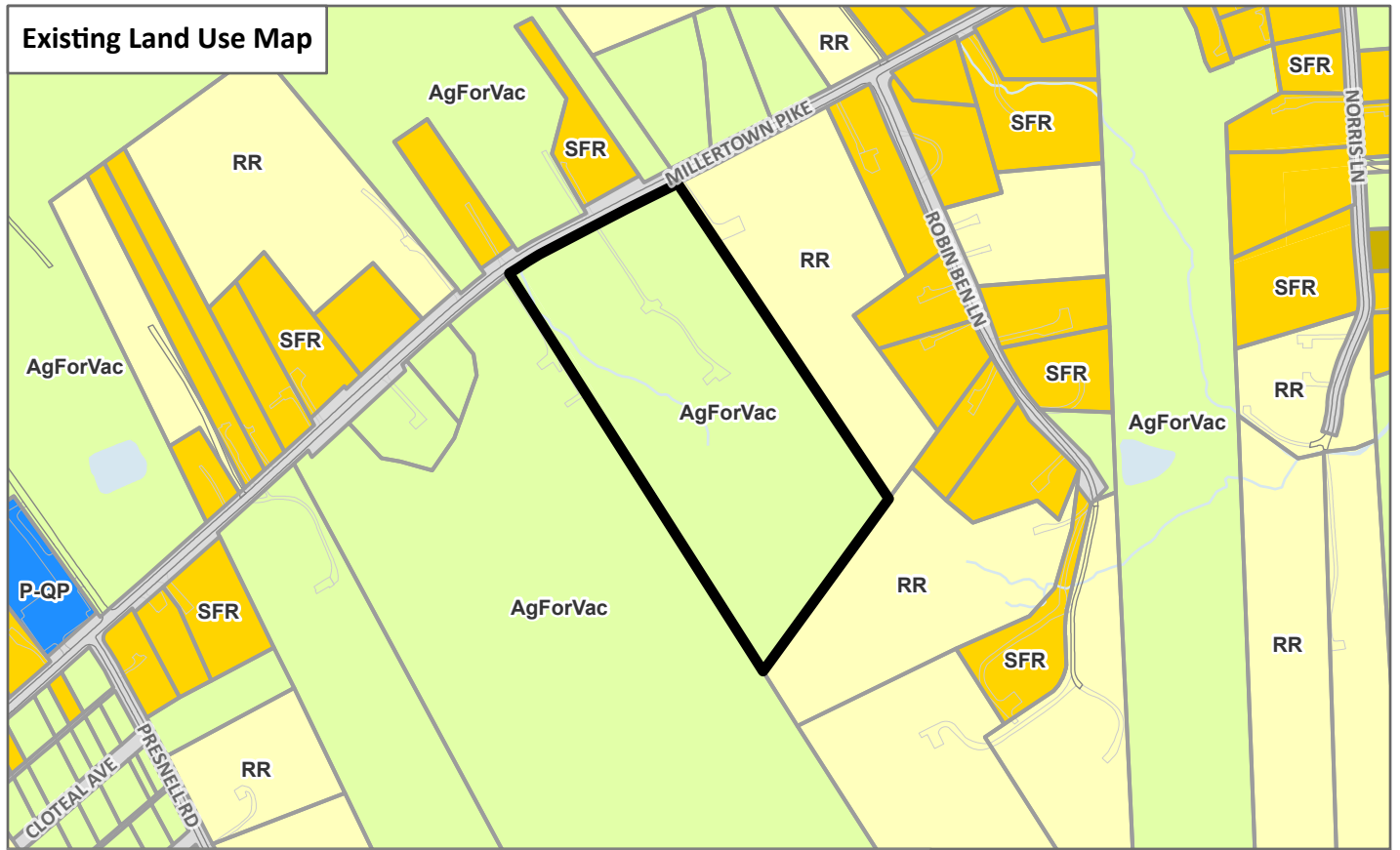
9-O-24-RZ



Case boundary



Existing Land Use Map

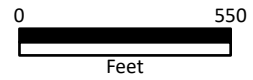


CONTEXTUAL MAPS 3

9-O-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

Homestead Land Holdings, LLC

Applicant Name

Affiliation

7/29/2024

Date Filed

9/12/2024

Meeting Date (if applicable)

9-O-24-RZ

File Number(s)

CORRESPONDENCE

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

Anderson Baker Homestead Land Holdings, LLC

Name / Company

132 Sherlake Ln Knoxville TN 37922

Address

865-328-6868 / abaker@homesteadlandholdings.com

Phone / Email

CURRENT PROPERTY INFO

Betty Ruth Smith

Owner Name (if different)

Owner Address

Owner Phone / Email

7514 MILLERTOWN PIKE

Property Address

50 199

Parcel ID

13.61 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utility District

Sewer Provider

Northeast 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

| | |
|---|-------------------------------|
| <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 | Total Number of Lots Created |
| <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 5 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 |
|-------------------|-------|
| \$1,330.50 | |
| 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 | Homestead Land Holdings, LLC Please Print | 7/29/2024 Date |
|---------------------|---|--------------------------|

| | | |
|--------------------------|---|--------------------------|
| Phone / Email | | |
| Property Owner Signature | Betty Ruth Smith Please Print | 7/29/2024 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

Homestead Land Holdings, LLC

Applicant Name

Affiliation

7/25/2024

9/12/24

File Number(s)

Date Filed

Meeting Date (if applicable)

9-O-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

Anderson Baker

Homestead Land Holdings, LLC

Name

Company

132 Sherlake

Knoxville

TN

37922

Address

City

State

ZIP

865-328-6868

abaker@homesteadlandholdings.com

Phone

Email

CURRENT PROPERTY INFO

Betty Ruth Smith

Emailed to Planning, available upon request

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7514 Millertown Pike

050 199

Property Address

Parcel ID

KUB

HPUD

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type
CITY COUNTY

Growth Policy Plan Designation

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 **PR<5**

- Plan Amendment Change
 Proposed Plan Designation(s) ~~Suburban Residential~~

Proposed Density (units/acre) **4.99 5 du/ac**

Previous Rezoning Requests **NA**

Other (specify) _____

Pending Plat File Number

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 |
| 0802 | | 1,330.50 |
| 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



Homestead Land Holdings, LLC

7/24/24

Applicant Signature

Please Print

Date

865-328-6868

abaker@homesteadlandholdings.com

Phone Number

Email



Betty Ruth Smith

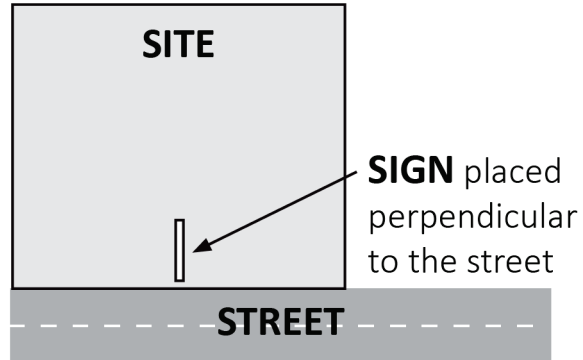
07/29/2024, SG

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:

_____ 08/30/2024 _____ and _____ 09/13/2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Homestead Land Holdings, LLC

Date: 07/29/2024

File Number: 9-O-24-RZ

- Sign posted by Staff
- Sign posted by Applicant