



SPECIAL USE REPORT

► **FILE #:** 2-C-25-SU

AGENDA ITEM #: 37

AGENDA DATE: 2/13/2025

► **APPLICANT:** MILLARD BEETS DEVELOPMENT LLC

OWNER(S): David Presley Millard Beets Development LLC

TAX ID NUMBER: 93 N B 00701,00703,00704,00705

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 0 MILLARD BEETS RD (0, 0, 0 MILLARD BEETS RD)

► **LOCATION:** Northwest side of Millard Beets Rd, northwest of Kim Watt Rd

► **APPX. SIZE OF TRACT:** 1.68 acres

SECTOR PLAN: Northwest City

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

ACCESSIBILITY: Access would be via Millard Beets Road, a local street with a pavement width which varies from 14 to 16 ft within a 45 ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Third Creek

► **ZONING:** RN-3 (General Residential Neighborhood), (C) (Previously Approved Planned District), HP (Hillside Protection Overlay)

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

► **PROPOSED USE:** Removal of the previously approved planned district designation (C)

HISTORY OF ZONING: Rezoned from R-1 (Single Family Residential) and R-1A (Low Density Residential) to RP-1 (Planned Residential) at 5.9 du/ac in 1996 (12-I-96-RZ)

SURROUNDING LAND USE AND ZONING:

North: Agriculture/forest/vacant land, single family residential - RN-3 (General Residential Neighborhood), (C) Former Planned District, HP (Hillside Protection Overlay)

South: Single family residential - RN-3 (General Residential Neighborhood)

East: Single family residential - RN-1 (Single Family Residential Neighborhood)

West: Multifamily residential, single family residential - RN-3 (General Residential Neighborhood), (C) Former Planned District, HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This area is primarily comprised of single family dwelling units on individual lots, though the neighboring property to the west has a series of duplexes.

STAFF RECOMMENDATION:

► **Approve the request to remove the previously approved planned district (C) designation.**

COMMENTS:

Prior to the adoption of the current zoning ordinance, the subject property was zoned RP-1 (Planned Residential) up to 5.9 du/ac (12-I-96-RZ). The former RP-1 zoning provided optional methods of land development to encourage more imaginative solutions to environmental design problems, and was intended to establish a unified building and site development program. The RP-1 zoning district required a use-on-review development plan prior to the permitting process to establish a new use on the site.

Per Article 1.4.G (Previously Approved Planned Districts) of the City of Knoxville Zoning Ordinance, all previously approved planned districts remained in effect and are subject to all plans, regulations, and/or conditions of their approval. The previously approved plans for this RP-1 district included adding 10 multi-family dwelling units with an open space area to an existing multi-family development (5-F-98-UR).

Under the adoption of the City Zoning Ordinance on January 1, 2020, this property was assigned the RN-3 (General Residential Neighborhood) zoning district and HP (Hillside Protection Overlay) but retained the previously approved planned district (C) designation.

If the former RP-1 zoning is removed from the site, the existing RN-3 and HP zoning districts would apply to any proposed development. Before plans can be approved for a change to the site or use, the "C" designation must be removed via a special use.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. Removal of the previous planned district is not a use in and of itself. The land where the "C" designation exists would be developed, and the determination of the use in the zoning district and its consistency with the One Year Plan and the Northwest City Sector Plan would be applicable at that time.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The RN-3 zoning district is intended to accommodate medium density residential neighborhoods characterized by one and two-family homes. Limited nonresidential uses compatible with the district's character may also be permitted.

B. Removal of the previously approved planned district designation would not cause nonconformance with the City of Knoxville's Zoning Ordinance.

C. Any proposed development will be required to be consistent with the general purpose and intent of the RN-3 district and the City's Zoning Code.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. This special use request is to remove a former planned district designation on a parcel that was part of a development plan approved in 1998. Since this request is not for a specific use, it is not out of compliance with this section of the zoning ordinance.

B. Removal of the "C" designation will enable uses permitted in the RN-3 zoning district, which is intended to support residential areas. The suitability of an intended use will be determined when a use is proposed.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. Removal of the previous planned district is not a specific use and its removal will not significantly injure the value of adjacent property.

B. All properties are required to comply with Article 10 of the City of Knoxville Zoning Ordinance, which regulates the aforementioned impacts.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. Since the removal of the previous planned district is not a specific use, its removal will not draw traffic.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT

FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for future development that is anticipated to occur at this site.

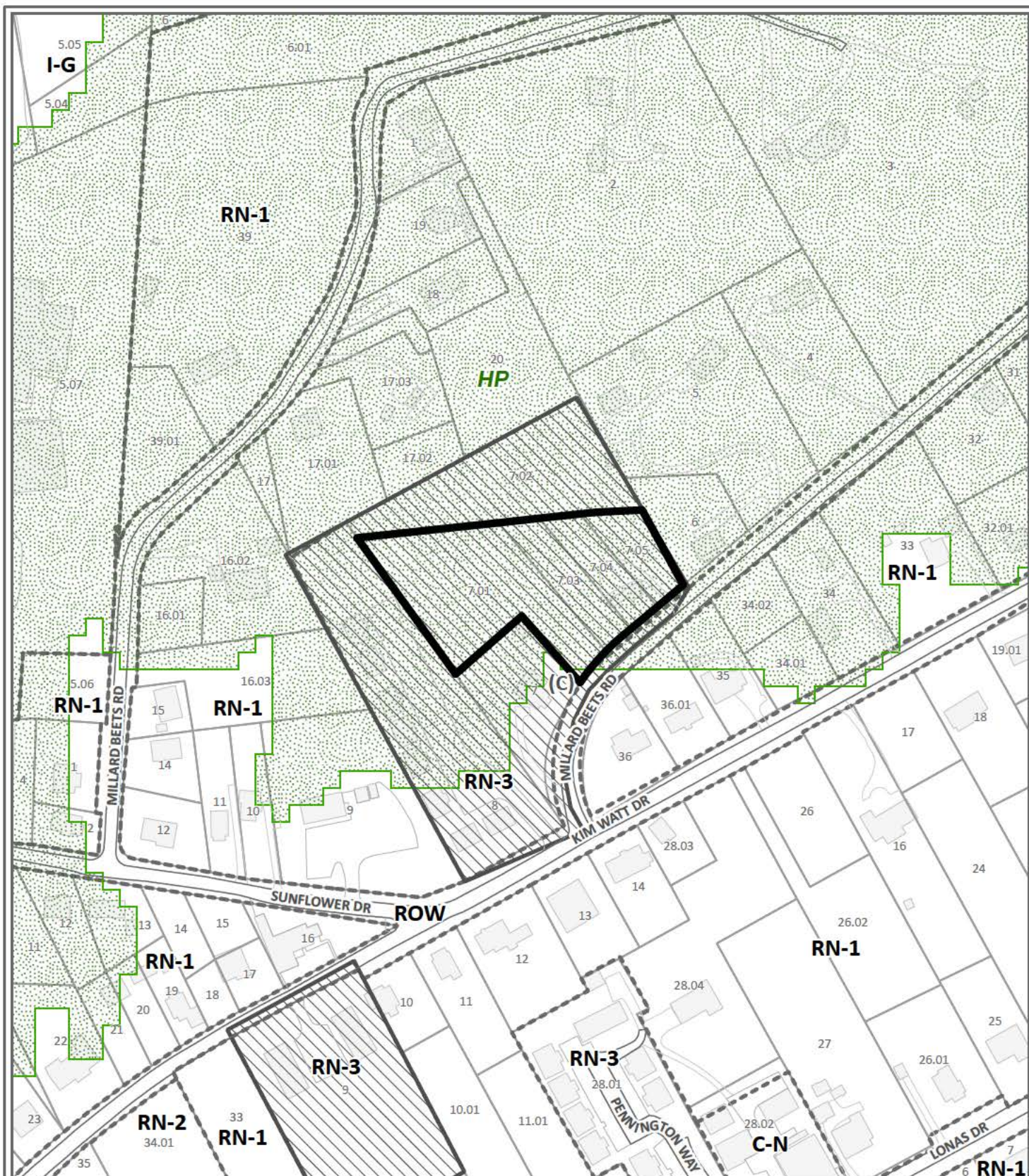
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Pond Gap Elementary, Northwest Middle, and West 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 3/4/2025 and 3/18/2025. 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.



SPECIAL USE

2-C-25-SU

Petitioner: Millard Beets Development LLC



Removal of the previously approved planned district designation (C) in RN-3 (General Residential Neighborhood), HP (Hillside Protection Overlay), (C) (Previously Approved Plan District)

Original Print Date: 1/3/2025

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

Map No: 93
Jurisdiction: City

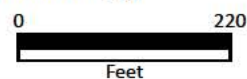
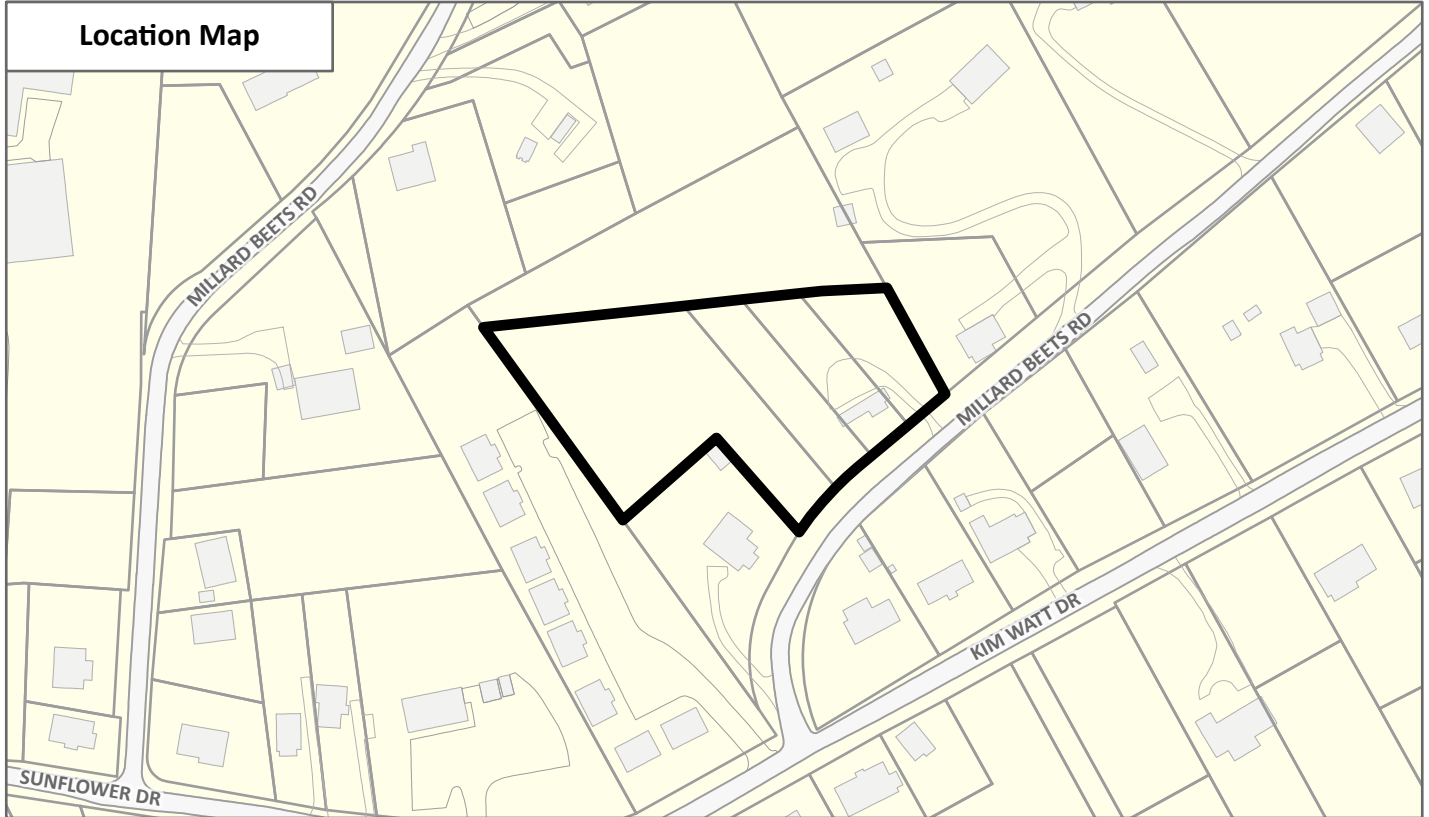


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

2-C-25-SU

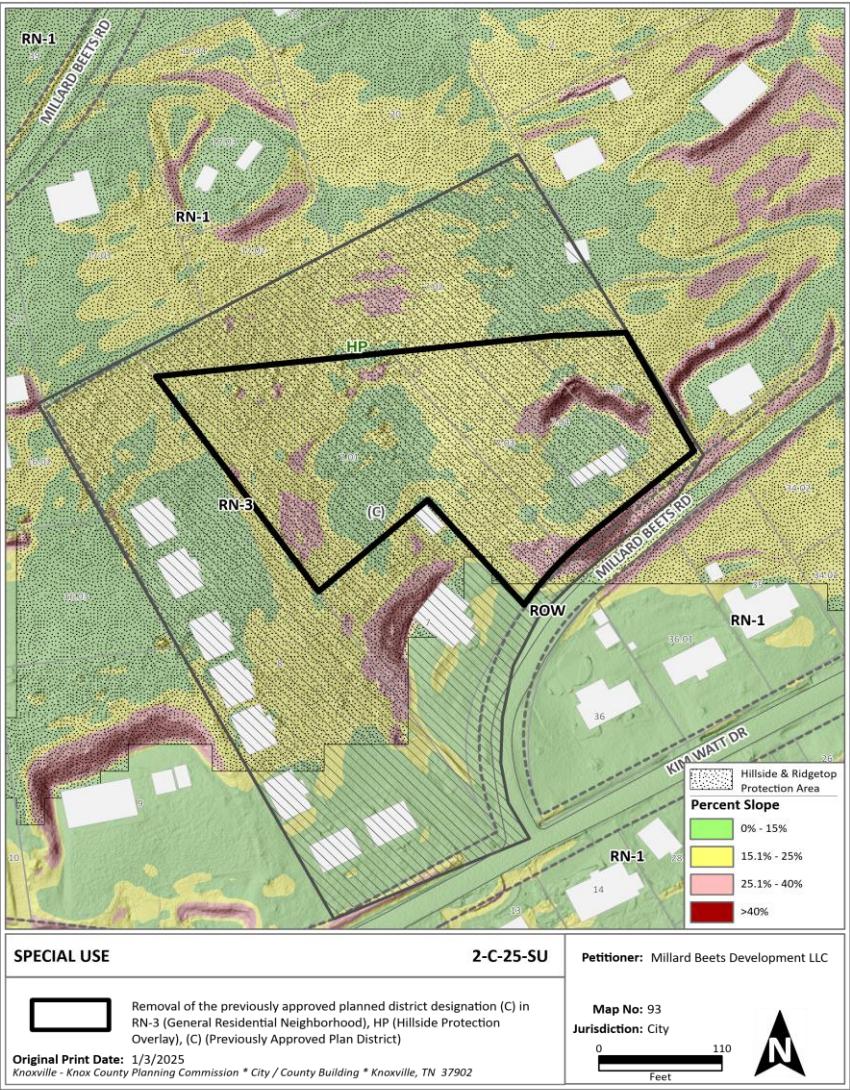


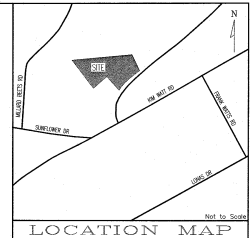
Case boundary

0 220
Feet



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	73,156.3	1.7			
Non-Hillside	373.2	0.0	N/A		
0-15% Slope	18,819.2	0.4	100%	18,819.2	0.4
15-25% Slope	46,095.1	1.1	50%	23,047.6	0.5
25-40% Slope	6,095.7	0.1	20%	1,219.1	0.0
Greater than 40% Slope	1,773.1	0.0	10%	177.3	0.0
Ridgetops					
Hillside Protection (HP) Area	72,783.2	1.7	Recommended disturbance budget within HP Area	43,263.3	1.0
			Percent of HP Area	59.4%	





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OWNER/DEVELOPER
MILLARD BEETS
DEVELOPMENT, LLC C/O
DAVID PRESLEY
705 GATE LN, SUITE 262
KNOXVILLE, TN 37909
865-

	DESIGNED											SCALE HORIZONTAL: 1"=30' VERTICAL: 2" INTERVAL		PLAT REFERENCE: INSTR. #202311130024472 DEED REFERENCE: INSTR. #202410290023293		DEVELOPMENT PLAN FOR DAVID PRESLEY ON MILLARD BEETS ROAD		25183-SP
	DRAWN											DATE 12/18/24				TAX MAP 93NB PARCELS 7.01, 7.03, 7.04 & 7.05 48TH WARD, CITY OF KNOXVILLE, CITY BLOCK #50310, DISTRICT 6, KNOX COUNTY, TENNESSEE		SHEET 1 OF 1 SHEET(S)
	CHECKED											12/18/24		1"=30'				
	DBH NO. DATE REVISION APPR. NO. DATE REVISION APPR.																	



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

MILLARD BEETS DEVELOPMENT LLC c/o DAVID PRESLEY

Applicant Name

Affiliation

12/30/2024

Date Filed

2/13/2025

Meeting Date (if applicable)

File Number(s)

2-C-25-SU

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

DAVID Harbin

Name

Batson James Noevel + Pae

Company

4334 Papermill

Address

Knoxville

City

Tn

State

31909

ZIP

865-588-6472

Phone

Email

CURRENT PROPERTY INFO

705 Gate Ln, suite 262
Knoxville, TN 31909

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 MILLARD BEETS RP TAX MAP 93MB PARCELS 7.01, 7.03, 7.04 + 7.05

Property Address

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

NO

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & 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 ☒ Use on Review / Special Use ☐ Hillside Protection COA
☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Related City Permit Number(s) _____

Other (specify) Duplex units Removal of the previously approved planned district designation (C)**SUBDIVISION REQUEST**

Proposed Subdivision Name _____

Related Rezoning File Number _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created _____☐ Other (specify) _____☐ Attachments / Additional Requirements _____**ZONING REQUEST**☐ Zoning Change _____
Proposed Zoning _____

Pending Plat File Number _____

☐ Plan Amendment Change _____
Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____ Previous Rezoning Requests _____

☐ 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	\$500.00
Fee 3	

By signing below, 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. If there are additional owners or options
holders, each additional individual must sign the Property Owners/Option Holders Form.

David B. Harbin
Applicant SignatureDAVID HARBIN
Print Name / Affiliation12-23-24
Date588-6472
Phone Number

Email

David Prooley
Property Owner SignatureDavid Prooley
Please Print

12/30/2024, SG

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

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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.

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

☐ Yes ☒ No

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

Date to be Posted

Date to be Removed


Applicant Signature

Applicant Name

Date

12-27-24

FILE NUMBER



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01/31/2025

Date to be Posted

02/14/2025

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

David Harbin, Engineer

Millard Beets Development LLC

Applicant Name

12-27-24

Date

2-C-25-SU

FILE NUMBER