

REZONING REPORT

▶ **FILE #:** 3-H-25-RZ

AGENDA ITEM #: 35

AGENDA DATE: 3/13/2025

▶ **APPLICANT:** BALL HOMES, LLC

OWNER(S): Brandon & Jocelyn Gibson

TAX ID NUMBER: 129 03512, 03513, 03514, 03515, 03516

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 HICKORY CREEK RD (0 HICKORY CREEK RD; 0, 2300, 2304 WEST GALLAHER FERRY RD)

▶ **LOCATION:** North side of Hickory Creek Rd, east of W Gallaher Ferry Way

▶ **APPX. SIZE OF TRACT:** 16.566 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via West Gallaher Ferry Road, a local street with a pavement width of 20 ft within a 50 ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Karns Fire Department

WATERSHED: Conner Creek

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

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

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Rural Residential

▶ **DENSITY PROPOSED:** up to 3.5 du/ac

EXTENSION OF ZONE: Yes, this is an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Rural residential - A (Agricultural)

South: Single family residential - PR (Planned Residential) up to 2.8 du/ac

East: Rural residential - A (Agricultural)

West: Agriculture/forest/vacant land - PR (Planned Residential) up to 3.5 du/ac

NEIGHBORHOOD CONTEXT: This area is characterized by single family residential dwellings on a mix of large rural and smaller suburban lots. Undeveloped land is also prevalent in this area.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone with up to 3.5 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development.**

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. Though the surrounding area is still predominantly rural, there has been a steady increase in residential development since the early 1990s. Since 2005, zoning in this area has gradually transitioned from A (Agricultural) to PR (Planned Residential) with up to 1 to 3.5 du/ac.
2. In 2022, the Knox County Department of Engineering and Public Works installed a roundabout 0.34 miles east of the subject property at the intersection of Hardin Valley Road, Hickory Creek Road, and East Gallaher Ferry Road to improve roadway safety and efficiency.

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

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. The subject property is in the HP (Hillside Protection) area. Most of the subject property is in the up to 15% and 15-25% slope range, though there are areas with slopes in the 25-40% and above 40% ranges (Exhibit B). The PR zone is appropriate to consider here because it allows clustered development that helps to preserve slopes and natural areas.
2. The PR zone is also intended to be compatible with surrounding or adjacent zones. The recommended density of 3.5 du/ac is consistent with the surrounding residential zoning, which includes properties zoned RA (Low Density Residential) and PR with up to 1 to 3.5 du/ac.

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 PR zone ensures that site plans undergo a public review process and obtain Planning Commission approval before construction begins. The plan will be reviewed to determine whether the proposed development is compatible with the surrounding community.
2. Access to the subject property is near a sharp curve along West Gallaher Ferry Road. In 2022, a Concept Plan (4-SE-22-C) was approved west of the subject property with conditions for approval that included widening and realigning the road and improving the intersection at Hickory Creek Road. Off-site road improvements have not yet started but are required to be completed before construction can begin.

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 has the SR (Suburban Residential) place type in the Knox County Comprehensive Plan. The PR zone is considered partially related to the SR place type. Per Appendix H, additional criteria must be met for partially related zones. The PR zone with up to 3.5 du/ac meets the first criterion, as the allowable uses and lot sizes align with the preferred land use mix of the SR place type.
2. The rezoning complies with Implementation Policy 2, to ensure that development is sensitive to existing community character. The requested density of 3.5 du/ac is consistent with the surrounding PR zoning, which includes densities ranging from 1 to up to 3.5 du/ac.
3. The subject property is within the Planned Growth Area of the Growth Policy Plan, which encourages a reasonably compact development pattern. The allowable lot sizes and housing types in the PR zone support the intent of the Planned Growth Area.

ESTIMATED TRAFFIC IMPACT: 602 (average daily vehicle trips)

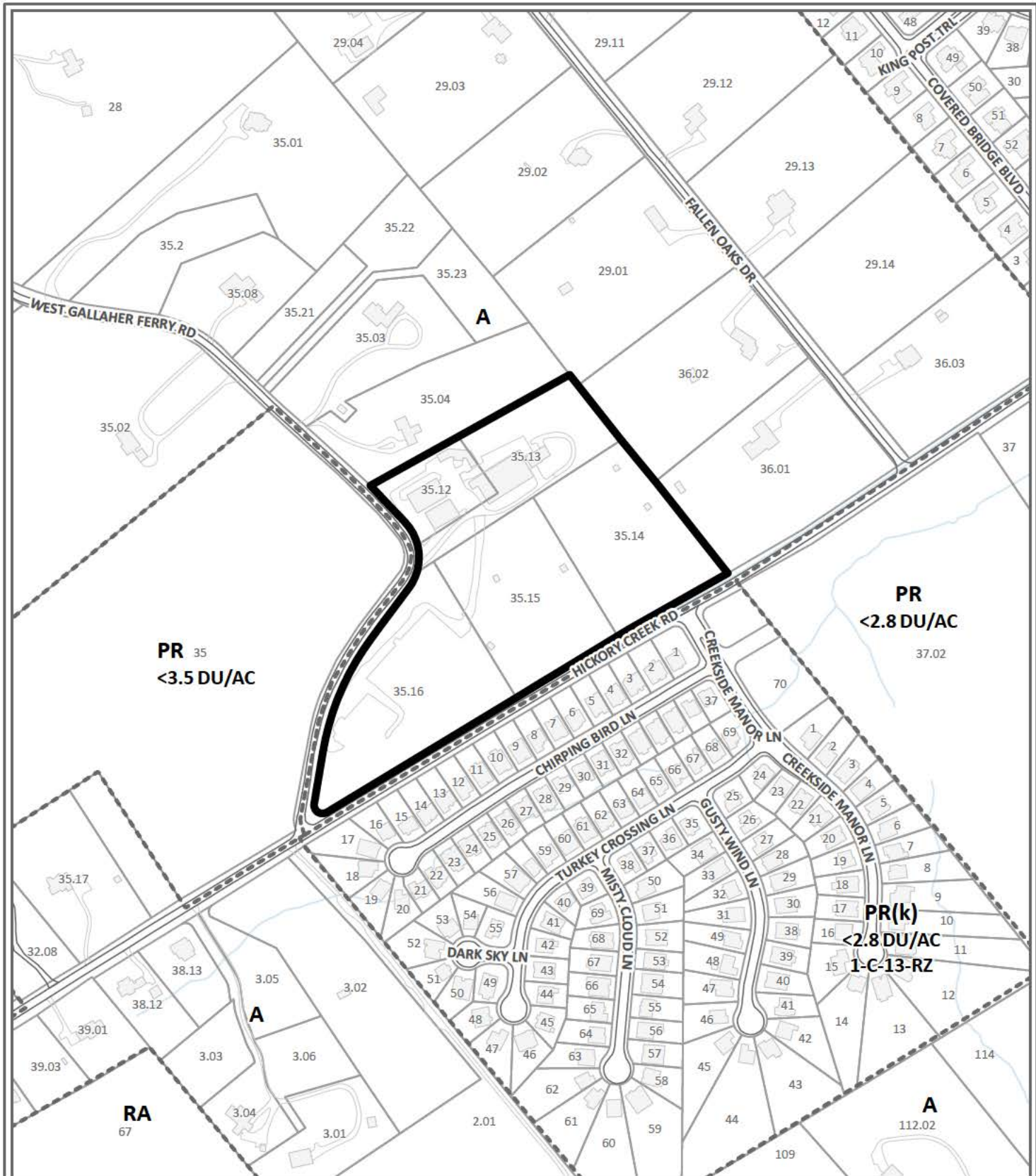
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 24 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- 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 4/21/2025. 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

3-H-25-RZ

Petitioner: Ball Homes, LLC



From: A (Agricultural)
To: PR (Planned Residential) up to 3.5 du/ac

Map No: 129
Jurisdiction: County

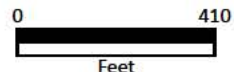
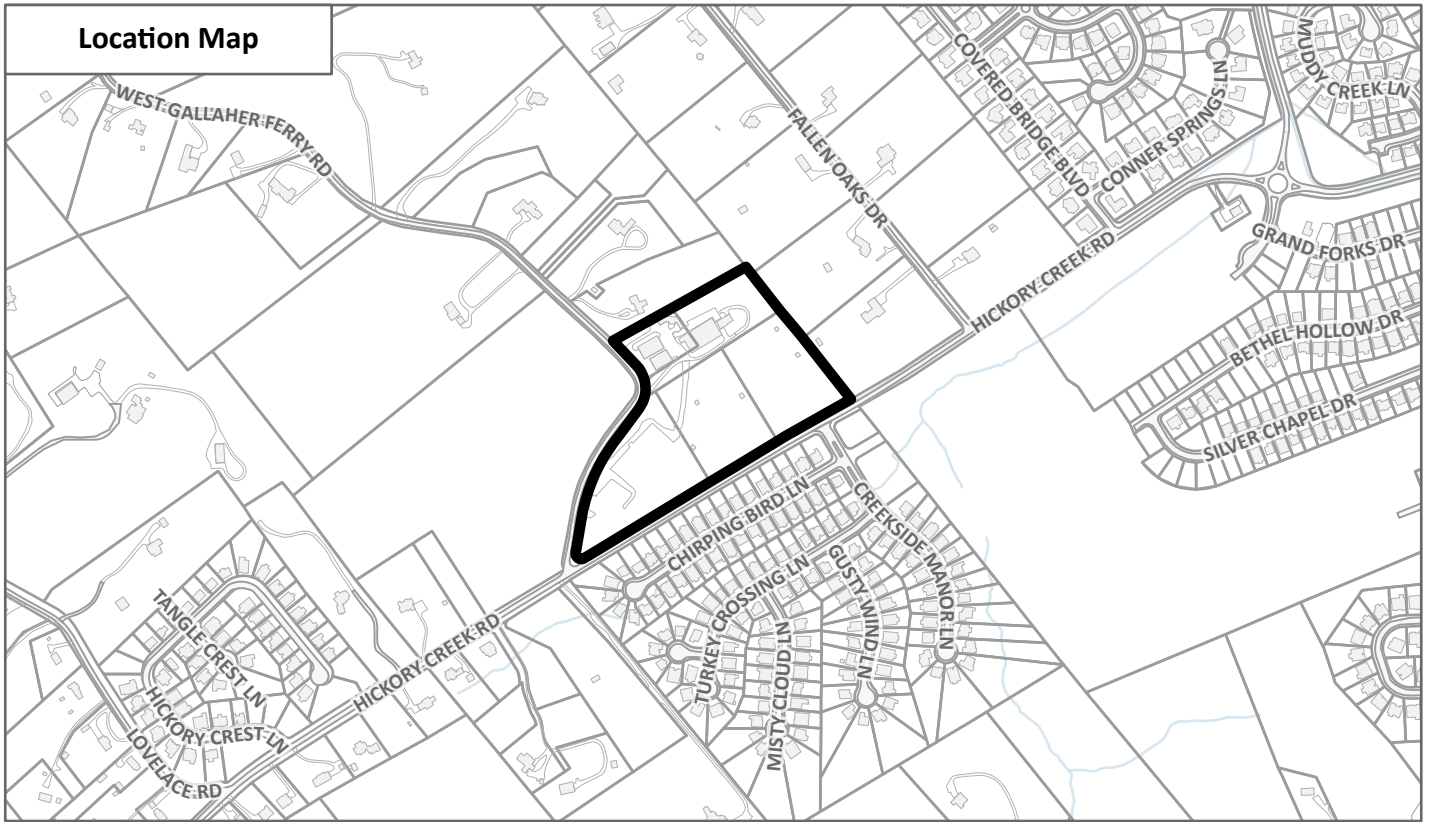


Exhibit A. Contextual Images

Location Map



Aerial Map

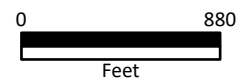


CONTEXTUAL MAPS 1

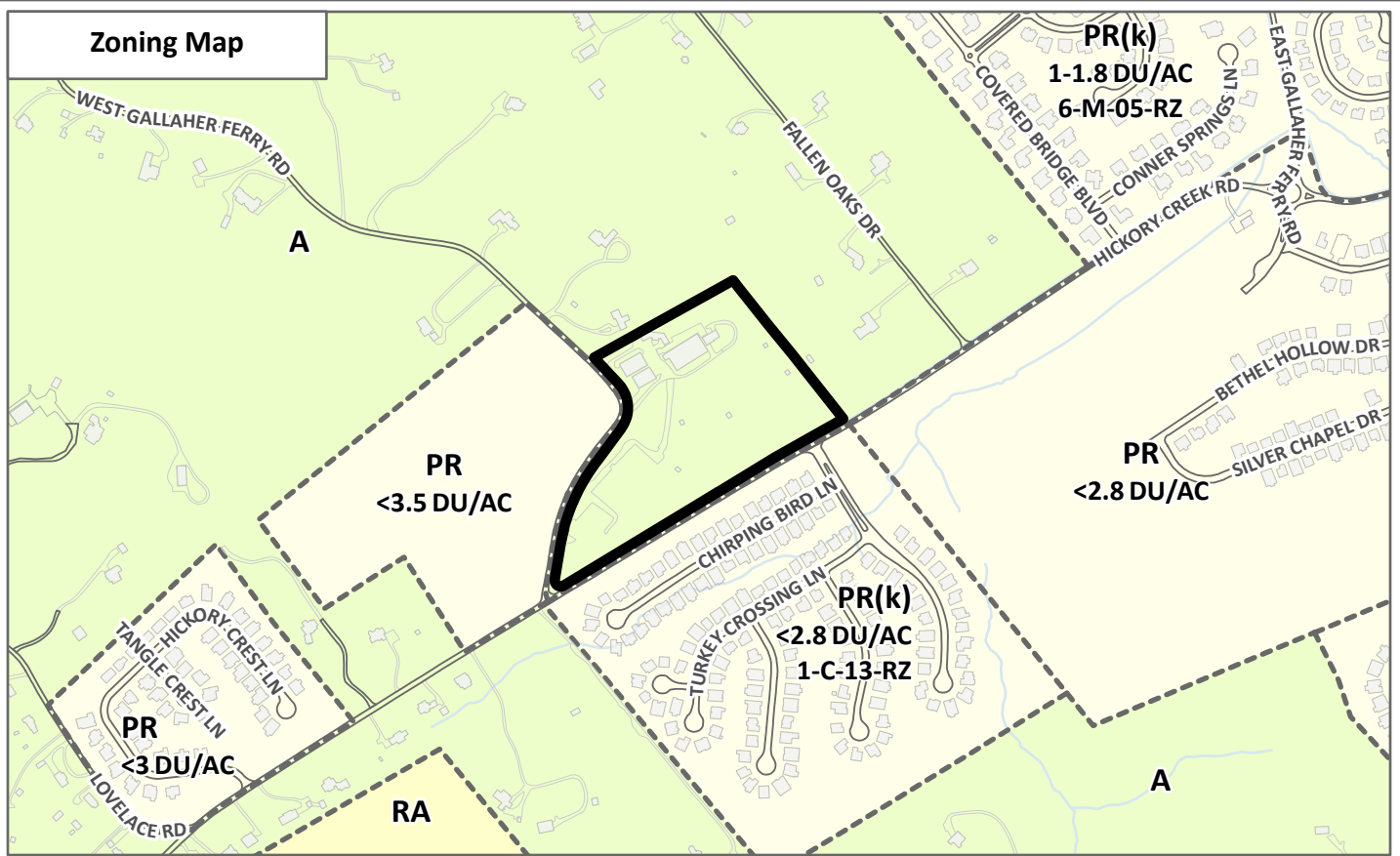
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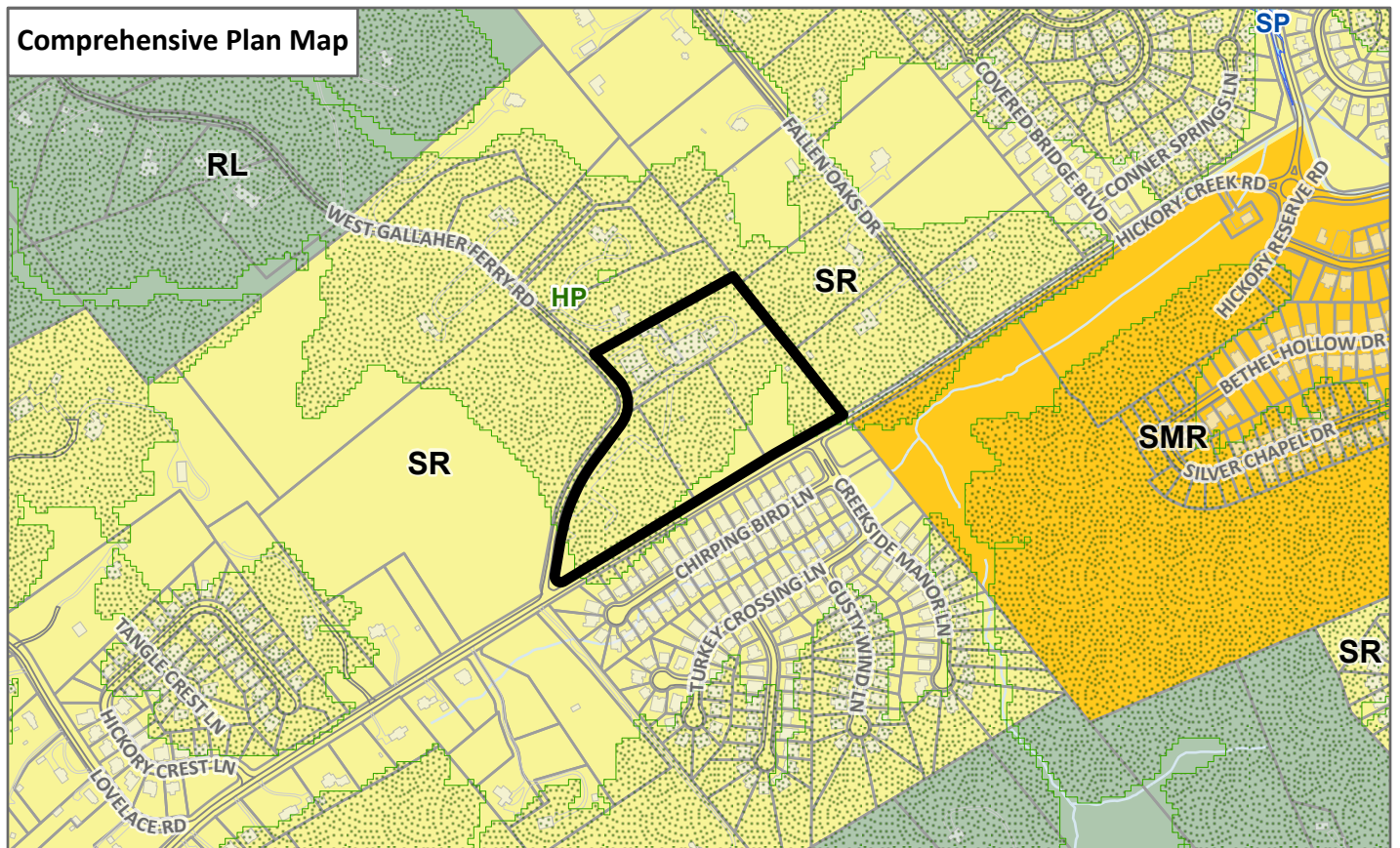
Case boundary



Zoning Map



Comprehensive Plan Map

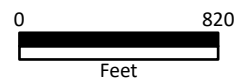


CONTEXTUAL MAPS 2

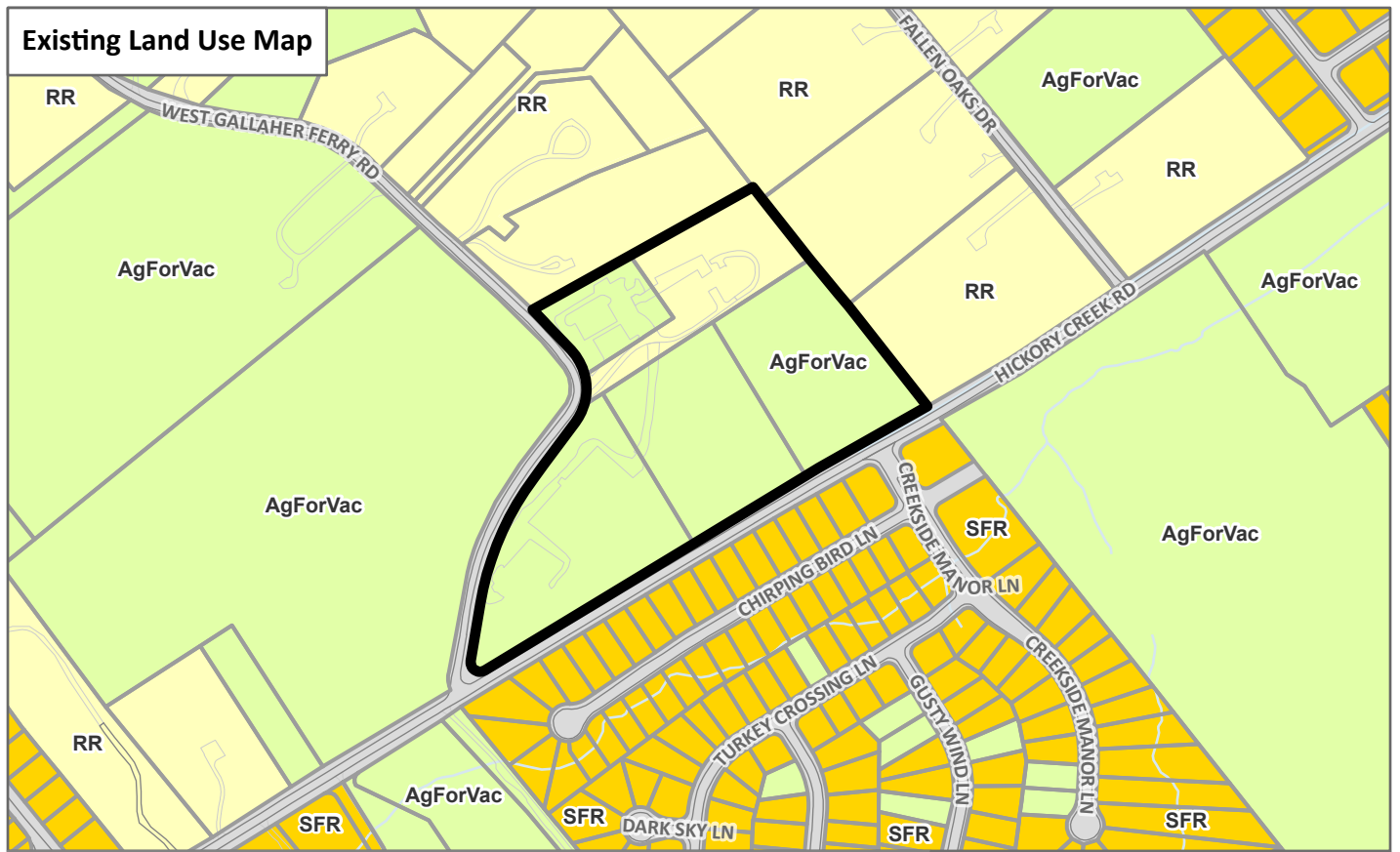
3-H-25-RZ



Case boundary



Existing Land Use Map

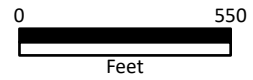


CONTEXTUAL MAPS 3

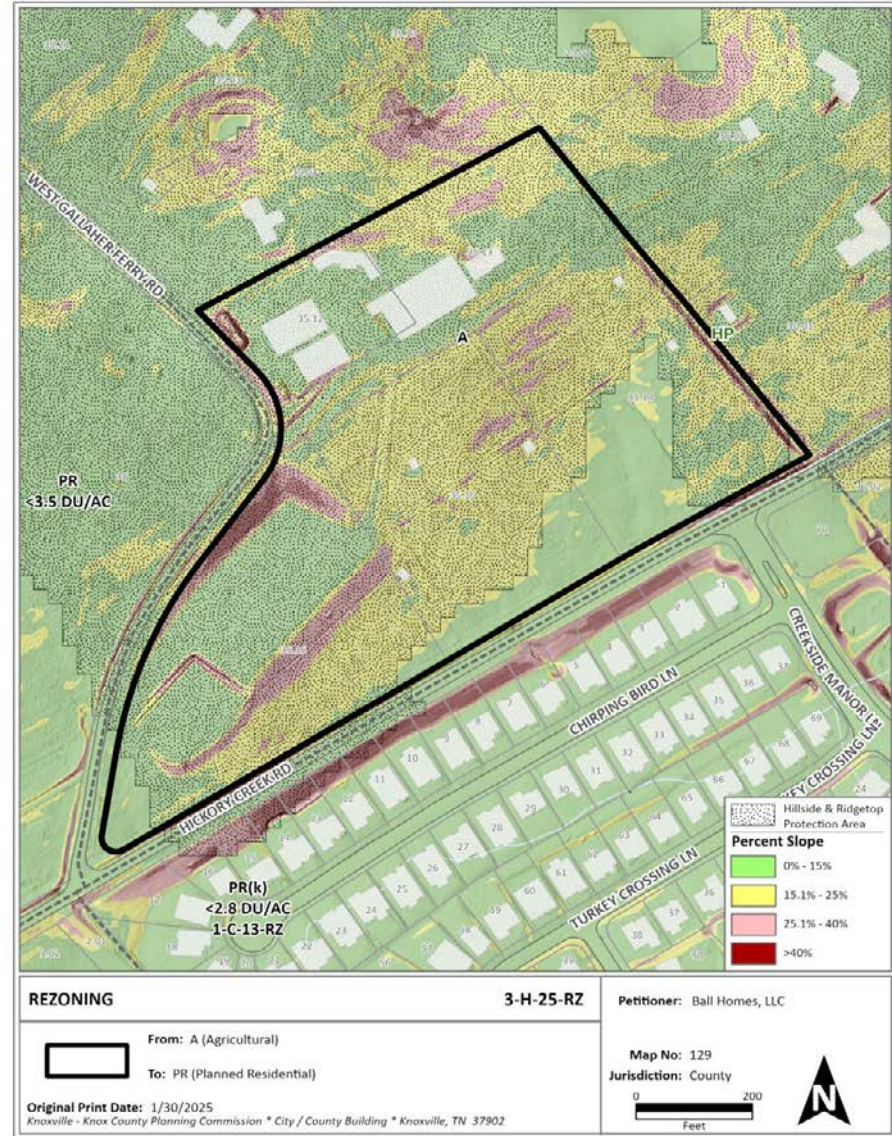
3-H-25-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	16.54		
Non-Hillside	2.18	N/A	
0-15% Slope	5.61	100%	5.61
15-25% Slope	7.07	50%	3.53
25-40% Slope	1.42	20%	0.28
Greater than 40% Slope	0.26	10%	0.03
Ridgetops			
Hillside Protection (HP) Area	14.36	Recommended disturbance budget within HP Area (acres)	9.45
		Percent of HP Area	65.8%





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

Ball Homes, LLC

Applicant Name		Affiliation	
01/23/2025	March 13, 2025	File Number(s)	
Date Filed	Meeting Date (if applicable)		

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

Mr. Brian Stephens		Ball Homes, LLC	
Name		Company	
3609 Walden Drive	Lexington	KY	40517
Address	City	State	ZIP
859-268-1191	[REDACTED]		
Phone	Email		

CURRENT PROPERTY INFO

Brandon & Jocelyn Gibson		2304 W. Gallaher Ferry Road	
Property Owner Name (if different)		Property Owner Address	
2300/2304 W. Gallaher Ferry Road & 0 Hickory Creek Road		12903512, 12903516, 12903515, 12903514	
Property Address		Parcel ID	12903513
WKUD	WKUD	N	
Sewer Provider	Water Provider	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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Combine Parcels
 Divide Parcel
 Unit / Phase Number _____ Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change
 Planned Residential (<3.5 DU/AC)
 Proposed Zoning _____

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	
Fee 3	

AUTHORIZATION

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.


 Applicant Signature

Mr. Brian Stephens
 Print Name / Affiliation

1/23/25
 Date

859-268-1191

Phone Number


 Email



Property Owner Signature

Jocelyn Gibson

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.

2/28/25

3/14/25

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

BRIAN D. STEPHENS
Applicant Name

1/23/25
Date

FILE NUMBER