

REZONING REPORT

▶ **FILE #:** 3-B-19-RZ

AGENDA ITEM #: 26

AGENDA DATE: 3/14/2019

▶ **APPLICANT:** **TOMAS A. GARCIA**
OWNER(S): Tomas A. & Maria D. Garcia

TAX ID NUMBER: 123 O C 28 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 5721 Neubert Springs Rd

▶ **LOCATION:** **West side of Neubert Springs Rd., southwest of Oliver Rd.**

▶ **APPX. SIZE OF TRACT:** **1.65 acres**

SECTOR PLAN: South County

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

ACCESSIBILITY: Access is via Neubert Springs Rd, a major collector, with a pavement width of 18' feet within a right-of-way width of 42' feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Knob Creek

▶ **PRESENT ZONING:** **R-1 (Low Density Residential)**

▶ **ZONING REQUESTED:** **R-1A (Low Density Residential)**

▶ **EXISTING LAND USE:** **Single family detached residential**

▶ **PROPOSED USE:** **Residential with detached 2- story garage with heated square footage above**

EXTENSION OF ZONE:

HISTORY OF ZONING:

SURROUNDING LAND USE AND ZONING:

North:	Single family residential - R-1 (Low density residential) & A (Agricultural)
South:	Agriculture / Forestry / Vacant - R-1 (Low density residential) & A (Agricultural)
East:	Agriculture / Forestry / Vacant - R-1 (Low density residential)
West:	Agriculture / Forestry / Vacant - A (Agricultural)

NEIGHBORHOOD CONTEXT: The area is largely single family residential, rural residential and agriculture/forestry/vacant to the south of the site. The Knoxville City Limits bound the property to the north, west and south.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE R-1A (Low Density Residential) district.**

Staff recommends R-1A (Low Density Residential) zoning consistent with the LDR (Low Density Residential) designation on the One Year Plan and the South County Sector Plan.

COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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 recommended zoning is appropriate for the subject area, is compatible with the surrounding development and zoning, and is consistent with the policies of the South County Sector Plan designations for R-1A (Low Density Residential).
2. This site is located within the Knoxville city limits of the Knoxville-Knox County-Farragut Growth Policy Plan map.

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

1. The R-1A zone is intended to provide for low to medium population density. The principal uses of land may range from houses to low density multi-dwelling structures or developments. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.
2. The recreational, religious, educational, facilities and other related uses in keeping with the residential character of the district may be permitted on review by the planning commission. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and usable open space for dwellings and related facilities and through consideration of the proper functional relationship to each use permitted in this district.

THE 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 requested R-1A zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The proposal will have no impact on schools.
3. The requested R-1A zoning at this location does not adversely affect the surrounding area or any other part of the city or county.

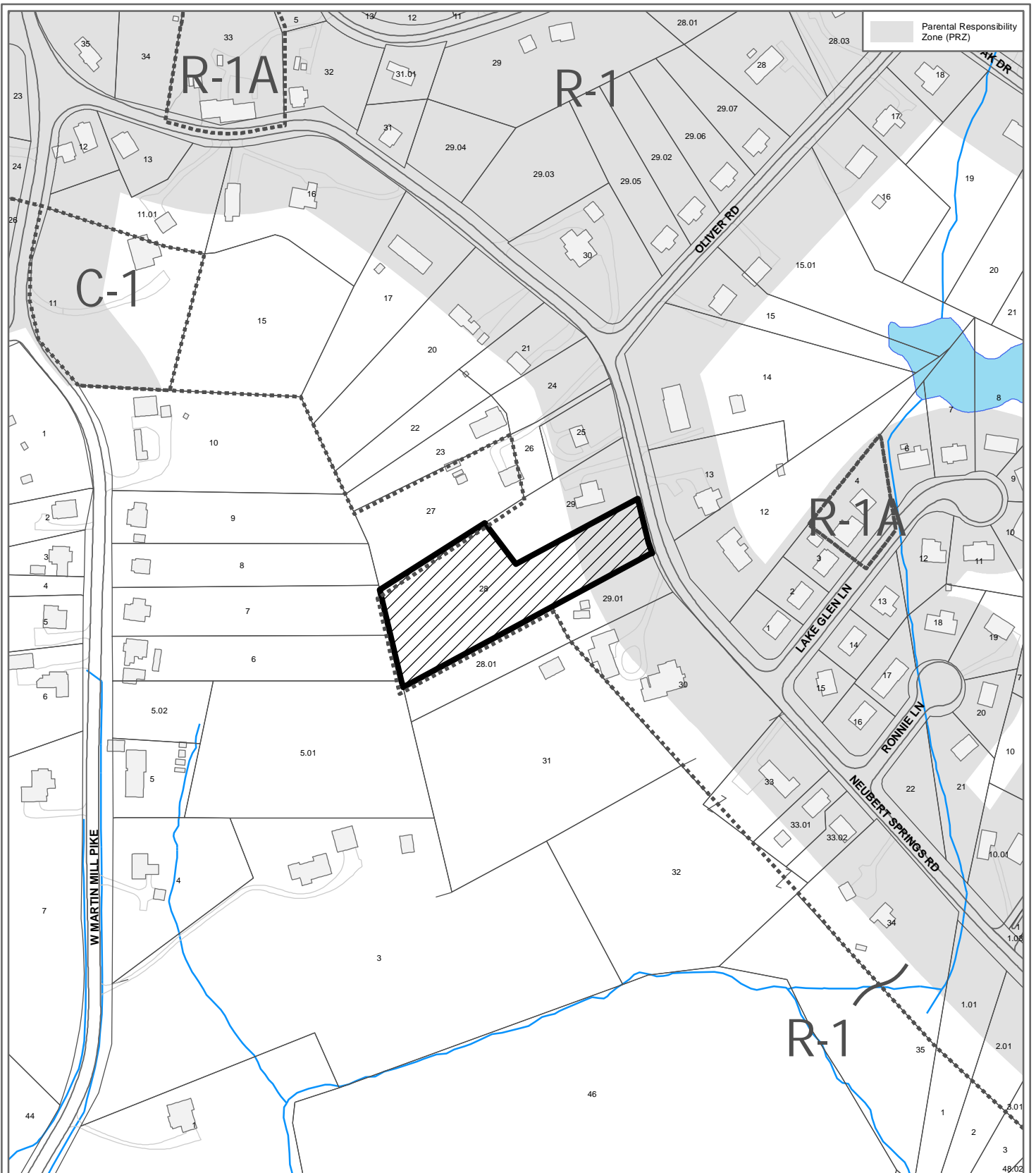
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The recommended R-1A zoning is consistent with sector plan amendment for the site.
2. The recommended zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 4/9/2019 and 4/23/2019. 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.



**3-B-19-RZ
REZONING**

From: R-1 (Low Density Residential)

To: R-1A (Low Density Residential)



Petitioner: Garcia, Tomas A.

Map No: 123

Jurisdiction: City



REZONING **PLAN AMENDMENT**

Name of Applicant: Tomas A Garcia

Date Filed: 1-28-19 Meeting Date: 3-14-19

Application Accepted by: Sherry Michienzi

Fee Amount: \$500⁰⁰ File Number: Rezoning 3-B-19-RZ

Fee Amount: _____ File Number: Plan Amendment N/A



PROPERTY INFORMATION

Address: 5721 Neubert Springs Rd, Knoxville, TN 37920

General Location: South Knoxville - off W Martin Mill Pike & Neubert Springs Rd

W/S Neubert Springs Rd
South of Oliver Rd
Parcel ID Number(s): 1230C028

Tract Size: 1.65 acres

Existing Land Use: Residential

Planning Sector: South County

Growth Policy Plan: _____

Census Tract: 56.03

Traffic Zone: 164

Jurisdiction: City Council 1 District
 County Commission 9 District

Requested Change
REZONING

FROM: R1

TO: R1-A

PLAN AMENDMENT

One Year Plan _____ Sector Plan

FROM: _____

TO: _____

PROPOSED USE OF PROPERTY

Residential with detached 2-story garage with heated square footage above.

Density Proposed 1 Units/Acre

Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**

PLEASE PRINT

Name: Tomas A & Maria D Garcia

Company: _____

Address: 5721 Neubert Springs Rd

City: Knoxville State: TN Zip: 37920

Telephone: 865-228-2544

Fax: _____

E-mail: fredyconst06@hotmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Tomas A & Maria D Garcia

Company: _____

Address: 5721 Neubert Springs Rd

City: Knoxville State: TN Zip: 37920

Telephone: 865-228-2544

Fax: _____

E-mail: fredyconst06@hotmail.com

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: MARIA GARCIA

PLEASE PRINT

Name: Tomas A Garcia

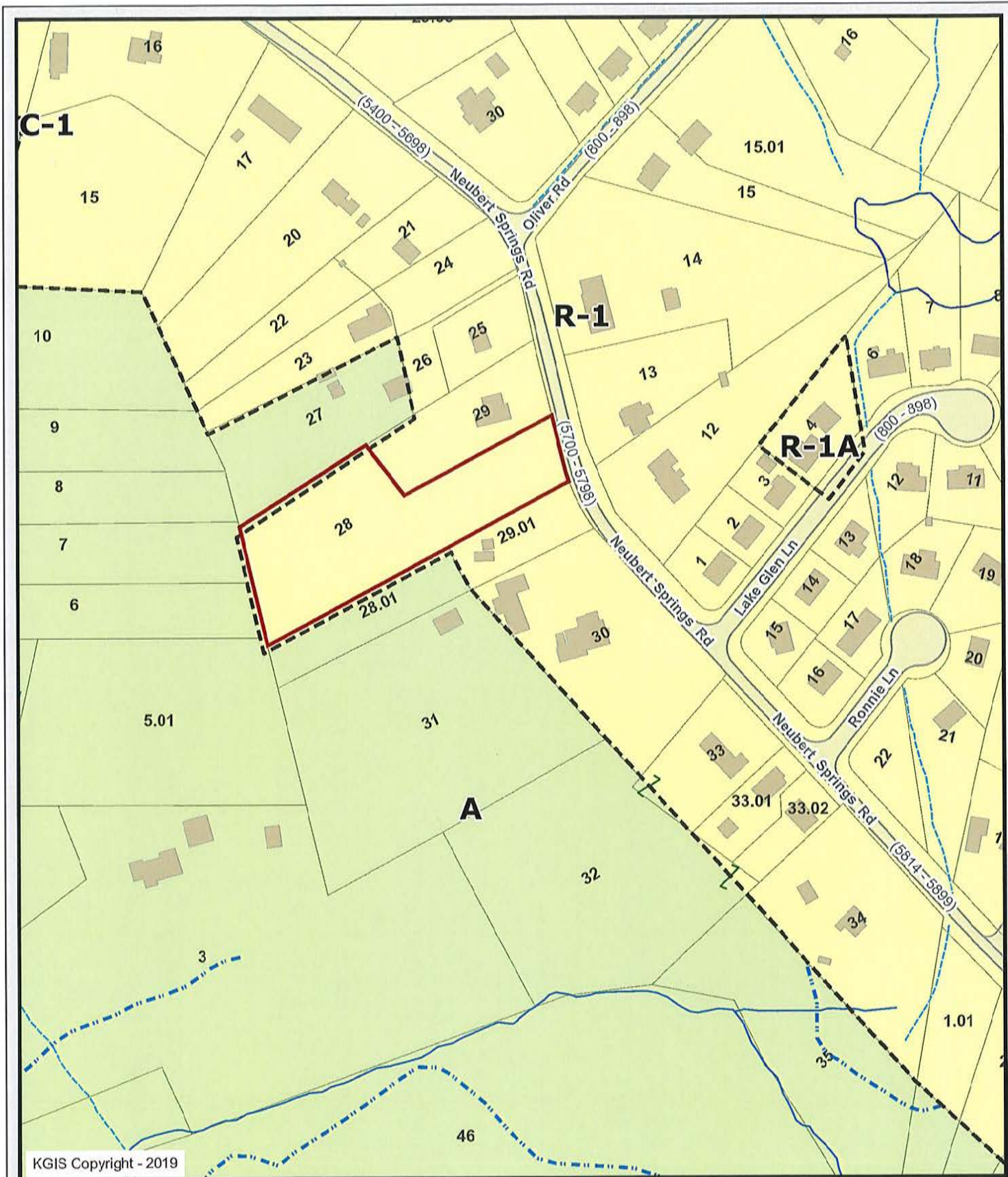
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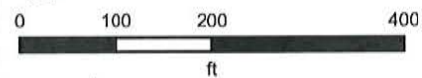
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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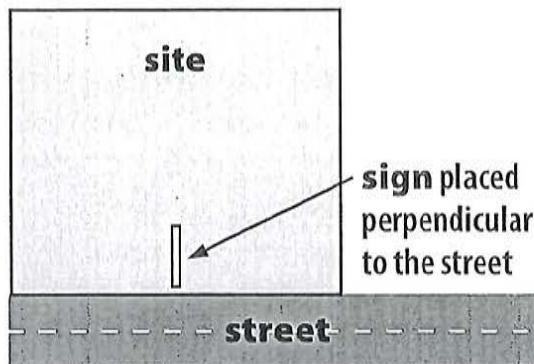
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC 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 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Feb 27th and March 15th
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Thomas A. Garcia

Printed Name: Maria Garcia MARIA GARCIA

Phone: 865-228-2544 Email: _____

Date: 3-28-19

MPC File Number: 3-B-19-RZ