

REZONING REPORT

► **FILE #:** 5-L-21-RZ

AGENDA ITEM #: 26

AGENDA DATE: 5/13/2021

► **APPLICANT:** KEVIN MELLON, TOM DALTON CONSTRUCTION

OWNER(S): Nastasja Ladden

TAX ID NUMBER: 39 255

[View map on KGIS](#)

JURISDICTION: County Commission District 2

STREET ADDRESS: 5503 Luttrell Rd.

► **LOCATION:** North side of Tazewell Pike, south side of Luttrell Road

► **APPX. SIZE OF TRACT:** 0.96 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: This property has frontage on Luttrell Road and Tazewell Pike. Luttrell Road is a local road with a 16-ft pavement width inside a 40-ft right-of-way. Tazewell Pike is a major arterial and a state route with a 22-ft pavement width inside a 70-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

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

► **ZONING REQUESTED:** RA (Low Density Residential)

► **EXISTING LAND USE:** Undeveloped land

►
EXTENSION OF ZONE: No

HISTORY OF ZONING: A rezoning from A (Agricultural) to RA (Low Density Residential) was approved by the Planning Commission but tabled by Knox County Commission in 1988 (Case 9-L-88-RZ). The item was never untabled or voted on.

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agricultural)
South: Rural residential - A (Agricultural)
East: Single family residential - RA (Low Density Residential)
West: Rural residential - A (Agricultural) and RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This is an area that has been transitioning from agricultural to Planned Residential zoning since the late 1980s.

STAFF RECOMMENDATION:

► **Approve RA zoning because it is consistent with the sector 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 DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. This area has been transitioning steadily from Agricultural zoning to residential subdivisions since the 1980s.

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

1. The RA (Low Density Residential Zone) zone is intended to provide for residential areas with low population densities. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
2. 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.

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 property is within the Urban Growth Boundary at the boundary line of the Urban Growth Boundary and the Rural Area. Both the Rural Area has and the Urban Growth Boundary have properties zoned RA (Low Density Residential) and A (Agricultural) in the area. The addition of more RA zoned property is not expected to cause any adverse impacts.
2. The property is not in a Parental Responsibility Zone, so no sidewalks would be required.
3. The lots have access to sewer lines.

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 County's Growth Policy Plan allows consideration of the RA zone inside the Urban Growth Boundary.
2. The North City Sector Plan recommends rezoning to RA and PR (Planned Residential). This change is recommended to reflect the existing low density residential land use that is predominately established in this area.

ESTIMATED TRAFFIC IMPACT: 28 (average daily vehicle trips)

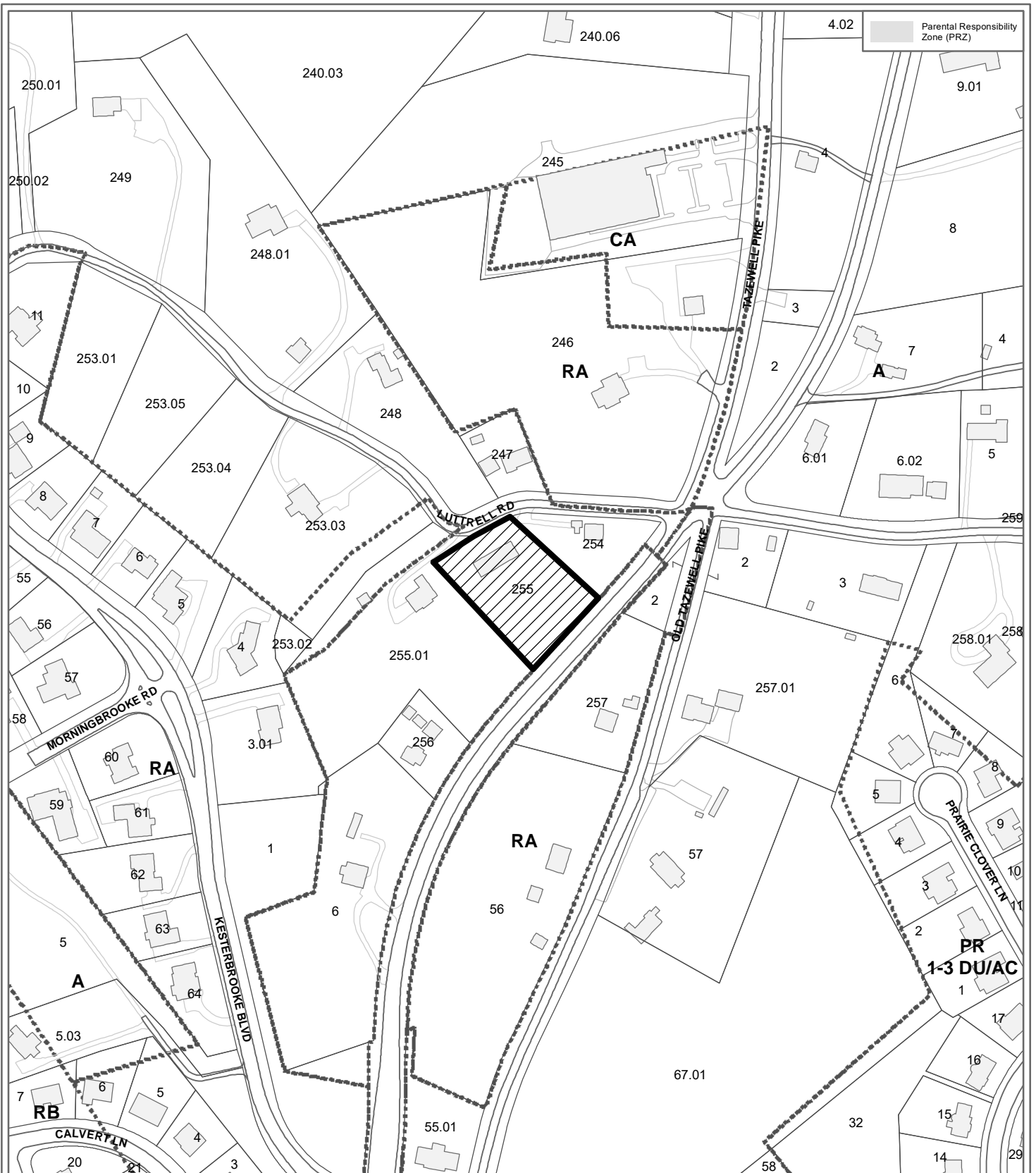
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 1 (public school children, grades K-12)

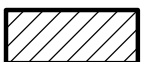
Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs High.

- 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 6/28/2021. 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.



5-L-21-RZ REZONING



From: A (Agricultural)

To: RA (Low Density Residential)

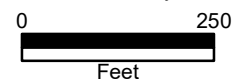
Original Print Date: 4/7/2021
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

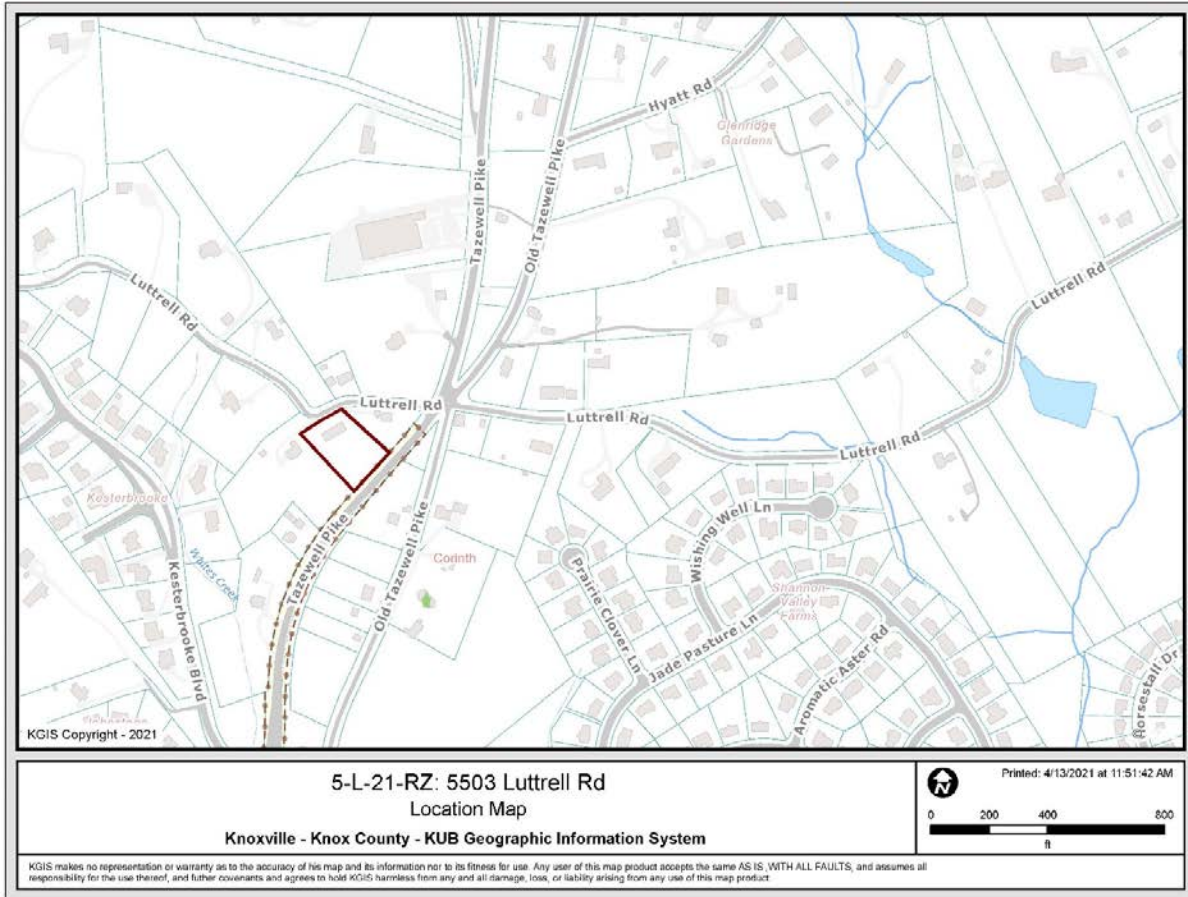
Petitioner: Mellon, Tom Dalton
 Construction, Kevin

Map No: 39

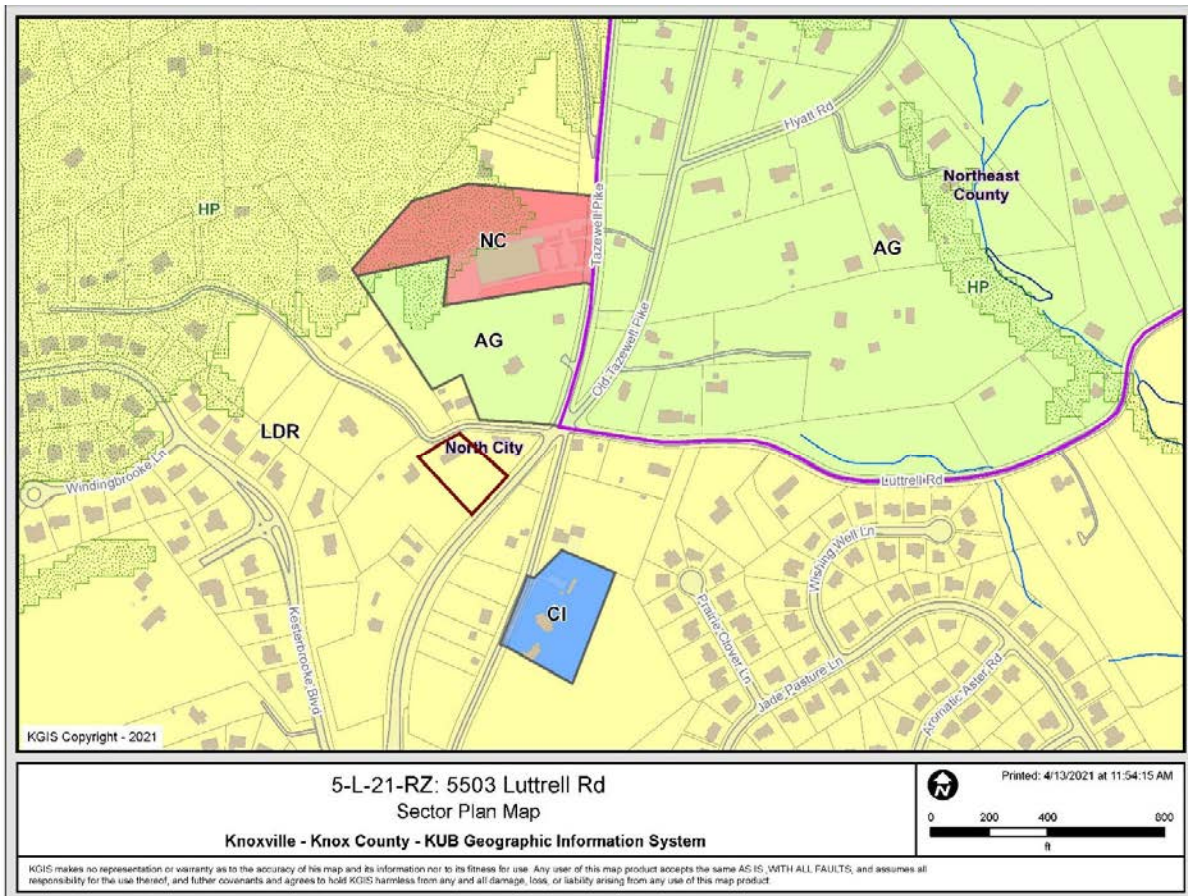
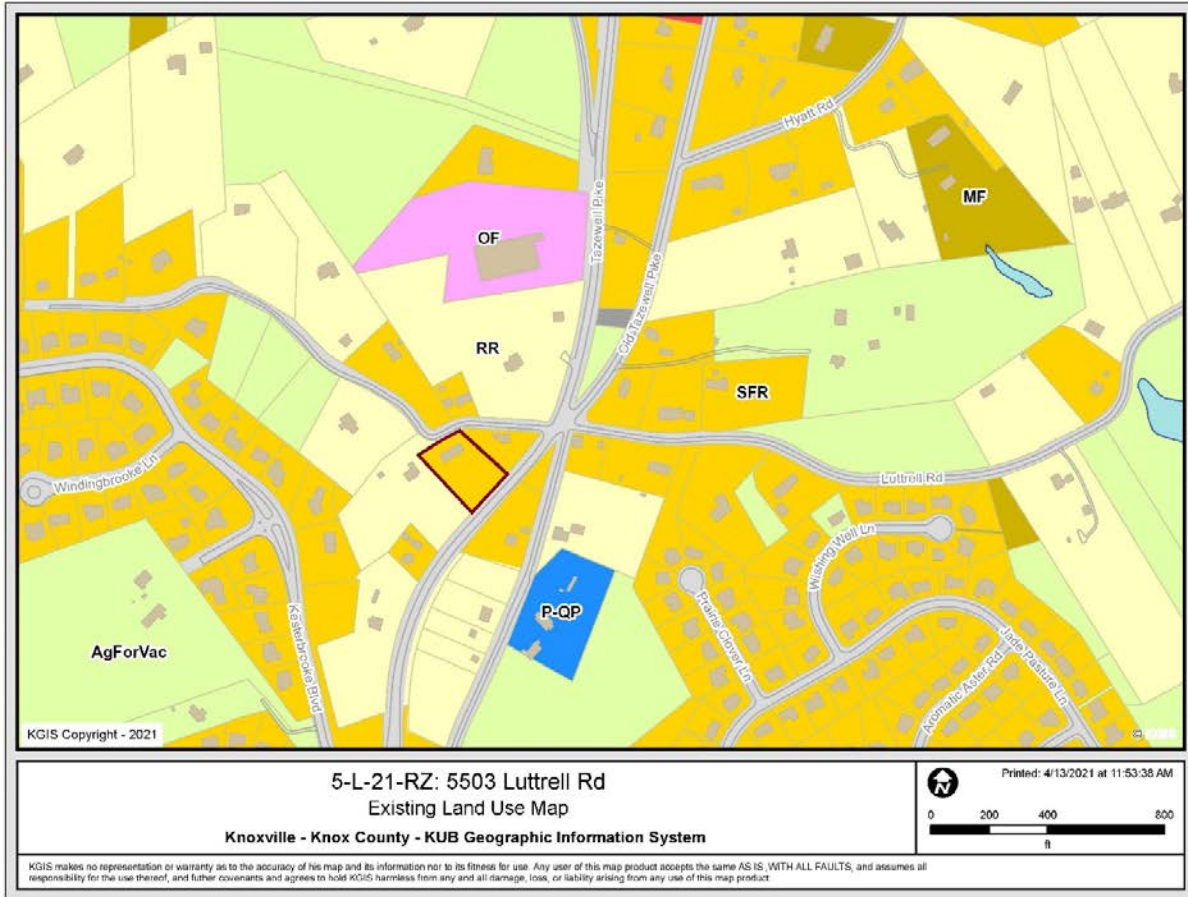
Jurisdiction: County



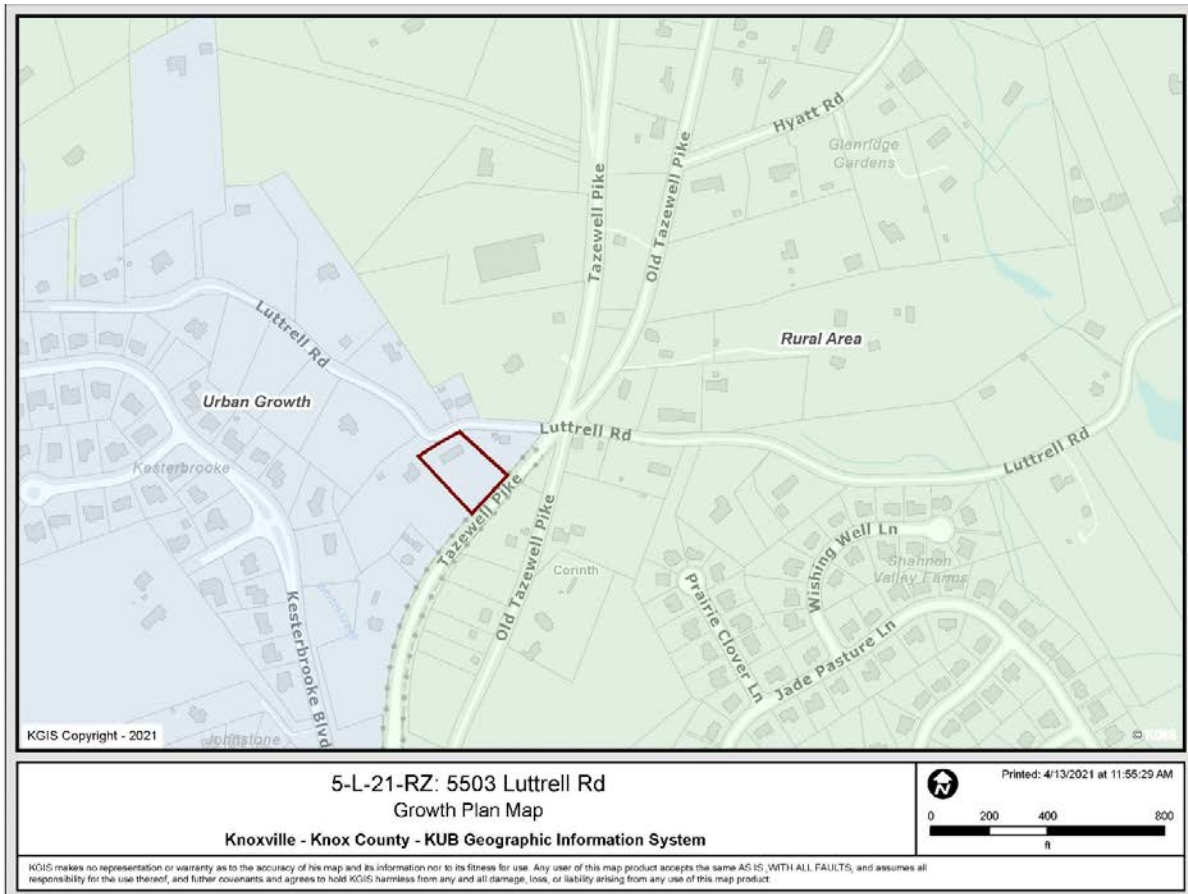
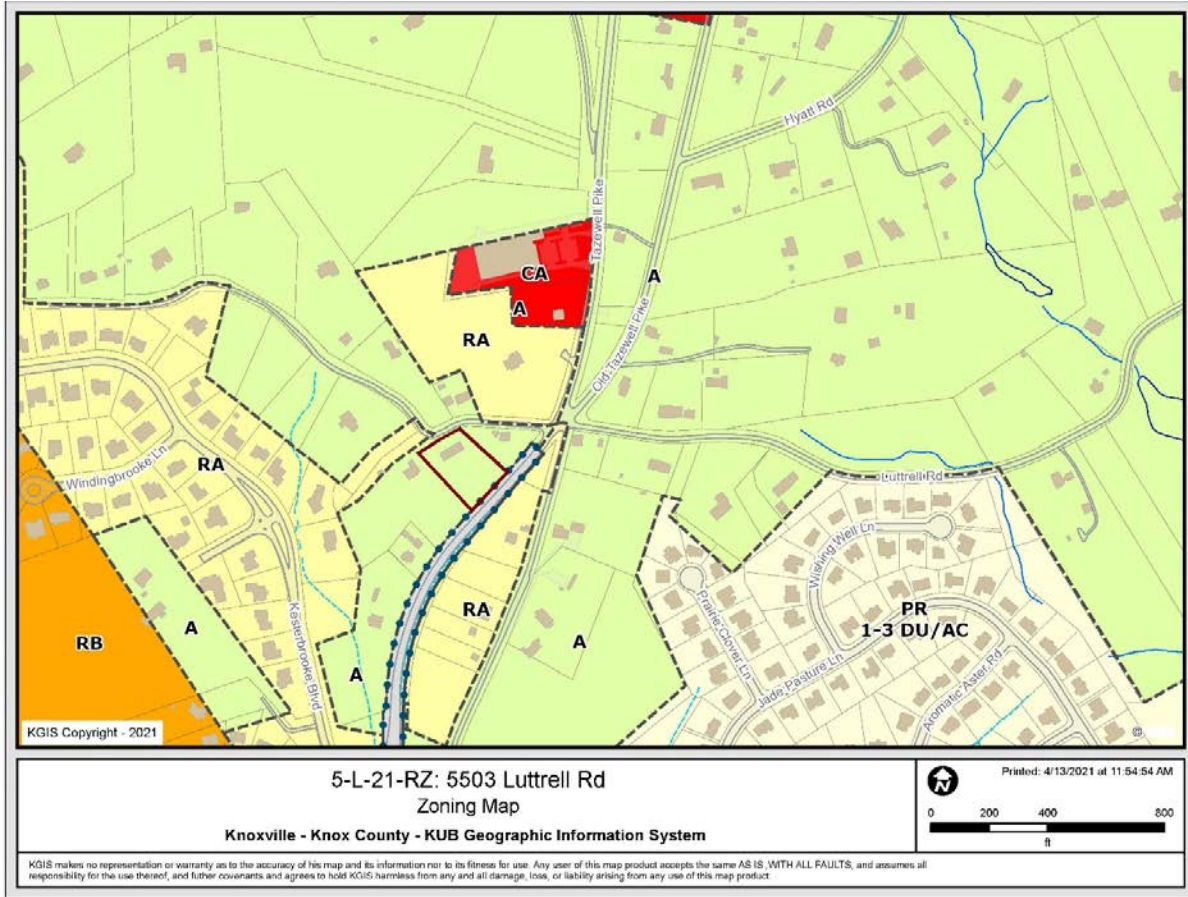
5-L-21-RZ
EXHIBIT A. Contextual Images



5-L-21-RZ
EXHIBIT A. Contextual Images



5-L-21-RZ
EXHIBIT A. Contextual Images





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

Kevin Mellon, Tom Dalton Construction

contractor for owner

Applicant Name

Affiliation

03/29/21

05/13/21

Date Filed

Meeting Date (if applicable)

File Number(s)

5-L-21-RZ

CORRESPONDENCE

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

- ☒ Applicant ☐ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Kevin Mellon

Tom Dalton Construction

Name

Company

PO Box 1240

Kodak

TN

37764

Address

City

State

ZIP

865 363 5393

kmellon@builderservices.biz

Phone

Email

CURRENT PROPERTY INFO

Nastasja Ladden

5503 Luttrell Rd

865 363 5393

Owner Name (if different)

Owner Address

Owner Phone

5503 Luttrell Rd

~~865~~ 039-255

Property Address

Parcel ID

KUB

Northeast Knox

y

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Tazewell Pike, south side of Luttrell Rd

0.96 ac

General Location

Tract Size

☐ City ☒ County

County Commission 2 A (Agricultural)

Single family residential

District

Zoning District

Existing Land Use

North City

LDR (Low Density Residential)

Urban Growth Area

Planning Sector

Sector Plan Land Use Classification

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 _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____

☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

☒ Zoning Change **RA**
Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)
none

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request

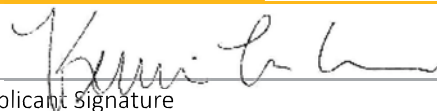
ADDITIONAL REQUIREMENTS

- ☐ Design Plan Certification (*Final Plat*)
☐ Use on Review / Special Use (*Concept Plan*)
☐ Traffic Impact Study
☐ COA Checklist (*Hillside Protection*)

Fee 1		Total
0324	\$600.00	
Fee 2		
Fee 3		

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.


Applicant Signature

Kevin Mellon, Tom Dalton Construction

Please Print

03/28/21

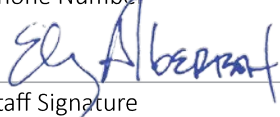
Date

865 363 5393

Phone Number

kmellon@builderservices.biz

Email

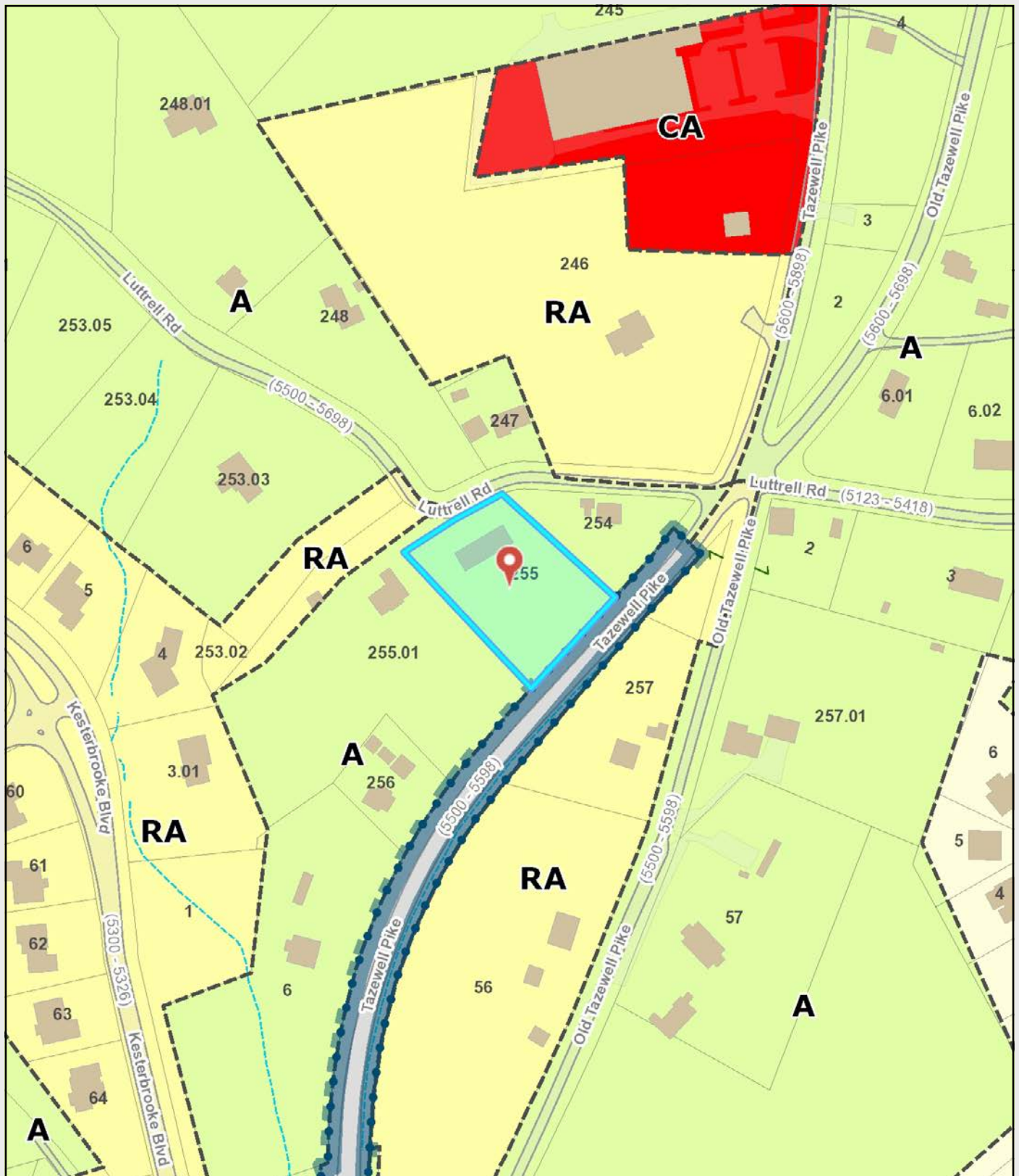

Staff Signature

Elizabeth Albertson

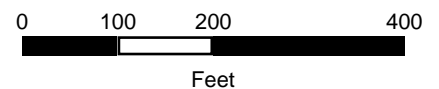
Please Print

03/30/2021 AK

Date



5503 Luttrell Rd
Parcel ID: 039 0255



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