

# REZONING REPORT

▶ **FILE #:** 4-G-22-RZ

**AGENDA ITEM #:** 14

**AGENDA DATE:** 4/14/2022

▶ **APPLICANT:** ARMANDO GARZA JR.

OWNER(S): Armando Garza Jr.

TAX ID NUMBER: 104 107

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 1912 Schaeffer Rd.

▶ **LOCATION:** East side of Schaeffer Road, east of Pellissippi Parkway, southeast of Hardin Valley Road

▶ **APPX. SIZE OF TRACT:** 1.77 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Schaeffer Road, a major collector street with a 23-ft pavement width within a 52-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural) / TO (Technology Overlay)

▶ **ZONING REQUESTED:** RA (Low Density Residential) / TO (Technology Overlay)

▶ **EXISTING LAND USE:** Single Family Residential

▶  
EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family residential & private recreation - A (Agricultural), TO (Technology Overlay) & PR (Planned Residential)

South: Single family residential - A (Agricultural) & TO (Technology Overlay)

East: Forest - PR (Planned Residential) up to 3 du/ac & TO (Technology Overlay)

West: Forest and Pellissippi Parkway right-of-way - A (Agricultural) & TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: The area is comprised of detached single family home subdivisions and forested hillsides.

## STAFF RECOMMENDATION:

▶ **Approve RA (Low Density Residential)/ TO (Technology Overlay) zoning because it is consistent with the sector plan and existing residential development in the area.**

## 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 proposed rezoning to RA is compatible with the continued expansion of residential development and steady rezonings occurring in the area since the 1990s.

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

- 1) RA zoning provides 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) Based on the above description, this site is appropriate for RA zoning.
- 3) If connected to sewer, the RA zone allows detached residential development with a minimum lot size of 10,000 sq. ft. Without sewer, the minimum lot size is 20,000 sq. ft., subject to approval by Knox County Health Department.
- 4) The TO (Technology Overlay) is established to provide for physical development review in the Tennessee Technology Corridor area of the county by the Tennessee Technology Corridor Development Authority (TTCDA). Within the TO, no base zoning may be changed prior to the issuance of a certificate of appropriateness by the TTCDA except for a residential or agricultural use.

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 impact to the street system will be minimal. If a plat is submitted to subdivide the property, a right-of-way dedication may be required.
- 2) The proposed zoning is compatible with surrounding development, and the impact should be minimal.

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 Northwest County Sector Plan proposes MDR/O (Medium Density Residential/ Office) for the site. The RA zoning is consistent with the sector plan designation.
- 2) The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 3) The property's location within the TO (Technology Overlay) means the Tennessee Technology Corridor Development Authority (TTCDA) will need to approve a Certificate of Appropriateness for this rezoning. This item is scheduled to be heard by TTCDA on Monday, April 11, 2022 (4-B-22-TOR).

ESTIMATED TRAFFIC IMPACT: 90 (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.

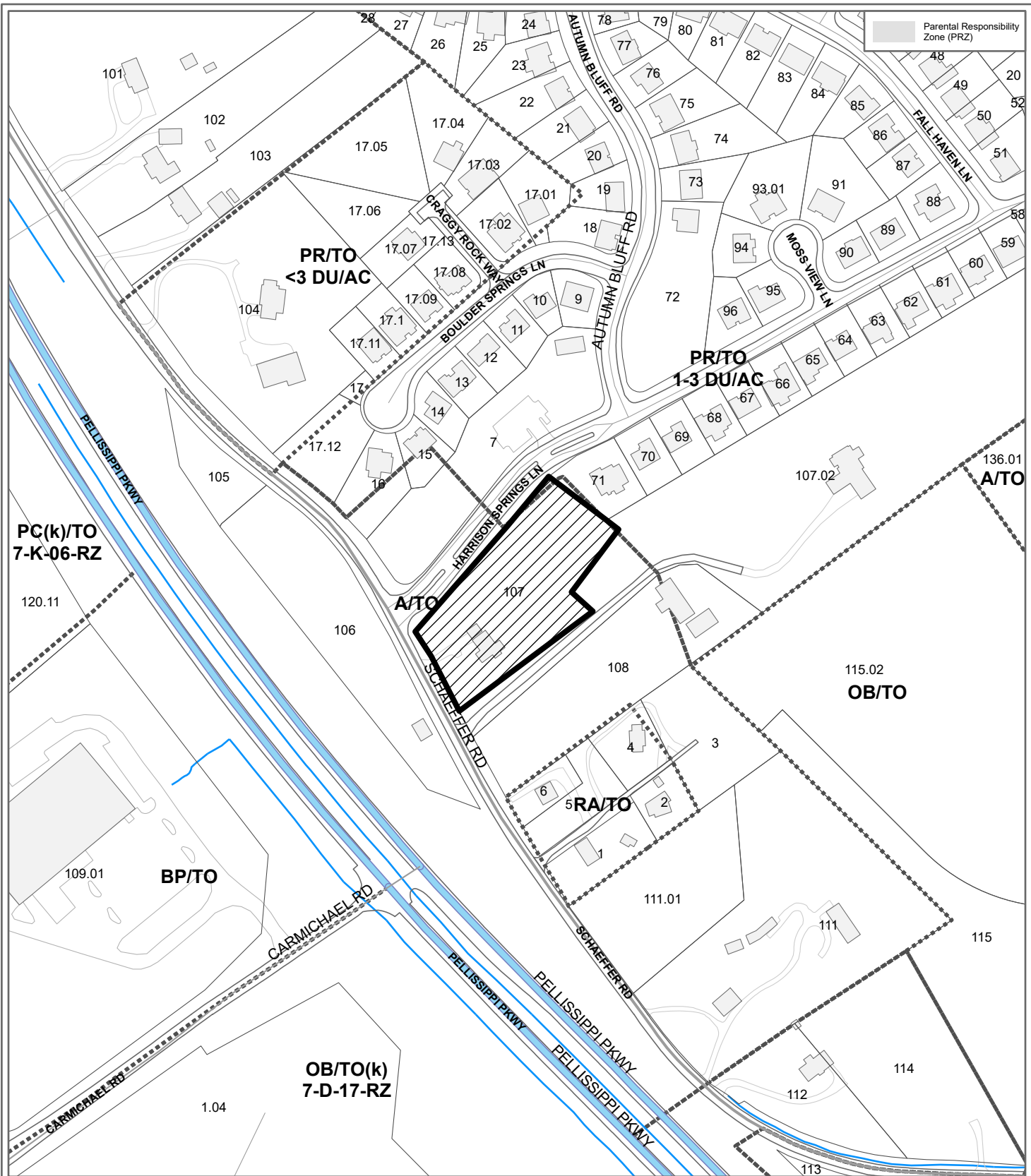
ESTIMATED STUDENT YIELD: 3 (public school children, grades K-12)

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 5/23/2022. 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.



**4-G-22-RZ  
REZONING**

From: A (Agricultural) / TO (Technology Overlay)

To: RA (Low Density Residential) / TO (Technology Overlay)



Petitioner: Garza Jr., Armando

Map No: 104

Jurisdiction: County



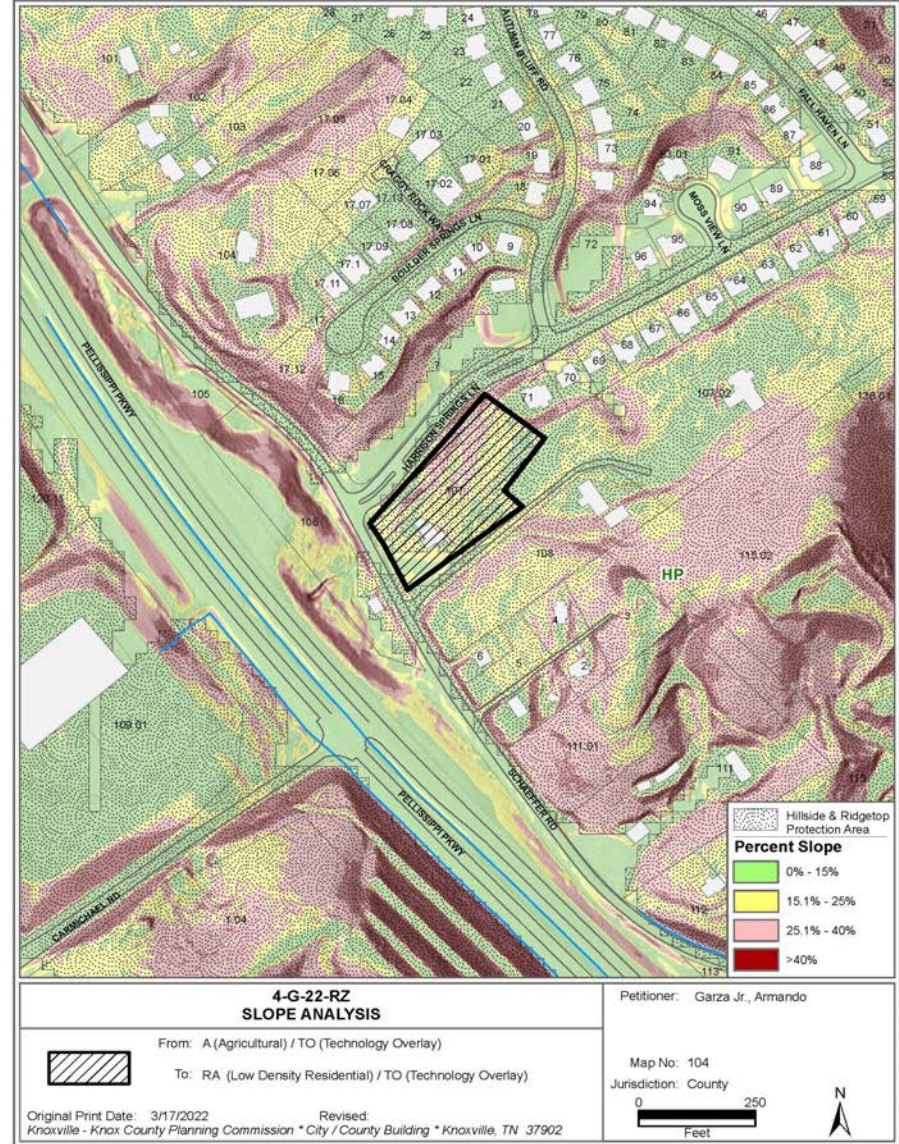
Original Print Date: 3/7/2022

Revised:

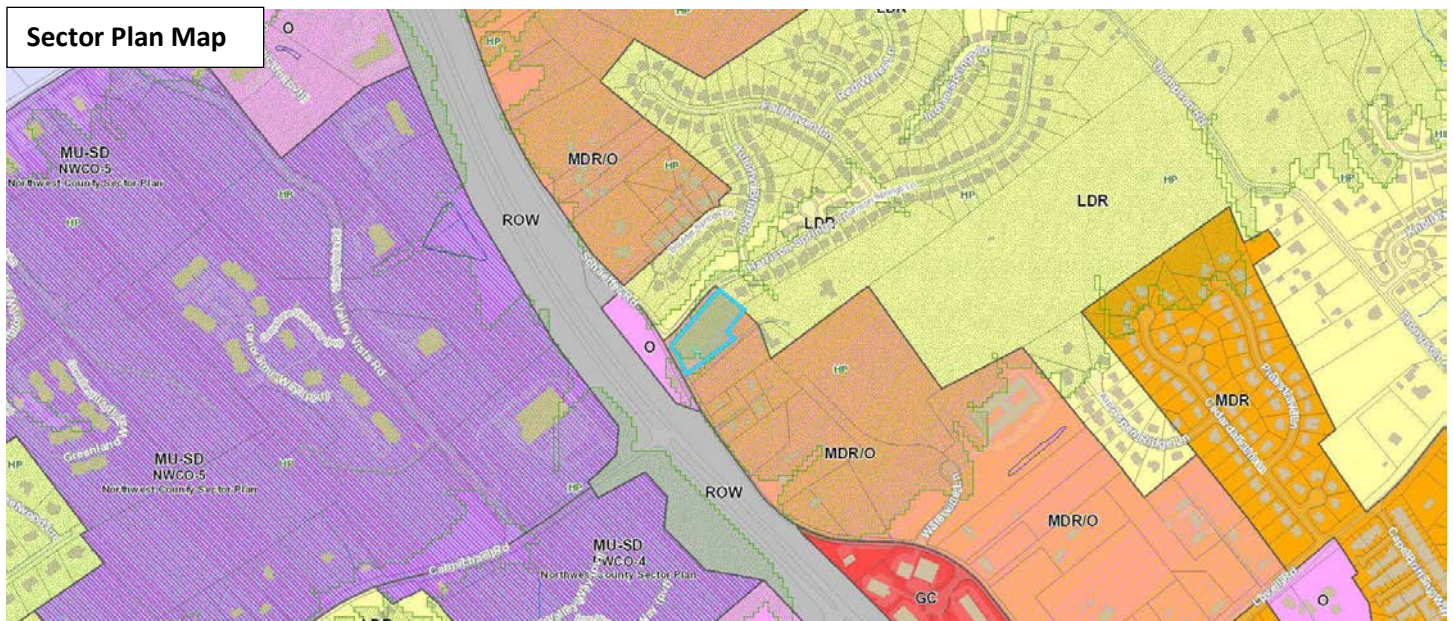
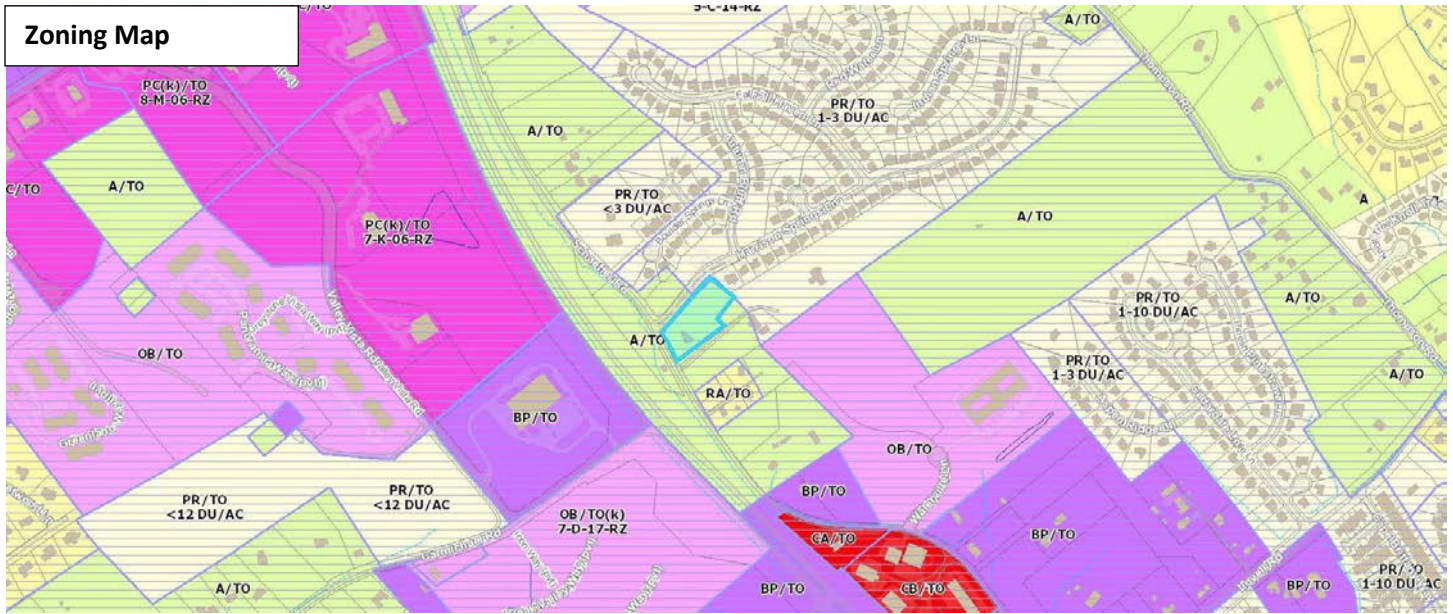
Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	0.18	100%	0.18
0-15% Slope	0.40	100%	0.40
15-25% Slope	0.74	50%	0.37
25-40% Slope	0.34	20%	0.07
Greater than 40% Slope	0.05	10%	0.01
Ridgetops	0		
<b>Subtotal: Sloped Land</b>	<b>1.53</b>	<i>Recommended disturbance budget within Hillside Protection Area (acres)</i>	<b>0.8</b>
<b>Total Acreage</b>	<b>1.71</b>		<b>1.02</b>

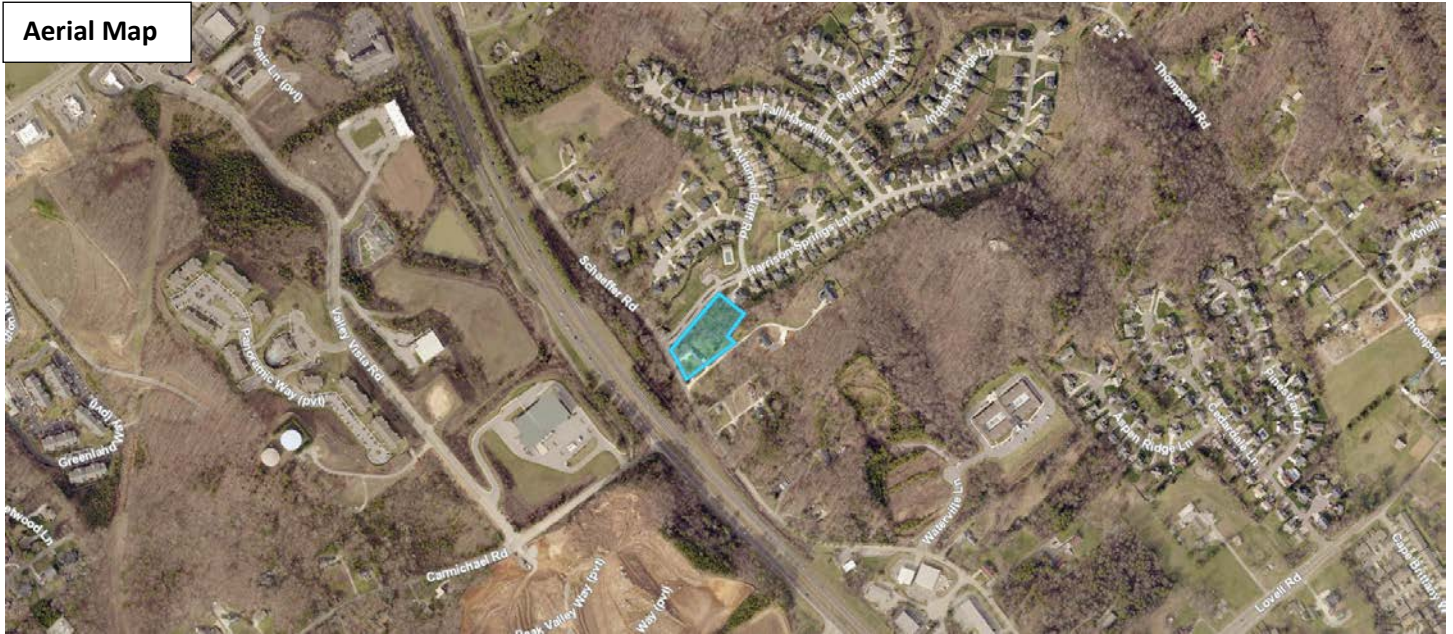
CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0.18	5.00	0.9
0-15% Slope	0.4	5.00	2.0
15-25% Slope	0.74	2.00	1.5
25-40% Slope	0.34	0.50	0.2
Greater than 40% Slope	0.05	0.20	0.0
Ridgetops			
<b>Subtotal: Sloped Land</b>	<b>1.53</b>		<b>3.7</b>
<b>Maximum Density Guideline (Hillside &amp; Ridgetop Protection Plan)</b>	<b>1.71</b>	<b>2.67</b>	<b>4.6</b>
<b>Proposed Density (Applicant)</b>	<b>1.71</b>	<b>5.00</b>	<b>8.6</b>



# Exhibit A. 4-G-22-RZ Contextual Images



# Exhibit A. 4-G-22-RZ 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

Armando Garza JR

Applicant Name

Affiliation

2/20/2022

April 14, 2022

File Number(s)

Date Filed

Meeting Date (if applicable)

**4-G-22-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

Armando Garza JR

Self

Name

Company

1900 Schaeffer RD

Knoxville

TN

37932

Address

City

State

ZIP

865.806.7783

mandojr51@outlook.com

Phone

Email

### CURRENT PROPERTY INFO

same as above

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1912 Schaeffer RD

104-107

Property Address

Parcel ID

West Knox Utility District

West Knox Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

### STAFF USE ONLY

East side of Schaeffer Rd., east of Pellissippi Pkwy., southeast

1.77 acres

General Location

of Hardin Valley Rd.

Tract Size

City  County

3rd

A/TO

SFR

District

Zoning District

Existing Land Use

Northwest County

MDR/O

Planned Growth

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   
 Residential-Low Density   
 ( RA )   
 to allow property to be subdivided  
 Proposed Zoning \_\_\_\_\_  
 Plan Amendment Change   
 Proposed Plan Designation(s) \_\_\_\_\_  
 Proposed Density (unfts/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

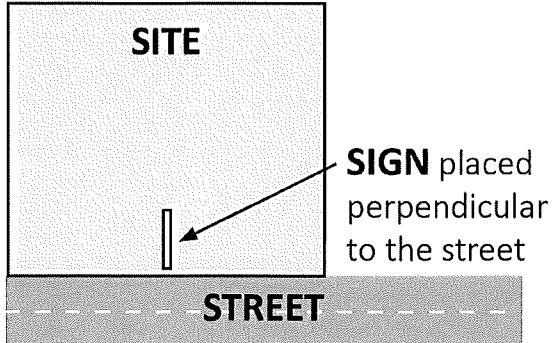
**ADDITIONAL REQUIREMENTS**

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	
	<b>\$600.00</b>

Applicant Signature: Armando Garza JR    Date: 2/20/2022  
 Please Print    Date  
 865.806.7783    mandojr51@outlook.com  
 Phone Number    Email  
 Armando Garza JR    2/20/2022  
 Property Owner Signature:     Please Print    Date  
 Date: 2/23/2022 swm

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:*

March 30, 2022 and April 15, 2022  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Armando Garcia  
 Date: 2/22/2022  
 File Number: \_\_\_\_\_

Sign posted by Staff  
 Sign posted by Applicant