

# REZONING REPORT

▶ **FILE #:** 7-L-22-RZ

**AGENDA ITEM #:** 19

**AGENDA DATE:** 7/14/2022

▶ **APPLICANT:** LUCKY CLARK

OWNER(S): Lucky Clark

TAX ID NUMBER: 71 I F 028

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 155 Old State Rd.

▶ **LOCATION:** East side Pelham Rd., south of Old State Rd., north of Nash Rd.

▶ **APPX. SIZE OF TRACT:** 0.45 acres

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Pelham Road and Old State Road are both local roads with pavement widths of approximately 18-ft within right-of-way widths of 28-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

▶ **ZONING REQUESTED:** RN-2 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant



EXTENSION OF ZONE: Yes, RN-2 is adjacent.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential - RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

South: Single family residential - RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

East: Agriculture/forestry/vacant - RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

West: Single family residential - RN-2 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This is primarily a single family residential neighborhood with some remaining large vacant undeveloped lots.

**STAFF RECOMMENDATION:**

▶ **Approve RN-2 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay) zoning because it is consistent with the surrounding development.**

**COMMENTS:**

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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 is zoned a mix of RN-1 and RN-2 zoning presently. The lot sizes vary in this area, but are on average 8,000 square feet. Rezoning to RN-2 at this location is consistent with the lot sizes in this general area.

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

1. The RN-2 zone is intended to accommodate low density single-family residential development on relatively small lots with smaller setbacks within the City of Knoxville and two-family dwellings may be permitted by special 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 subject property is currently cleared and vacant. There are no adverse impacts anticipated with the proposed zoning change.

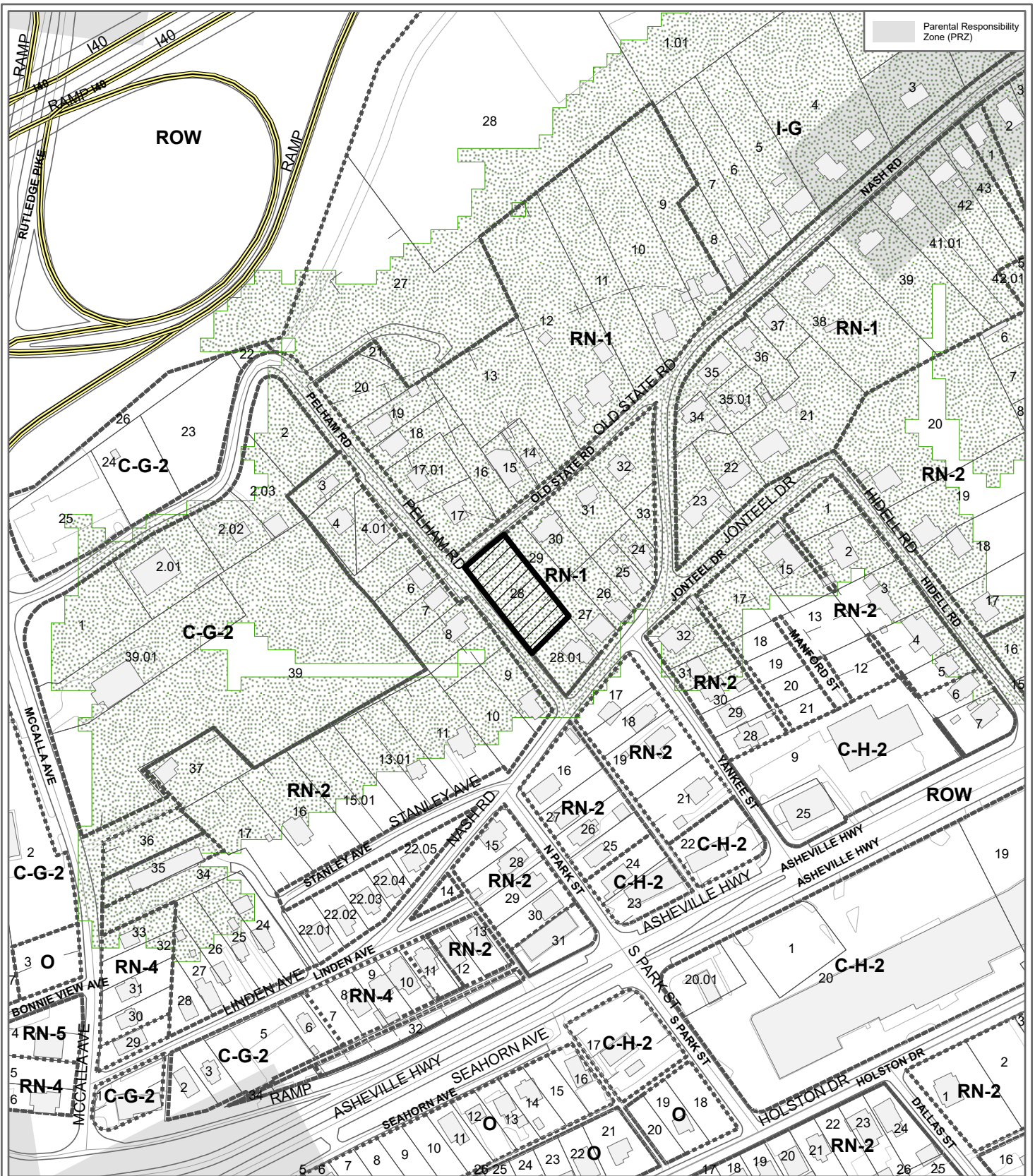
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed zone change from RN-2 to RN-1 is in alignment with the one year plan and the sector plan and does not conflict 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 8/9/2022 and 8/23/2022. 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.



**7-L-22-RZ  
REZONING**

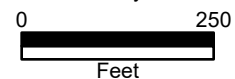
From: RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection)  
 To: RN-2 (Single-Family Residential Neighborhood) & HP (Hillside Protection)



Petitioner: Clark, Lucky

Map No: 71

Jurisdiction: City

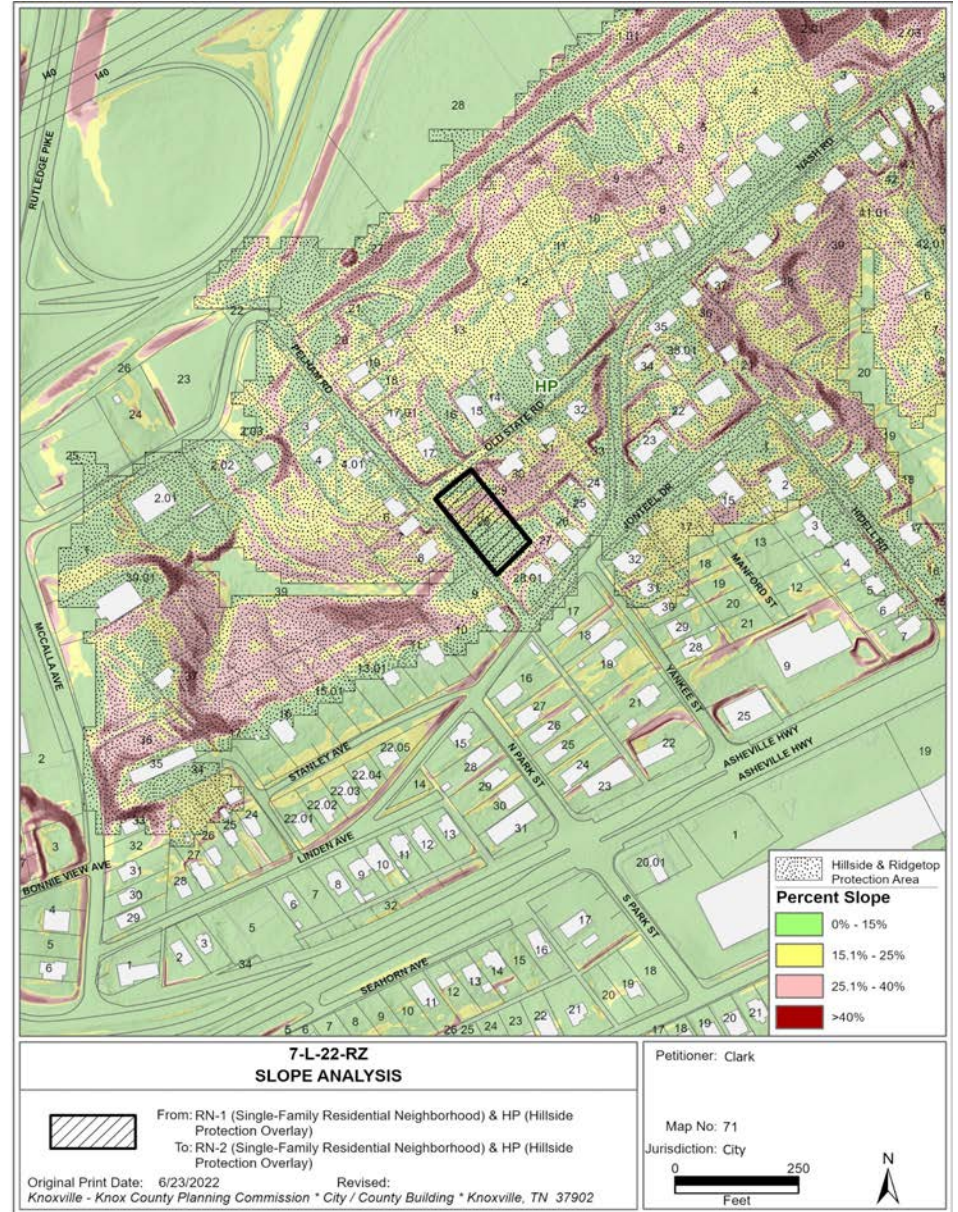


Original Print Date: 6/8/2022

Revised:

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

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>0.43</b>		
Non-Hillside	0.00	N/A	
0-15% Slope	0.24	100%	0.2
15-25% Slope	0.11	50%	0.1
25-40% Slope	0.07	20%	0.0
Greater than 40% Slope	0.00	10%	0.0
Ridgetops			
<b>Hillside Protection (HP) Area</b>	<b>0.43</b>	Recommended disturbance budget within HP Area (acres)	<b>0.3</b>
		Percent of HP Area	<b>0.7</b>



# Exhibit A. 7-L-22-RZ Contextual Images

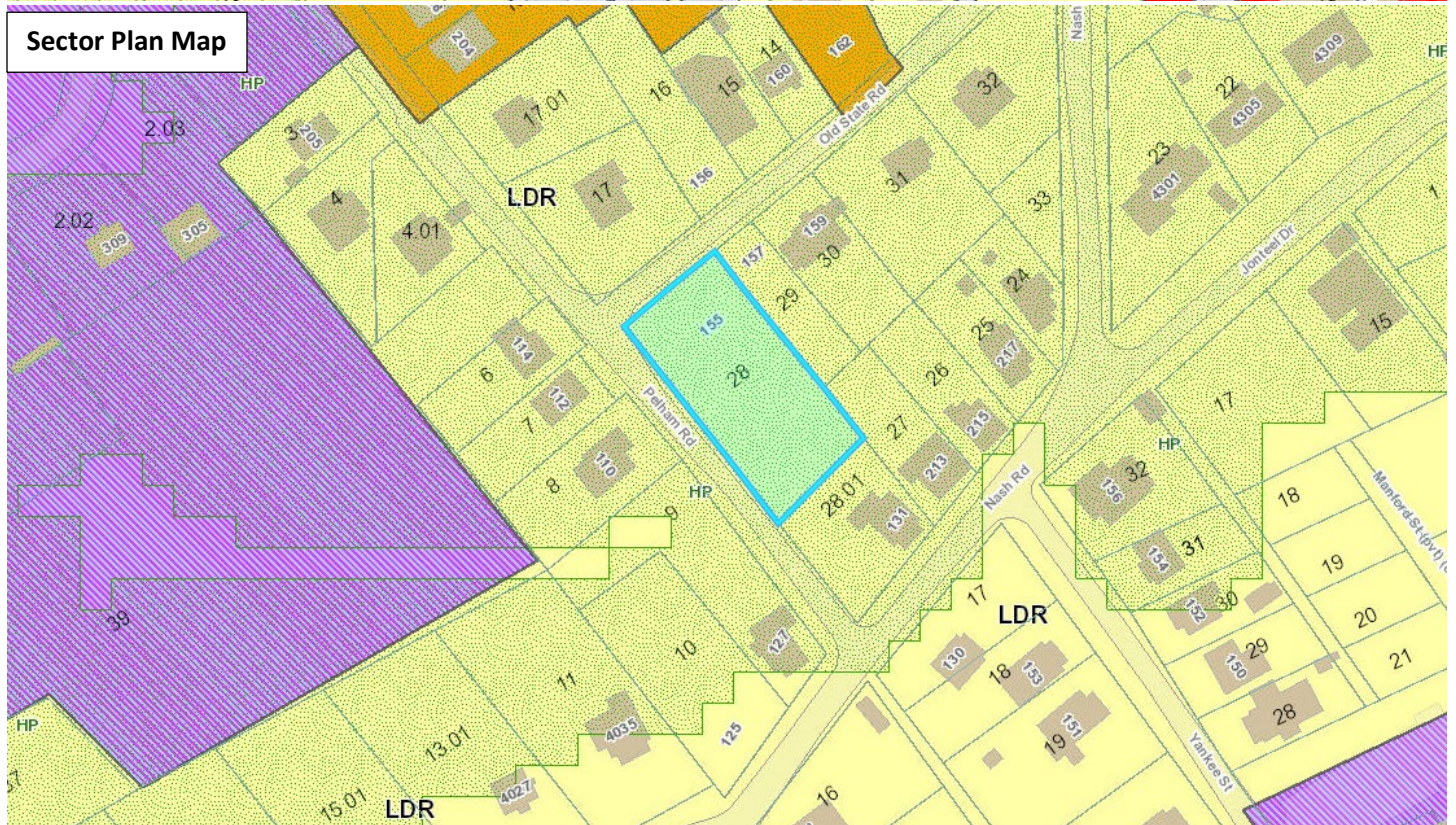
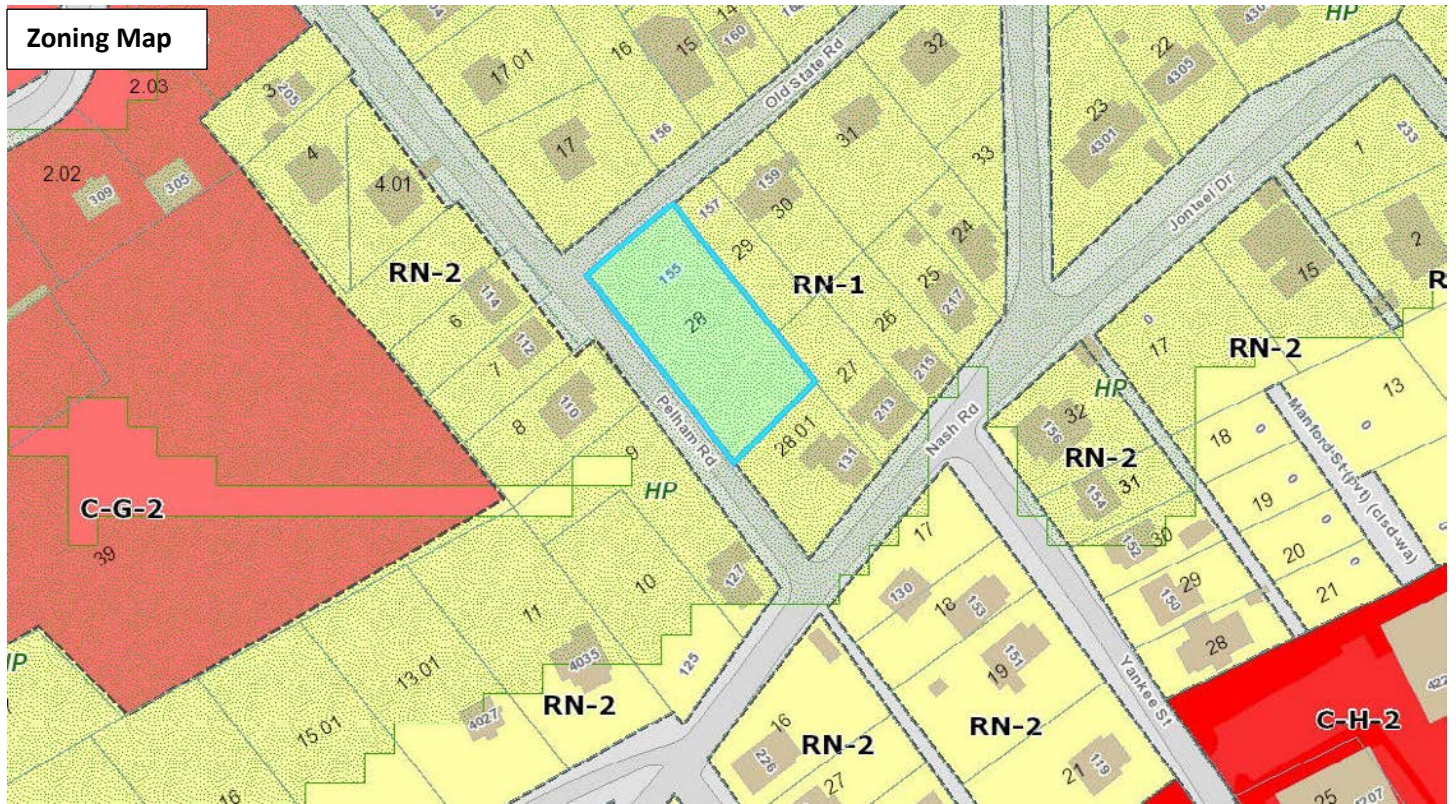


Exhibit A. 7-L-22-RZ Contextual Images





# 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

Lucky Clark  
Applicant Name

OWNER  
Affiliation

5/31/2022  
Date Filed

July 14, 2022  
Meeting Date (if applicable)

File Number(s)  
7-L-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

Lucky Clark  
Name

Company

1351 YARNELL STATION Blvd KNOXVILLE TN 37921  
Address City State ZIP

865 385 9034 malclark@hotmail.com  
Phone Email

### CURRENT PROPERTY INFO

Lucky Clark 1351 YARNELL STATION Blvd 865 385 9034  
Property Owner Name (if different) Property Owner Address Property Owner Phone

155 Old State Rd 0711F028  
Property Address Parcel ID

KUB KUB N  
Sewer Provider Water Provider Septic (Y/N)

### STAFF USE ONLY

East side Pelham Rd, south of Old State Rd, north of Nash Rd 45 acres (apprx)  
General Location Tract Size

City  County Coth BN-1 & HP Ag For Vac  
District Zoning District Existing Land Use

East City LDR & HP N/A  
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

Proposed Zoning **RN2 & HP**

Plan Amendment Change

Proposed Plan Designation(s) \_\_\_\_\_

Pending Plat File Number

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

#### 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	
	\$ 600.00

### AUTHORIZATION

*Lucky Clark*   *Lucky Clark*  
Applicant Signature   Please Print

*5/31/2022*  
Date

*865 - 385 - 9034*  
Phone Number

Email

*same as above*  
Property Owner Signature

Please Print

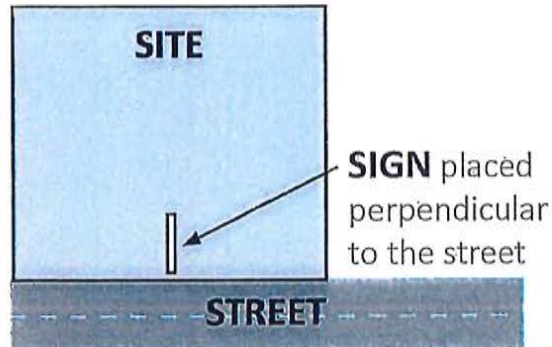
Date

*Sherry Michienzi 5/31/2022*

*5/31/2022 sum*



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:*

June 29, 2022 and July 15, 2022  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Lucky Clark

Date: 5/31/2022

File Number: 7-L-22-RZ

- Sign posted by Staff
- Sign posted by Applicant