

REZONING REPORT

▶ **FILE #:** 1-S-23-RZ

AGENDA ITEM #: 26

AGENDA DATE: 1/12/2023

▶ **APPLICANT:** NED FERGUSON

OWNER(S): Jeff Jones Beaver Creek Covenant Brethren Church

TAX ID NUMBER: 38 050,049,049.01

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 0 PELLEAUX RD (7428, & 7430 PELLEAUX RD)

▶ **LOCATION:** East side of Pelleaux Rd, south of Windy Knoll Dr

▶ **APPX. SIZE OF TRACT:** 2.57 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Pelleaux Rd, a major collector with a 18-ft pavement width within a 70-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Public/Quasi Public Land

▶ EXTENSION OF ZONE: Yes

HISTORY OF ZONING: Use on review for a child day care center in 1996 and another use on review for child day care center for up to 80 children in 2000.

SURROUNDING LAND USE AND ZONING: North: Rural residential, Agricultural/Forestry/Vacant, Commercial - A (Agricultural)

South: Single family residential - PR (Planned Residential), A (Agricultural)

East: Rural residential, Agricultural/Forestry/Vacant - A (Agricultural), RA (Low Density Residential)

West: Rural residential, Agricultural/Forestry/Vacant - PR (Planned Residential)

NEIGHBORHOOD CONTEXT: The area is primarily single family residential with large agricultural lots.

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with the surrounding development and sector plan.**

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 COUNTY GENERALLY:

1. The area surrounding the subject property has seen a moderate transition from agricultural to single family residential since late 1990s.
2. The proposed RA (Low Density Residential) zoning would serve as a minor extension of the RA zone to the west side of the subject property.

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

1. This residential zone 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. 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 area consists primarily of single family residential and agricultural land uses. This rezoning to RA is consistent with the land uses and development pattern surrounding the subject property.
2. This extension of RA (Low Density Residential) zoned acreage should not have any adverse effects on any other parts of the 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. This rezoning is not conflict with the General Plan or any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

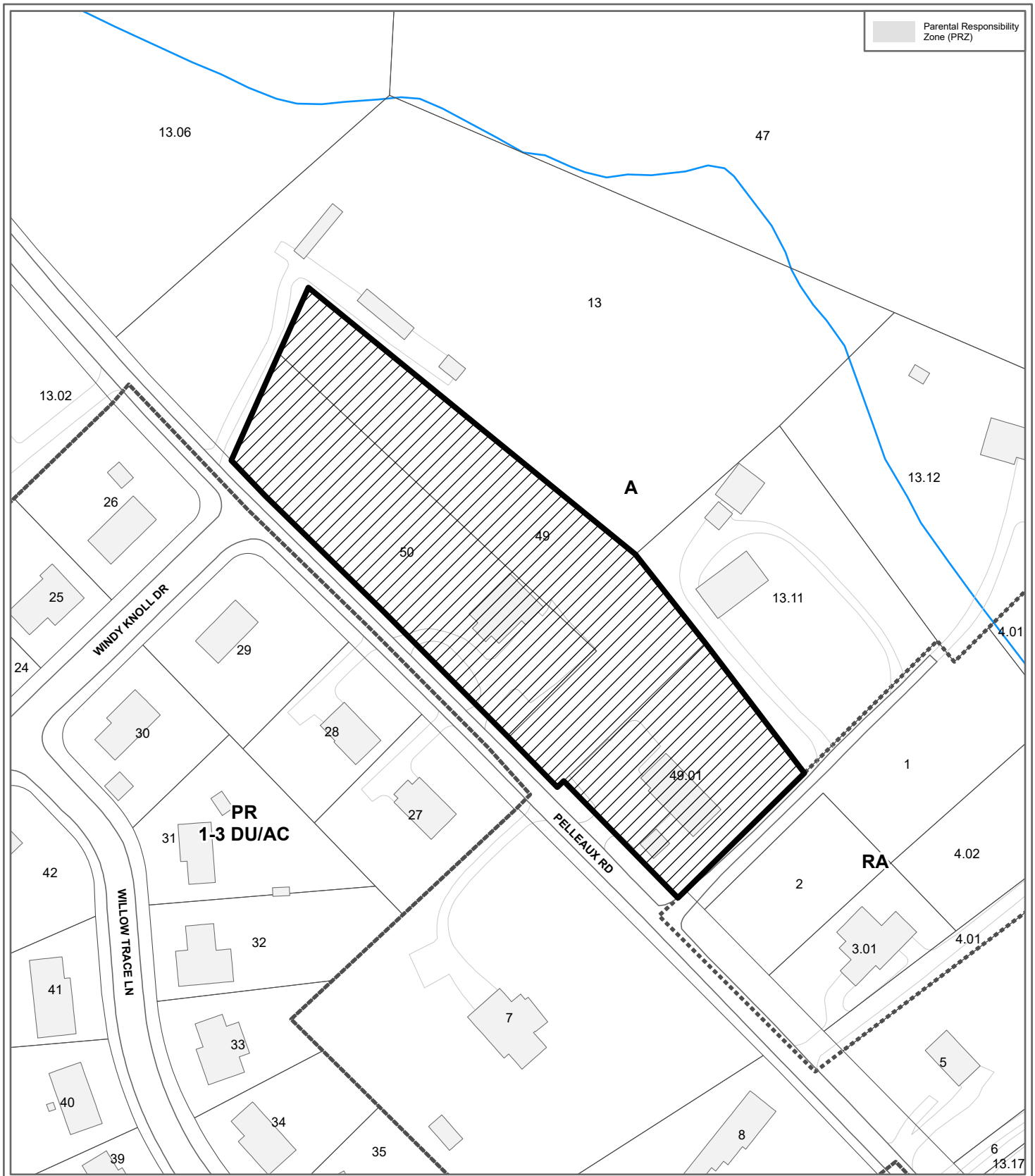
ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Brickey-McCloud Elementary, Halls Middle, and Halls 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.

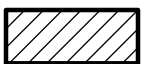
If approved, this item will be forwarded to Knox County Commission for action on 2/21/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.

Parental Responsibility Zone (PRZ)



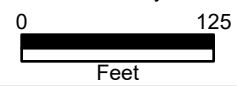
**1-S-23-RZ
REZONING**

From: A (Agricultural)
To: RA (Low Density Residential)



Petitioner: Ned Ferguson

Map No: 38
Jurisdiction: County



Original Print Date: 12/19/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. 1-S-23-RZ Contextual Images

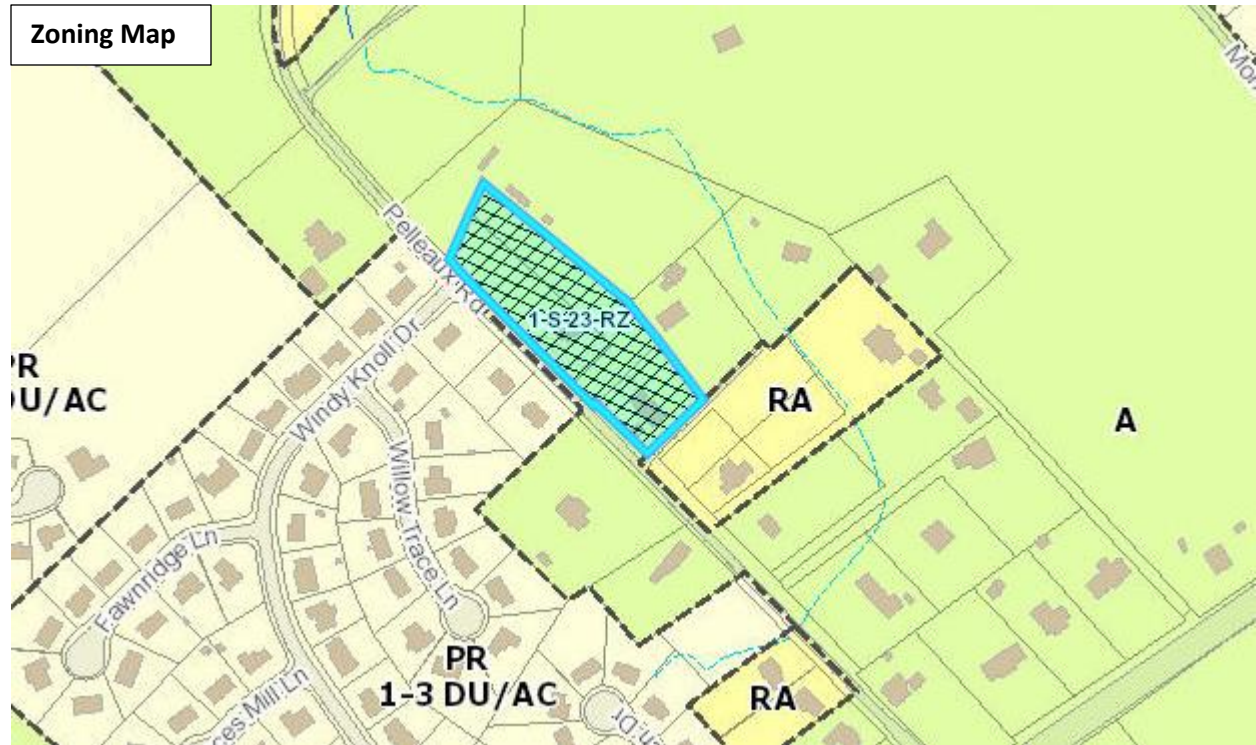


Exhibit A. 1-S-23-RZ Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Ned Ferguson

Applicant Name

Affiliation

11/28/2022

Date Filed

1/12/2023

Meeting Date (if applicable)

1-S-23-RZ

File Number(s)

CORRESPONDENCE

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

Ned D Ferguson Professional Land Systems

Name / Company

205 Lamar Ave Clinton TN 37716

Address

865-689-6169 / nedferguson@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Jeff Jones Beaver Creek Covenant Brethr 7430 Pelleaux Rd Knoxville TN 37938

Owner Name (if different)

Owner Address

Owner Phone / Email

0 PELLEAUX RD / 7428, & 7430 PELLEAUX RD

Property Address

38 050,049,049.01

Parcel ID

Part of Parcel (Y/N)?

2.57 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Pelleaux Rd, south of Windy Knoll Dr

General Location

City **Commission District 7 A (Agricultural)**

**Agriculture/Forestry/Vacant Land,
Public/Quasi Public Land**

Count District Zoning District

Existing Land Use

North County LDR (Low Density Residential)

Planning Sector

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____ Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change RA (Low Density Residential)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1 \$650.00	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	Fee 2	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> COA Checklist (Hillside Protection) <input type="checkbox"/> Design Plan Certification (Final Plat) <input type="checkbox"/> Site Plan (Development Request) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> Use on Review / Special Use (Concept Plan)	Fee 3	

AUTHORIZATION

Applicant Signature	Ned Ferguson Please Print	11/28/2022 Date
---------------------	-------------------------------------	---------------------------

Phone / Email

Property Owner Signature	Jeff Jones Beaver Creek Covenant Brethren Church Please Print	11/28/2022 Date
--------------------------	---	---------------------------

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Ned Ferguson

Applicant Name

Surveyor

Affiliation

Date Filed

Meeting Date (if applicable)

File Number(s)

1-S-23-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

Ned D Ferguson

Professional Land Systems

Name

Company

205 Lamar Ave

Clinton

TN

37716

Address

City

State

ZIP

865.689.6169

nedferguson@gmail.com

Phone

Email

CURRENT PROPERTY INFO

CHURCH BROTHEREN
7430 PELLEAUX RD 37918

CHASE BEGOR (WEST STREET CAPITAL)

6650 RIVERS ANE STE 105
CHARLESTON, SC 29406

203.856.1066

Owner Name (if different)

Owner Address

Owner Phone

7428 AND 7430 PELLEAUX RD

038 - 049; 04901; 050

Property Address

Parcel ID

HPUD

HPUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

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)

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
Fee 2	
Fee 3	

AUTHORIZATION

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

Applicant Signature 

865.689.6169

Phone Number

Ned Ferguson

Please Print

nedferguson@gmail.com

Email

11/23/2022

Date

Staff Signature

Please Print

Date

Knoxville - Knox Co Planning
Suite 403, City County Bldg.
400 Main St.
Knoxville, TN 37902

RE: Rezoning application

Dear Sirs,

Please allow Ralph Smith / PLS to represent West Street Capital Partners LLC in our application to rezone tax parcel 038 04901, aka 7428 Pelleaux Rd, from the current "A" zoning to "RA" zoning. Thank you.

West Street Capital Partners LLC
6650 Rivers Ane STE 105 PMB 90599
Charleston, SC 29406-4829

Chase Begor

10/21/2022

Knoxville - Knox Co Planning
Suite 403, City County Bldg.
400 Main St.
Knoxville, TN 37902

RE: Rezoning application

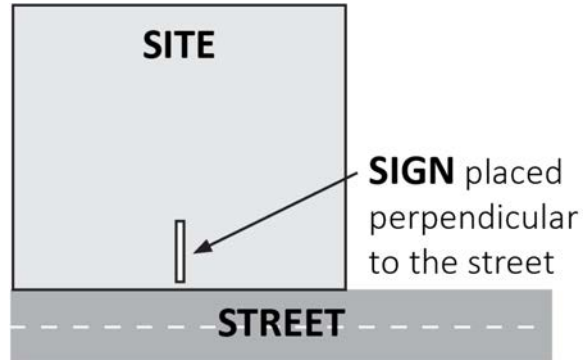
Dear Sirs,

Please allow Ralph Smith / PLS to represent Beaver Creek Covenant Brethren Church, fka Beaver Creek Church of the Brethren, in our application to rezone tax parcels 038 049 & 050, aka 7430 Pelleaux Rd, from the current "A" zoning to "RA" zoning. Thank you.

Beaver Creek Covenant Brethren Church
C/O Jeff Jones
7430 Pelleaux Rd
Knoxville, TN 37938

A handwritten signature in black ink, appearing to be 'Ralph Smith', written in a cursive style.

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:

_____ 12/31/2022 _____ and _____ 1/13/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ned Ferguson

Date: 11/28/22

File Number: 1-S-23-RZ

Sign posted by Staff

Sign posted by Applicant