

REZONING REPORT

▶ **FILE #:** 6-B-23-RZ

AGENDA ITEM #: 24

AGENDA DATE: 6/8/2023

▶ **APPLICANT:** DOMINGO GARCIA

OWNER(S): Domingo Garcia

TAX ID NUMBER: 47 E B 016

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 1533 FORRESTER RD

▶ **LOCATION:** North side of Forrester Rd, east of Dry Gap Pk and south of Cunningham Rd

▶ **APPX. SIZE OF TRACT:** 1.01 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Forrester Road, an unstriped, local road with a 13-ft pavement width within a 40-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:** Single Family Residential

▶ EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family residential - A (Agricultural)

South: Single family residential and rural residential - A (Agricultural)

East: Single family residential - A (Agricultural) and RA (Low Density Residential)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area of Forrester Rd is developed with detached, single-family houses on lots ranging in size from 0.26 acres to over 7 acres. Dry Gap Pike is approximately 1/4 mile to the west and has a small commercial node at its intersection with Forrester Road and another at its intersection with E. Emory Road to the north.

STAFF RECOMMENDATION:

▶ **Approve the RA (Low Density Residential) zone because it is consistent with the sector plan designation and will allow development compatible with the surrounding land uses and zoning pattern.**

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 experienced a transition from the A (Agricultural) zone to the PR (Planned Residential) and RA zones since the late 1980s. Most of these rezonings have occurred on Dry Gap Pike and Cunningham Road, both of which are major collector roads.

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

1. The RA zone provides for residential areas with low population densities.
2. Rezonings 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. Forrester Road is unstriped and is approximately 13-ft wide. As such, the road does not meet public street standards. Rezoning to allow more residences above what is currently allowed would put more pressure on this road, and could trigger the need for road improvements by the developer. This road is not one the County has any plans to improve or widen.
2. This property is located in an area with a mix of residential zones and densities. Surrounding zoning includes the A, RA, and PR zones, the latter with densities of up to 4.5 and 5 du/ac.
3. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a density of roughly 4 du/ac. Built at maximum capacity, this property could be developed with up to 4 lots.

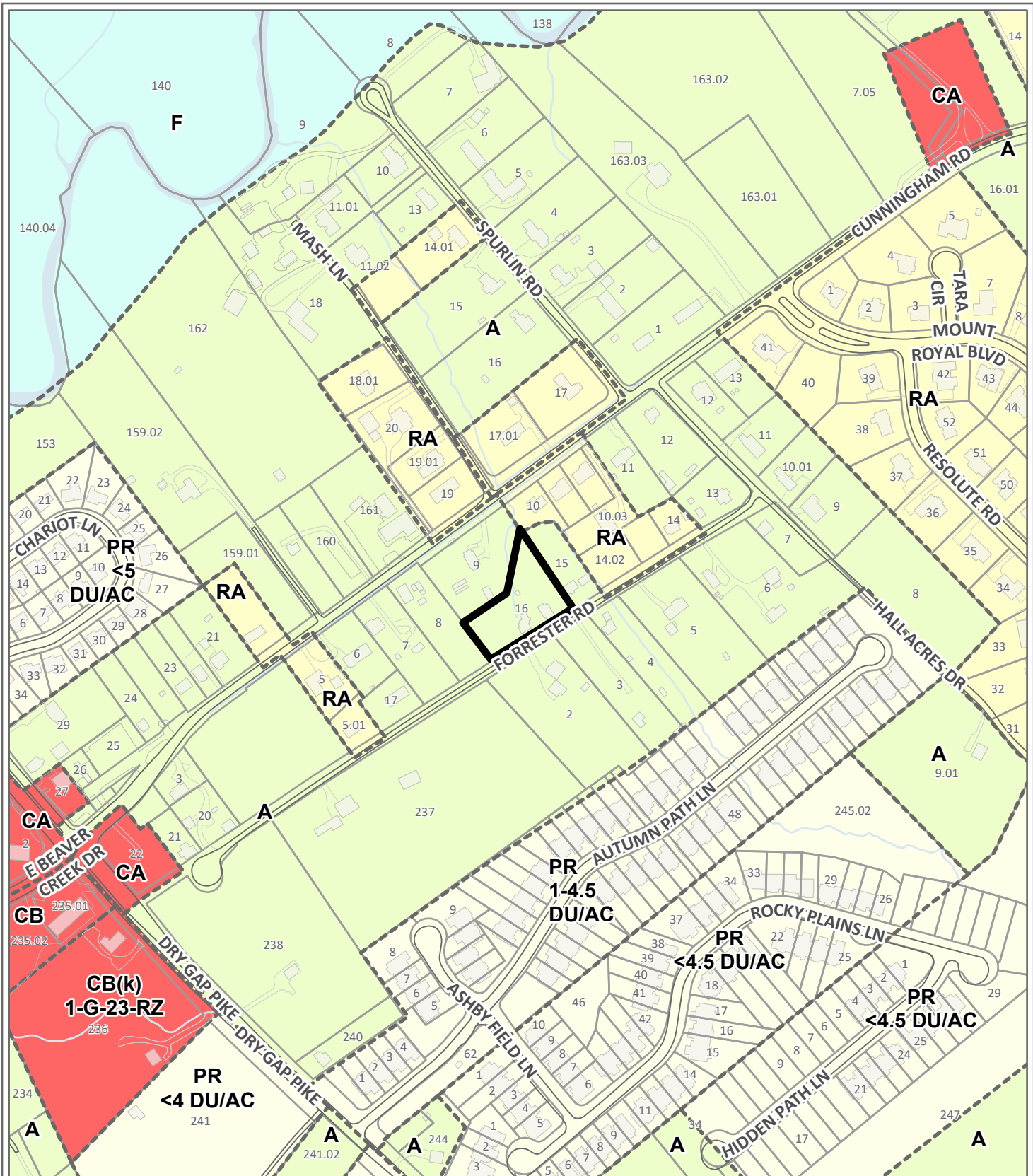
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The subject property is designated as the LDR (Low Density Residential) land use classification in the North County Sector Plan, which allows consideration of the PR zone with a density of up to 5 du/ac and the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.
2. Neither the requested nor the recommended zones are in conflict with the General Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 7/24/2023. 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.



REZONING

6-B-23-RZ

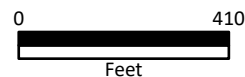
Petitioner: Domingo Garcia



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

Map No: 47
Jurisdiction: County

Original Print Date: 5/9/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



Existing Land Use Map



Aerial Map

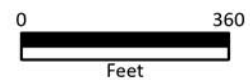


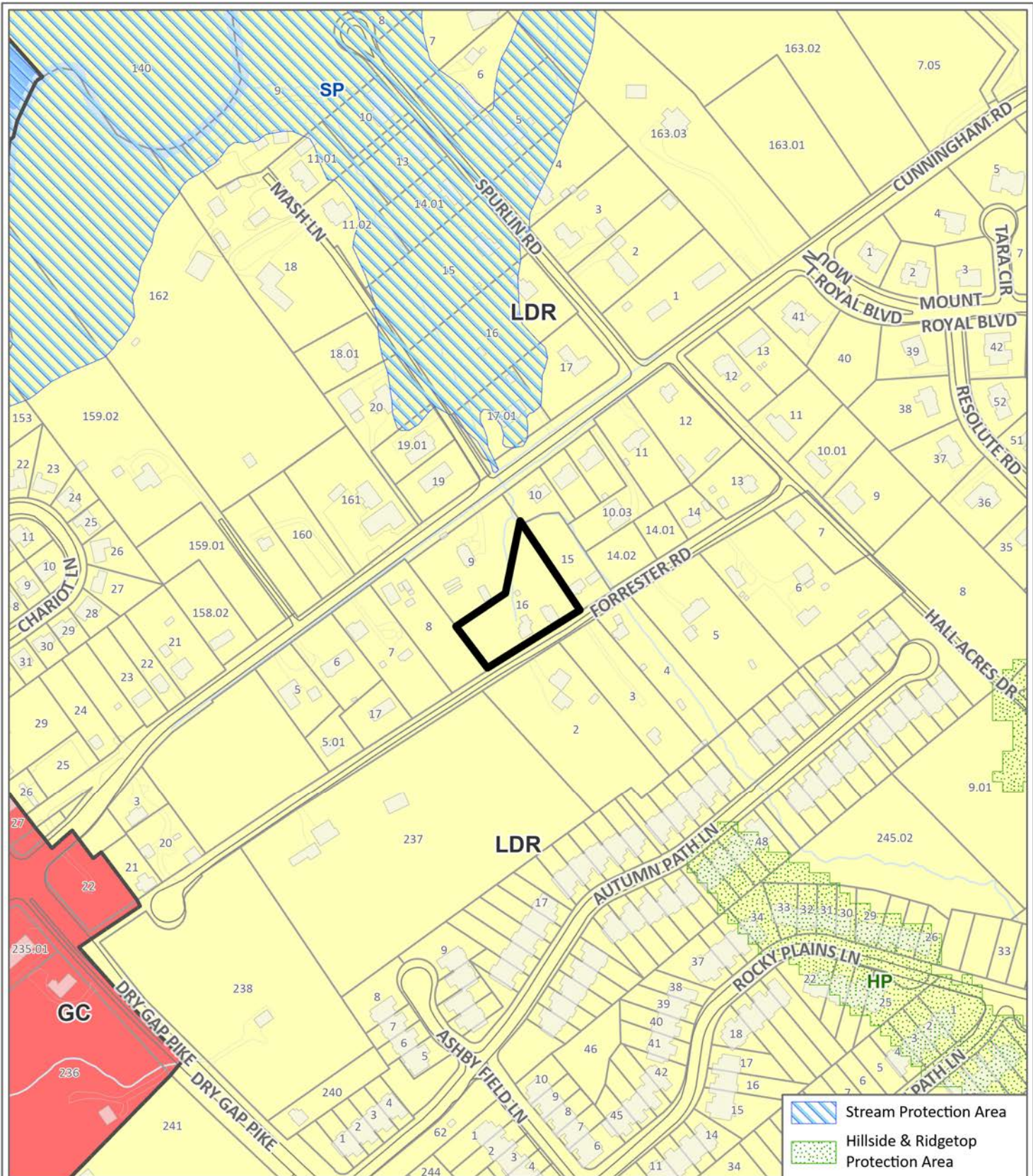
CONTEXTUAL MAPS

6-B-23-RZ



Case boundary





NORTH COUNTY SECTOR PLAN MAP

6-B-23-RZ

Petitioner: Domingo Garcia



Case boundary

Original Print Date: 5/16/2023

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

Map No: 47

Jurisdiction: County





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

Domingo Garcia

Applicant Name

Affiliation

4/14/2023

Date Filed

6/8/2023

Meeting Date (if applicable)

6-B-23-RZ

File Number(s)

CORRESPONDENCE

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

Domingo Garcia

Name / Company

1485 Branch Field Ln Knoxville TN 37918

Address

530-513-0247 / rummydady@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Domingo Garcia

Owner Name (if different)

1485 Branch Field Ln Knoxville TN 37918

Owner Address

530-513-0247 / rummydady@gm

Owner Phone / Email

1533 FORRESTER RD

Property Address

47 E B 016

Parcel ID

1.01 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Forrester Rd, east of Dry Gap Pk and south of Cunningham Rd

General Location

City

Commission District 7

A (Agricultural)

Single Family Residential

County District

Zoning District

Existing Land Use

North County

Planning Sector

LDR (Low Density Residential)

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	
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

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1	Total
\$650.00	
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Domingo Garcia Please Print	4/14/2023 Date
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Phone / Email		
Property Owner Signature	Domingo Garcia Please Print	4/14/2023 Date



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

Domingo Garcia
 Applicant Name _____ Affiliation _____

9/14/23 _____
 Date Filed Meeting Date (if applicable)

File Number(s)
6-B-23-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

Domingo Garcia
 Name _____ Company _____

1485 Branch Field Lane Knoxville TN 37918
 Address City State ZIP

(530) 613-0247 _____
 Phone Email rumydaddy@gmail.com

CURRENT PROPERTY INFO

Same as above _____ (530) 613 0247
 Property Owner Name (if different) Property Owner Address Property Owner Phone

1533 Forrester Rd _____ 047EB016
 Property Address Parcel ID

Hallstate Powell Sewer & Water
 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 _____
 _____ Combine Parcels
 Divide Parcel
 Unit / Phase Number _____ 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	801	\$650 ⁻	Total \$650 ⁻
Fee 2			
Fee 3			

AUTHORIZATION

Applicant Signature: [Signature]
 Please Print: 4/14/23
 Date: Domingo Garcia

Phone Number _____ Email _____
 Property Owner Signature _____ Please Print _____ 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

Domingo Garcia
Applicant Name

Affiliation

9/14/23
Date Filed

Meeting Date (if applicable)

File Number(s)
6-B-23-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

Domingo Garcia
Name

Company

1485 Branch Field Lane Knoxville
Address City

TN.
State

37918
ZIP

(530) 613-0247
Phone

rumydaddy@gmail.com
Email

CURRENT PROPERTY INFO

Same as above
Property Owner Name (if different)

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(530) 613 0247
Property Owner Phone

1533 Forrester Rd
Property Address

047EB016
Parcel ID

Hallstate Powell Sewer & Water
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

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Zoning Change
 Proposed Zoning RA
 Plan Amendment Change
 Proposed Plan Designation(s) _____
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 Proposed Density (units/acre) _____
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 Other (specify) _____

STAFF USE ONLY

PLAT TYPE

Staff Review
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ATTACHMENTS
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ADDITIONAL REQUIREMENTS
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 COA Checklist (*Hillside Protection*)

Fee 1	801	\$650 ⁻	Total \$650 ⁻
Fee 2			
Fee 3			

AUTHORIZATION

Applicant Signature
 Please Print 4/14/23
 Date Domingo Garcia

Phone Number _____
 Email _____
 Property Owner Signature _____
 Please Print _____
 Date _____

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