

REZONING REPORT

▶ **FILE #:** 3-J-23-RZ

AGENDA ITEM #: 12

AGENDA DATE: 3/9/2023

▶ **APPLICANT:** T DEAN LARUE
OWNER(S): Estate of Brenda C Ailey Toney

TAX ID NUMBER: 133 C D 023 [View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 7700 PINNER DR

▶ **LOCATION:** West of Morrell Rd, north of Pinner Dr

▶ **APPX. SIZE OF TRACT:** 0.58 acres

SECTOR PLAN: West City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: This property has frontage on two roads, Morrell Road and Pinner Drive. Morrell Road is a minor arterial with a 25-ft pavement width inside a 60-ft right-of-way. Pinner Drive is a local road with a 17-ft pavement width inside a 50-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood)

▶ **ZONING REQUESTED:** RN-2 (Single-Family Residential Neighborhood)

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

▶ **EXTENSION OF ZONE:** No

HISTORY OF ZONING: A request to rezone the property from RN-1 to RN-2 was withdrawn by the applicant prior to the City Council taking action (Case 10-Q-21-RZ)

SURROUNDING LAND USE AND ZONING: North: Single-family residential - RN-1 (Single-Family Residential)

South: Single-family residential - RN-1 (Single-Family Residential)

East: Public-quasi public land - INST (Institutional)

West: Multifamily and single-family residential - RN-1 (Single-Family Residential) and RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This property is located in a residential neighborhood comprised of primarily single-family dwellings with some duplexes located nearby. There is an elementary school directly across the street on Morrell Road and a public park located approximately 2 blocks away to the southwest.

STAFF RECOMMENDATION:

▶ **Approve RN-2 (Single-family Residential) zoning because it is located on an arterial near a school and a commercial node and is consistent with the sector plan.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E.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. There is an increased need for small-scale housing. The proposed development would help to meet this need.
2. This area experienced a lot of annexations and rezonings in the 1980s and 90s, with the R-1 (Low Density Residential District in the City's previous zoning code) being the predominant zoning applied. The R-1 zone had a minimum lot area of 7,500 square feet, which is smaller than the current RN-1 zone's 10,000 square foot requirement.
3. This property was zoned R-1 prior to the adoption of the new zoning ordinance on January 1, 2020 and redesignated as RN-1 with the adoption of the new zoning ordinance.

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

1. The RN-2 (Single-family Residential Neighborhood) District is intended to accommodate low-density single-family residential development on relatively small lots with smaller setbacks. Two-family dwellings may also be allowed by special use approval.
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. The proposed rezoning to RN-2 is not anticipated to adversely affect adjacent properties since the area is predominantly residential in character.
2. Most of the neighboring lots to the west are zoned RN-1 (Low Density Residential in the City) and RA (Low Density Residential in the County). The lots vary in size ranging from approximately 0.20 to 0.50 acres. The RN-2 zone has a minimum lot size of 5,000 square feet (or 0.11 acres) for single family homes. This is somewhat smaller than surrounding properties, but not to a point that would be out of character or detrimental to neighboring properties, as both zones are considered low density and allow similar uses. The minimum lot size for a duplex is 10,000 square feet.
3. The property is located at the corner of Pinner Drive and Morrell Road. It is across the street from Rocky Hill Elementary School and is approximately 1/2 mile north of the commercial node at the intersection of Morrell Road and S Northshore Drive. Morrell Road is classified as a minor arterial, so no traffic would need to be routed through local roads.
4. The property is in the Parental Responsibility Zone for Rocky Hill Elementary School, so sidewalks may be required at the time of redevelopment. There is a crosswalk at the intersection of Pinner Drive and Morrell Road.

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 West City Sector Plan has this parcel designated as the LDR (Low Density Residential) land use classification, which is supportive of the RN-2 zone.
2. The requested zoning is not in conflict with any of the other plans.

ESTIMATED TRAFFIC IMPACT: Not required.

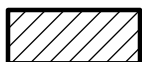
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 4/4/2023 and 4/18/2023. 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.



**3-J-23-RZ
REZONING**

From: RN-1 (Single-Family Residential Neighborhood)
 To: RN-2 (Single-Family Residential Neighborhood)



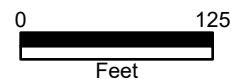
Original Print Date: 2/14/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

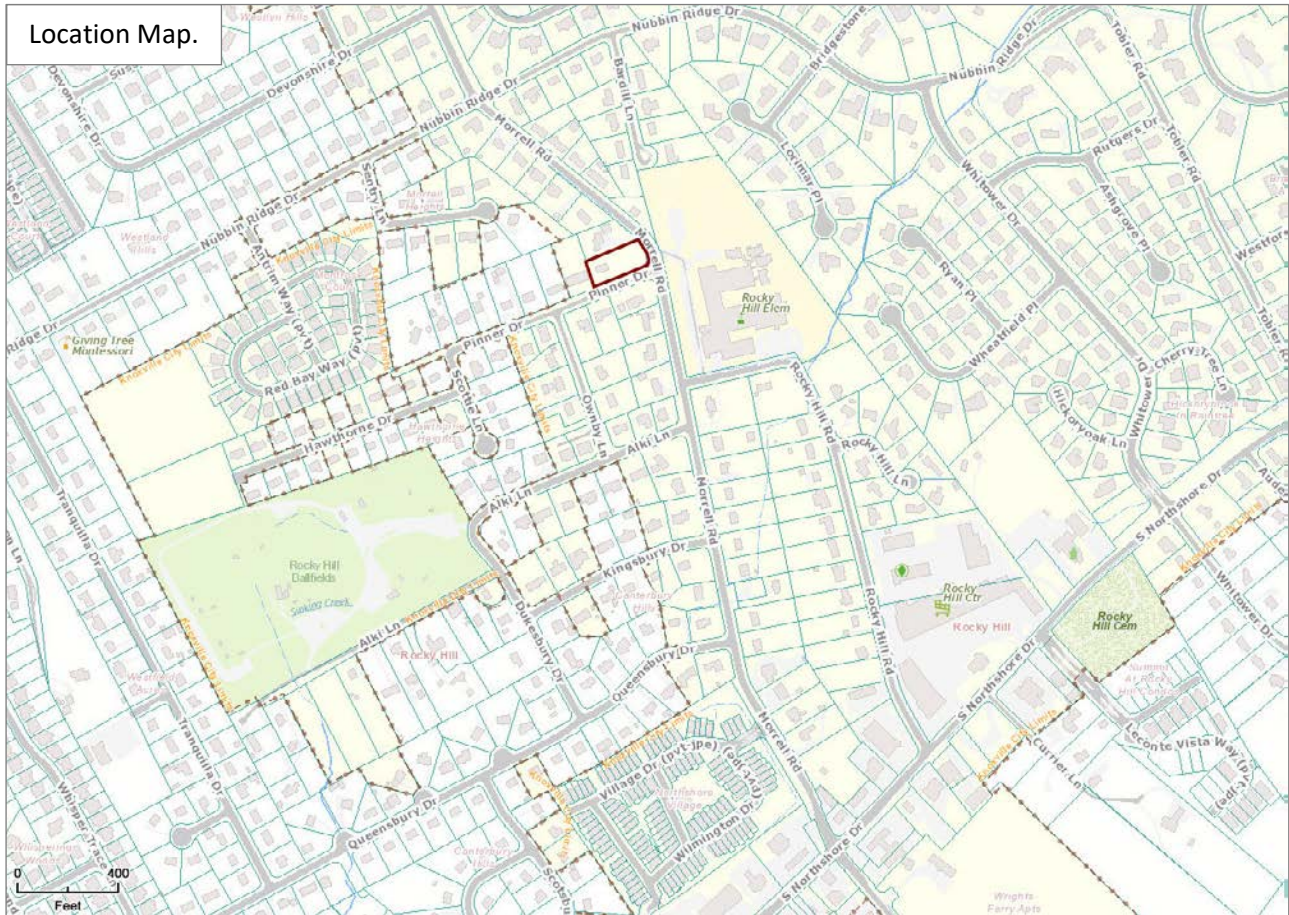
Petitioner: T Dean LaRue

Map No: 133

Jurisdiction: City

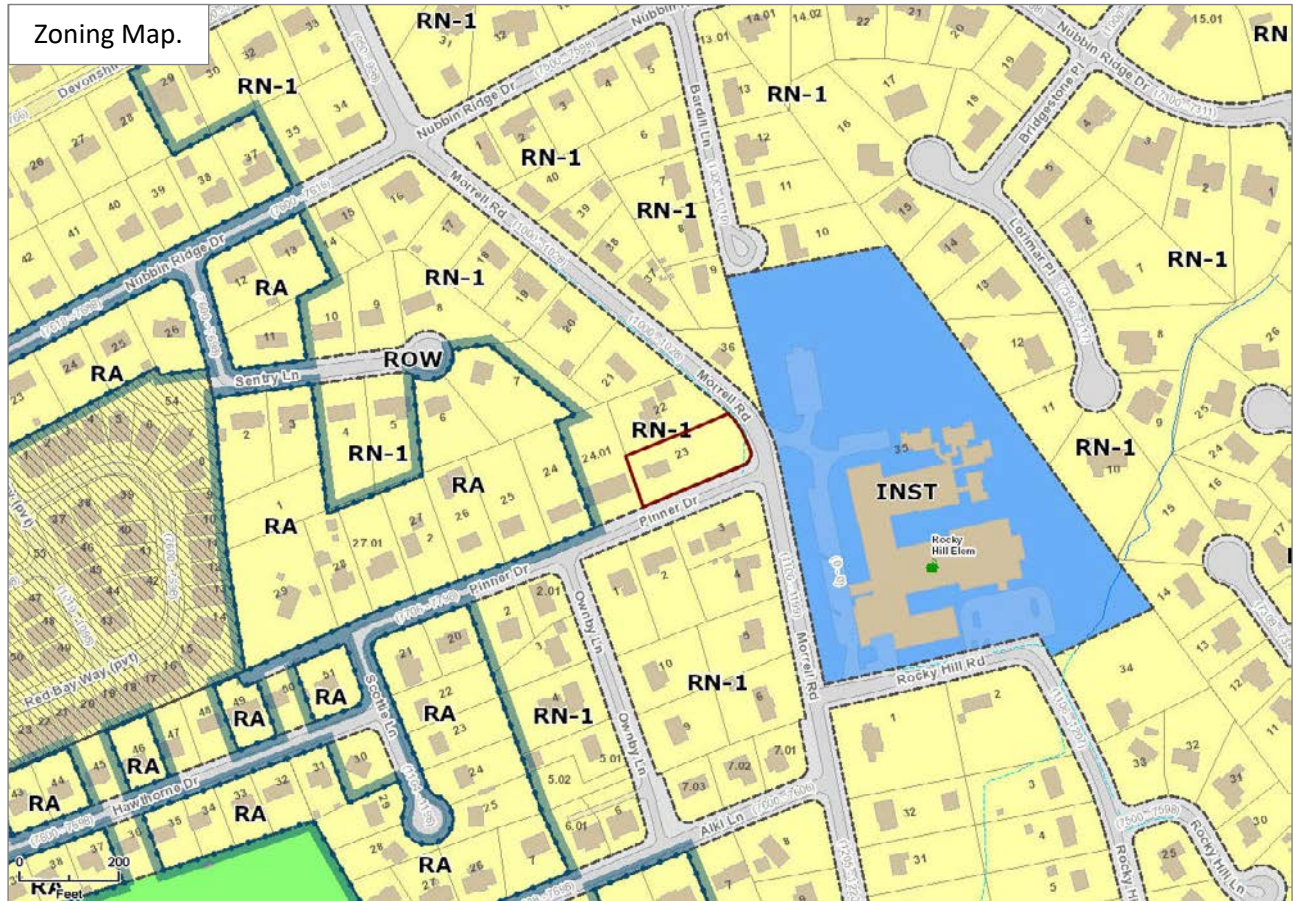


3-J-23-RZ
EXHIBIT A. Contextual Images

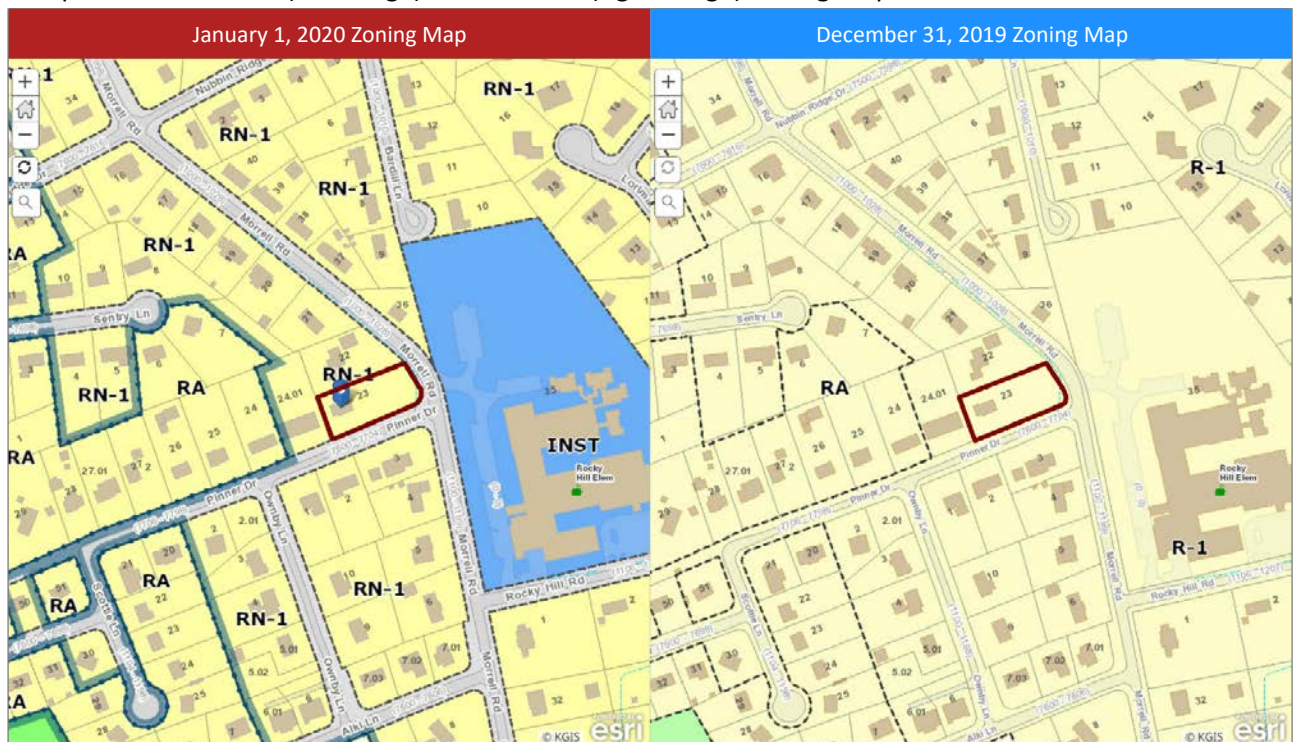


3-J-23-RZ

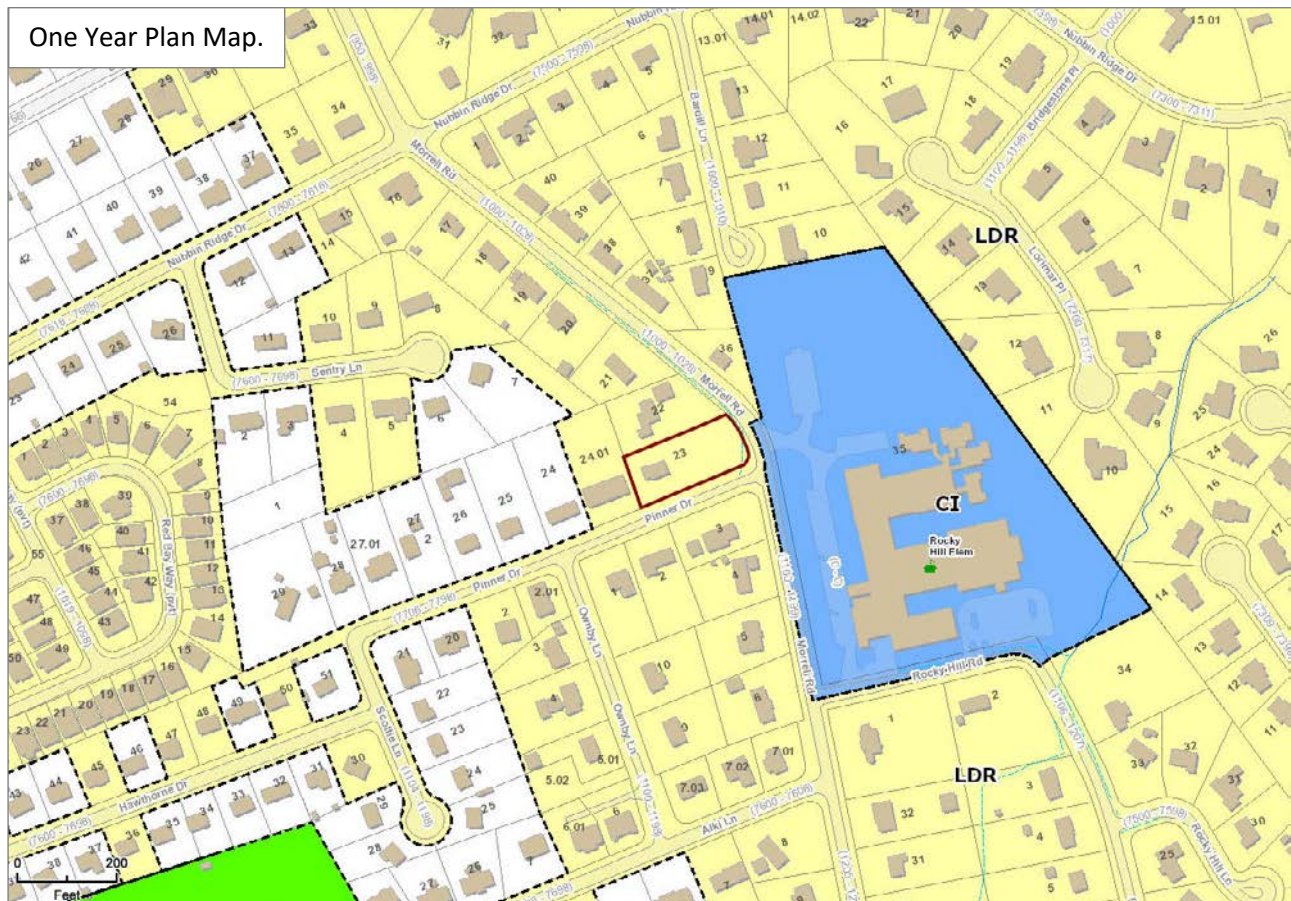
EXHIBIT A. Contextual Images



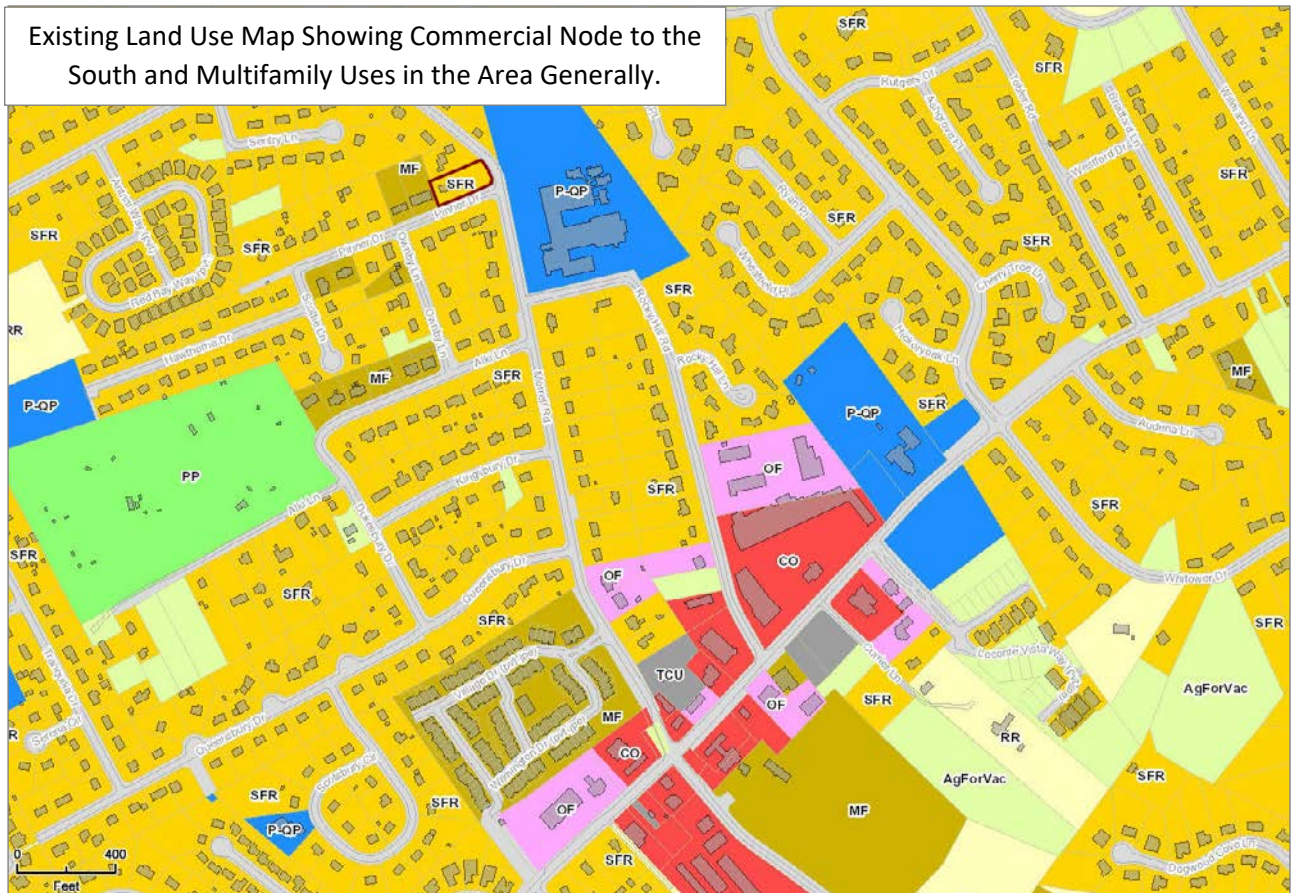
Comparison of Current (left image) and Previous (right image) Zoning Maps.

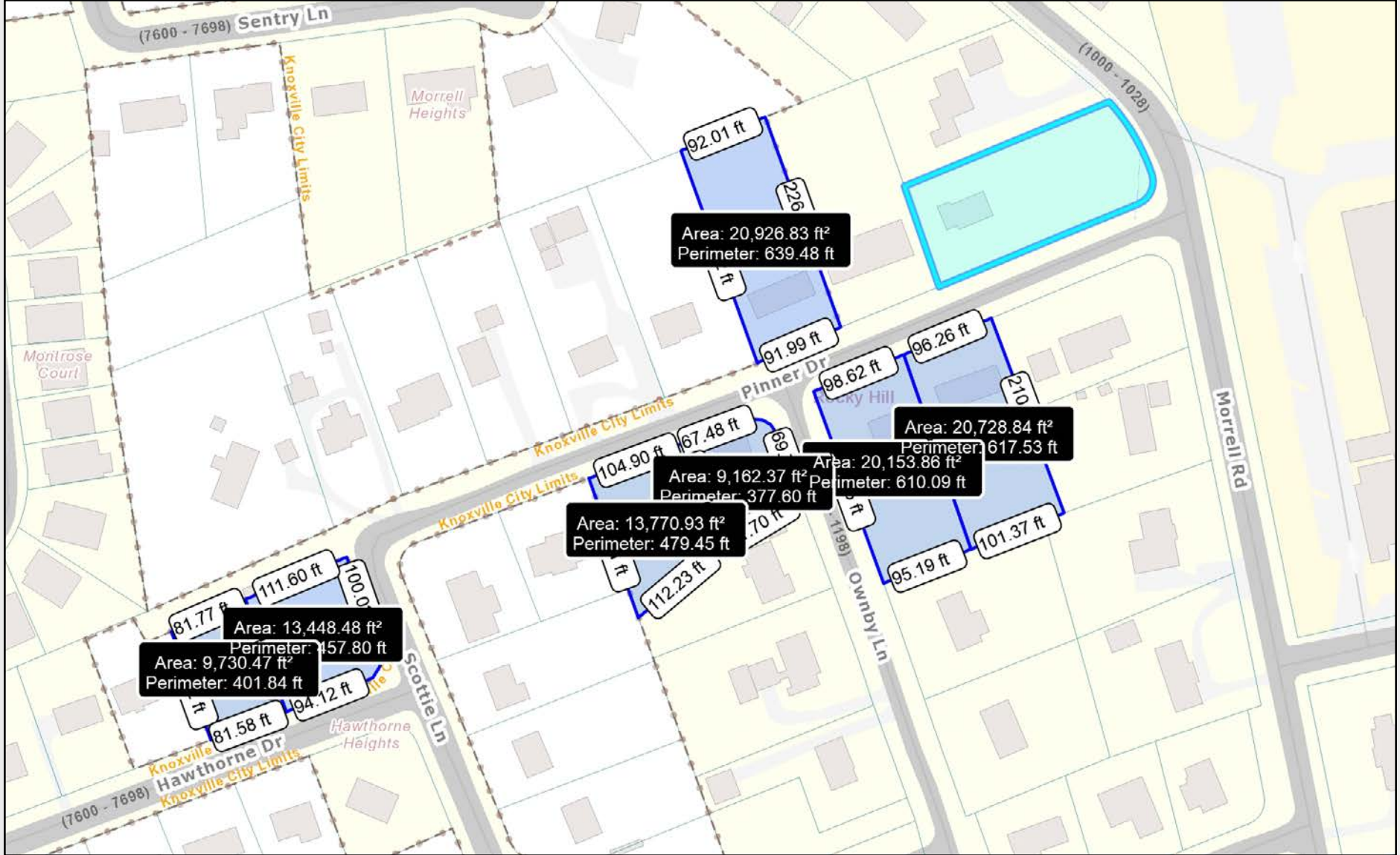


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EXHIBIT A. Contextual Images

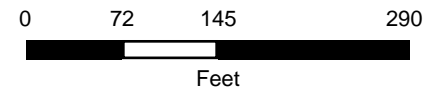


3-J-23-RZ
EXHIBIT A. Contextual Images





Title
 Subtitle
 Notes



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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

T Dean LaRue

Applicant Name

Affiliation

1/23/2023

Date Filed

3/9/2023

Meeting Date (if applicable)

3-J-23-RZ

File Number(s)

CORRESPONDENCE

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

T Dean LaRue

Name / Company

1128 Gettysvue Way Knoxville TN 37922

Address

865-688-8922

Phone / Email

CURRENT PROPERTY INFO

Estate of Brenda C Ailey Toney

Owner Name (if different)

3715 Powers St Knoxville TN 37917

Owner Address

Owner Phone / Email

7700 PINNER DR

Property Address

133 C D 023

Parcel ID

0.58 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

west of Morrell Road, North of Pinner Drive

General Location

City

Council District 2

RN-1 (Single-Family Residential Neighborhood)

Single Family Residential

Count

District

Zoning District

Existing Land Use

West City

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

N/A (Within City Limits)

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 RN-2 (Single-Family Residential Neighborhood)	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

T Dean LaRue	1/23/2023
Applicant Signature	Date
Please Print	

Phone / Email

Estate of Brenda C Ailey Toney	1/23/2023
Property Owner Signature	Date
Please Print	

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

T Dean LaRue

Contract Holder

Applicant Name

Affiliation

1/23/2023

03/09/2023

File Number(s)

Date Filed

Meeting Date (if applicable)

3-J-23-R2

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

T Dean LaRue

Name

Company

1128 Gettysvue Way

Knoxville

TN

37922

Address

City

State

ZIP

865-300-3326

dlarue@cbtn.com

Phone

Email

CURRENT PROPERTY INFO

Estate of Brenda C Ailey (Toney)

3715 Powers St, Knoxville TN 37917

865-688-8922

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7700 Pinner Dr

133CD023

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

w of Morrell Rd, North of Pinner Dr. Tract Size

City County

District 2

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

DEVELOPMENT REQUEST

- Development Plan
 Use on Review / Special Use
 Hillside Protection COA
 Residential
 Non-Residential

Related City Permit Number(s) _____

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number _____

Proposed Subdivision Name _____

Combine Parcels
 Divide Parcel
 Total Number of Lots Created _____
 Unit / Phase Number _____

Other (specify) _____

Attachments / Additional Requirements _____

ZONING REQUEST

Pending Plat File Number _____

Zoning Change
 RN-2
 Proposed Zoning _____

Plan Amendment Change
 Proposed Plan Designation(s) _____

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

Fee 2

Fee 3


 Applicant Signature

T Dean LaRue
 Please Print

1/23/2023
 Date

8653003326
 Phone Number

dlarue@cbtn.com
 Email

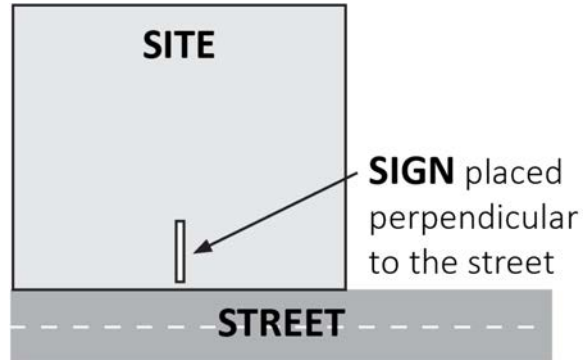

 Property Owner Signature

Estate of Brenda C Ailey (Toney)
 Please Print

1/23/2023
 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.

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:

_____ 2/24/2023 _____ and _____ 2/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: T Dean LaRue

Date: 01/23/2023

File Number: 3-J-23-RZ

- Sign posted by Staff
- Sign posted by Applicant