

REZONING REPORT

▶ **FILE #:** 3-L-23-RZ

AGENDA ITEM #: 27

AGENDA DATE: 3/9/2023

▶ **APPLICANT:** RALPH SMITH
OWNER(S): Stephen Gardner

TAX ID NUMBER: 79 G B 008 (PART OF) [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 3922 SCHAAD RD (Part Of)

▶ **LOCATION:** South side of Schaad Rd, west of Hilda Ln, east of Tecoy Ln

▶ **APPX. SIZE OF TRACT:** 0.23 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Schaad Rd, a minor arterial street with a 20-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Grassy Creek

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

▶ **ZONING REQUESTED:** RB (General Residential)

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

▶ EXTENSION OF ZONE: Yes

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single family residential - RB (General Residential)
South: Transportation, communications, utilities - A (Agricultural)
East: Single family residential - A (Agricultural)
West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This is a predominantly residential area with single family homes on independent lots and small subdivision neighborhoods. There is a golf course across the street.

STAFF RECOMMENDATION:

▶ **Approve the RB (General Residential) zone because it is consistent with the sector plan and surrounding development.**

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 subject property directly accesses a section of Schaad Rd that is slated for the final phase of road-widening improvements. The existing two lanes will be expanded to four, and there will be a new median with turn lanes and sidewalks on both sides of the roadway.
2. A half-mile to the south, at the intersection of Schaad Road and Oak Ridge Highway, the Grassy Creek shopping center is in development and includes a new grocery store that is open for business.
3. These infrastructure and commercial developments support more residential intensity in the area, such as developments permitted within the RB (General Residential) zone district.

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

1. The RB zone allows a medium population density of up to 12 dwelling units per acre by right. Housing forms can range from single family detached dwellings to multifamily buildings.
2. The subject property is a quarter acre in size, and it is planned to be combined with the property at 3912 Schaad Road, which is zoned RB. Most parcels to the east along this section of the Schaad Rd corridor are also zoned RB.

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 property is within the HP (Hillside Protection) area. However, most of the sloped areas are below a 25% grade, and the parcel has been previously disturbed. Development considerations related to slopes on this quarter-acre parcel would be reviewed by Knox County Engineering at the permitting stage.
2. There are no existing homes immediately adjacent to the east, west or rear of the property. Neighboring parcels closer to Schaad Rd are already zoned for more intensive development with RB or CA (General Business) districts. This is a suitable location for a minor extension of the RB zone, and is not anticipated to have adverse impacts on surrounding properties.

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 City Sector Plan classifies this area as the Schaad Road Mixed Use Special District (MUSD, NWC-2). This land use classification includes recommendations for medium density residential development, which is consistent with the proposed RB zone.
2. The rezoning request is compatible with the Growth Policy Plan's Urban Growth designation for this area.
3. The RB zone is not in conflict with the General Plan or any other adopted plans.

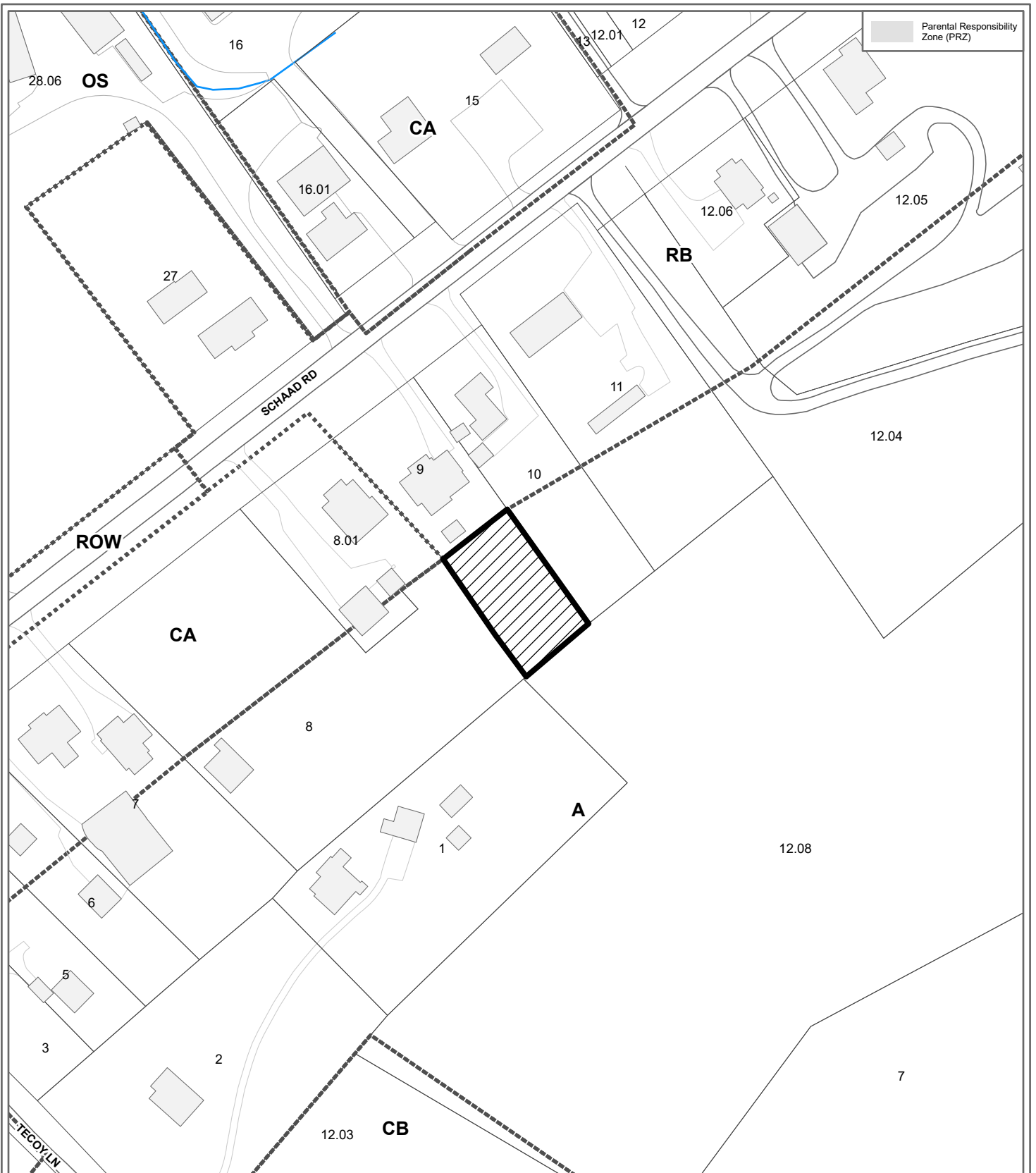
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Karns Elementary, Karns Middle, and Karns 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 4/24/2023. 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.



**3-L-23-RZ
REZONING**

From: A (Agricultural)
To: RB (General Residential)



Petitioner: Ralph Smith

Map No: 79
Jurisdiction: County

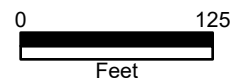


Exhibit A. 3-L-23-RZ Context Images

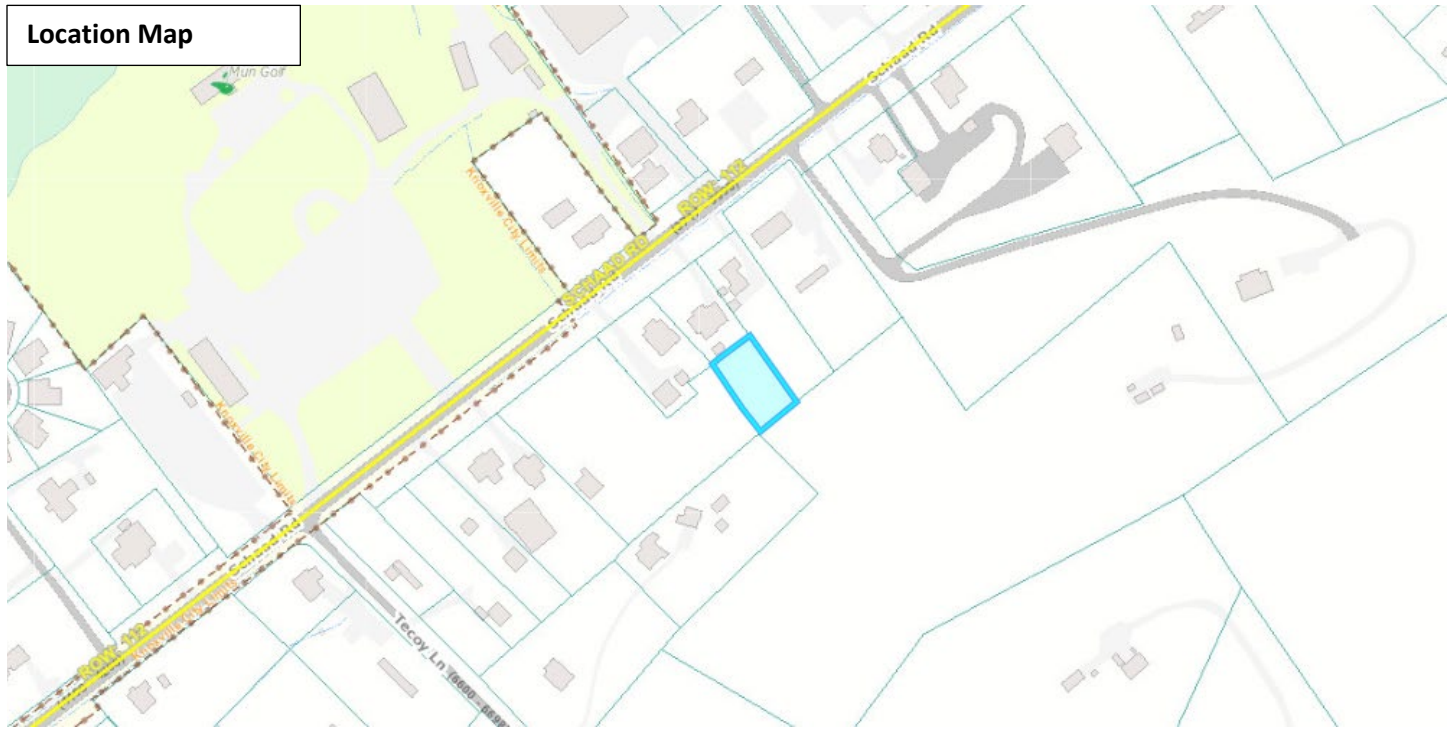
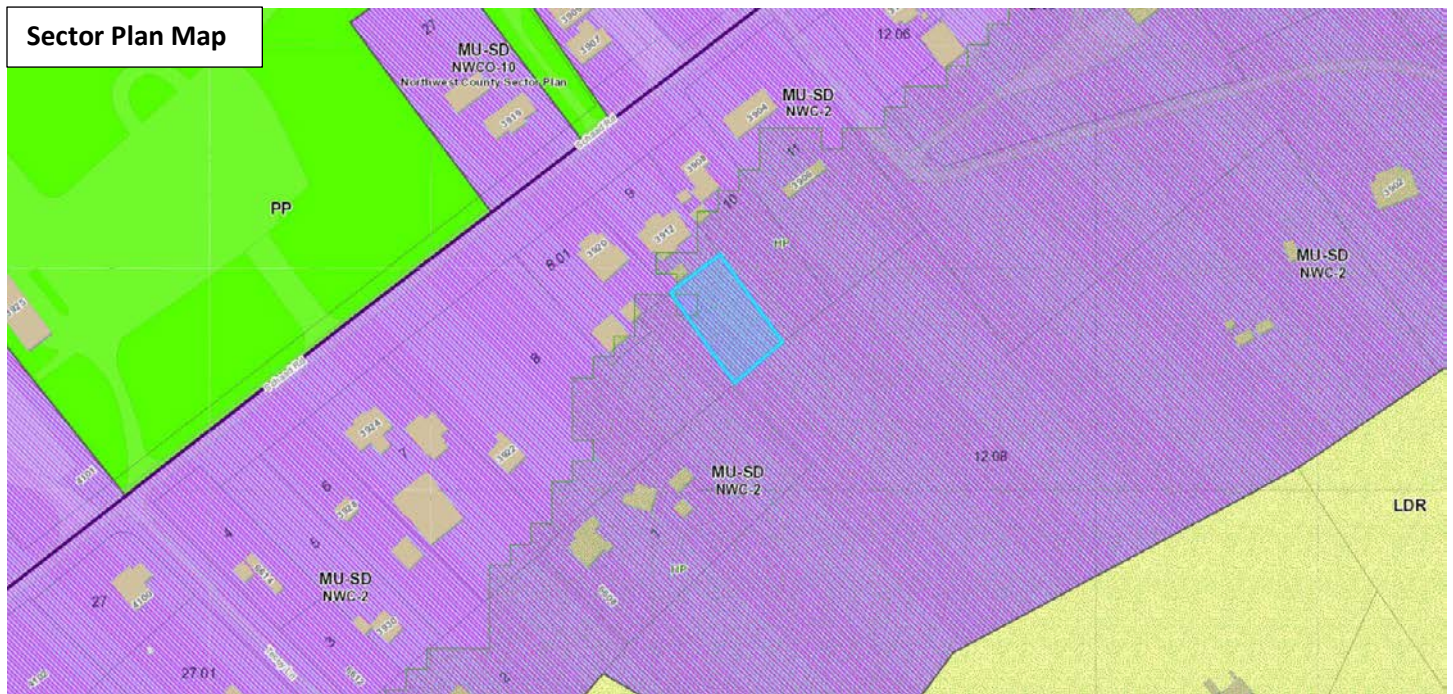


Exhibit A. 3-L-23-RZ Context Images





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

Ralph Smith

Applicant Name

Affiliation

1/24/2023

Date Filed

3/9/2023

Meeting Date (if applicable)

3-L-23-RZ

File Number(s)

CORRESPONDENCE

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

Ralph Smith Professional Land Systems

Name / Company

205 Lamar Ave. Ave. Clinton TN 37716

Address

865-599-1508 / ralph6169@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Stephen Gardner

Owner Name (if different)

3922 Schaad Rd

Owner Address

865-659-4224

Owner Phone / Email

3922 SCHAAD RD / Part Of

Property Address

79 G B 008 (Part of)

Parcel ID

Part of Parcel (Y/N)?

0.499 acres

Tract Size

Hallsdale-Powell Utility District

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Schaad Rd, west of Hilda Ln, east of Tecoy Ln

General Location

City **Commission District 6 A (Agricultural)**

Single Family Residential

County District Zoning District

Existing Land Use

Northwest City

Planning Sector

MU-SD (Mixed Use Special District), HP (Hillside Protectio

Sector Plan Land Use Classification

Urban Growth Area (Outside City Limit

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 RB (General 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	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	\$650.00	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS	Fee 3	
<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)		

AUTHORIZATION

Applicant Signature	Ralph Smith Please Print	1/24/2023 Date
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Property Owner Signature	Stephen Gardner Please Print	1/24/2023 Date
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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

Ralph Smith (for Stephen Gardner)

Surveying Co

Applicant Name

Affiliation

Jan. 23, 2023

March 9, 2023

Date Filed

Meeting Date (if applicable)

File Number(s)

3-L-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

Ned Ferguson

Professional Land Systems

Name

Company

205 Lamar Ave

Clinton

TN

37716

Address

City

State

ZIP

865-599-0318

nedferguson@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Stephen Gardner

3922 Schaad Rd Knoxville TN 37921

865-659-4224

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

3922 Schaad Rd

079GB008 (Pt. of)

Property Address

Parcel ID

HPUD

KUB

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 **RB**
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*)

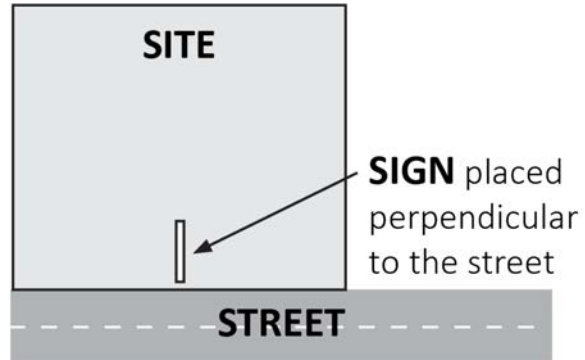
Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION

	Ralph Smith (for Stephen Gardner)	1-23-2023
Applicant Signature	Please Print	Date
865-599-1508	ralph6169@gmail.com	
Phone Number	Email	
	Stephen Gardner	1-23-2023
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.

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 _____ 3/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ralph Smith

Date: 1/24/23

File Number: 3-L-23-RZ

- Sign posted by Staff
 Sign posted by Applicant