

REZONING REPORT

► **FILE #:** 4-H-24-RZ

AGENDA ITEM #: 13

AGENDA DATE: 4/11/2024

► **APPLICANT:** DOUGLAS R PAWLAK

OWNER(S): Douglas Pawlak

TAX ID NUMBER: 118 C J 04001, 040

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0 RED HELLARD LN (10022 BOB GRAY RD)

► **LOCATION:** Eastern terminus of Red Hellard Ln, south side of Bob Gray Rd

► **APPX. SIZE OF TRACT:** 0.67 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Red Hellard Rd, a local road with a pavement width of 26 ft within a 50 ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Turkey Creek

► **PRESENT ZONING:** PR (Planned Residential) up to 5 du/ac

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

► **EXISTING LAND USE:** Agriculture/forestry/vacant (vacant lots)

►
EXTENSION OF ZONE: No, this is not an extension of the zone.

HISTORY OF ZONING: This property was rezoned from BP to PR up to 5 du/ac in 2015 (9-D-15-RZ).

SURROUNDING LAND USE AND ZONING: North: Multifamily residential - RB (General Residential)

South: Single family residential - PR (Planned Residential) up to 5 du/ac

East: Multifamily residential - BP (Business and Technology Park)

West: Single family residential - PR (Planned Residential) up to 5 du/ac

NEIGHBORHOOD CONTEXT: This area is largely single family subdivisions. This property abuts a mobile home park to the east.

STAFF RECOMMENDATION:

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

COMMENTS:

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. In 2015, this property was zoned PR (Planned Residential) up to 5 du/ac from BP (Business and Technology Park), subject to one condition, vehicular access must be provided to both Dutchtown Rd and Bob Gray Rd (9-

D-15-RZ). At the time of the rezoning, there was an existing house on the property with a driveway on Bob Gray Rd. When the Dutchtown Woods subdivision started to develop in 2019, the house was torn down and has since been vacant. Then, in 2021 this property was bought by an adjacent property owner in the abutting Hunter's Pointe subdivision on Red Hellard Ln. Last year, the property was resubdivided from one 27,962 sq ft lot into two lots of 15,570 sq ft and 13,498 sq ft. Bob Gray Rd access was closed and both lots now have exclusive access to Red Hellard Ln.

2. The general area has been transitioning from agriculture land to single family subdivisions on small to medium sized lots with RA (Low Density Residential) and PR (Planned Residential) up to 6 du/ac zones since the 1970s.

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. In the RA zone, the minimum lot size for a lot with a single family dwelling is 10,000 sq-ft if sewer is provided. The RA zone allows duplexes and garage apartments on the same lot as a house, with Use on Review approval by the Planning Commission. Built at maximum capacity, each lot could be built with up to 2 units for a total of 4 units.
3. The RA zone would allow the properties to be developed using the setback requirements of the RA zone instead of those of the PR zone. The PR zone has a 35-ft peripheral boundary that would be applicable on the northern boundary of the northernmost lot.
4. 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.

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 2 lots that were created in 2023 are more similar in size to the small lots on Red Hellard Ln. The proposed RA zone is compatible with the area's density and uses.
2. The Dutchtown Woods Subdivision is built out to 3.89 du/ac. If this property is rezoned to RA, then the density of Dutchtown Woods will increase to 3.99 du/ac, which is still in compliance with the PR up to 5 du/ac.

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 RA zone is consistent with the Northwest County Sector Plan Low Density Residential land use, which considers the RA zone in the County's Planned Growth Area.
2. The proposed rezoning to RA aligns with Section 9.3 of the General Plan, which ensures that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 0 (public school children, grades K-12)

Schools affected by this proposal: Cedar Bluff Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

- 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 5/20/2024. 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

4-H-24-RZ

Petitioner: Douglas R Pawlak



From: PR (Planned Residential) up to 5 du/ac

To: RA (Low Density Residential)

Original Print Date: 3/6/2024
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 118

Jurisdiction: County

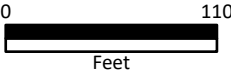
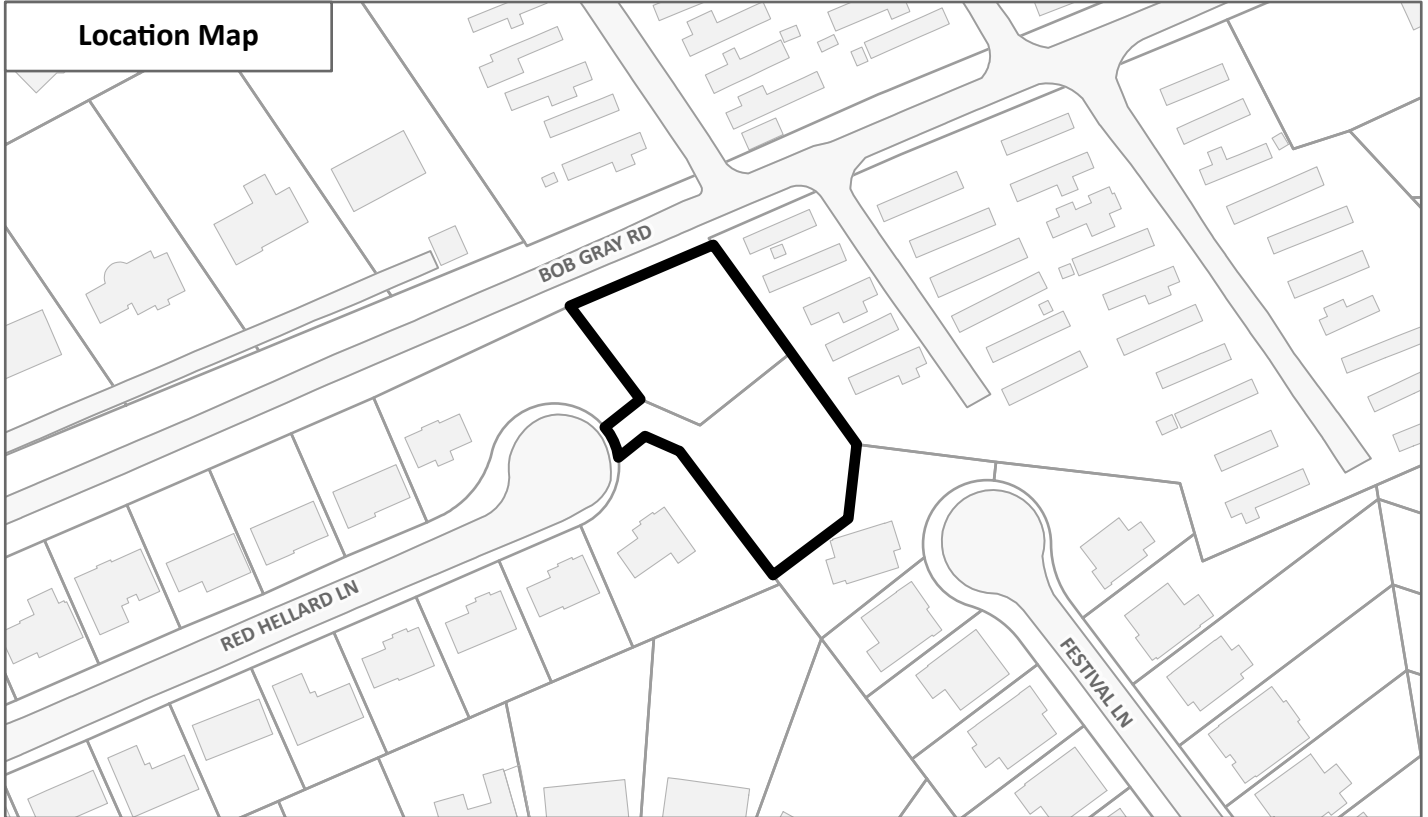


Exhibit A. Contextual Images

Location Map



Aerial Map

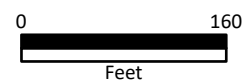


CONTEXTUAL MAPS 1

4-H-24-RZ



Case boundary



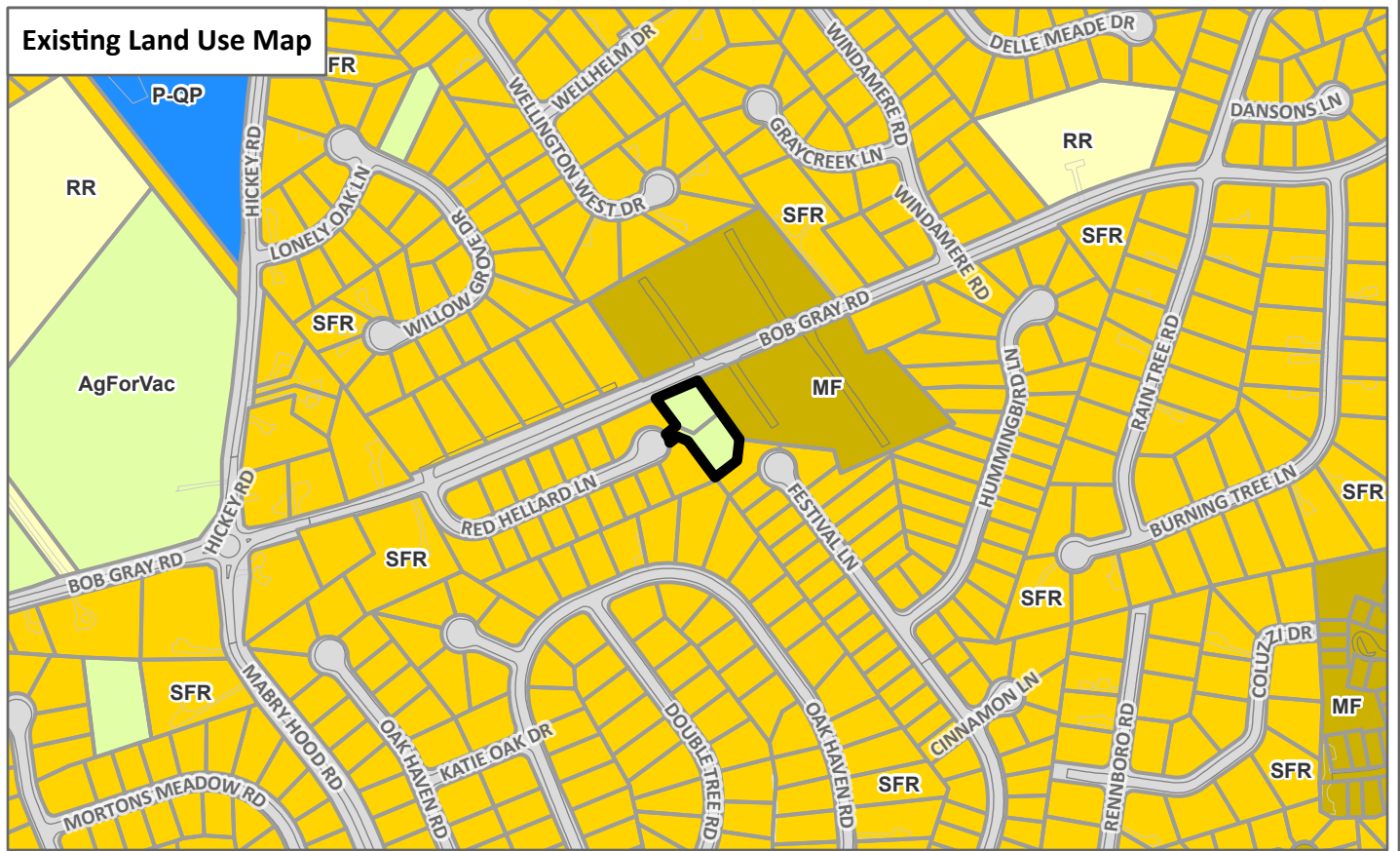
The map displays a residential sector with various lots and streets. The central lot, outlined in thick black, is labeled 'LDR' and '40.01'. Other lots are numbered, including 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200. The streets shown are Bob Gray Rd, Red Hellard Ln, and Festival Ln. The zoning designations are LDR (Low Density Residential) and HP (High Priority). The map is titled 'Sector Plan Map'.

Box 1

A horizontal number line is shown with a black rectangular background. The line starts at 0 on the left and ends at 170 on the right. A tick mark is placed at 100. The segment from 0 to 100 is shaded black, and the segment from 100 to 170 is white.



Existing Land Use Map



CONTEXTUAL MAPS 3

4-H-24-RZ



Case boundary





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

Douglas R Pawlak

Applicant Name

Affiliation

2/13/2024

Date Filed

4/11/2024

Meeting Date (if applicable)

4-H-24-RZ

File Number(s)

CORRESPONDENCE

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

Douglas Pawlak

Name / Company

10108 Red Hellard Lane Knoxville TN 37921

Address

865-296-9160

Phone / Email

CURRENT PROPERTY INFO

Douglas Pawlak

Owner Name (if different)

10108 Red Hellard Lane Knoxville TN 37921

Owner Address

865-296-9160

Owner Phone / Email

0 RED HELLARD LN / 10022 BOB GRAY RD

Property Address

118 C J 040 01, 040

Parcel ID

0.67 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Eastern terminus of Red Hellard Ln, south side of Bob Gray Rd

General Location

☐ City

Commission District 3

PR (Planned Residential) up to 5 du/ac

Single Family Residential

☒ County District

Zoning District

Existing Land Use

Northwest County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **RA (Low Density Residential)**

Proposed Zoning

Pending Plat File Number

- ☐ 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

\$650.00

Total

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.

Douglas R Pawlak

2/13/2024

Applicant Signature

Please Print

Date

Phone / Email

Douglas Pawlak

2/13/2024

Property Owner Signature

Please Print

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

Douglas R Pawlak

Owner

Applicant Name

Affiliation

01/29/2024

04/11/2024

File Number(s)

Date Filed

Meeting Date (if applicable)

4-H-24-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

Douglas Pawlak

Name

Company

10108 Red Hellard Lane

Knoxville

TN

37923

Address

City

State

ZIP

8652969160

fkpawlak@yahoo.com

Phone

Email

CURRENT PROPERTY INFO

Same as above

Same as above

Same as above

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

10022 Bob Gray Rd & 0 Red Hellard Ln

118CJ040 & 118CJ04001

Property Address

Parcel ID

WKUD

WKUD

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

May 1, 2023

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 - for Lot 90R and 90R1, Lot 9R no change

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

20231113 -
0024466

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

0801

\$650.00

Total

Fee 2

\$650.00

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

865-296-9160

Phone Number

Douglas R Pawlak

Please Print

fkpawlak@yahoo.com

Email

2/9/24
Date

Property Owner Signature

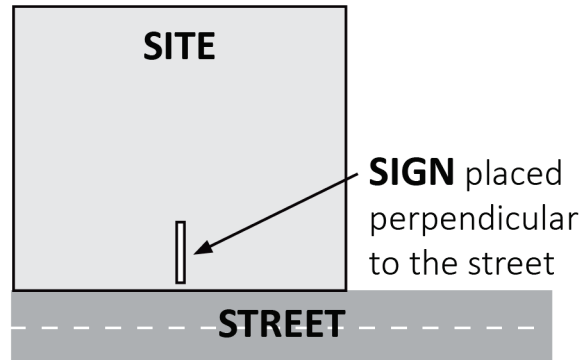
Douglas R Pawlak

Please Print

Pd., 02/13/2024, SG

Date Paid

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:

_____ **03/29/2024** _____ and _____ **04/12/2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Douglas R Pawlak

Date: 02/13/2024

File Number: 4-H-24-RZ



Sign posted by Staff



Sign posted by Applicant