

REZONING REPORT

► **FILE #:** 4-S-24-RZ

AGENDA ITEM #: 20

AGENDA DATE: 4/11/2024

► **APPLICANT:** JESSE A. PAPA

OWNER(S): Kathy Thornhill

TAX ID NUMBER: 42 J C 003, 004, 005

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 2134 SHIPETOWN RD (2140, 2202 SHIPETOWN RD)

► **LOCATION:** East side of Shipetown Rd, north of Mascot Rd

► **APPX. SIZE OF TRACT:** 1.71 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Shipetown Road is a local road with an 18-ft pavement width within a 42-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Roseberry Creek

► **PRESENT ZONING:** A (Agricultural), F (Floodway)

► **ZONING REQUESTED:** RA (Low Density Residential), F (Floodway)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Single Family Residential, Water

►
EXTENSION OF ZONE: No, this is not an extension

HISTORY OF ZONING: None noted

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

South: Single family residential - A (Agricultural)

East: Single family residential - A (Agricultural)

West: Single family residential, agriculture/forestry/vacant - CA (General Business), PR (Planned Residential) up to 3 du/ac

NEIGHBORHOOD CONTEXT: Shipetown Road consists of large lots with single family homes and subdivisions with smaller lots off of side streets. Roseberry Creek runs through the rear of this property, and First Creek is nearby to the east.

STAFF RECOMMENDATION:

► **Approve the RA (Low Density Residential) zone because it is consistent with the sector plan and other development in the area. The F (Floodway) zone would be retained.**

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 to the south of the subject property experienced a transition from the A (Agricultural) zone to the RA zones in the 1980s.
2. Although the surrounding properties in this area are zoned A, which has a 1-acre minimum lot size, they are generally about a 1/2 acre in size, making them more consistent with the RA zone.

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. The surrounding area consists of low density residential development, so the request for RA on this property is consistent with the zone's intent.
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 RA zone allows predominantly residential uses, though there are a handful of low-impact, nonresidential uses allowed.

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 rear of the property is in a FEMA floodway and in 100-yr and 500-yr floodplains. Site plans would be required to meet the standards of the Knox County Stormwater Ordinance to mitigate the effects of stormwater runoff.
2. The RA zone has a minimum lot size of approximately 10,000 sq ft, which yields a density of roughly 4 du/ac. Approximately 1.52 acres of the 1.71 acres included in this request would be rezoned to RA, since the F zone would be retained. Built at maximum capacity, this property could be developed with up to 6 lots. However, the floodway and floodplains extend into the A-zoned portion of the property subject to this rezoning, so it is unlikely to be developed with the maximum number of lots allowed by the RA zone due to restrictions in those areas.
3. This property is approximately 1/3 mile north of Mascot Road, a minor collector, so no traffic would be required through residential streets to access the property.

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 Northwest County Sector Plan, which allows consideration of the RA zone for properties in the Planned Growth Areas of the Growth Policy Plan.
2. The recommended rezoning complies with the General Plan's development policy 9.3, the intent of which is to ensure the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.
3. The requested rezoning, and the floodplain and floodway restrictions, comply with the General Plan's development policy 9.2, the intent of which is to encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat.

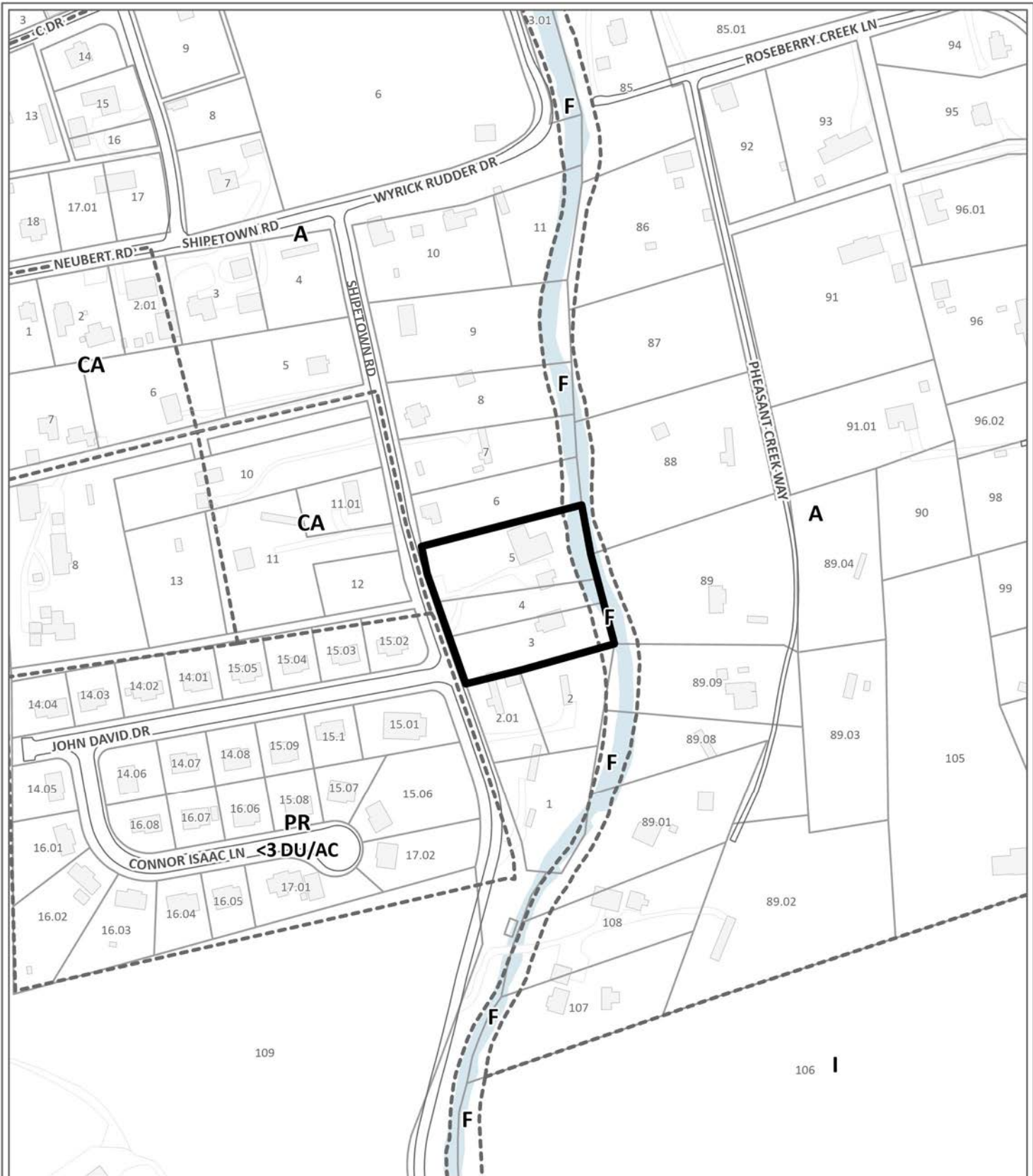
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: East Knox County Elementary, Carter Middle, and Carter 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 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-S-24-RZ

Petitioner: Jesse A. Papa



From: A (Agricultural), F (Floodway)

To: F (Floodway); RA (Low Density Residential)

Map No: 42

Jurisdiction: County

Original Print Date: 3/12/2024

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

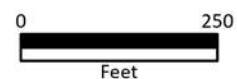
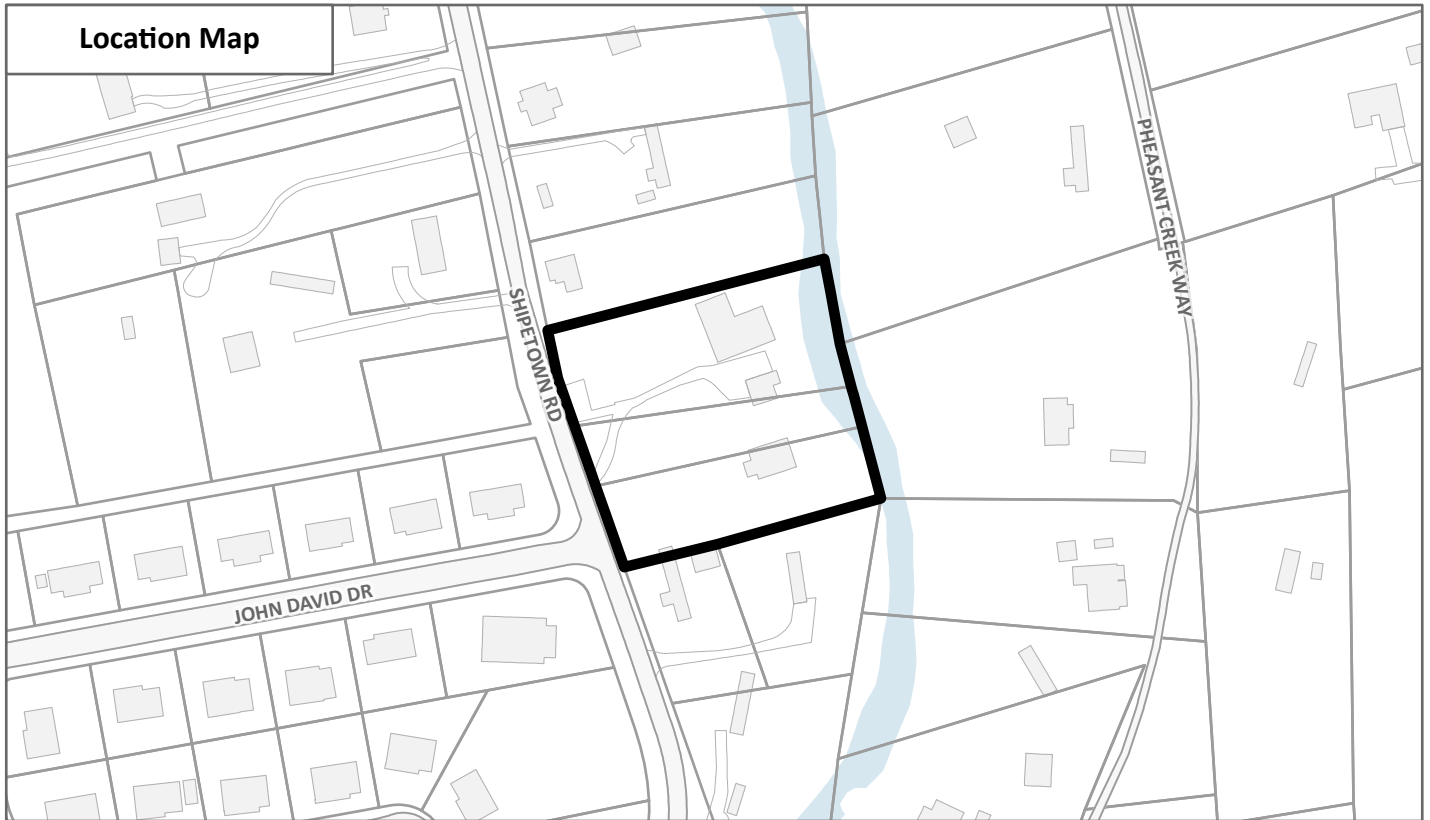


Exhibit A. Contextual Images

Location Map



Aerial Map

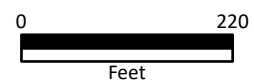


CONTEXTUAL MAPS 1

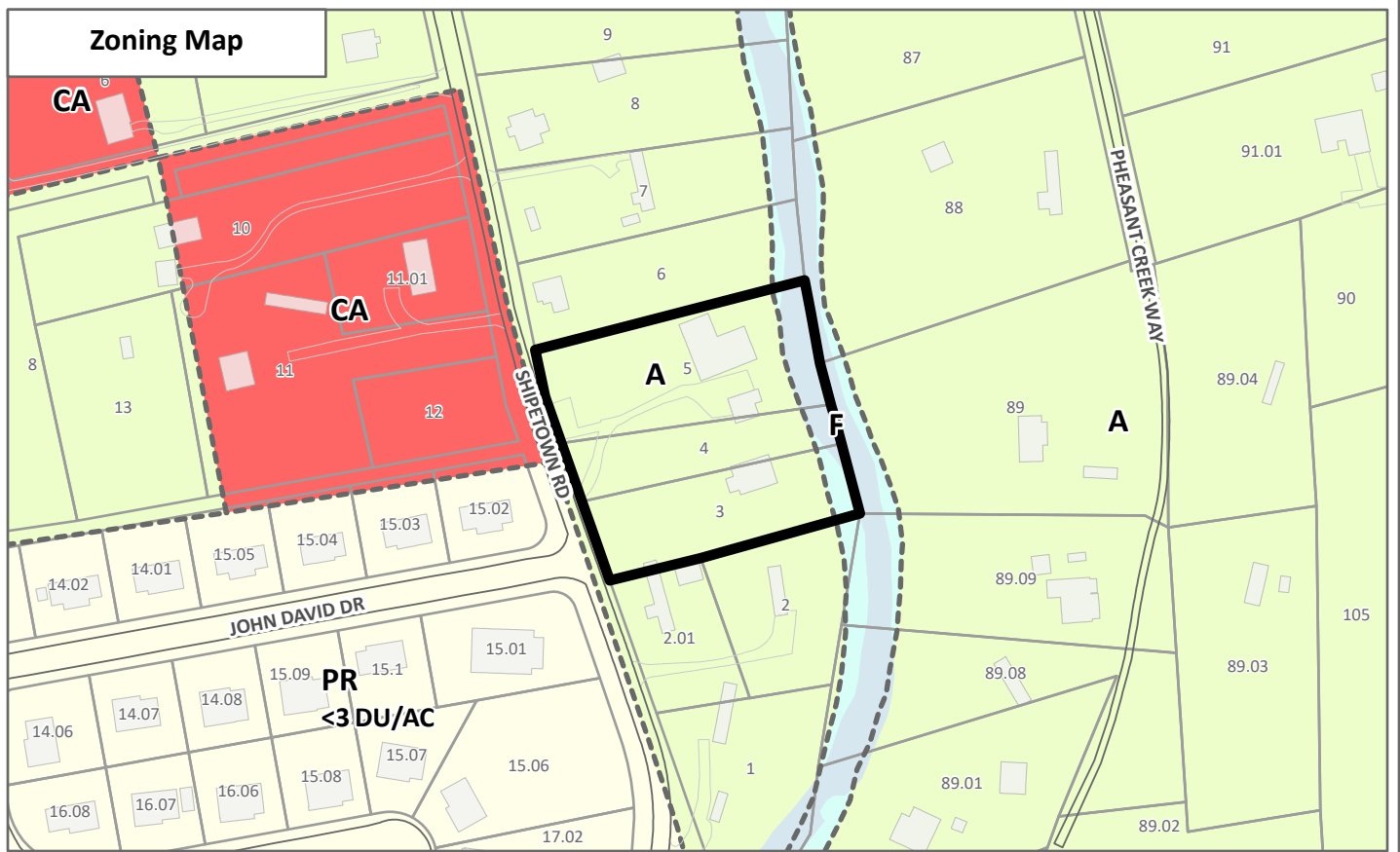
4-S-24-RZ



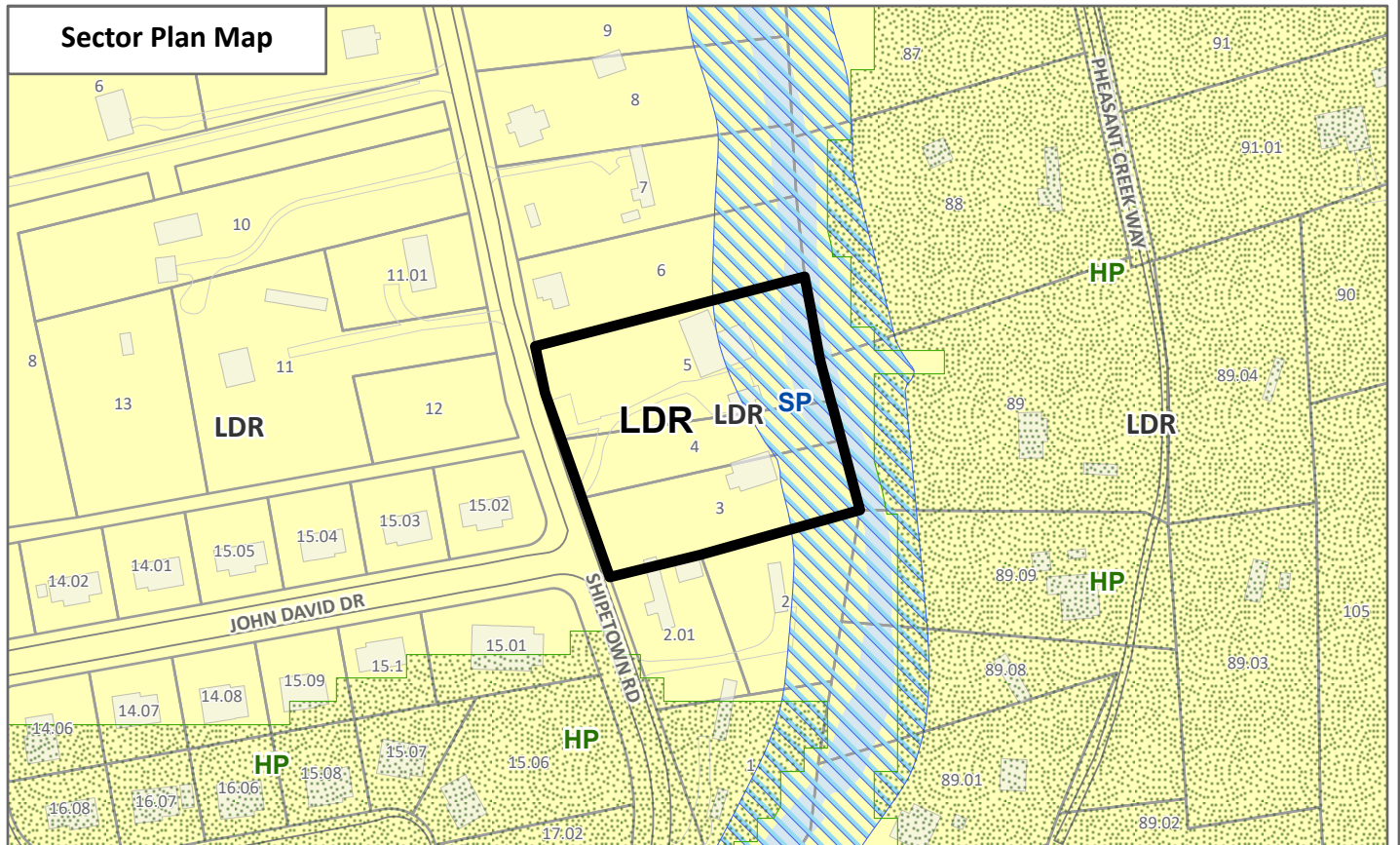
Case boundary



Zoning Map



Sector Plan Map

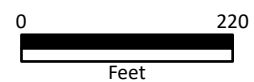


CONTEXTUAL MAPS 2

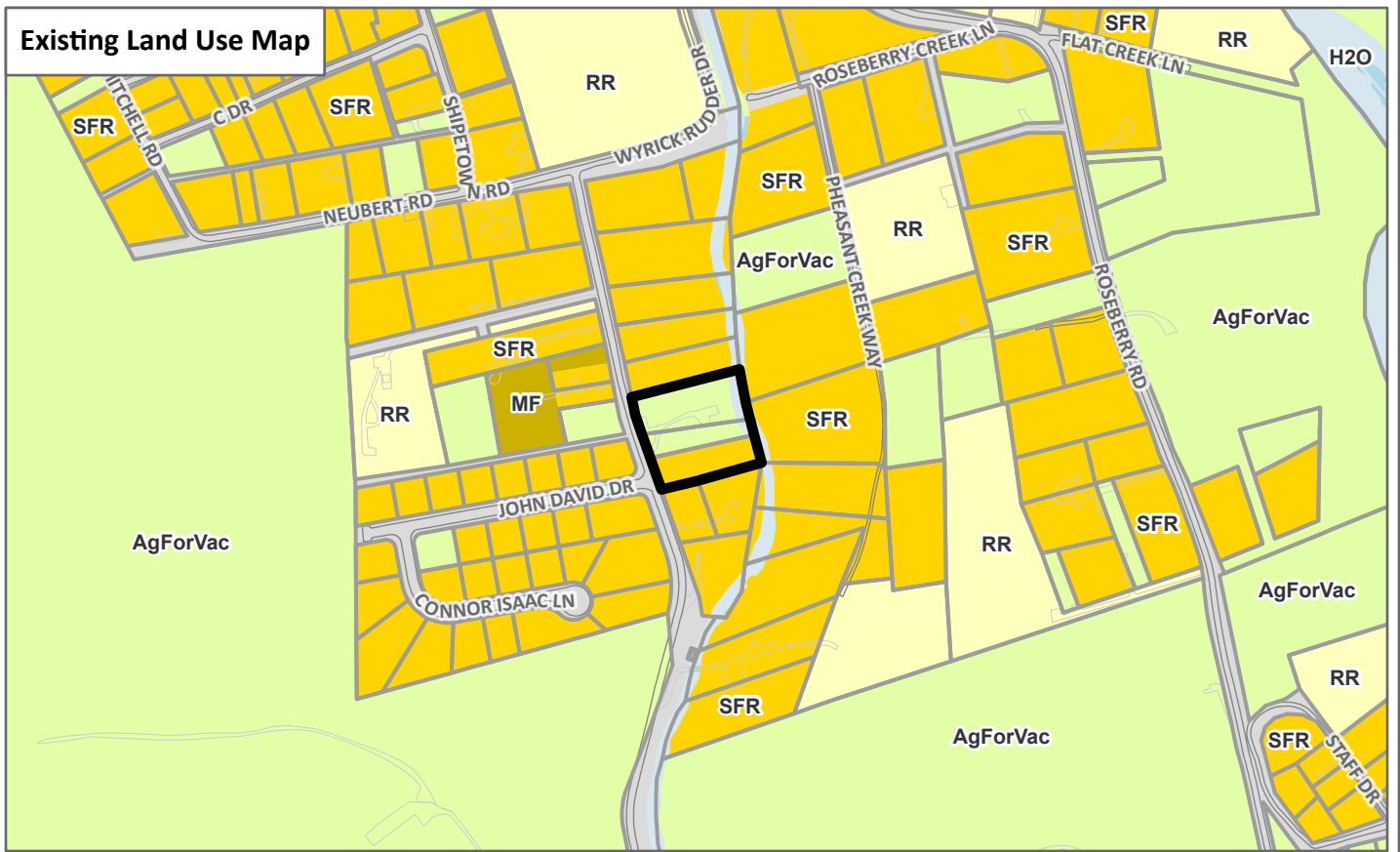
4-S-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

4-S-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

Jesse A. Papa

Applicant Name

Affiliation

2/26/2024

Date Filed

4/11/2024

Meeting Date (if applicable)

4-S-24-RZ

File Number(s)

CORRESPONDENCE

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

Jesse A Papa Your Home Sold Guaranteed Realty

Name / Company

121 Suburban suite 101 Knoxville TN 37923

Address

865-748-0297 / jesse@kingsrealstate.com

Phone / Email

CURRENT PROPERTY INFO

Kathy Thornhill

Owner Name (if different)

865-414-3649

Owner Phone / Email

2134 SHIPETOWN RD / 2140, 2202 SHIPETOWN RD

Property Address

42 J C 003, 004, 005

Parcel ID

1.71 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Northeast Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Shiptown Rd, north of Mascot Rd

General Location

☐ City **Commission District 8 A (Agricultural), F (Floodway)**

Agriculture/Forestry/Vacant Land, Single Family Residential, Water

☒ County District

Zoning District

Existing Land Use

Northeast County

Planning Sector

LDR (Low Density Residential), SP (Stream Protection)

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), F (Floodway)**
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.

Jesse A. Papa

2/26/2024

Applicant Signature

Please Print

Date

Phone / Email

Kathy Thornhill

2/26/2024

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

Jesse A Papa

Realtor

Applicant Name

Affiliation

02/22/2024
Date Filed

April 11th 2024
Meeting Date (if applicable)

~~1-W-24~~ File Number(s)

~~Final Plat Review~~

File # 4-S-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

Jesse A Papa

Your Home Sold Guaranteed Realty

Name

Company

121 Suburban Rd

Knoxville

TN

37923

Address

City

State

ZIP

865-748-0297

jesse@kingsofrealestate.com

Phone

Email

CURRENT PROPERTY INFO

Kathy Thornhill/Richelle Gann

865-414-3649

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

2134/2140/2202 Shipetown Rd., Mascot, TN 37806

042JC003.00 ; 042JC004.00; 042JC005.00

Property Address

Parcel ID

KUB

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

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 **Residential RA (Low Density Residential)**
Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Pending Plat File Number

1-W-24

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	\$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

Jesse A Papa

Please Print

02/22/2024
Date

865-748-0297

Phone Number

jesse@kingsofrealestate.com

Email


Property Owner Signature



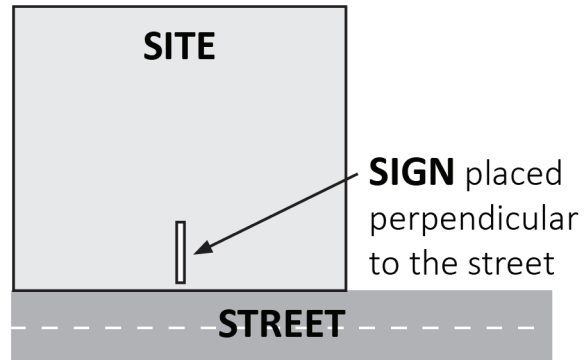
Kathy Thornhill/Richelle Gann

Please Print

02/27/2024, 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: Jesse A. Papa

Date: 02/27/2024

File Number: 4-S-24-RZ



Sign posted by Staff



Sign posted by Applicant