

# REZONING REPORT

▶ **FILE #:** 2-C-24-RZ

**AGENDA ITEM #:** 28

**AGENDA DATE:** 2/8/2024

▶ **APPLICANT:** KENDRA ATEES

OWNER(S): Kendra Ates

TAX ID NUMBER: 51 109.09

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 1715 ELLISTOWN RD

▶ **LOCATION:** Southwest side of Ellistown Rd, southeast of Rutledge Pk

▶ **APPX. SIZE OF TRACT:** 1.85 acres

SECTOR PLAN: Northeast County

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

ACCESSIBILITY: Access is via Ellistown Road, a local street with a 17-ft pavement width within a 45 to 72-ft right-of-way.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Legg Creek

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

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

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

▶  
EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single-family residential, rural residential, agriculture/forestry/vacant land - A (Agricultural)

South: Agriculture/forestry/vacant land - A (Agricultural)

East: Single-family residential - A (Agricultural)

West: Single-family residential, commercial - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area of Ellistown Road south of Rutledge Pike services a small wooded, single-family residential community with lots that are generally an acre in size. Legg Creek runs along the rear of properties on the southwest side of the street, which leads to the Holston River at the neighborhood's eastern terminus. The Poplar View Landfill abuts this neighborhood to the southwest.

**STAFF RECOMMENDATION:**

▶ **Approve the PR (Planned Residential) zone up to 1.5 du/ac because it is consistent with the sector plan and appropriate given the environmental constraints on the property.**

**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 A (Agricultural) zoned properties that access this section of Ellistown Road around the subject property have not seen a significant change of conditions, but most properties are single-family residential lots approximating an acre in size. There is one active agricultural property that borders Ellistown to the northwest. However, it was rezoned PR (Planned Residential) up to 4 du/ac in 2005 (11-L-05-RZ). A single-family residential development plan was approved by the Planning Commission, though not implemented.
2. Residential zoning on this subject property would be consistent with neighboring single-family residential land uses.

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

1. The requested RA (Low Density Residential) zone could permit an intensity of 8 residential lots on the 1.85-acre subject property, because the district has a 10,000sf minimum lot area. This level of residential development would be out of character with the surrounding neighborhood's lot size. Staff recommends rezoning to the PR district with a density of up to 1.5 du/ac. This would permit two dwellings on the property, which is equivalent to surrounding residential intensity.
2. The PR zone provides optional methods of land development that encourage creative solutions to environmental design problems. The subject property includes steep, forested slopes within the HP (Hillside Protection) area, some of which are greater than 25%. The slopes lead down to Legg Creek, which runs along the rear of the lot and requires buffering from development. These constraints on the parcel support consideration of the PR zone, as it permits clustered development to conserve more environmentally sensitive areas.
3. PR zoning is not typically recommended for parcels this small, as there is a standard periphery boundary of 35 ft that minimizes the developable area. However, the Planning Commission can reduce the periphery boundary down to 15 ft if the lot is adjacent to A zoning, which is the case here. The recommended density would only permit one additional dwelling on the property, and there is ample room for this development.
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.

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 requested RA zone could result in a residential subdivision that is out of character with surrounding lot sizes.
2. In addition to the more contextually appropriate residential intensity of the recommend PR zone at 1.5 du/ac, this district requires development plan review by the Planning Commission to evaluate its compatibility with the surrounding neighborhood. There are no adverse effects anticipated to occur with the recommended rezoning.

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:

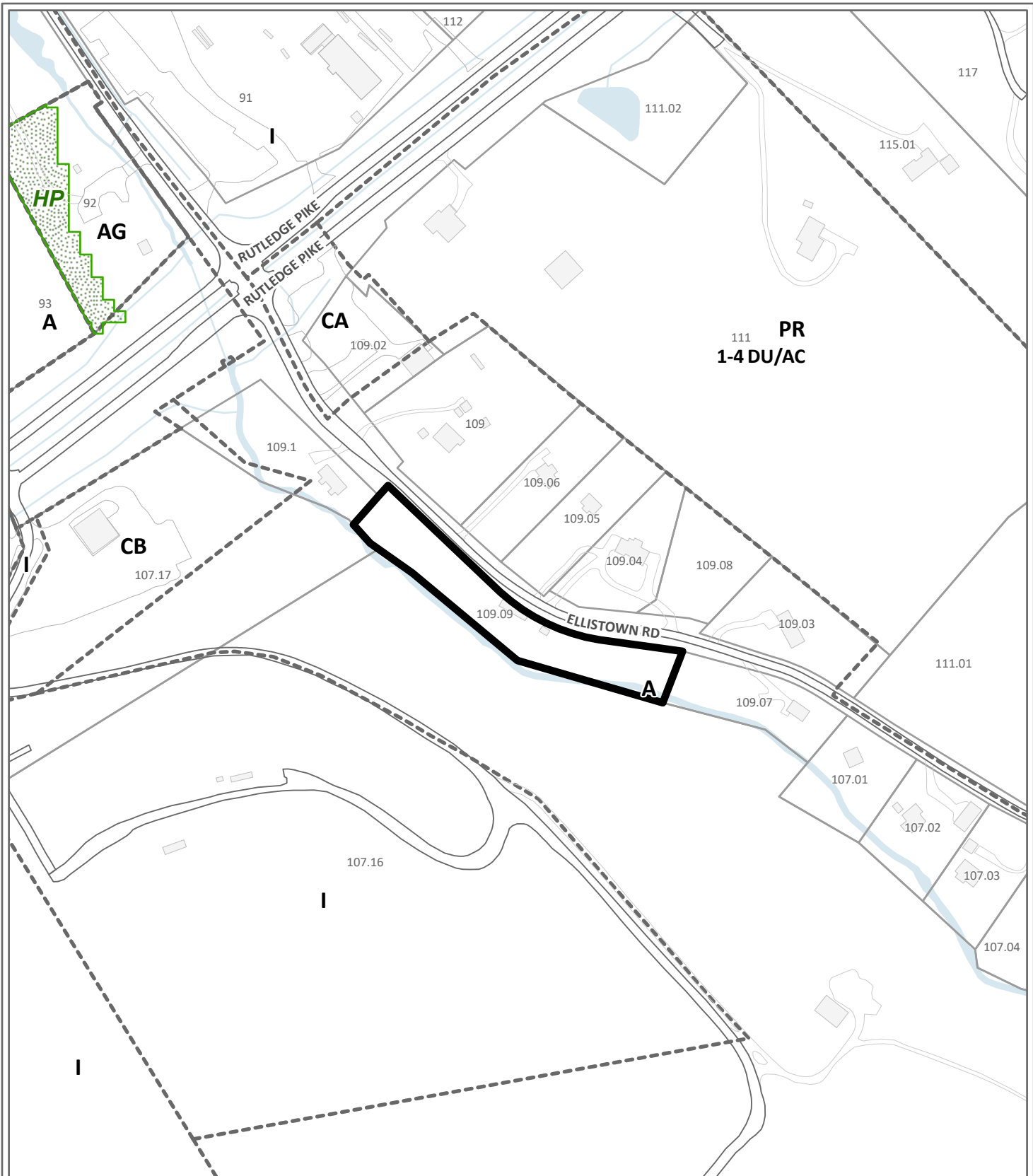
1. The PR zone with a 1.5 du/ac density at this location is consistent with the LDR (Low Density Residential) land use classification in the Northeast County Sector Plan.
2. The recommended rezoning complies with the General Plan's development policy 9.2 to encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat. This recommended zoning alternative is also consistent with policy 9.3 to ensure the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: East Knox County Elementary, Carter Middle, and Carter High.

If approved, this item will be forwarded to Knox County Commission for action on 3/25/2024. 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**

**2-C-24-RZ**

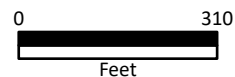
**Petitioner:** Kendra Ates



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

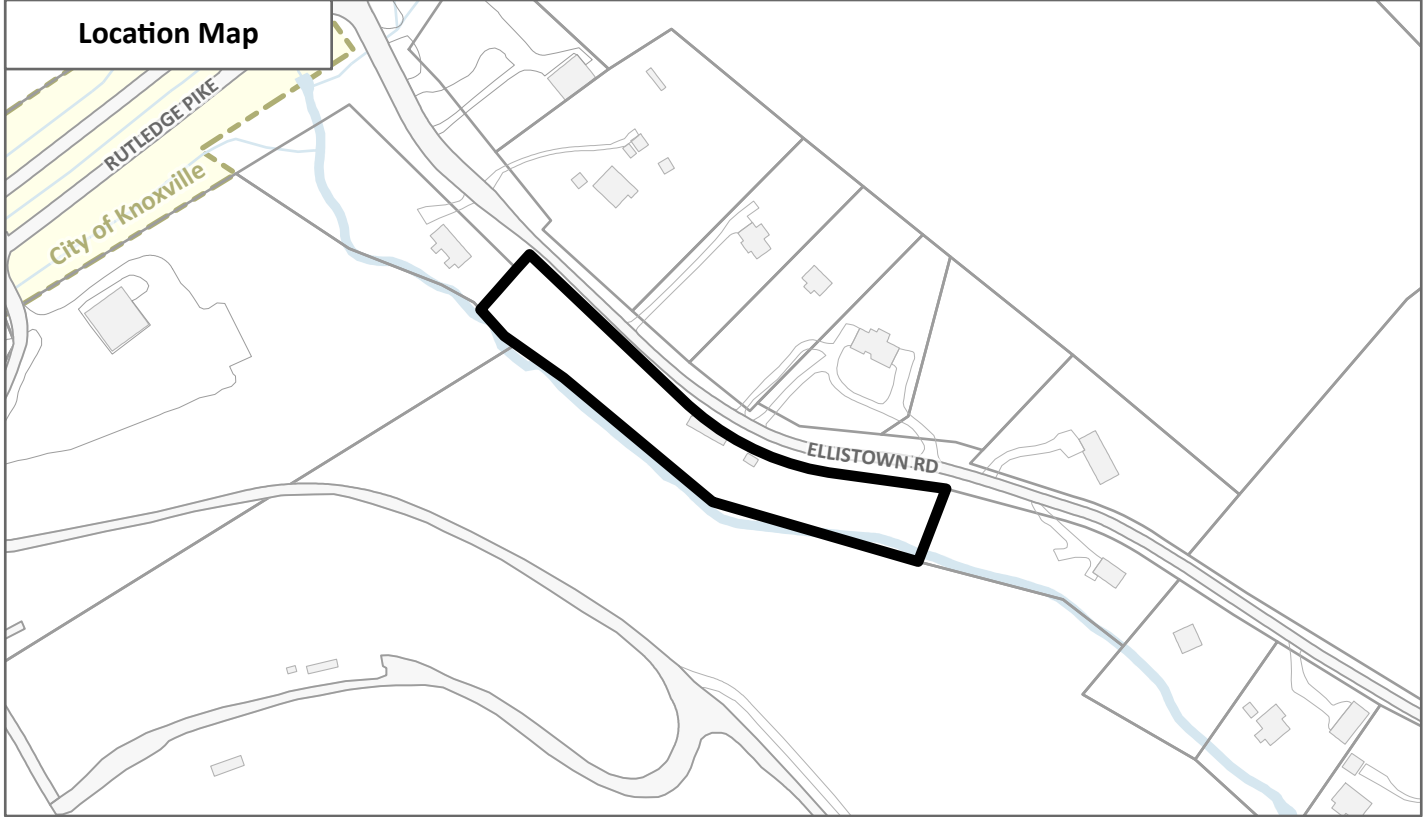
**Map No:** 51  
**Jurisdiction:** County

**Original Print Date:** 1/8/2024  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

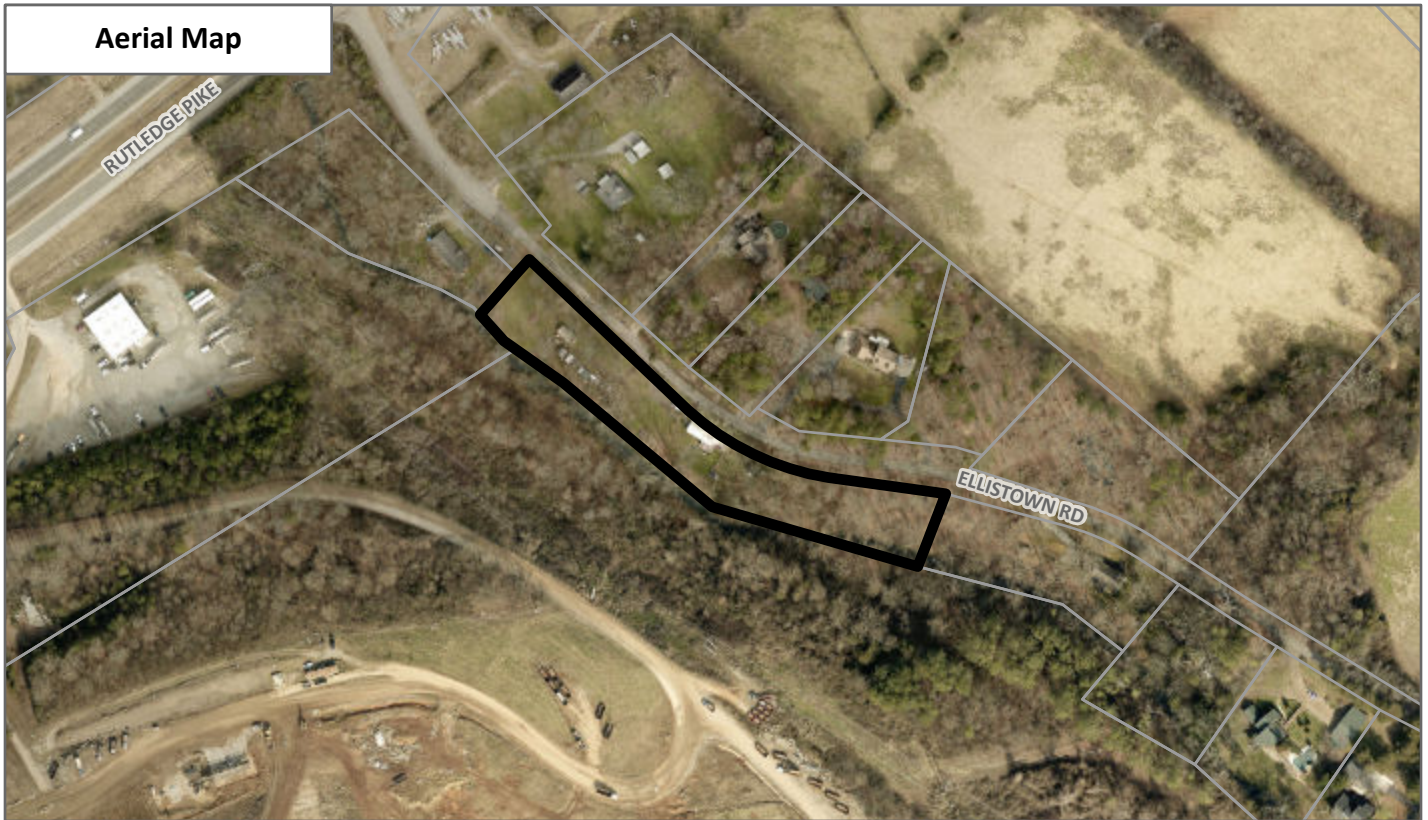


# Exhibit A. Contextual Images

Location Map



Aerial Map

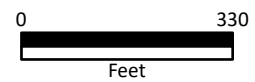


CONTEXTUAL MAPS 1

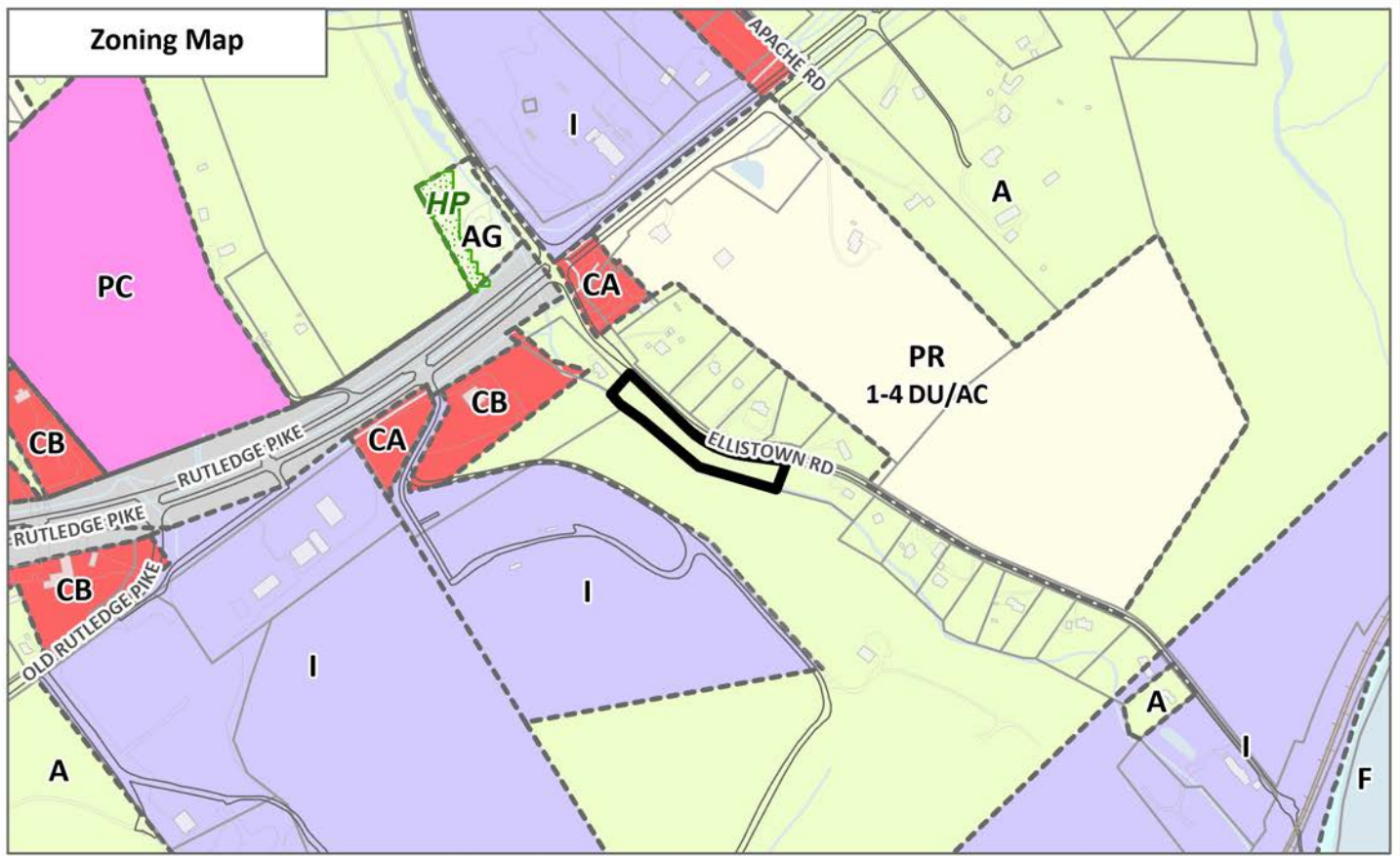
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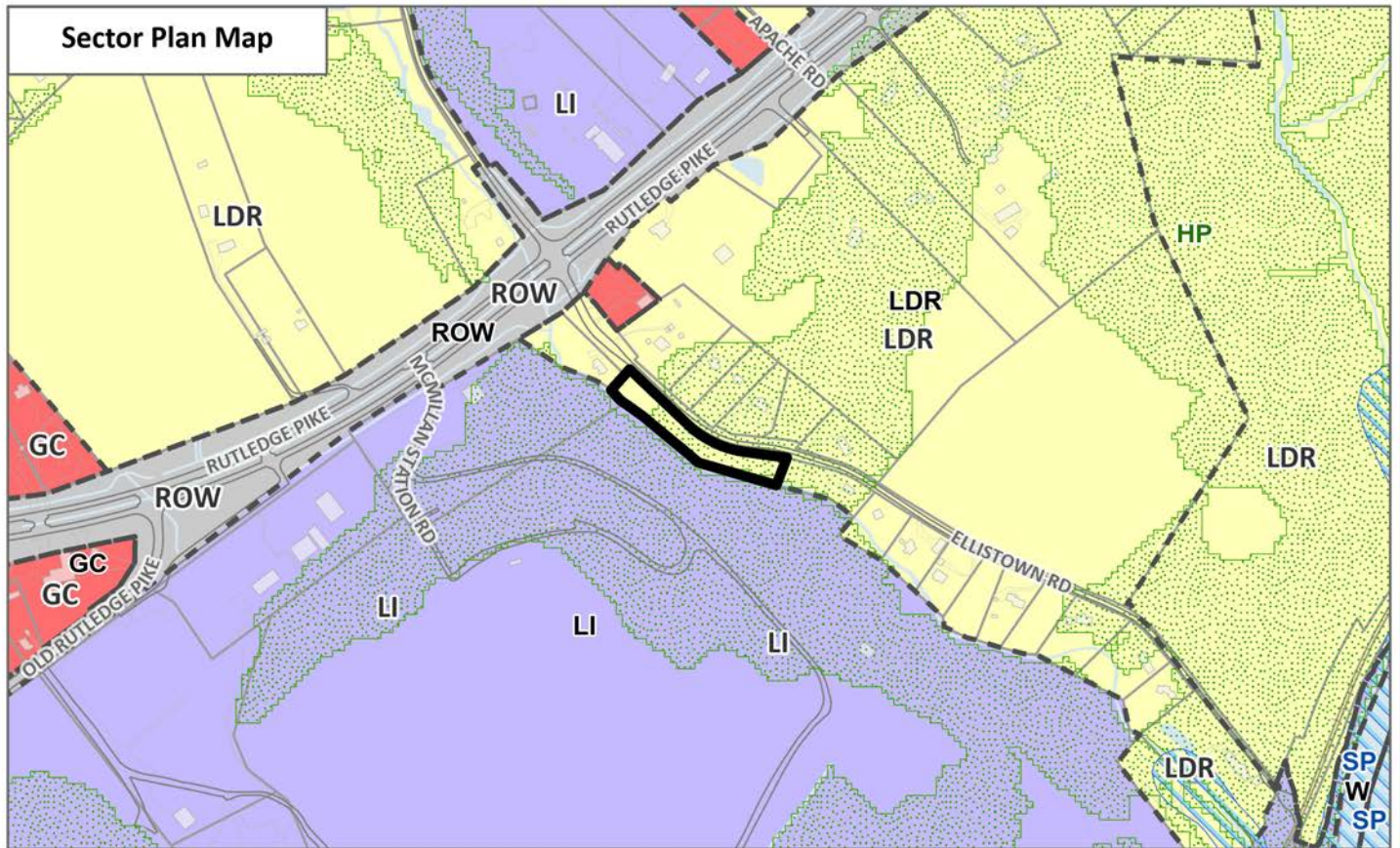
Case boundary



Zoning Map



Sector Plan Map

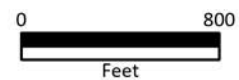


CONTEXTUAL MAPS 2

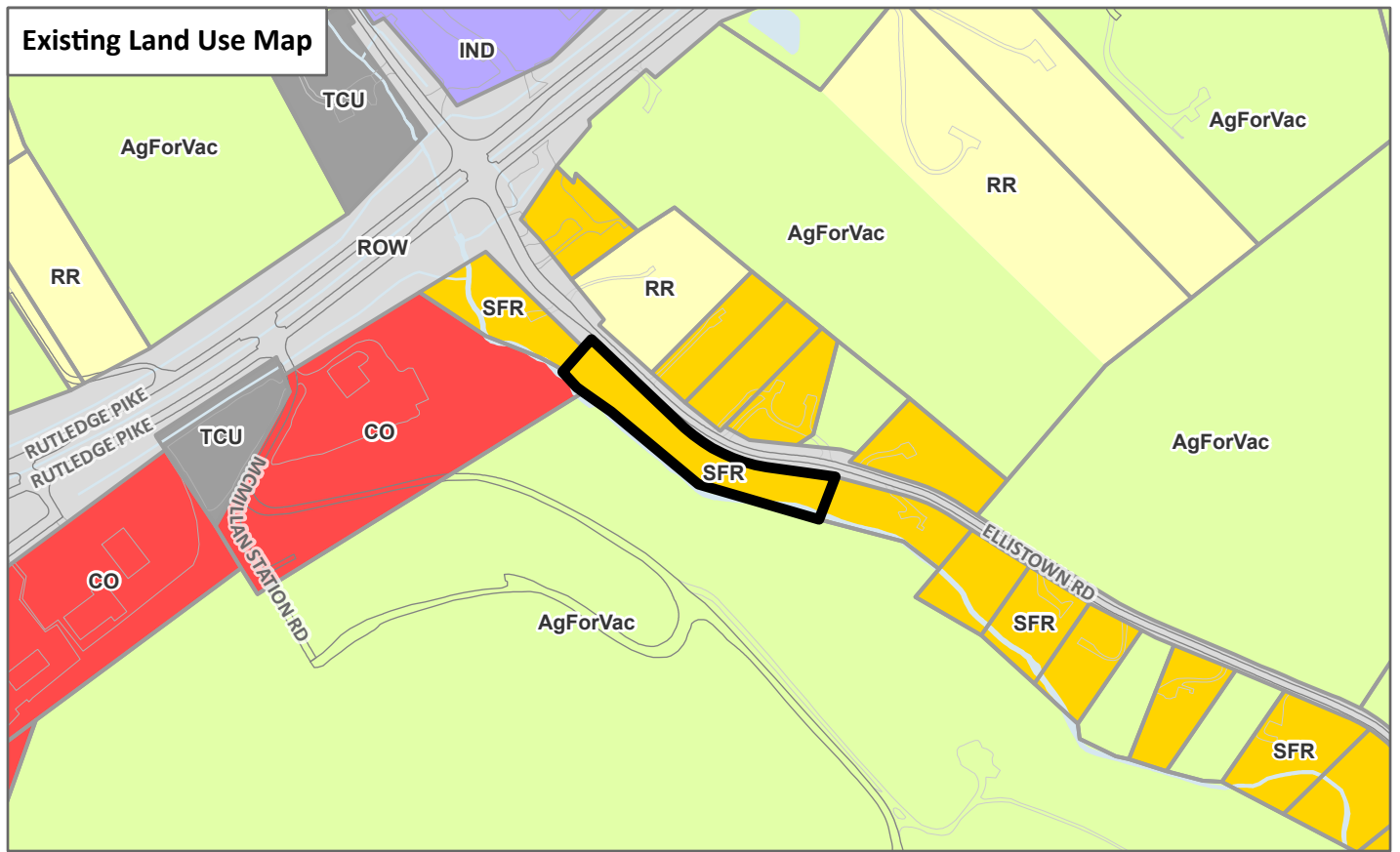
2-C-24-RZ



Case boundary



**Existing Land Use Map**

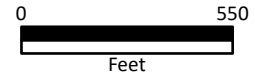


**CONTEXTUAL MAPS 3**

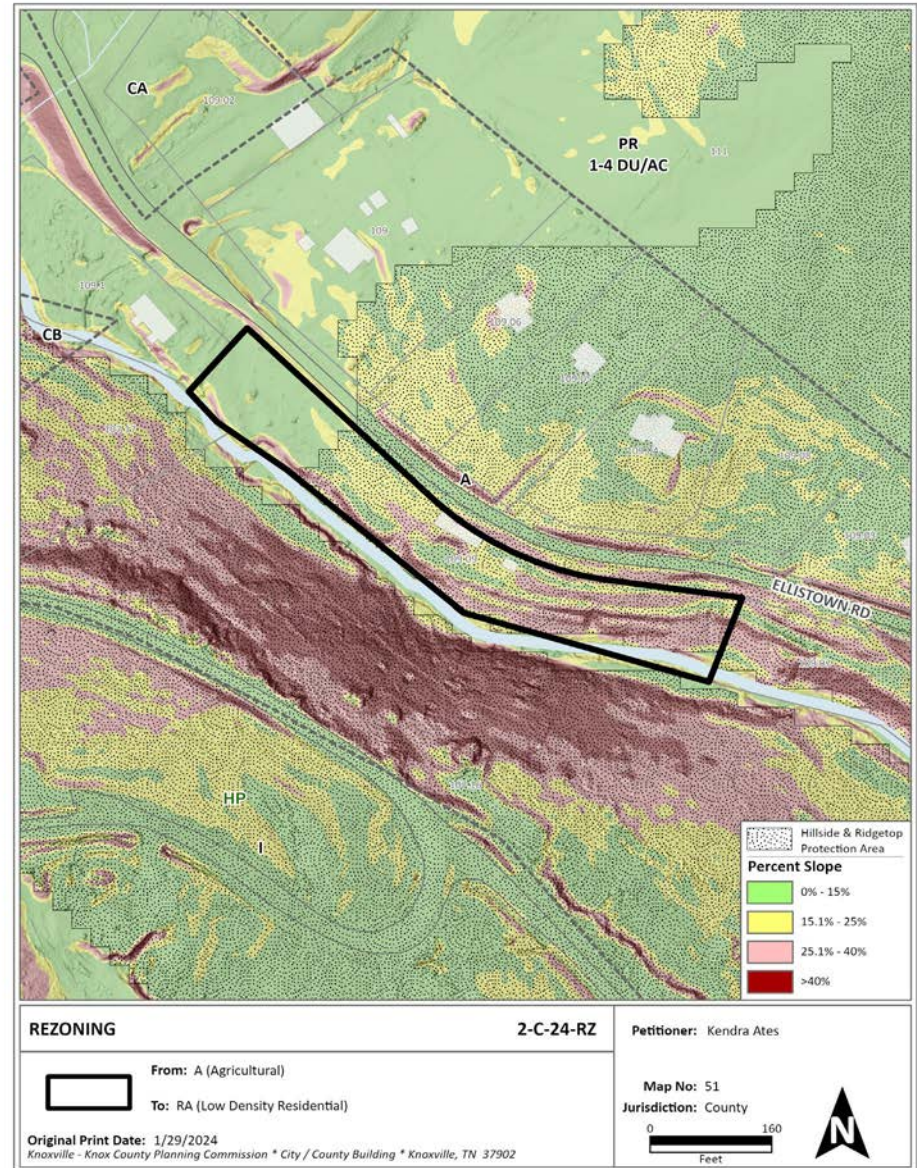
2-C-24-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>1.9</b>		
Non-Hillside	0.6	N/A	
0-15% Slope	0.2	100%	0.2
15-25% Slope	0.4	50%	0.2
25-40% Slope	0.5	20%	0.1
Greater than 40% Slope	0.1	10%	0.0
Ridgetops			
<b>Hillside Protection (HP) Area</b>	<b>1.2</b>	Recommended disturbance budget within HP Area (acres)	<b>0.5</b>
		Percent of HP Area	<b>43.7%</b>





# 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

#### Kendra Ates

Applicant Name

Affiliation

**12/18/2023**

Date Filed

**2/8/2024**

Meeting Date (if applicable)

**2-C-24-RZ**

File Number(s)

### CORRESPONDENCE

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

#### Kendra Ates

Name / Company

**1715 Ellistown Rd Knoxville TN 37924**

Address

**865-360-8824 / kendralynn88@icloud.com**

Phone / Email

### CURRENT PROPERTY INFO

**Kendra Ates**

Owner Name (if different)

**1715 Ellistown Rd Knoxville TN 37924**

Owner Address

**865-360-8824 / kendralynn88@**

Owner Phone / Email

**1715 ELLISTOWN RD**

Property Address

**51 109.09**

Parcel ID

Part of Parcel (Y/N)?

**1.85 acres**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Northeast Knox Utility District**

Water Provider

Septic (Y/N)

### STAFF USE ONLY

General Location

City

**Commission District 8**

**A (Agricultural)**

**Single Family Residential**

Count

District

Zoning District

Existing Land Use

**Northeast County**

Planning Sector

**LDR (Low Density Residential), HP (Hillside Protection)**

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	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>RA (Low Density Residential)</b>	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

<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	<b>\$650.00</b>	
<b>ADDITIONAL REQUIREMENTS</b> <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)	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	<b>Kendra Ates</b> Please Print	<b>12/18/2023</b> Date
---------------------	------------------------------------	---------------------------

Phone / Email		
Property Owner Signature	<b>Kendra Ates</b> Please Print	<b>12/18/2023</b> 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

Kendra Ates

Applicant Name

12/11/23

Date Filed

Feb 8, 2024 / March 25

Meeting Date (if applicable)

2024 Affiliation

File Number(s)

### 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

Kendra Ates

Name

Company

1715 Ellistown Rd

Knox

TN

37924

Address

City

State

ZIP

865-360-8824

Phone

Kendralynn88@icloud.com

Email

### CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1715 Ellistown Rd

Property Address

051 10909

Parcel ID

Sewer Provider

Northeast Knox utility

Water Provider

y  
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

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

## SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name \_\_\_\_\_

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

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

## ZONING REQUEST

Pending Plat File Number

Zoning Change  
 Proposed Zoning Residential

Plan Amendment Change  
 Proposed Plan Designation(s) RA

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	

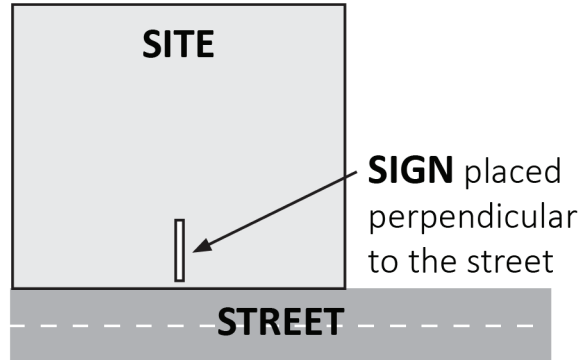
## AUTHORIZATION

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

<u>Kendra Ates</u>	<u>Kendra Ates</u>	<u>12/11/23</u>
Applicant Signature	Please Print	Date
<u>865-360-8824</u>	<u>Kendralynn88@icloud.com</u>	
Phone Number	Email	
<u>Kendra Ates</u>	<u>Kendra Ates</u>	<u>12/11/23</u>
Property Owner Signature	Please Print	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:*

\_\_\_\_\_ January 26, 2024 \_\_\_\_\_ and \_\_\_\_\_ February 9, 2024 \_\_\_\_\_  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Kendra Ates

Date: 12/18/2023

File Number: 2-C-24-RZ



Sign posted by Staff



Sign posted by Applicant