

REZONING REPORT

▶ **FILE #:** 1-H-24-RZ

AGENDA ITEM #: 26

AGENDA DATE: 1/11/2024

▶ **APPLICANT:** RICHARD LEMAY
OWNER(S): ROAD DEVELOPMENT LLC, , TN

TAX ID NUMBER: 144 006 [View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 648 FOX RD

▶ **LOCATION:** **East side of Fox Road, north side of George Williams Road**

▶ **APPX. SIZE OF TRACT:** **3.4 acres**

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: The site is currently accessed off of Fox Rd, a minor collector with a pavement width of 24 ft in a right-of-way that varies in width from 170-ft to 200-ft. The property also borders George Williams Rd, a major collector with a 24-ft pavement width and a right-of-way that varies in width from 77-feet to 112-feet.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

▶ **PRESENT ZONING:** **PR (Planned Residential) up to 3 du/ac**

▶ **ZONING REQUESTED:** **PR (Planned Residential)**

▶ **EXISTING LAND USE:** **Rural Residential**

▶ **DENSITY PROPOSED:** **up to 3.5 du/ac**

EXTENSION OF ZONE: Yes, this is an extension.

HISTORY OF ZONING: The property was rezoned from A to PR up to 3 du/ac in 2019. (Case 7-J-19-RZ)

SURROUNDING LAND USE AND ZONING:
 North: Single family residential - A (Agricultural)
 South: Single family residential - RA (Low Density Residential)
 East: I-140 Right-of-way
 West: Rural residential - RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: The site is in an area developed with attached and detached single-family residential and rural residential uses.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone with up to 3.5 du/ac 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 COUNTY GENERALLY:

1. This area has transitioned from the A (Agricultural) zone to the PR (Planned Residential) zone in the County with a variety of densities approved (surrounding PR zones include densities of 2.5, 3.0, 3.2, and 4.4 du/ac), and from A-1 (General Agricultural) to RP-1 (Planned Residential) in the City (zoning districts in the previous City Zoning Ordinance). The requested increase in density remains compatible with the area in general.

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

1. The PR zone is intended to provide options for residential development compatible with the surrounding or adjacent zones. Surrounding developments consist of single family developments with lot sizes similar to what could be created with a density of 3 du/ac.

2. As mentioned previously, surrounding PR zones range from 2.5 to 4.0 du/ac. The RA zone is across the street, and the RN-1 zone is nearby to the northwest. Both of these zones have a minimum lot size of 10,000 sq ft for a single family dwelling, which results in a density of 4.356 du/ac.

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. No adverse impacts are anticipated by the rezoning of this property since the density is consistent with similar to other development in the area.

2. The west side of the parcel is within the Hillside Protection area on the sector plan. However, the slopes are relatively minor and the majority of the site has slopes less than 15%. The PR zone will provide additional review of site plans.

3. The property is at the intersection of two classified roadways, so no traffic will be required through residential areas to access the site.

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 with the LDR (Low Density Residential) land use classification in the Southwest County Sector Plan, which allows consideration of the PR zone up to 5 du/ac in the Planned Growth Areas of the Growth Policy Plan.

2. The requested rezoning is consistent with the General Plan's development policy 9.3, the intent of which is to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities.

ESTIMATED TRAFFIC IMPACT: 132 (average daily vehicle trips)

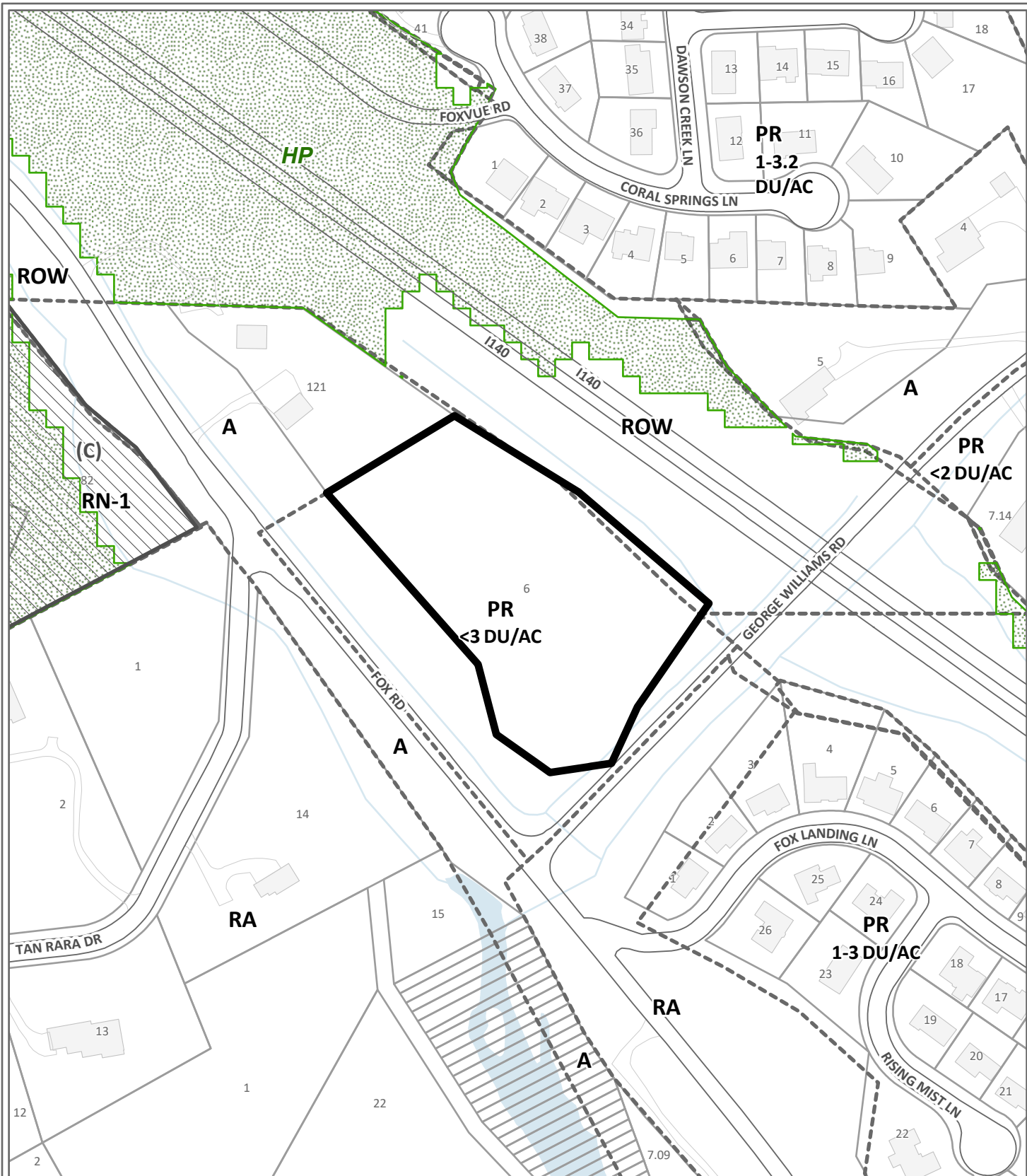
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 5 (public school children, grades K-12)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Farragut 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 2/26/2024. 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

1-H-24-RZ

Petitioner: Richard LeMay



From: PR (Planned Residential)

To: PR (Planned Residential)

Map No: 144

Jurisdiction: County

Original Print Date: 12/7/2023

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

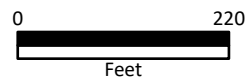
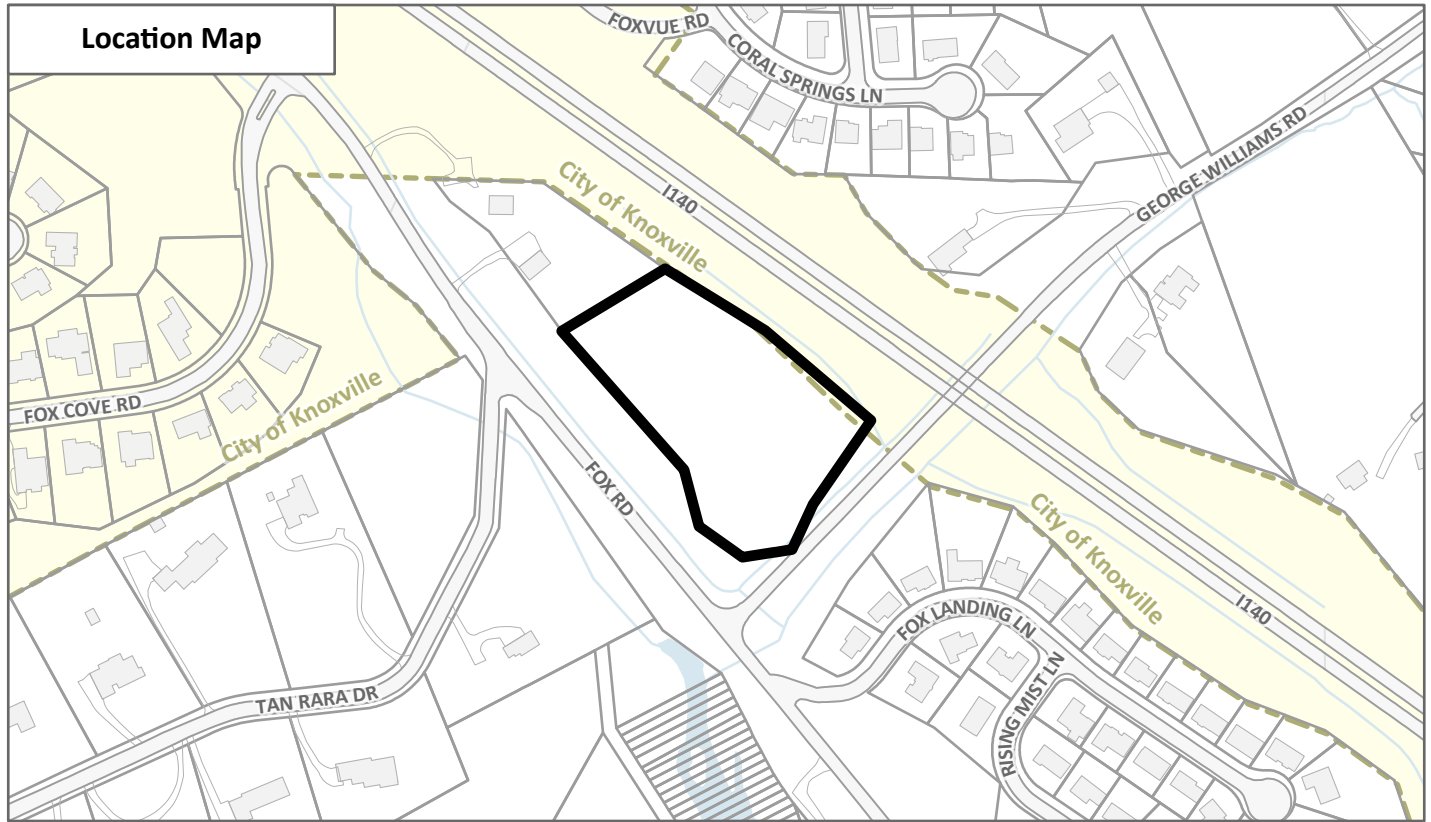


Exhibit A. Contextual Images

Location Map



Aerial Map

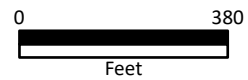


CONTEXTUAL MAPS 1

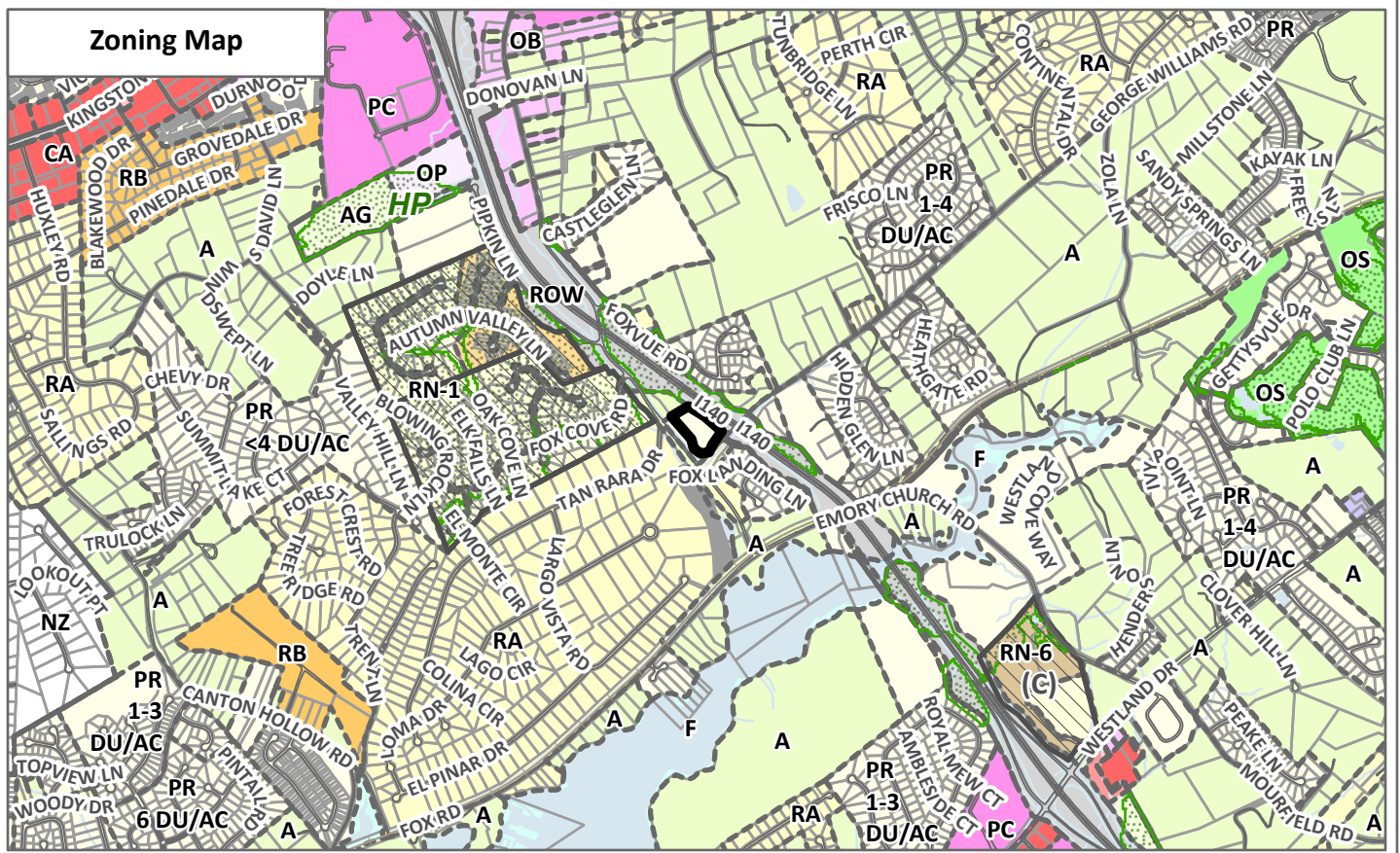
1-H-24-RZ



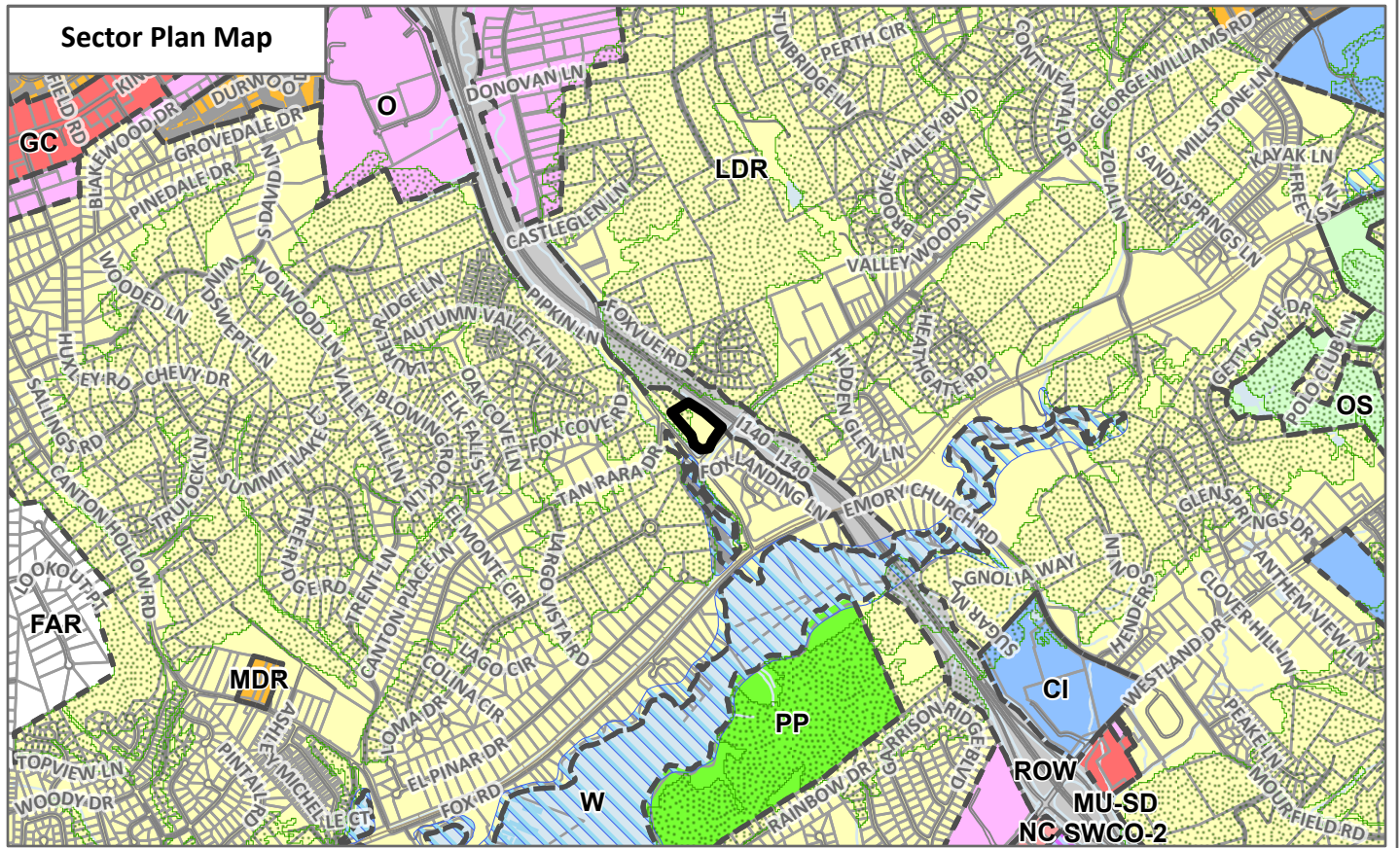
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

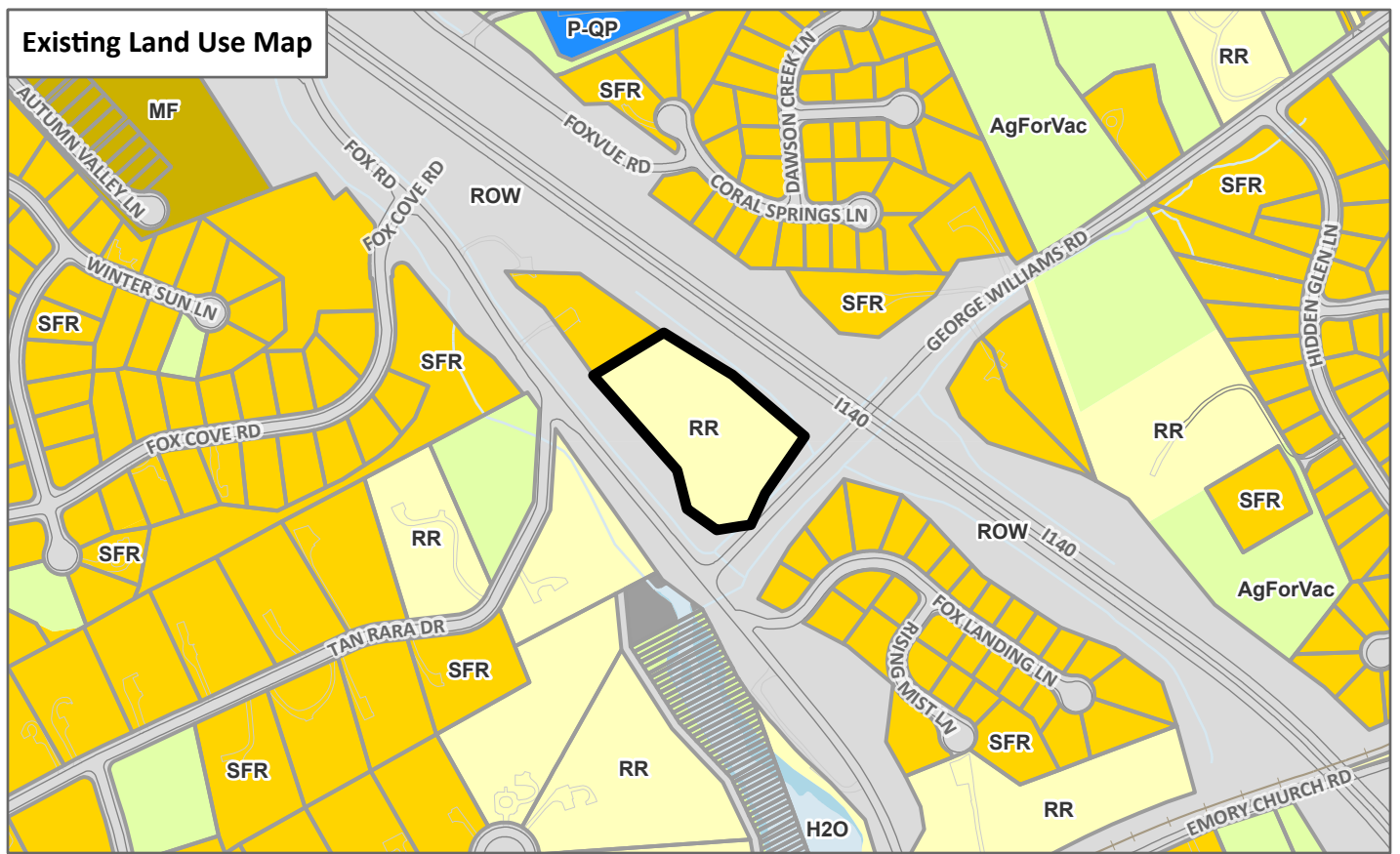
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Case boundary



Existing Land Use Map

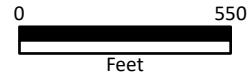


CONTEXTUAL MAPS 3

1-H-24-RZ

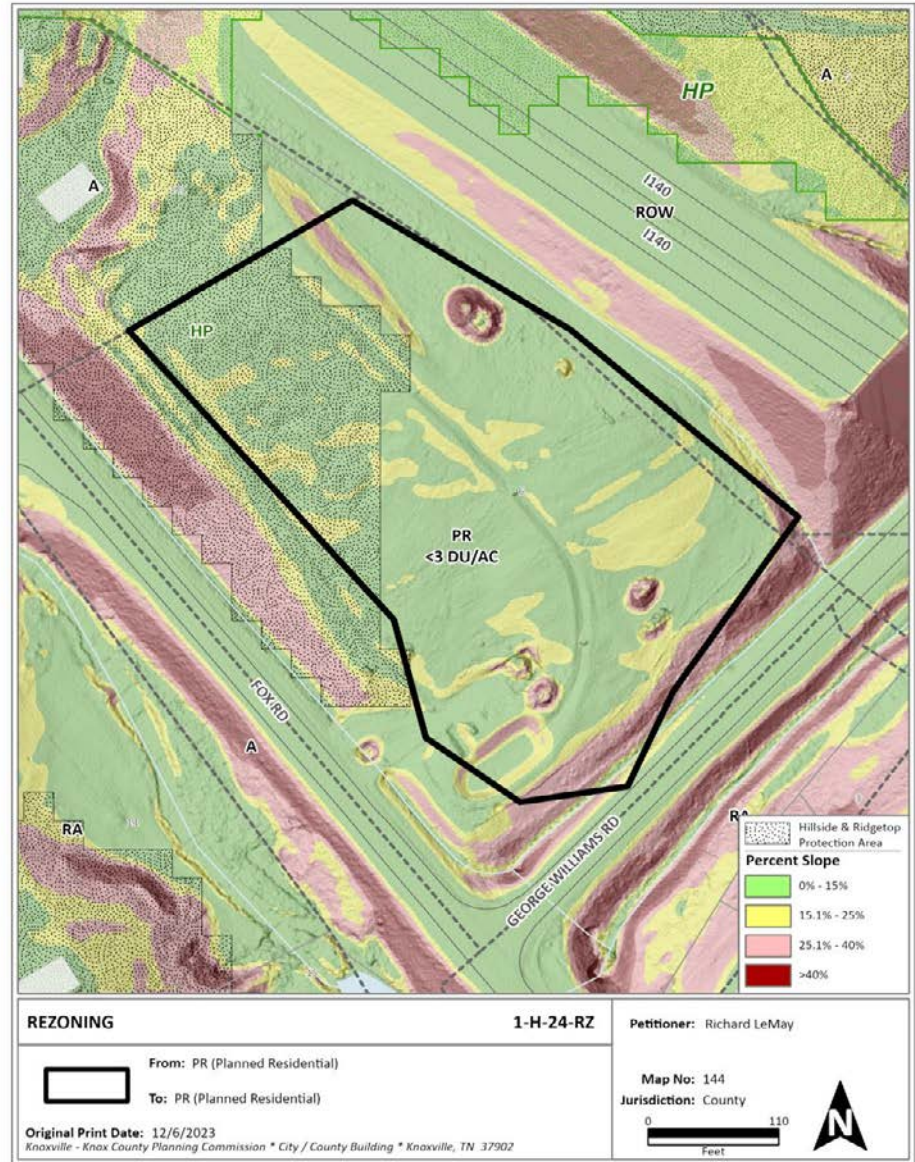


Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	3.4		
Non-Hillside	2.6	N/A	
0-15% Slope	0.6	100%	0.6
15-25% Slope	0.2	50%	0.1
25-40% Slope	0.0	20%	0.0
Greater than 40% Slope	0.0	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	0.8	Recommended disturbance budget within HP Area (acres)	0.7
		Percent of HP Area	89.2%

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	2.6		0.0
0-15% Slope	0.6	4.00	2.5
15-25% Slope	0.2	2.00	0.3
25-40% Slope	0.0	0.50	0.0
Greater than 40% Slope	0.0	0.20	0.0
Ridgetops	0.0	3.00	0.0
Subtotal: Sloped Land	0.8		2.8
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	3.4	0.83	2.8
Proposed Density (Applicant)	3.4		0.0





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

Richard LeMay

Applicant Name

Affiliation

11/28/2023

Date Filed

1/11/2024

Meeting Date (if applicable)

1-H-24-RZ

File Number(s)

CORRESPONDENCE

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

Richard LeMay LeMay and Associates

Name / Company

10816 Kingston Pk. Pk. Knoxville TN 37934

Address

865-671-0183 / rlemay2@lemayassociates.com

Phone / Email

CURRENT PROPERTY INFO

ROAD DEVELOPMENT LLC, , TN

Owner Name (if different)

1333 Feather Rose Ln KNOXVILLE TN 37923

Owner Address

Owner Phone / Email

648 FOX RD

Property Address

144 006

Parcel ID

3.4 acres

Tract Size

Part of Parcel (Y/N)?

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Fox Road, north side of George Williams Road

General Location

City

Commission District 3

PR (Planned Residential)

Rural Residential

County District

Zoning District

Existing Land Use

Southwest County

Planning Sector

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

Sector Plan Land Use Classification

Planned Growth Area

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 PR (Planned Residential)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)

up to 3.5 du/ac

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

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	Richard LeMay Please Print	11/28/2023 Date
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Phone / Email	ROAD DEVELOPMENT LLC, , TN Please Print	11/28/2023 Date
Property Owner Signature		



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

Richard LeMay

Applicant Name

Affiliation

Richard LeMay

January 11, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

1-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

Richard LeMay

LeMay and Associates

Name

Company

10816 Kingston Pike

Knoxville

Tn

37934

Address

City

State

ZIP

865-671-0183

rlemay@lemayassociates.com

Phone

Email

CURRENT PROPERTY INFO

Road Development LLC

1333 Feather Rose Ln Knoxville TN 37923

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

648 Fox Rd

144 006

Property Address

Parcel ID

First Utility District

First Utility District

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number

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

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change
 PR @ <3 UNITS/AC TO PR @ 3.5 UNITS/AC
 Proposed Zoning

Pending Plat File Number

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

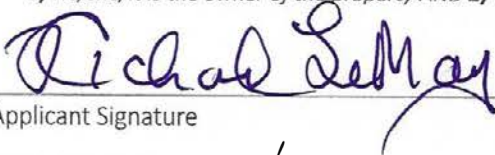
- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

Fee 1		Total
0801	\$650.00	
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



Richard LeMay

1-27-2023

Applicant Signature

Please Print

Date

865-671-0193

rlemay@lemayassociates.com

Phone Number

Email


Property Owner Signature

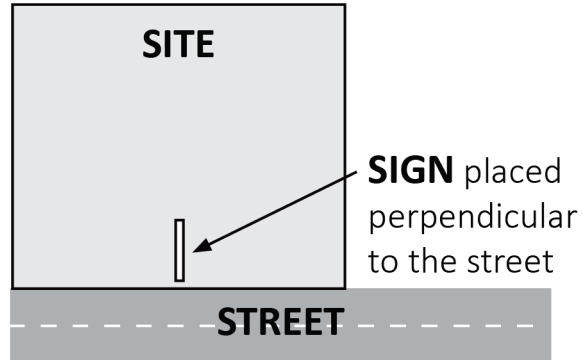
SAAD ALANI

11/28/2023, SG

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:

_____ 12/29/2023 _____ and _____ 01/12/2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Richard LeMay

Date: 11/28/2023

File Number: 1-H-24-RZ

- Sign posted by Staff
- Sign posted by Applicant