

# REZONING REPORT

► **FILE #:** 11-E-24-RZ

**AGENDA ITEM #:** 43

**AGENDA DATE:** 11/14/2024

► **APPLICANT:** HUMBERTO RODRIGUEZ (OWNER)

OWNER(S): Humberto Rodriguez

TAX ID NUMBER: 105 00401

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 CURETON RD

► **LOCATION:** West side of Cureton Rd, east of Andes Rd and south of the forthcoming Schaad Rd extension

► **APPX. SIZE OF TRACT:** 1.78 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Cureton Road, a local street with an 18-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Karns Fire Department

WATERSHED: Beaver Creek

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

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

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **DENSITY PROPOSED:** up to 5 du/ac

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

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Rural residential - RA (Low Density Residential)

South: Multifamily residential - RA (Low Density Residential)

East: Rural residential, single family residential - A (Agricultural)

West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The immediate neighborhood contains a mix of residential uses, including single family homes on large lots, single family subdivisions off of side streets, and a townhouse development. It is within 0.5 miles of the Schaad Road extension to the north.

## STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone with up to 5 du/ac because it is consistent with the Knox County Comprehensive Plan and the 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 ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. This area has been transitioning from A (Agricultural) to PR (Planned Residential) zoning since the 1980s, with densities ranging from up to 3 du/ac to up to 7 du/ac.
2. Development trends in the surrounding area have primarily been residential in nature, consisting of single-family dwellings and townhouse developments. In 2016, a 34-unit single-family subdivision was constructed 856 ft north of the subject property along Cureton Road.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The PR zone provides flexibility for residential development in lot sizes and housing types. The surrounding area consists of single-family housing and townhouses.
2. The PR zone also intends to ensure potential development is harmonious with the surrounding area. PR zoning is prevalent in this area, with densities ranging from up to 3 du/ac to up to 7 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 AN AMENDMENT.

1. Based on minimum lot area alone, the subject property could yield up to 8 lots. The requested density is consistent with the low-density residential developments in the area. As such, the rezoning is not anticipated to impact the surrounding area adversely.

PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Comprehensive Plan has designated the subject property with the SR (Suburban Residential) Place Type, which allows consideration of the PR zone with a density of up to 5 du/ac.
2. The PR zone is partially related to the SR place type. Per Appendix H of the Comprehensive Plan, additional approval criteria are required for partially related zones. The rezoning meets the first of these criteria, as the allowable land uses in the PR zone with a density of up to 5 du/ac align with the preferred housing mix of the SR place type.
3. The rezoning complies with the Comprehensive Plan's Implementation Policy 9, to coordinate infrastructure improvements with development. The Schaad Road Re-alignment project, which is in progress 0.4 miles northwest of the subject property, aims to improve connectivity and roadway safety in the area. The intersection of Cureton Road and Schaad Road will be reconfigured to improve sight distance for left-turning vehicles.
4. The subject property is located within the Planned Growth Area of the Growth Policy Plan, which encourages a reasonably compact pattern of development. The requested density of up to 5 au/ac aligns with its intent. Approve the PR (Planned Residential) zone with up to 5 du/ac because it is consistent with the Knox County Comprehensive Plan and the surrounding development.

ESTIMATED TRAFFIC IMPACT: 99 (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.

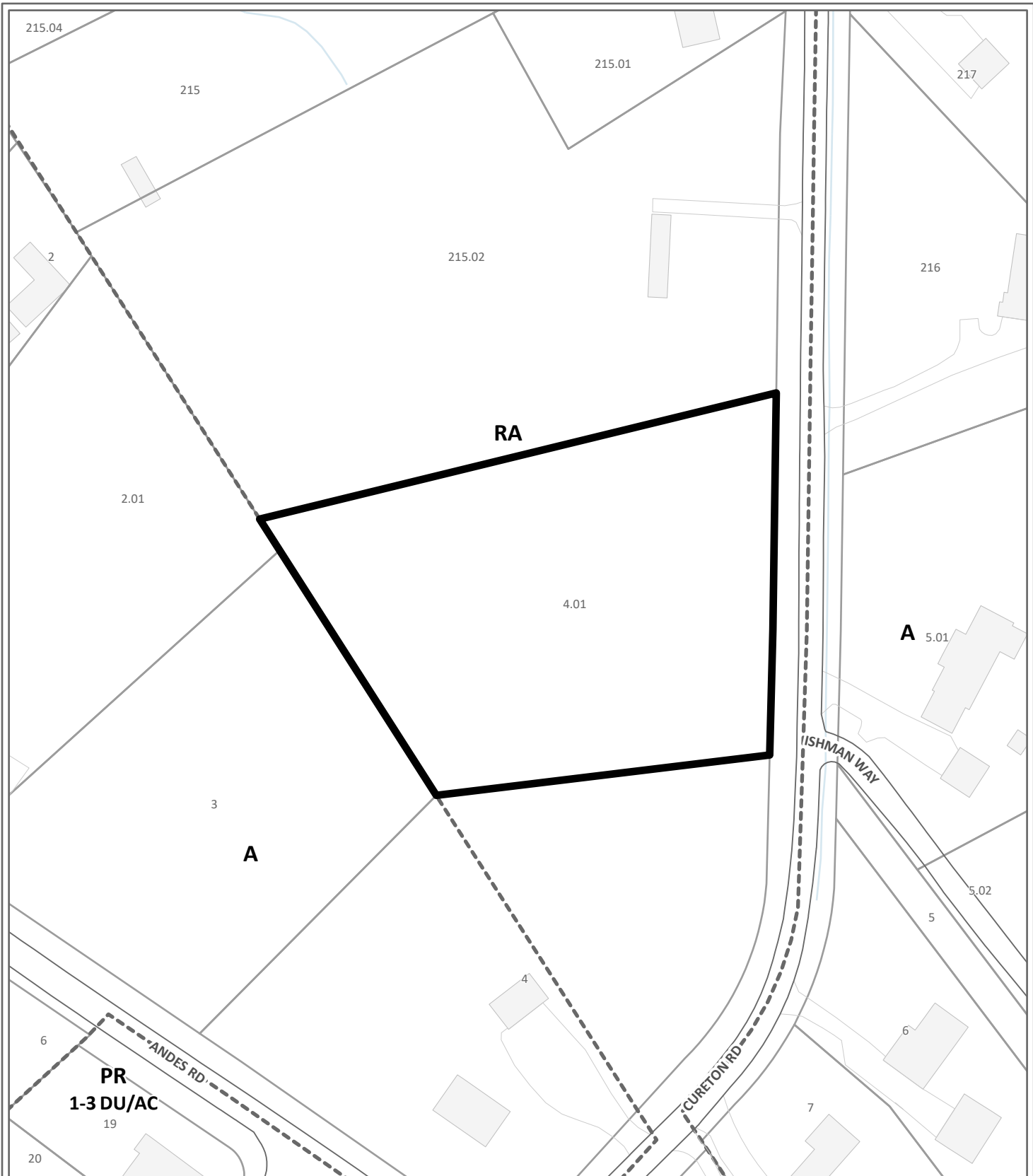
ESTIMATED STUDENT YIELD: 4 (public school children, grades K-12)

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 12/9/2024. If denied,

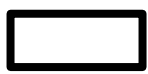
Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**REZONING**

**11-E-24-RZ**

**Petitioner:** Humberto Rodriguez



**From:** RA (Low Density Residential)  
**To:** PR (Planned Residential) 5 du/ac

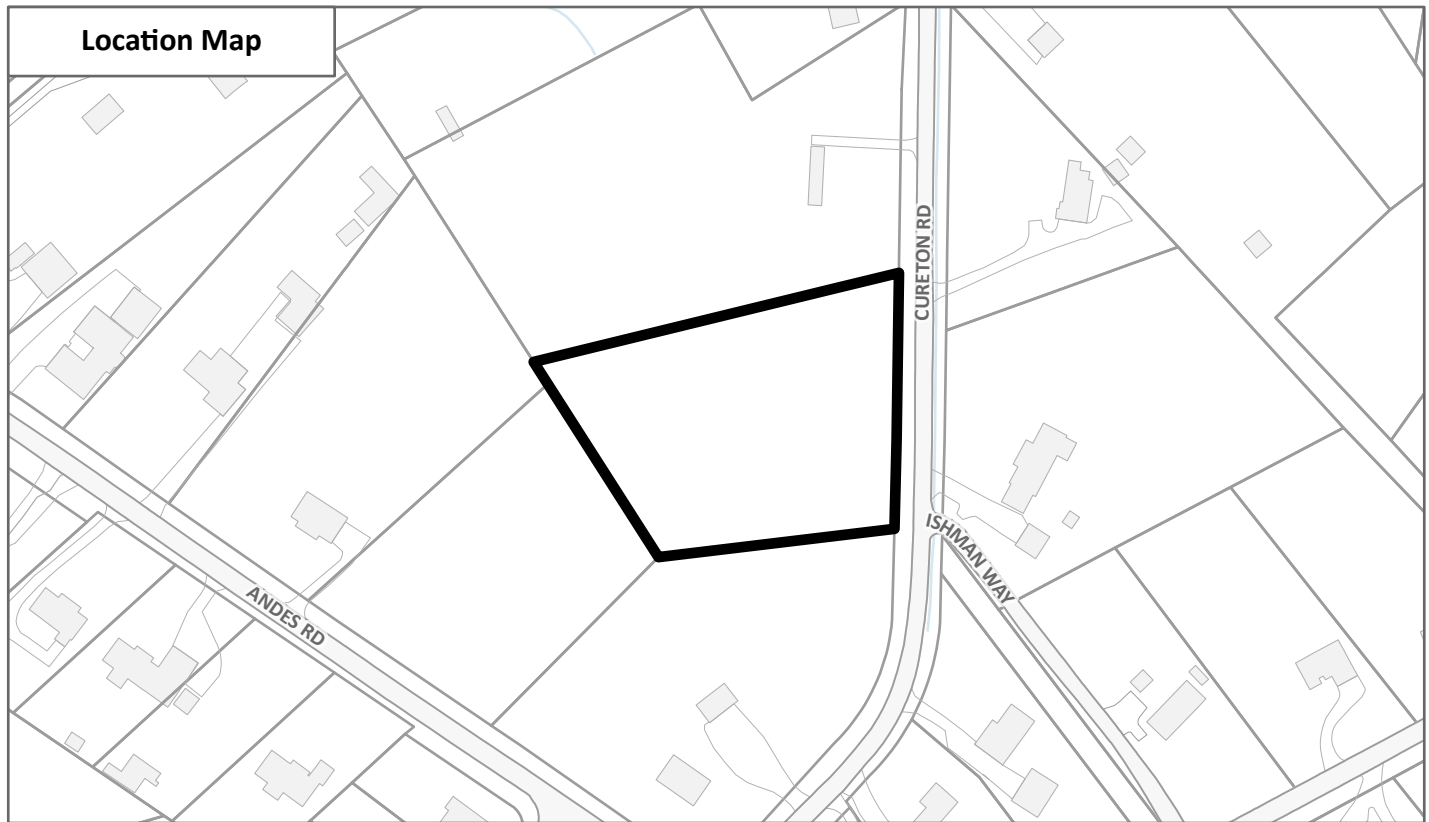
**Original Print Date:** 10/9/2024  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

**Map No:** 105  
**Jurisdiction:** County  
0 110  
Feet



## Exhibit A. Contextual Images

Location Map



Aerial Map

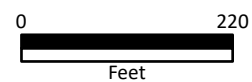


CONTEXTUAL MAPS 1

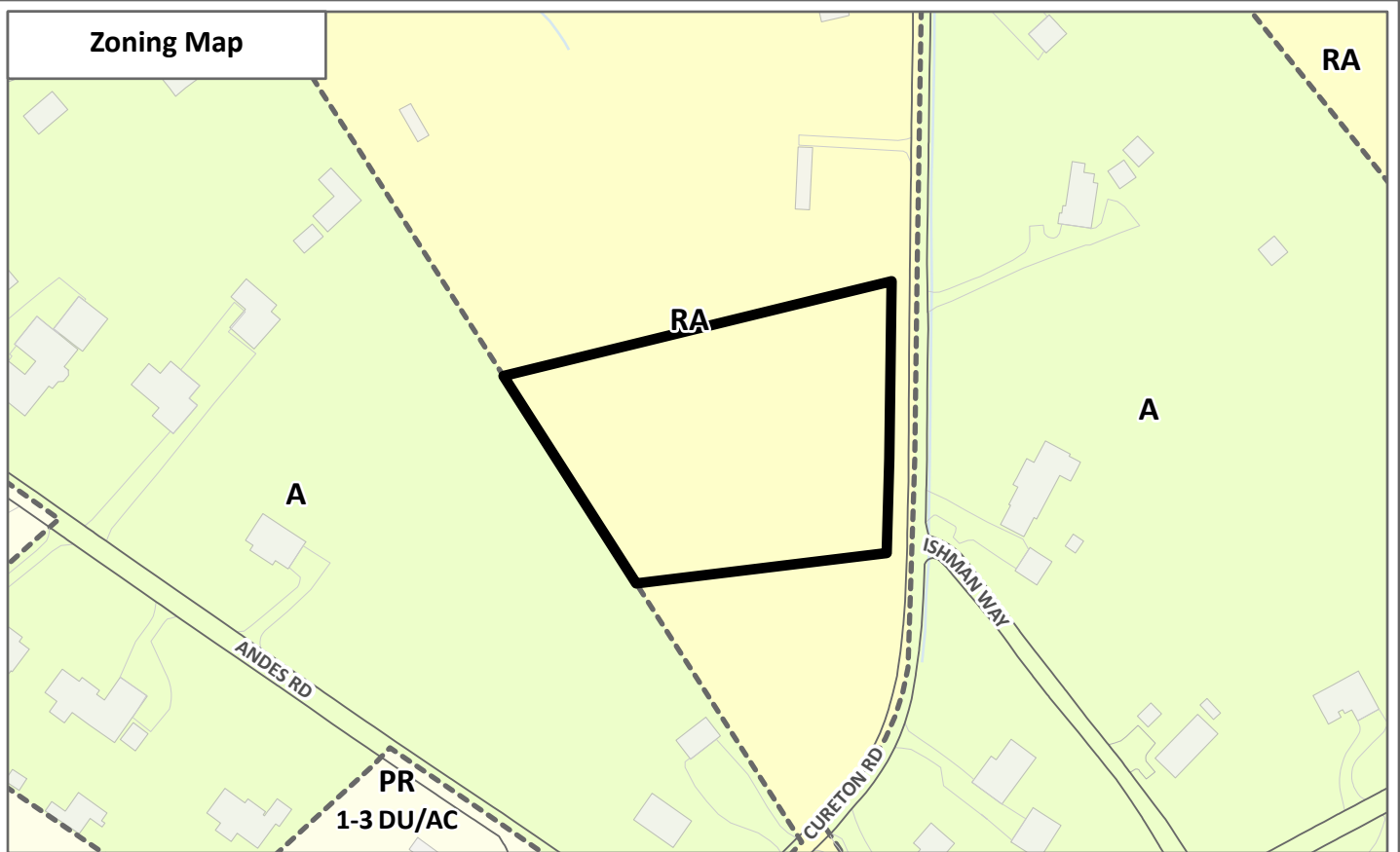
11-E-24-RZ



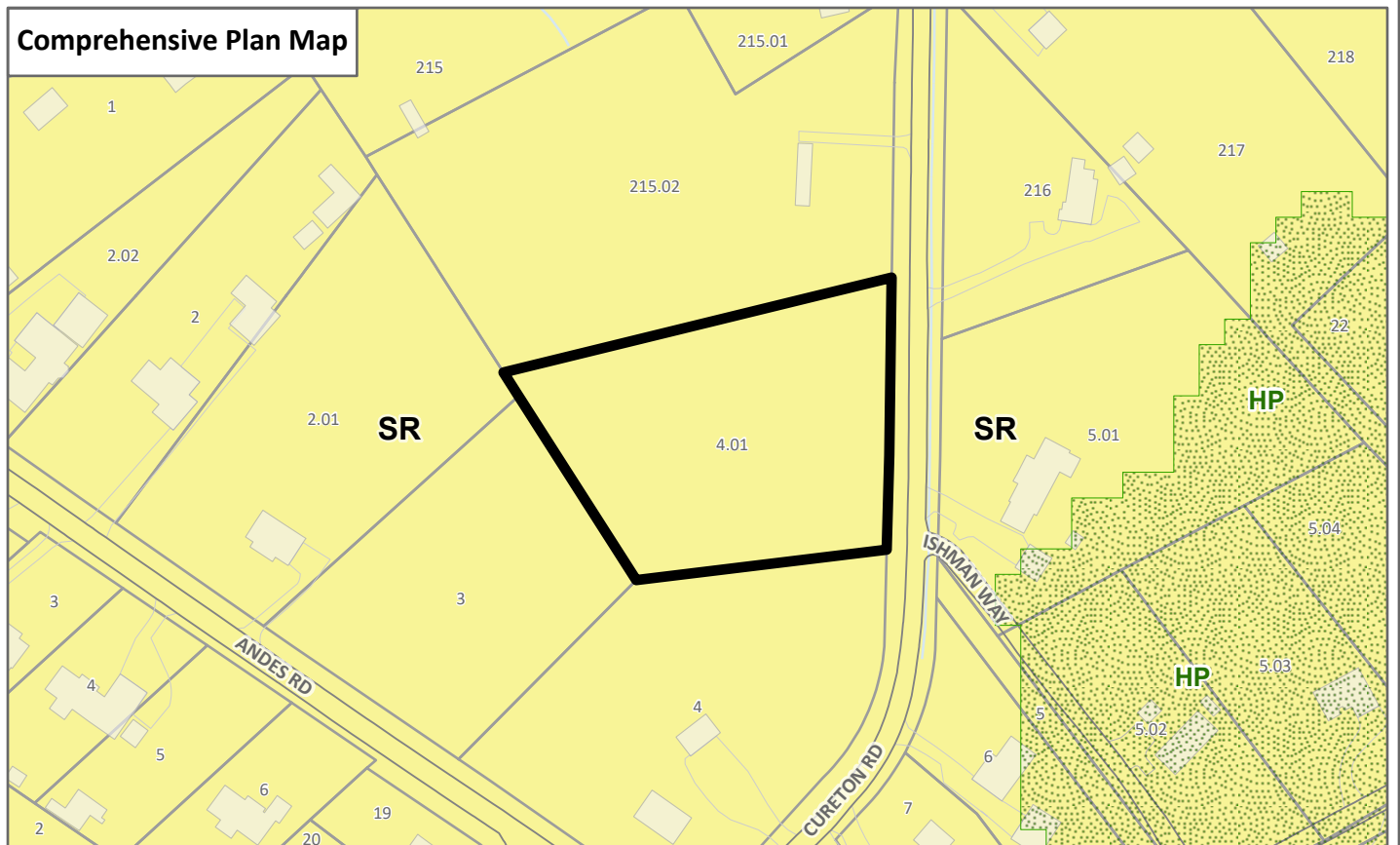
Case boundary



## Zoning Map



## Comprehensive Plan Map

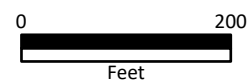


## CONTEXTUAL MAPS 2

11-E-24-RZ

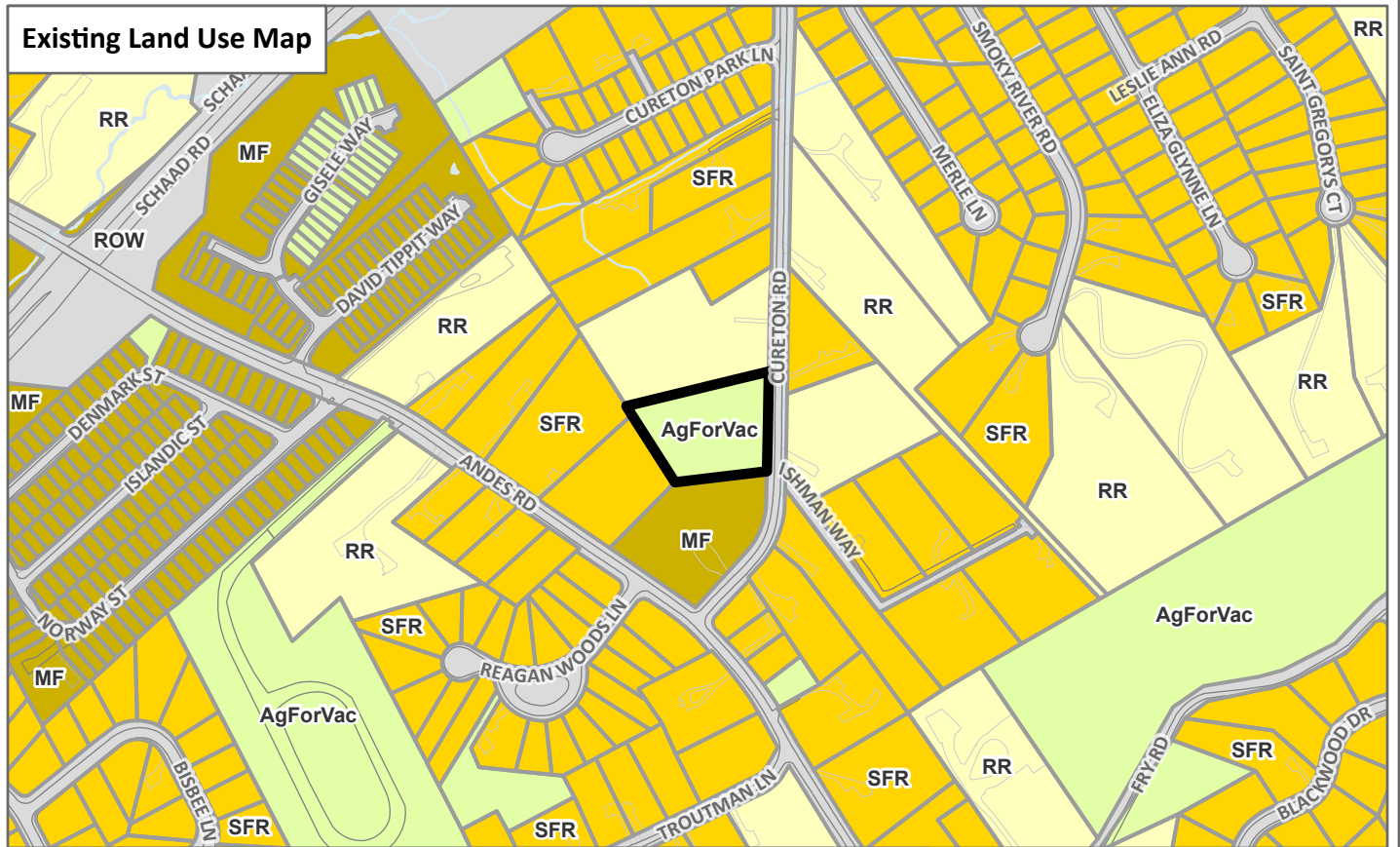


Case boundary





Existing Land Use Map

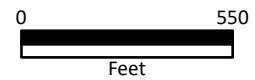


CONTEXTUAL MAPS 3

11-E-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

- ☒ Rezoning  
☐ Plan Amendment  
☐ Sector Plan  
☐ City OYP / County Comp Plan

Humberto Rodriguez

Applicant Name

Owner

Affiliation

9/18/2024

Date Filed

11/14/2024

Meeting Date (if applicable)

11-E-24-RZ

File Number(s)

## CORRESPONDENCE

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

David Harbin Batson, Himes, Norvell and Poe

Name / Company

4334 Papermill Dr. Dr. Knoxville TN 37909

Address

865-588-6472 / harbin@bhn-p.com

Phone / Email

## CURRENT PROPERTY INFO

Humberto Rodriguez

Owner Name (if different)

6523 Westminster Rd Knoxville TN 37919

Owner Address

865-558-8860

Owner Phone / Email

0 CURETON RD

Property Address

105 00401

Parcel ID

1.78 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

No

Septic (Y/N)

## COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***



## 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    **PR (Planned Residential)**  
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment    Proposed Plan Designation(s)

**up to 5 du/ac**

Proposed Density (units/acre)    Previous Rezoning Requests

Additional Information

## STAFF USE ONLY

### PLAT TYPE

- ☐ Staff Review    ☐ Planning Commission

### ATTACHMENTS

- ☐ Property Owners / Option Holders    ☐ Variance Request  
☐ Amendment Request (Comprehensive Plan)

### ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)  
☐ Traffic Impact Study  
☐ COA Checklist (Hillside Protection)

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.

**Humberto Rodriguez**

**9/18/2024**

Applicant Signature

Please Print

Date

Phone / Email

**Humberto Rodriguez**

**9/18/2024**

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 ☐ PA  
☒ Rezoning

HUMBERTO RODRIGUEZ

Applicant Name

Affiliation

09/18/2024

Date Filed

November 14, 2024

Meeting Date (if applicable)

File Number(s)

11-E-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

DAVID HARBIN

Name

BATSON Himes NORVELL + POF

Company

4334 Papermill Dr

Address

Knoxville

City

TN

State

37909

ZIP

865-588-6472

Phone

harbin@bhn-p.com

Email

## CURRENT PROPERTY INFO

6523 WESTMINSTER RD  
Knoxville, TN 37919

Property Owner Name (if different)

Property Owner Address

865-588-8860

Property Owner Phone

0 Cureton RD

Property Address

105 00401

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

no

Septic (Y/N)

## COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

**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 Changefrom RA to PR@5 du/ac  
Proposed Zoning☐ Plan Amendment Change

Proposed Plan Designation(s) \_\_\_\_\_

Pending Plat File Number

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  
☐ Amendment Request (*Comprehensive Plan*)

**ADDITIONAL REQUIREMENTS**

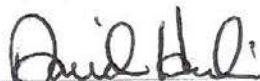
- ☐ Use on Review / Special Use (*Concept Plan*)  
☐ Traffic Impact Study  
☐ COA Checklist (*Hillside Protection*)

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

Applicant Signature



Please Print

DAVID HARBIN

Date

9-17-24

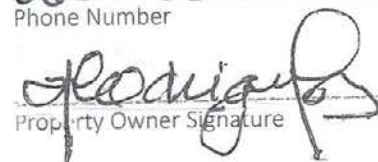
Phone Number

865-588-6472

Email

harbin@bhn-p.com

Property Owner Signature



Please Print

HUMBERTO RODRIGUEZ

Date Paid

09/18/2024, SG





# Public Notice and Community Engagement

## Sign Posting and Removal

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.

**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.

## Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

### Acknowledgement

*By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.*

**November 1, 2024**

**November 15, 2024**

Date to be Posted

Date to be Removed

  
Applicant Signature

DAVID Harbin  
Applicant Name

Have you engaged the  
surrounding property owners  
to discuss your request?

☐ Yes ☒ No

☐ No, but I plan to prior to the  
Planning Commission meeting

9/17/24

Date

**11-E-24-RZ**

FILE NUMBER