

# REZONING REPORT

► **FILE #:** 4-N-25-RZ

**AGENDA ITEM #:** 43

**AGENDA DATE:** 4/10/2025

► **APPLICANT:** JAMES I SMITH

OWNER(S): Maloney Estates LLC, 420 May Acquist

TAX ID NUMBER: 135 002, 003, 00301, 00601, & 00602

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 3516 MALONEY RD (0, 3518, 3524, & 3526 MALONEY RD)

► **LOCATION:** Southwest side of Maloney Rd, west of Ginn Farm Dr

► **APPX. SIZE OF TRACT:** 24.34 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Maloney Road, a minor collector street with 17 ft of pavement width within a right-of-way width that varies from 42 ft to 44 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Tennessee River

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

► **ZONING REQUESTED:** PR (Planned Residential), F (Floodway)

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

► **DENSITY PROPOSED:** up to 2 du/ac

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

HISTORY OF ZONING: In 1990 the southern part of the property was part of a rezoning to add the F (Floodway) zone (2-O-90-RZ). In 1993 this same section was part of a rezoning to F-1 (Floodway) following annexation into the City (3-C-93-RZ).

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land - A (Agricultural) in the County

South: Tennessee River - F (Floodplain Overlay) in the City

East: Tennessee River, multifamily residential, single family residential - RN-3 (General Residential Neighborhood), (C) former planned district in the City

West: Rural residential, Tennessee River - A (Agricultural) in the County, F (Floodplain Overlay) in the City

NEIGHBORHOOD CONTEXT: The subject property lies in a residential area along the Tennessee River with a mix of single family homes on large 1+ acre lots and single family and multifamily subdivisions off of side streets. The Maloney Road and Alcoa Highway interchange lies 0.5 miles to the east. Maloney Road Park, the University of Tennessee farms, and IC King Park are within a mile of the property.

## STAFF RECOMMENDATION:

- **Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development. 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 ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Since the early 1980s, development trends in the surrounding area have been residential and commercial. Residential development has consisted of single-family dwellings on various lot sizes, duplexes, and townhouse developments. Commercial development has been concentrated along Alcoa Highway, a commercial corridor 0.57 miles north of the subject property.
2. Ongoing road improvements to Alcoa Highway have included widening road lanes, installing roundabouts near minor collector roads such as Montlake Drive and Maloney Road, and adding sidewalks and bike lanes.

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

1. The PR zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. The subject property is in the SP (Stream Protection) area and is largely within 100-year and 500-year floodplains. Due to these environmental constraints, the PR zone is appropriate to consider here as it allows for development to be clustered outside floodplains and environmentally sensitive areas.

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. The PR zone ensures that site plans undergo a public review process and obtain Planning Commission approval before construction begins. The plan will be reviewed to determine whether the proposed development is compatible with the surrounding community.
2. There are closed contours throughout the subject property that could indicate the presence of sinkholes unless a geotechnical survey is done to determine otherwise (Exhibit B). If it is determined that they are sinkholes, a 50-ft no-build buffer may be required.
3. Any proposed developments must comply with the Knox County Stormwater Ordinance, which provides the necessary regulations relating to grading, filling, drainage, and other general site preparations to mitigate runoff and protect public health and safety.

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 subject property is designated with the SR (Suburban Residential) place type in the Knox County Comprehensive Plan. The PR zone is considered partially related to the SR place type. Per Appendix H, partially related zones must meet additional criteria. The proposed rezoning meets the first criterion, as the housing types supported by the PR zone with a density of 2 du/ac align with the land use mix of the SR place type, which includes single-family dwellings on lots smaller than an acre and small scale attached dwellings.
2. The recommended rezoning complies with Implementation Policy 5, to create neighborhoods with a variety of housing types and amenities. The subject property is 0.25 miles west of the Maloney Road Park and Knox-Blount Greenway trail, roughly a mile from IC King Park, and just south of the commercial corridor along Alcoa Highway. The area's various commercial and public amenities support a rezoning of this site.
3. The rezoning also complies with Implementation Policy 7, to encourage development practices that conserve natural features. The requested density of 2 du/ac would allow flexibility for a moderate increase in development without the pressure to overdevelop an environmentally sensitive site.
4. The subject property is within the Planned Growth Area of the Growth Policy Plan, which encourages a more compact pattern of development. The PR zone with up to 2 du/ac supports the intent of the Planned Growth Area.

ESTIMATED TRAFFIC IMPACT: 394 (average daily vehicle trips)

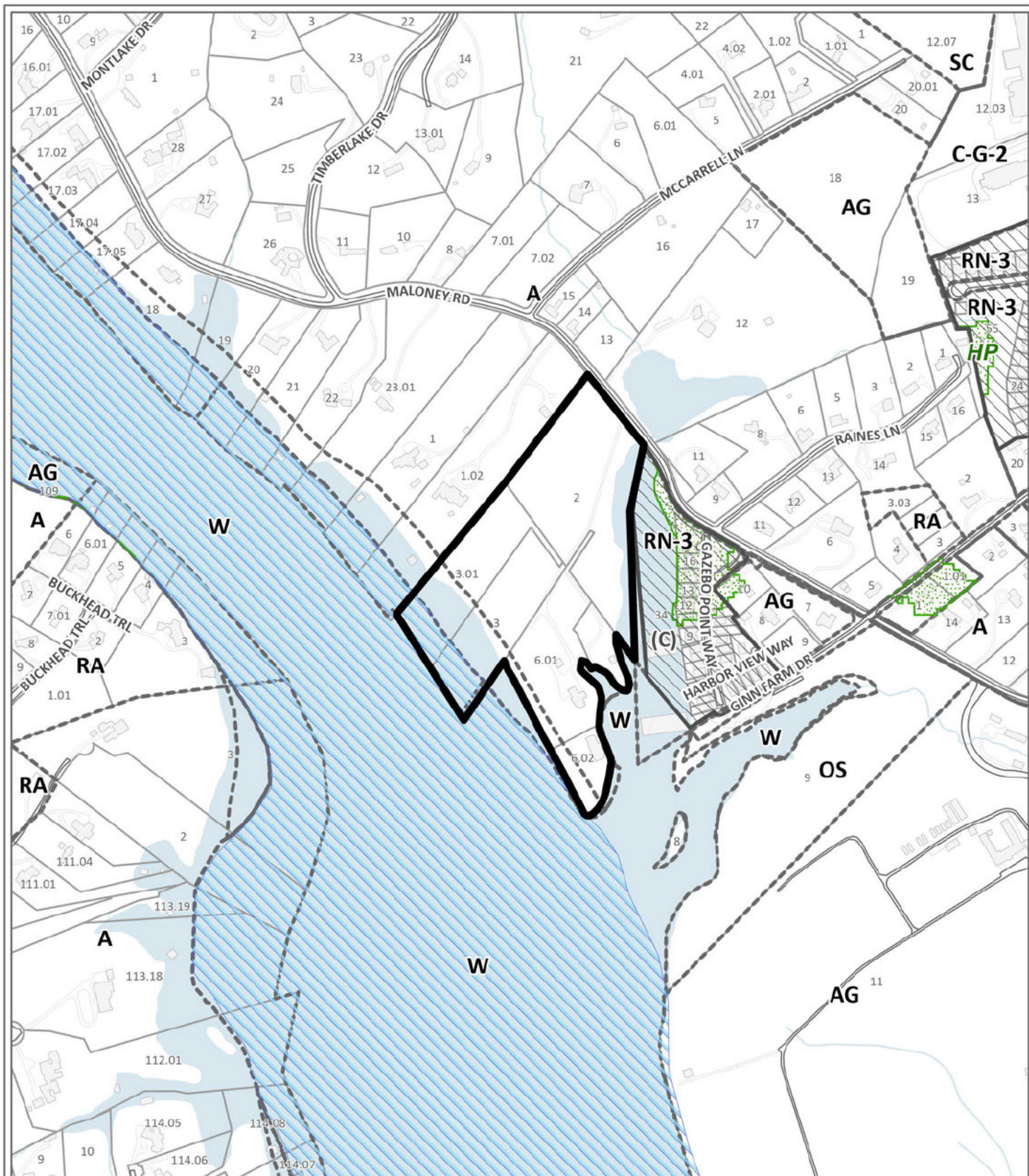
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 8 (public school children, grades K-12)

Schools affected by this proposal: Mount Olive Elementary, South Doyle Middle, and South Doyle 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 5/12/2025. 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-N-25-RZ**

**Petitioner:** James I Smith

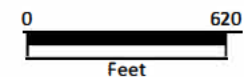


**From:** A (Agricultural), F (Floodway)

**To:** PR (Planned Residential) up to 2 du/ac, F (Floodway)

**Map No:** 135

**Jurisdiction:** County



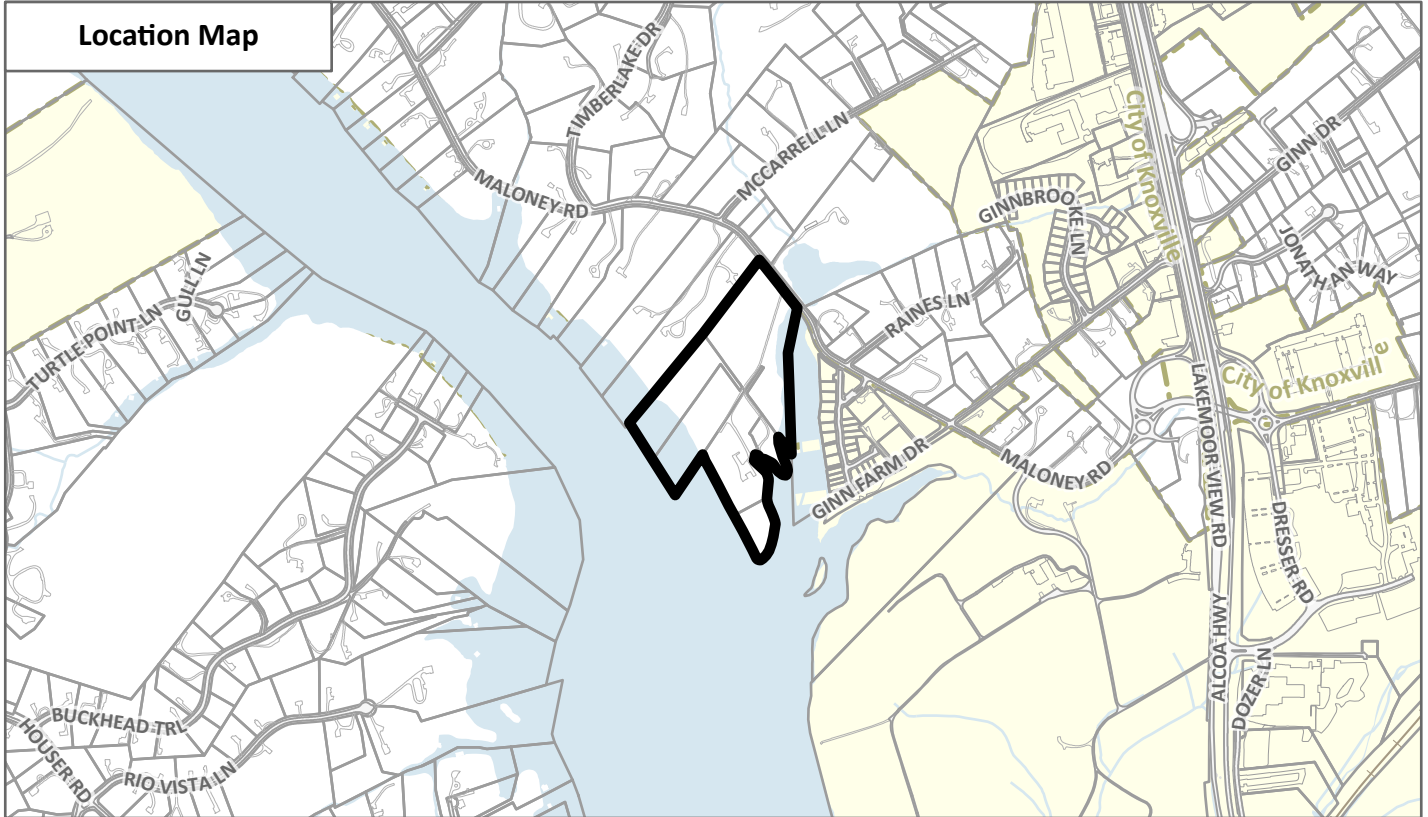
**Original Print Date:** 3/18/2025

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

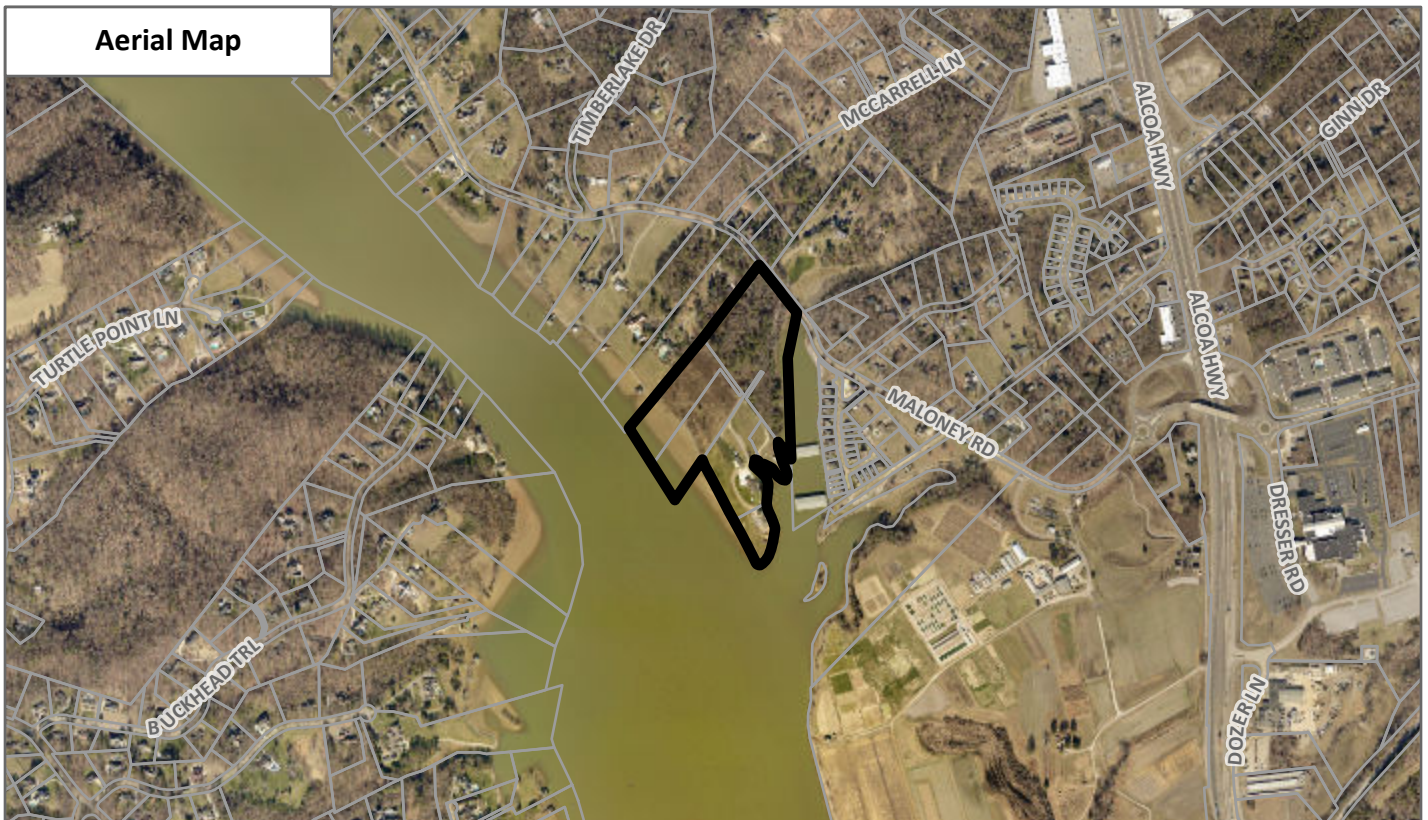


## Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

4-N-25-RZ

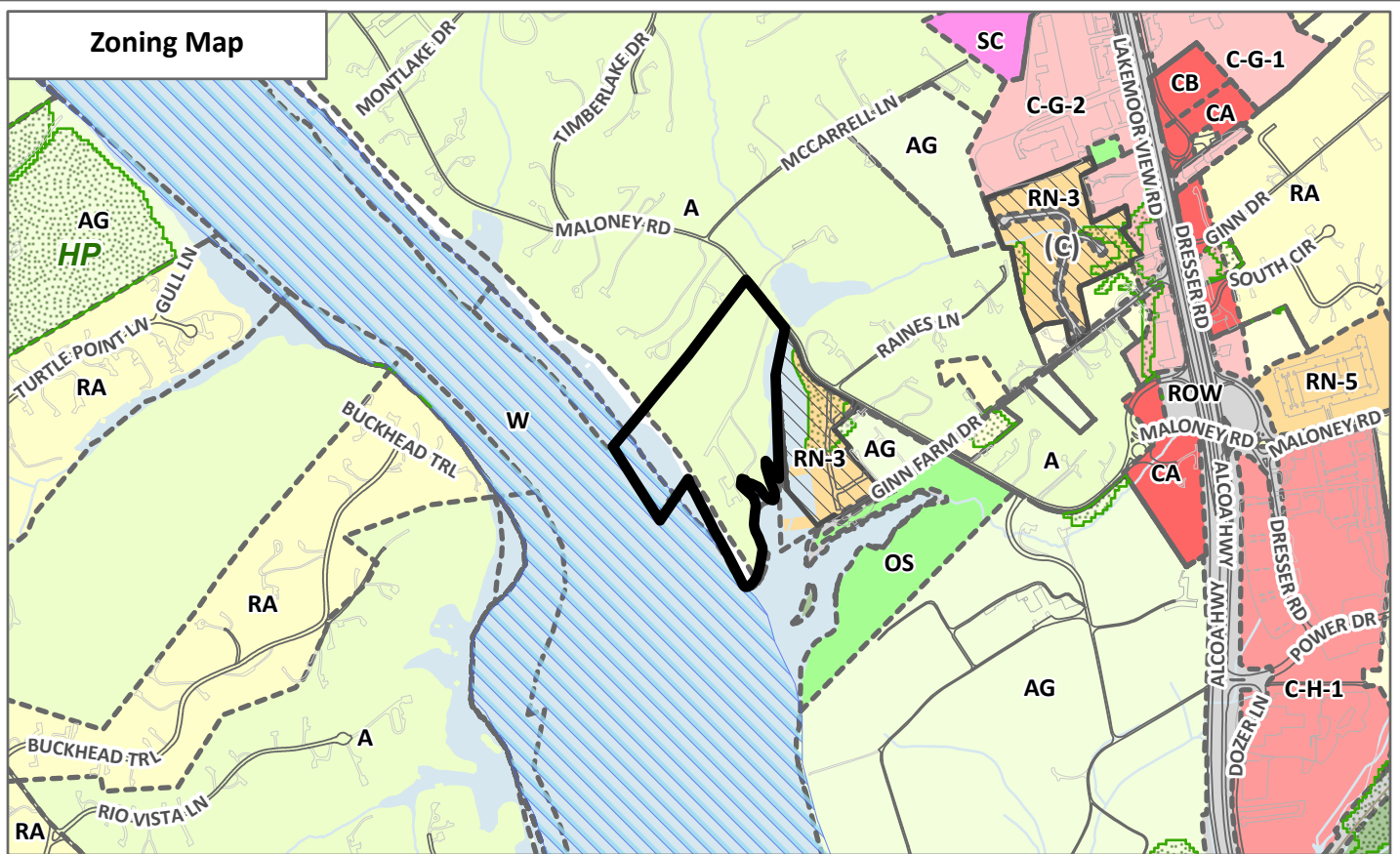


Case boundary

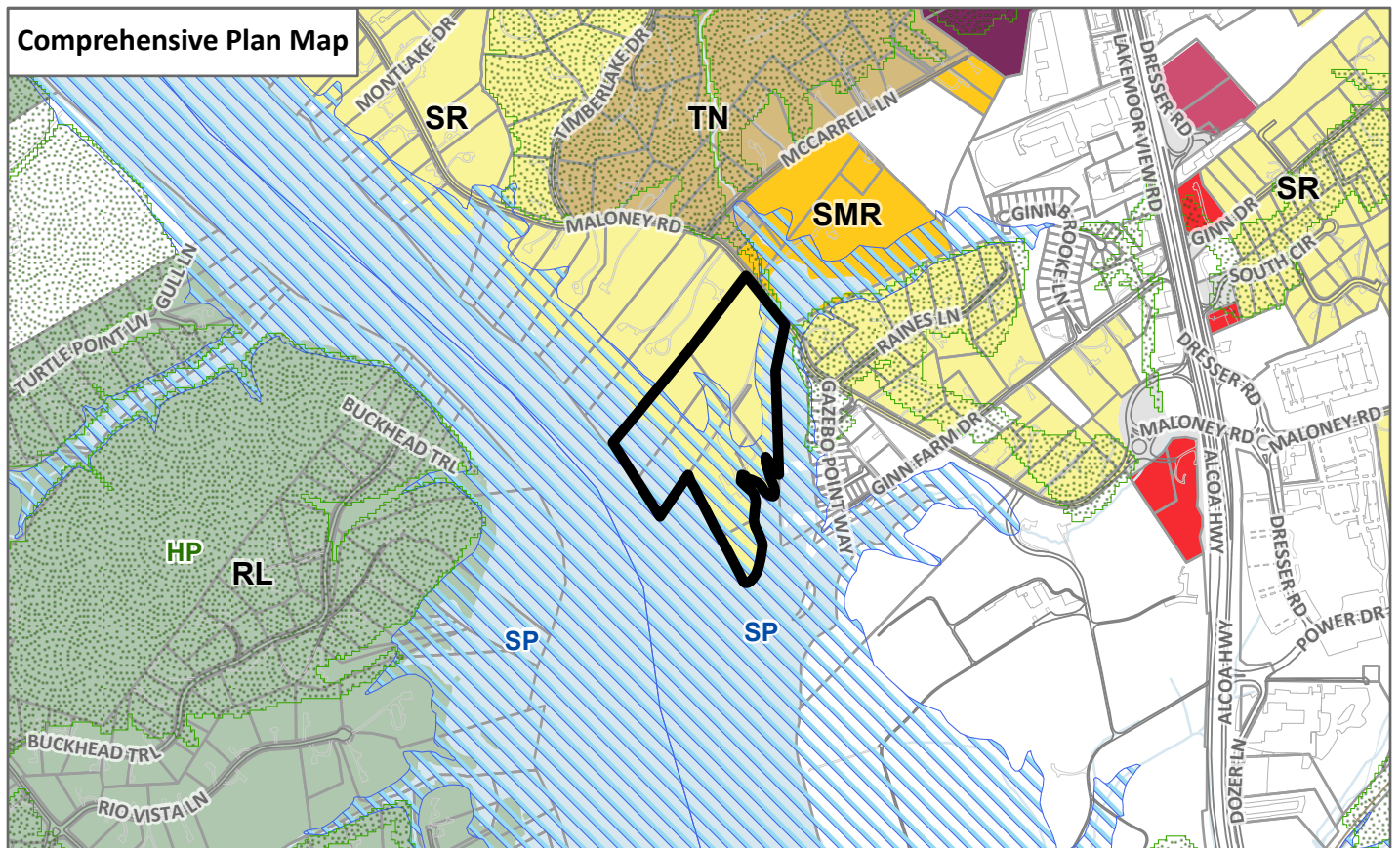




**Zoning Map**



**Comprehensive Plan Map**

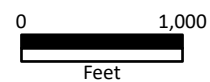


**CONTEXTUAL MAPS 2**

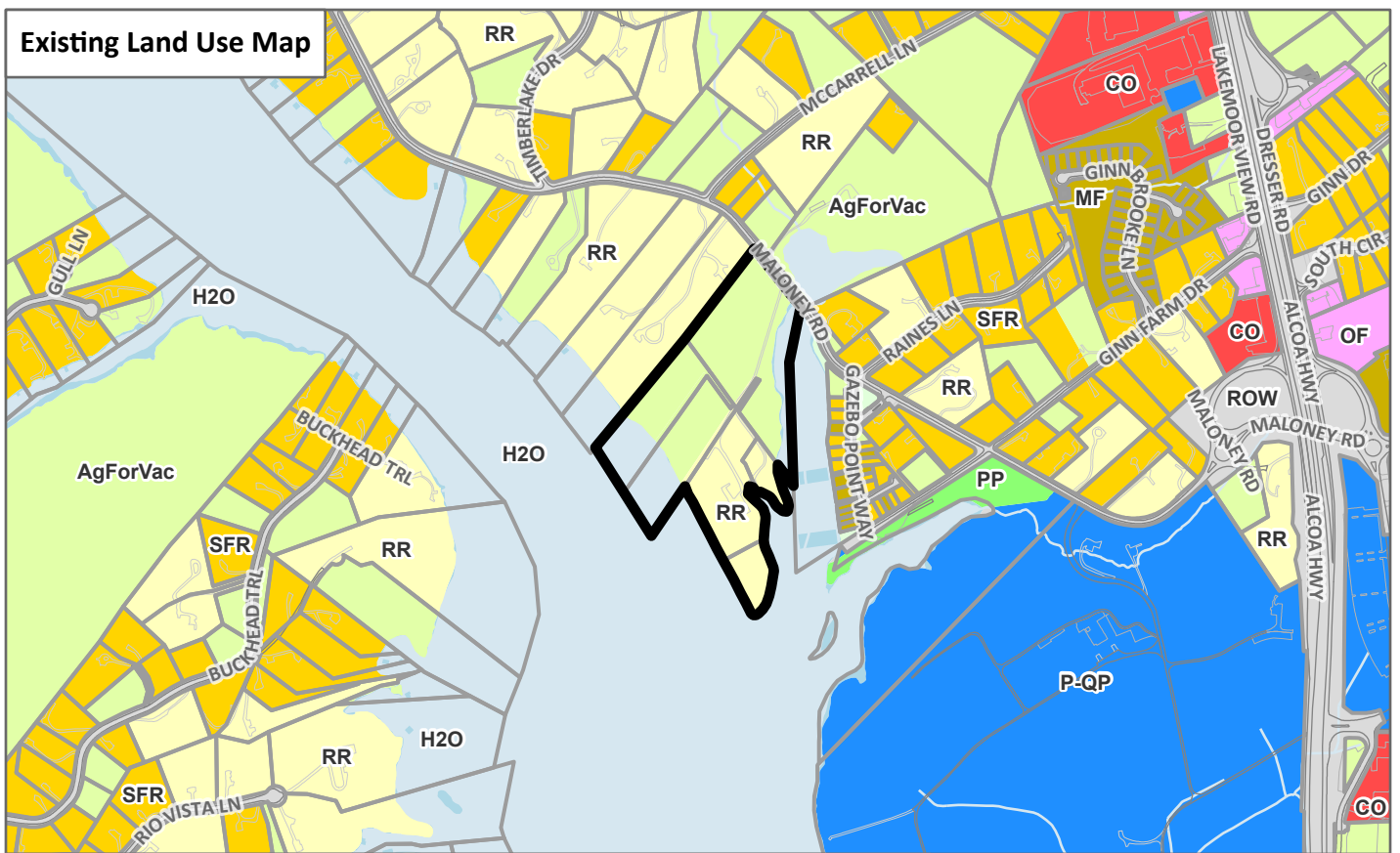
**4-N-25-RZ**



Case boundary



Existing Land Use Map



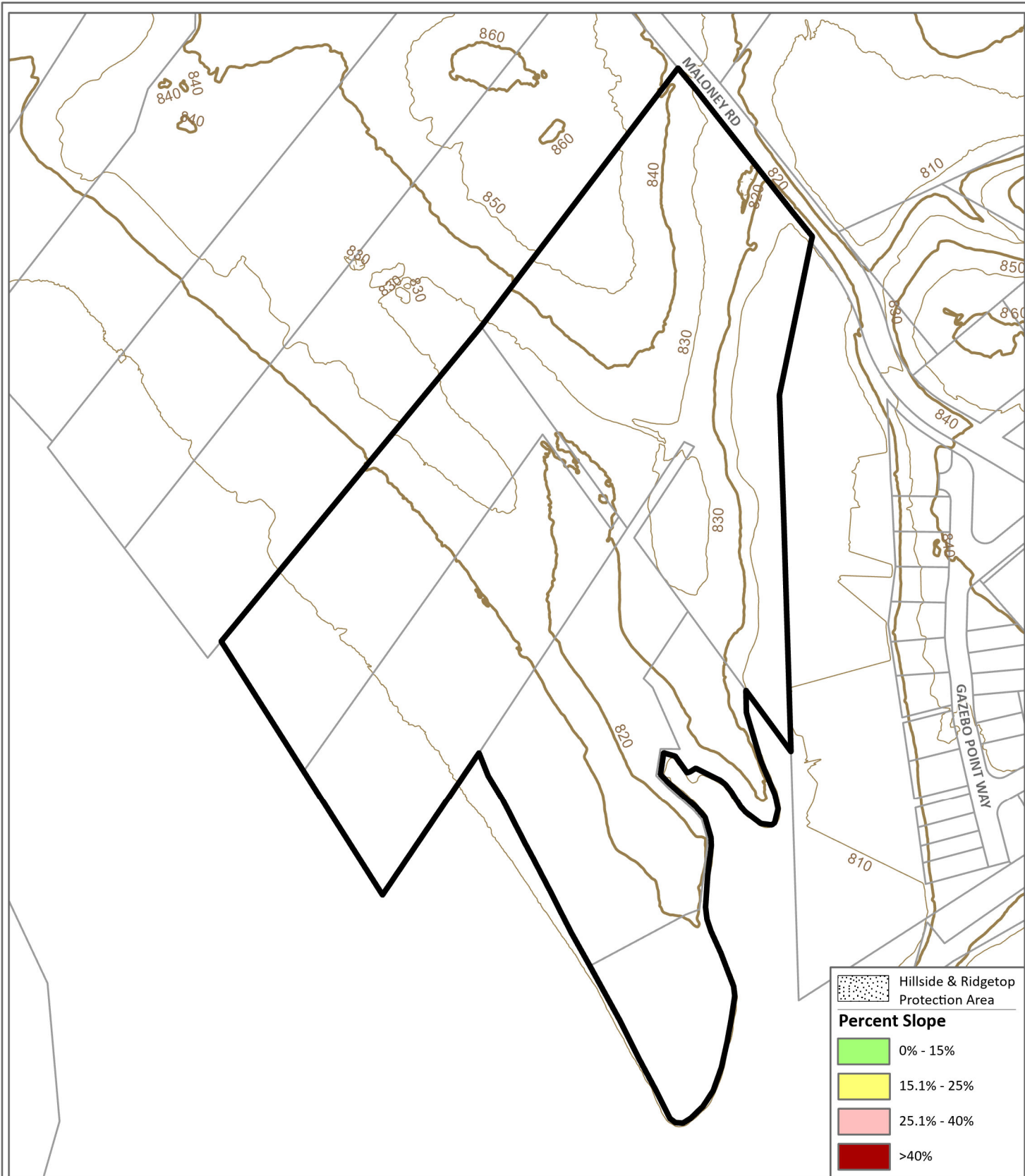
CONTEXTUAL MAPS 3

4-N-25-RZ



Case boundary





## Exhibit B: Topographic Map

4-N-25-RZ

Petitioner: James I Smith



Case Boundary

Map No: 135

Jurisdiction: County



Original Print Date: 3/19/2025

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





# 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

James I. Smith		Civil & Environmental Consul
Applicant Name		Affiliation
2/20/2025	4/10/2025	File Number(s)
Date Filed	Meeting Date (if applicable)	

CORRESPONDENCE

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

<input checked="" type="checkbox"/> Applicant	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Option Holder	<input type="checkbox"/> Project Surveyor	<input checked="" type="checkbox"/> Engineer	<input type="checkbox"/> Architect/Landscape Architect
James I. Smith		Civil & Environmental Consultants, Inc.			
Name		Company			
2704 Cherokee Farm Way, Suite 101		Knoxville	TN	37920	
Address		City	State	ZIP	
865-977-9997					
Phone		Email			
Owners: MALONEY ESTATES LLC, 420 MAY ACQUISTIONS LLC, 3524 MALONEY LLC, PEACOCK WAY LLC, FOSTER JEFFREY B & REECE M					

CURRENT PROPERTY INFO

Parcels: 135 002, 135 00301, 135 003, 135 00601, 135 00602

See list of owners above.	307 Blue Peacock Way, Seymour, TN 37865	
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
See list of addresses below.	See list of parcels above.	
Property Address	Parcel ID	
KNOXVILLE UTILITIES BOARD	KNOXVILLE UTILITIES BOARD	n
Sewer Provider	Water Provider	Septic (Y/N)
Addresses: 0 MALONEY RD, 3526 MALONEY RD, 3524 MALONEY RD, 3518 MALONEY RD, 3516 MALONEY RD		

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 Change

PR (Planned Residential Zone)

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

2.0

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) \_\_\_\_\_

Pending Plat File Number

## 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

Fee 2

Fee 3

## AUTHORIZATION

**By signing below, 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. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.**

Smith, James

Digitally signed by Smith, James  
DN: E=jsmith@oeinc.com, CN="Smith, James",  
OU=Users, OU=Knoxville, DC=oeinc, DC=com  
Date: 2025.02.20 11:06:18-05'00'

James Smith (Engineer)

2/20/2025

Applicant Signature

Print Name / Affiliation

Date

865.340.4949

Phone Number

Email

Property Owner Signature

Please Print

Date Paid



# 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.*

03/08/2025

04/11/2025

Date to be Posted

Date to be Removed

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

☐ Yes ☐ No

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

Smith, James

Digitally signed by Smith, James  
DN: E=jsmith@oeinc.com, CN="Smith, James",  
OU=Users, OU=Knoxville, DC=oeinc, DC=com  
Date: 2025.02.21 11:42:34-05'00'

James Smith

02/21/2025

Applicant Signature

Applicant Name

Date

4-N-25-RZ

FILE NUMBER