

REZONING REPORT

► **FILE #:** 5-F-25-RZ

AGENDA ITEM #: 31

AGENDA DATE: 5/8/2025

► **APPLICANT:** DEWAYNE HICKS

OWNER(S): J Scates & J Setzer (Life Est)

TAX ID NUMBER: 118 01203

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0 LOVELL RD

► **LOCATION:** Southeast corner of the intersection of Lovell Rd & Schaeffer Rd

► **APPX. SIZE OF TRACT:** 2.89 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Schaeffer Road, a local street in this location with a pavement width which varies from 25 ft to 35 ft within a right-of-way which varies from 55 ft to 130 ft. Access to Lovell Road would not be allowed per a condition of a 2017 rezoning.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Beaver Creek

► **PRESENT ZONING:** CN(k) (Neighborhood Commercial with conditions), TO (Technology Overlay)

► **ZONING REQUESTED:** CA (General Business), TO (Technology Overlay)

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

►
EXTENSION OF ZONE: Yes, this would be an extension of the CA zone.

HISTORY OF ZONING: In 1996, the subject property was part of a larger parcel that was rezoned from CA (General Business), BP (Business & Technology Park), and TO (Technology Overlay) to PR (Planned Residential) up to 5 du/ac and TO (1-S-96-RZ). The subject property was then later rezoned from PR with up to 5 du/ac and TO to CN(k) (Neighborhood Commercial with conditions) and TO in 2017 (11-C-17-RZ).

SURROUNDING LAND USE AND ZONING:

North: Single family residential - BP (Business and Technology Park), TO (Technology Overlay)

South: Office, single family residential - CN(k) (Neighborhood Commercial with conditions), PR (Planned Residential) up to 5 du/ac, TO (Technology Overlay)

East: Single family residential - PR (Planned Residential) up to 5 du/ac, TO (Technology Overlay)

West: Commercial - CA (General Business), TO (Technology Overlay)

NEIGHBORHOOD CONTEXT: This area is a characterized by commercial uses consisting of auto-oriented services and commercial storage operations and by single family dwellings

STAFF RECOMMENDATION:

- **Postpone the application for 30 days to be heard at the June 12th meeting, as requested by the applicant.**

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Ball Camp Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

- 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 6/16/2025. 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.



Request to Postpone • Table • Withdraw

Dewayne Hicks

4-28-2025

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

MAY 8, 2025

Scheduled Meeting Date

File Number(s)

5-F-25-RZ / 5-A-25-TOR

POSTPONE

☒ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: ☒ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the JUNE 12 2025 Planning Commission Meeting.

WITHDRAW

☐ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

Applicant Signature

Richard LeMay (agent)

Please Print

(865) 671-0183

Phone Number

rlemay@lemayassociates.com

Email

STAFF ONLY

Staff Signature

Shelley Gray

Please Print

04/28/2025

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

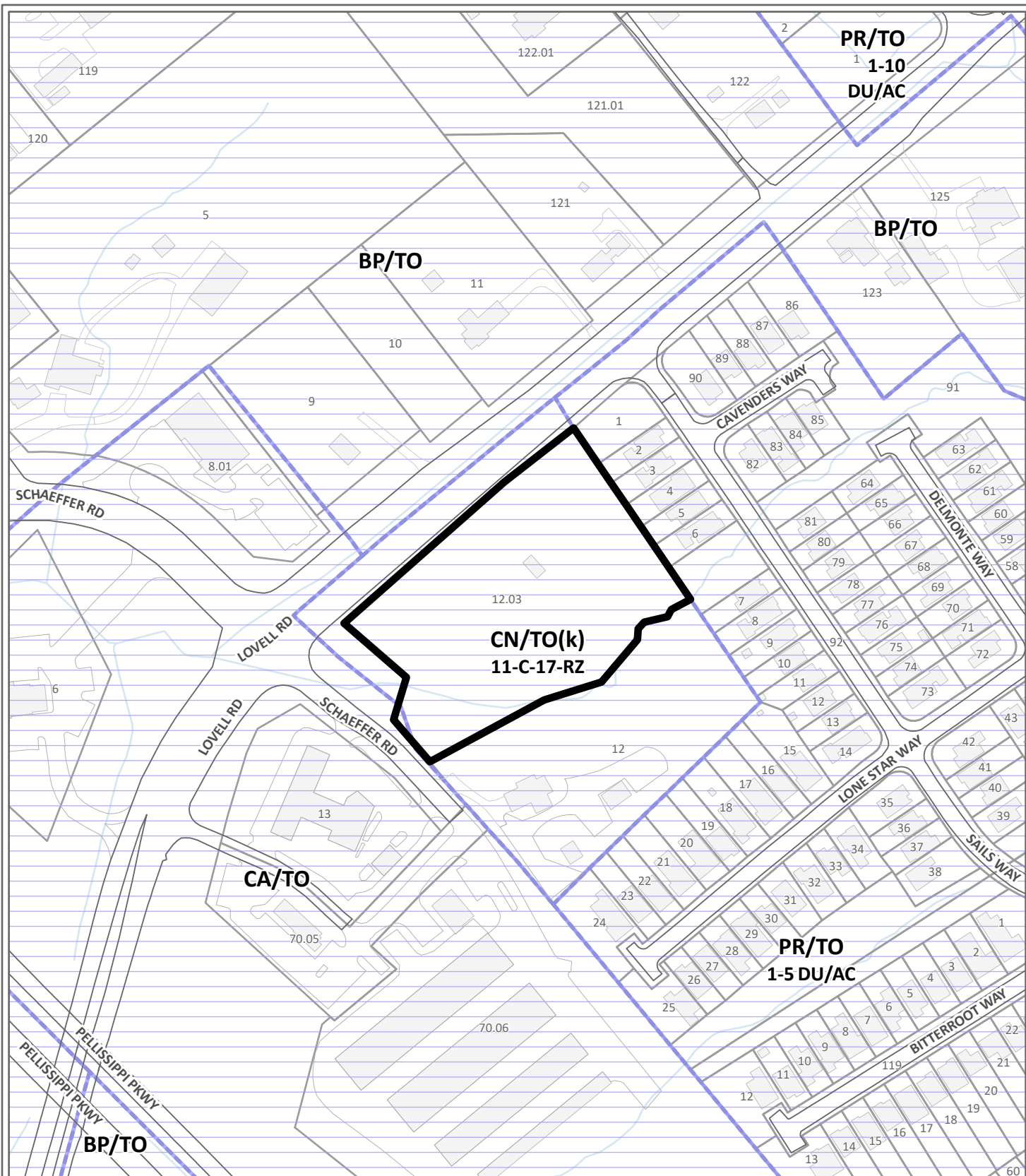
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



REZONING

5-F-25-RZ



From: CN(k) (Neighborhood Commercial), TO (Technology Overlay), CA (General Business)
To: CA (General Business), TO (Technology Overlay)

Original Print Date: 3/31/2025

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

Petitioner: DeWayne Hicks

Map No: 118

Jurisdiction: County

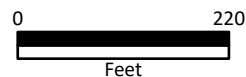


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

5-F-25-RZ

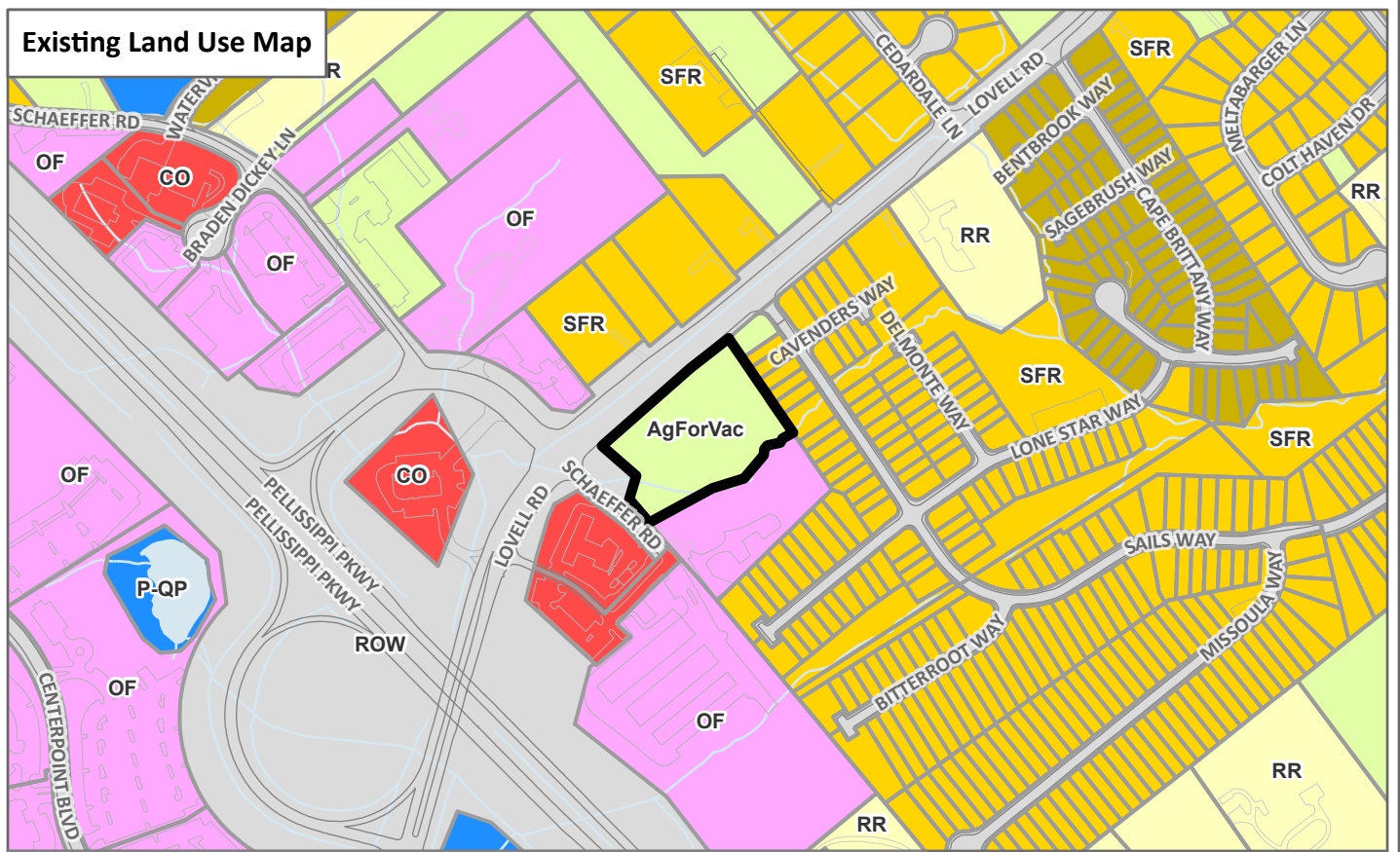


Case boundary

0 330
Feet



Existing Land Use Map



CONTEXTUAL MAPS 3

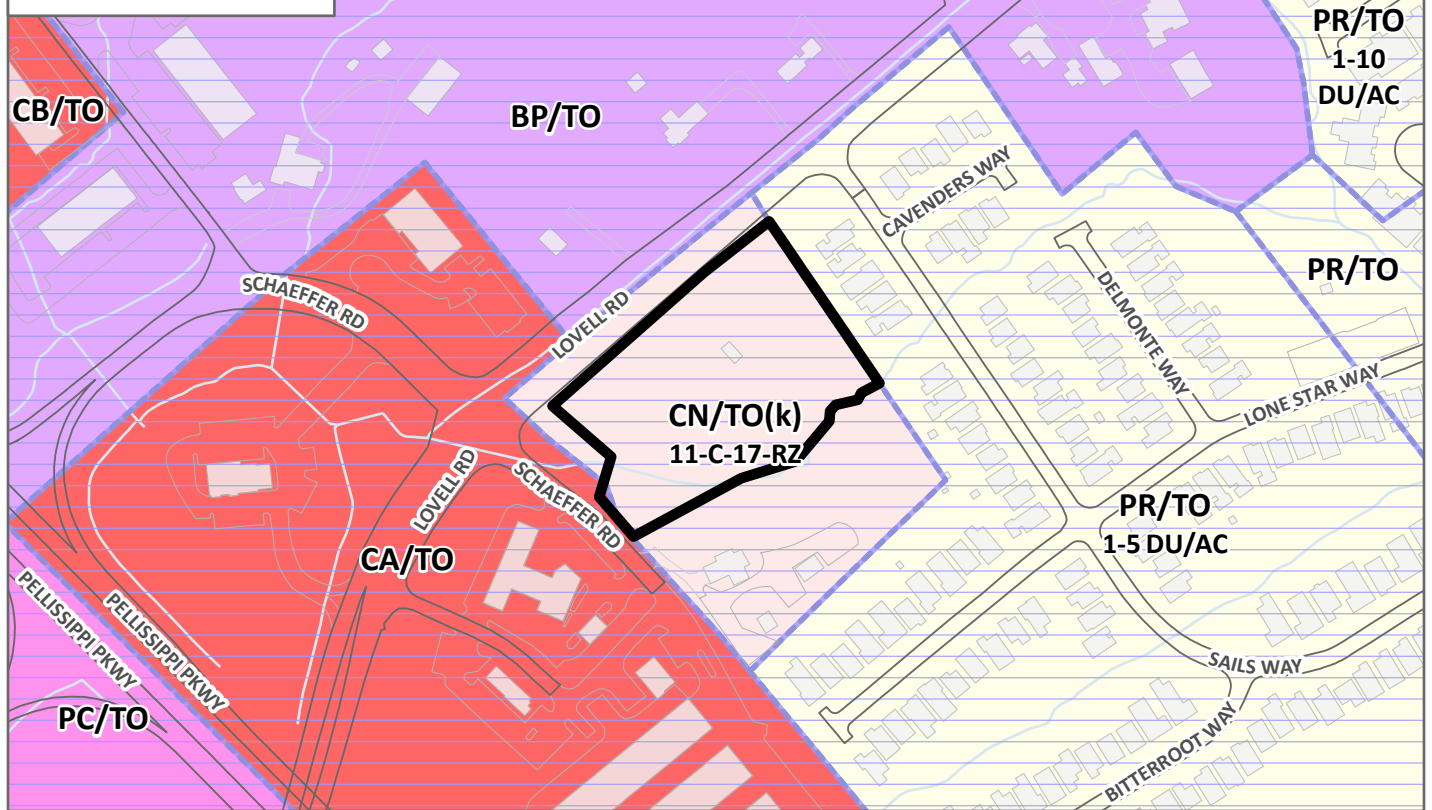
5-F-25-RZ



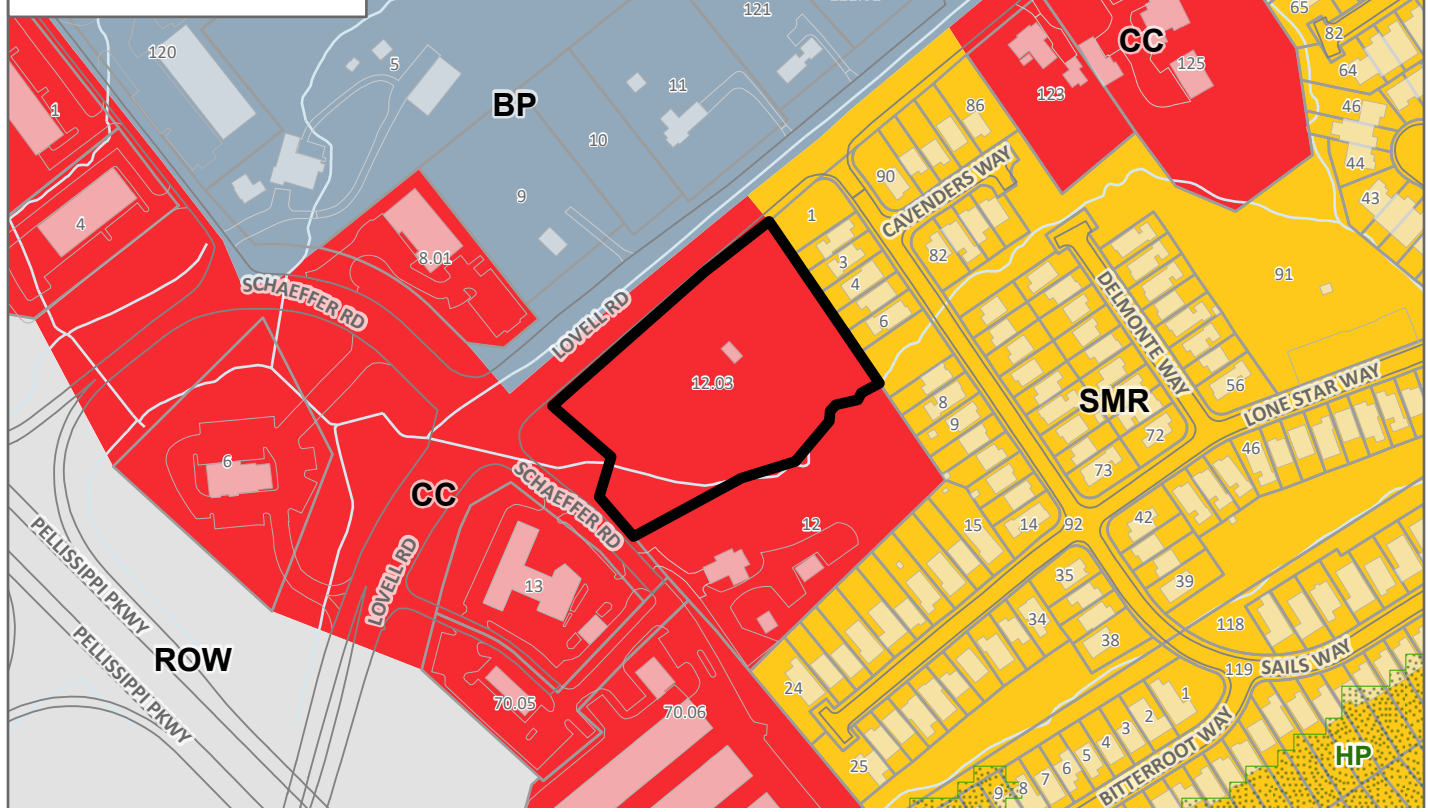
Case boundary



Zoning Map



Comprehensive Plan Map



CONTEXTUAL MAPS 2

5-F-25-RZ



Case boundary



Subdivision

☐ Concept Plan

☐ Final Plat

Zoning

☒ Rezoning

☐ Plan Amendment

Development

☐ Development Plan

☐ Planned Development

☐ Use on Review / Special Use

☐ Hillside Protection COA

Dewayne Hicks

Developer

Applicant Name

Affiliation

1/12/2025

~~ASAP~~ May 8, 2025

File Number(s)

Date Filed

Meeting Date (if applicable)

5-F-25-RZ

Correspondence

All correspondence will 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 Oike

Knoxville

Tn

37934

Address

City

State

ZIP

865 671 0183

Phone

Email

Current Property Info

J.Scates & J. Setzer(Life Estate)

21 Ivy Gates Ttlanta, Ga. 30342

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Lovell Road

118 01203

Property Address

Parcel ID

WKUD

WKUD

Sewer Provider

Water Provider

Septic (Y/N)

Development Request

☐ Residential

☐ Non-Residential

RELATED CITY PERMIT NUMBER

Proposed Use

Specify if a traffic impact study is required:

☐ Yes (required to be submitted with application)

☐ No

Subdivision Request




| | | |
|---|---|------------------------------|
| | | RELATED REZONING FILE NUMBER |
| Proposed Subdivision Name | | |
| Unit / Phase Number | <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel | |
| Proposed Number of Lots (total) | | |
| <input type="checkbox"/> Other (specify) _____ | | |
| Specify if requesting: <input type="checkbox"/> Variance <input type="checkbox"/> Alternative design standard | | |
| Specify if a traffic impact study is required: <input type="checkbox"/> Yes (required to be submitted with application) <input type="checkbox"/> No | | |

Zoning Request

| | | |
|---|--|--------------------------|
| CA | | PENDING PLAT FILE NUMBER |
| <input checked="" type="checkbox"/> Zoning Change | Proposed Zoning Proposed Density (units/acre, for PR zone only) | |
| <input type="checkbox"/> Sector Plan <input type="checkbox"/> One Year Plan <input type="checkbox"/> Comprehensive Plan | | |
| <input type="checkbox"/> Plan Amendment Change | Proposed Plan Designation(s) | |
| <input type="checkbox"/> If, in Knox county, submit plan amendment request with application Previous Rezoning Requests | | |
| <input type="checkbox"/> Other (specify) _____ | | |

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

| | | |
|---|--|------------|
|  | Dewayne Hicks | 03/12/2025 |
| Applicant Signature | Please Print | Date |
| 865-368-3052 |  | |
| Phone Number | Email | |
|  | Jacquetta F Scates | |
| Property Owner Signature | Please Print | Date Paid |

Staff Use Only

ADDITIONAL REQUIREMENTS ☐ Property Owners / Option Holders

| | | | |
|-------|-------|-------|----------|
| FEE 1 | FEE 2 | FEE 3 | TOTAL |
| 0801 | | | \$650.00 |

Public Notice and 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). We require applicants to acknowledge their role in this process.

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.

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.

04/25/2025

05/09/2025

~~03/17/2025~~

~~04/17/25~~

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

Applicant Signature

Dewayne Hicks 03/13/2025
Applicant Name

Date