



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 7-G-17-RZ  
7-C-17-SP

**AGENDA ITEM #:** 52  
**AGENDA DATE:** 7/13/2017

▶ **APPLICANT:** VICTOR JERNIGAN  
OWNER(S): Victor Jernigan

TAX ID NUMBER: 143 K A 008,009&010 [View map on KGIS](#)  
 JURISDICTION: Commission District 5  
 STREET ADDRESS: 826 Canton Hollow Rd

▶ **LOCATION:** North side Canton Hollow Rd., east of Woody Dr.

▶ **TRACT INFORMATION:** 3.7 acres.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Canton Hollow Rd., a major collector street with 19' of pavement width within 65-80' of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Sinking Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Dwellings

▶ **PROPOSED USE:** Residential development

**DENSITY PROPOSED:** 8 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
 North: Vacant land, mobile homes / RB (General Residential)  
 South: Canton Hollow Rd., houses, vacant land / PR (Planned Residential) at 5 du/ac  
 East: Vacant land, mobile homes / RB (General Residential) and A (Agricultural)  
 West: Houses and vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is developed with a range of agricultural, rural, low and medium density residential uses under A, PR, RA and RB zoning.

**STAFF RECOMMENDATION:**

▶ **DENY MDR (Medium Density Residential) sector plan designation.**

Approval of medium density residential uses for this site would be a spot plan amendment in an area surrounded by low density residential uses. With the exception of Edgewater Subdivision at about 6 du/ac, all of the properties in the immediate area that have access to Canton Hollow Rd. have a developed density of less than 5 du/ac. When taken as a whole, the density in the surrounding area averages far less than 5 du/ac, which is the maximum density allowed under the LDR plan designation. The current LDR designation is appropriate for this property and should remain in place. The current sector plan proposes LDR all along Canton Hollow Rd. from Kingston Pike south to the lake.

▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning at a density of up to 5 du/ac. (Applicant requested 8 du/ac.)**

The requested PR zoning and density are not consistent with the current sector plan designation for the property and not compatible with the majority of the surrounding zoning and development pattern.

**COMMENTS:**

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made in the vicinity of this site. The development pattern for this and surrounding sites is well established as low density residential.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Southwest County Sector Plan appropriately designates this site for low density residential uses, consistent with the surrounding area. There are no medium density residential plan designations along Canton Hollow Rd. The majority of zoning along Canton Hollow Rd.. includes either Agricultural, RA or PR zoning at less than 5 du/ac, consistent with the low density residential sector plan designation, with three exceptions. One is Edgewater Subdivision to the southeast, zoned at up to 6 du/ac. Two more are north, almost to Kingston Pike, zoned PR at up to 8 du/ac. All of these developments were approved prior to required sector plan amendments with inconsistent rezoning applications, so the plan designation remains LDR, and has not changed with subsequent plan updates. A plan amendment to MDR for the subject property would be a spot plan amendment.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There has been no change in public/government policy at this time that warrants the requested amendment to the sector plan.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The development pattern for this and surrounding sites is well established as low density residential, and there is no valid reason to amend the plan for this site only.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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 CITY/COUNTY GENERALLY:

1. PR zoning at the recommended density for the subject property will allow reasonable development of the site for attached or detached residential uses, consistent with other detached residential developments along this section of Canton Hollow Rd.
2. The recommended zoning and density are consistent with the current sector plan proposal for the property.
3. The majority of the surrounding development consists of low density residential uses and zoning, consistent with the recommended zoning and density.

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

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Additionally, the zoning states that each development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the Planning Commission by review of development plans. Staff maintains that PR is the most appropriate zone for this development, if limited to a density of 5 du/ac or less.

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. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
2. The recommended PR zoning at a density of up to 5 du/ac would allow for a maximum of 18 dwelling units to be proposed for the site. That number of attached units, would add approximately 204 vehicle trips per day to the street system and would add approximately 1 child under the age of 18 to the school system. The applicant's requested PR zoning at a density of up to 8 du/ac would allow for a maximum of 29 dwelling units to be proposed for the site. That number of attached units, would add approximately 314 vehicle trips per day to the street system and would add approximately 2 children under the age of 18 to the school system.
3. PR zoning at the recommended density is compatible with surrounding development and should have a minimal impact on adjacent properties.
5. The approval of the recommended density of 5 du/ac will allow the applicant to submit a development plan with up to 18 dwelling units for MPC's consideration, compared to the 29 units that could be proposed at the applicant's requested density of up to 8 du/ac.
6. The PR zoning district has provisions for preservation of open space and providing recreational amenities as part of the development plan. The applicant will be expected to demonstrate how these provisions are met as part of the required development plan review.
7. Public water and sewer utilities are available to serve the site, and the recommended density is consistent with other zoning and density in the immediate area.
8. Sidewalks will be required on at least one side of new subdivision roads and possibly along Canton Hollow Rd.

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 Southwest County Sector Plan appropriately proposes low density residential uses for the site, consistent with the recommended PR zoning at a density of up to 5 du/ac. If the applicant's proposed density of up to 8 du/ac is to be considered, the sector plan must be amended to MDR, as requested by the applicant.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This recommended zoning and density do not present any apparent conflicts with any other adopted plans.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: 314 (average daily vehicle trips)

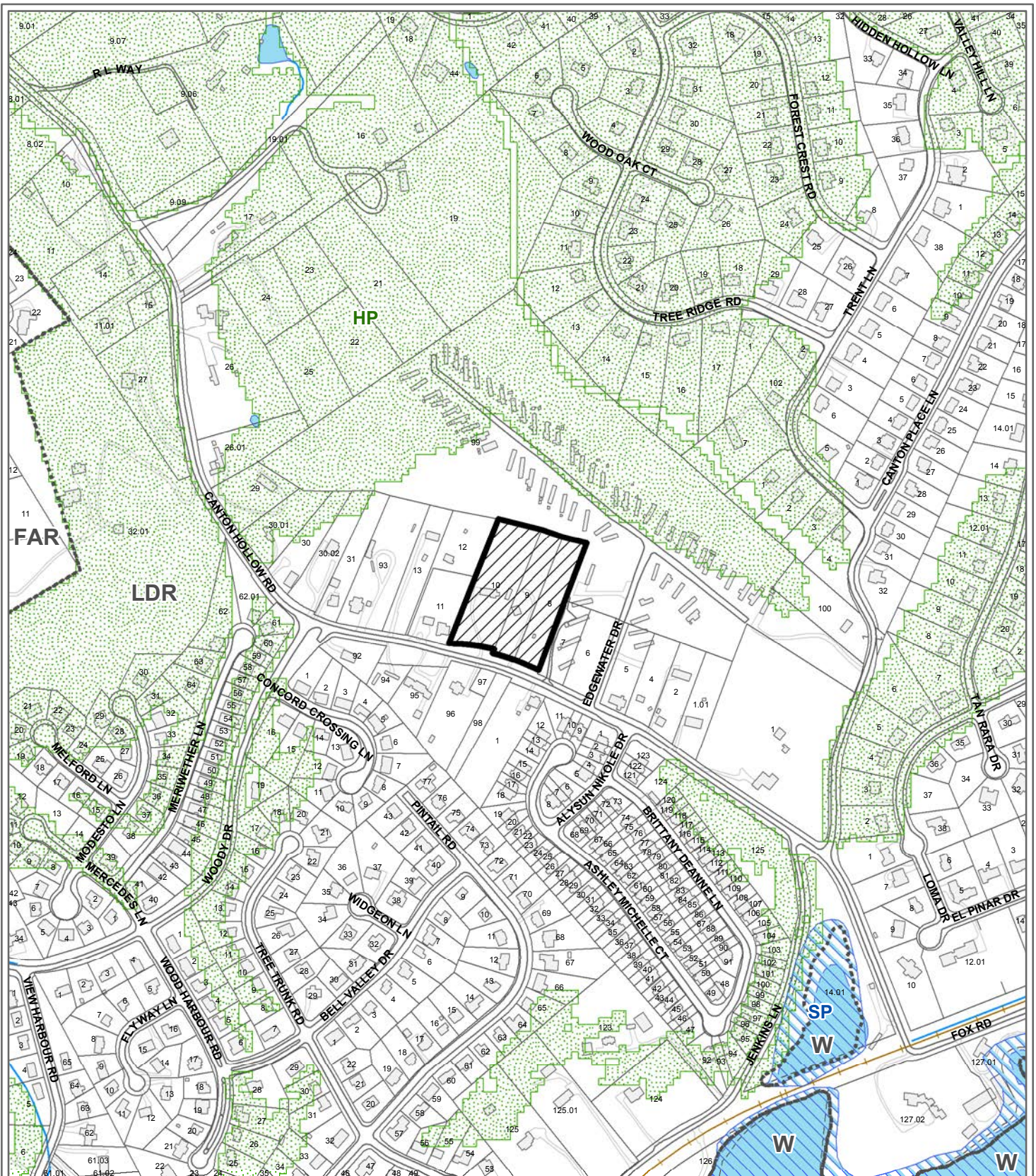
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 2 (public school children, ages 5-18 years)

Schools affected by this proposal: Farragut Primary/Intermediate, Farragut Middle, and Farragut High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. 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 for action on . If denied, MPC's action is final, unless the action to deny is appealed to . The date of the appeal hearing will depend on when the appeal application is filed. Appellants have to appeal an MPC decision in the County.



**7-C-17-SP / 7-G-17-RZ  
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)  
To: MDR (Medium Density Residential)

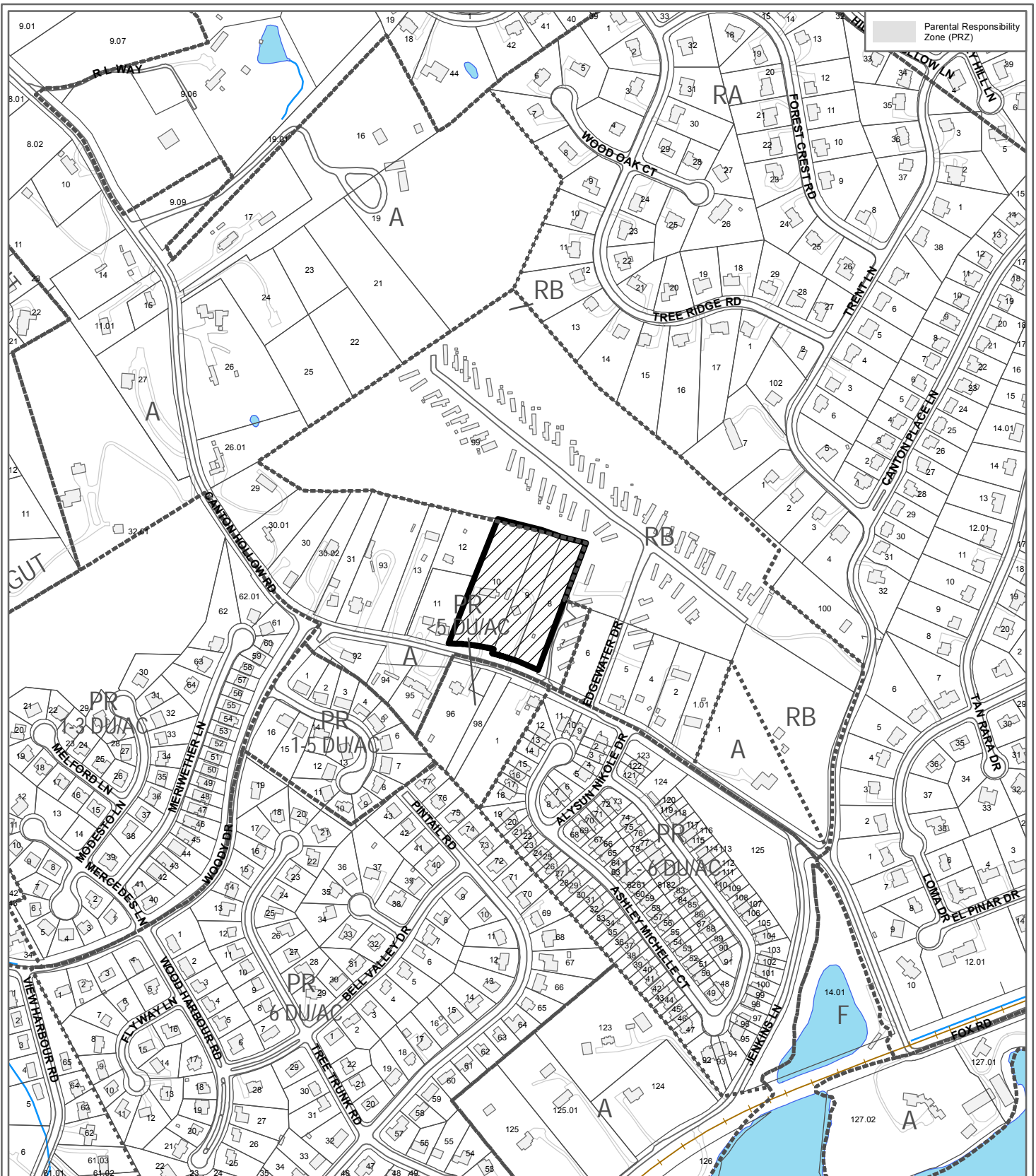


Petitioner: Jernigan, Victor

Map No: 143  
Jurisdiction: County

Original Print Date: 6/14/2017      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





**7-G-17-RZ  
REZONING**

From: A (Agricultural)

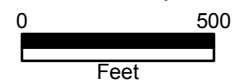
To: PR (Planned Residential)



Petitioner: Jernigan, Victor

Map No: 143

Jurisdiction: County



Original Print Date: 6/14/2017

Revised:

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

REZONING PLAN AMENDMENT

Name of Applicant: VICTOR JERNIGAN Date Filed: 5-25-17 Meeting Date: JULY 13, 2017 Application Accepted by: Thomas Brubaker Fee Amount: \$600.00 File Number: Rezoning 7-G-17-R2 Fee Amount: \$600.00 File Number: Plan Amendment 7-C-17-S



PROPERTY INFORMATION Address: 320/326/330 CANTON HOLLOW General Location: NORTHEAST SIDE OF CANTON HOLLOW - SOUTH OF WOODY ROAD Parcel ID Number(s): 143 KA 008, 009, 010 Tract Size: 3.7 AC +/- Existing Land Use: SINGLE FAMILY HOME Planning Sector: Southwest County Growth Policy Plan: Planned Growth Census Tract: 58.07 Traffic Zone: 231 Jurisdiction: [X] County Commission 5 District

PROPERTY OWNER [X] OPTION HOLDER PLEASE PRINT Name: VICTOR JERNIGAN Company: Address: 10255 KINGSTON PIKE City: KNOXVILLE State: TN Zip: 37922 Telephone: 865-207-9663 Fax: E-mail: VICTORJ@VICTORJERNIGAN.COM

APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: PLEASE PRINT Name: SAME Company: Address: City: State: Zip: Telephone: Fax: E-mail:

APPLICATION AUTHORIZATION I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form. Signature: Victor Jernigan PLEASE PRINT Name: SAME Company: Address: City: State: Zip: Telephone: E-mail:

Requested Change REZONING FROM: A TO: PR 1-8 DU/AC PLAN AMENDMENT [X] One Year Plan [ ] Sector Plan FROM: LDR TO: MDR

PROPOSED USE OF PROPERTY RESIDENTIAL DEVELOPMENT Density Proposed: 18 Units/Acre Previous Rezoning Requests: NONE

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

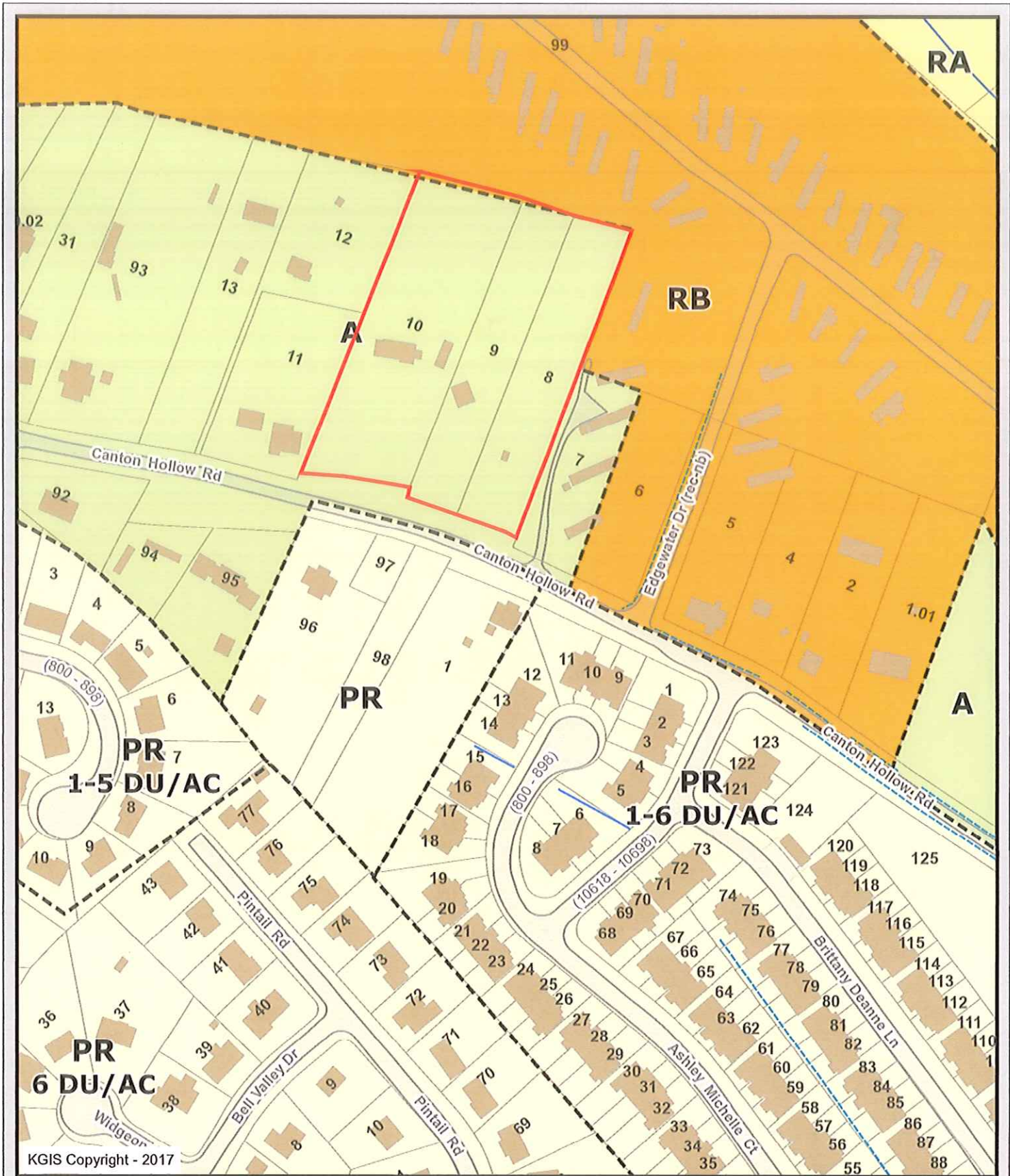
Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Owner	Option
LENA SPARBUKH	<del>804</del> 820	CANTON	HOLLAND	37922	✓	

JOANNE MORRISON	876	CANTON	HOLLAND	37922	✓	
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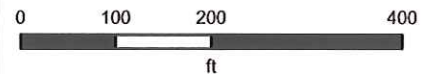
**820 826 830 Canton Hollow Road**

3.7 acres Request PR <8 units acre

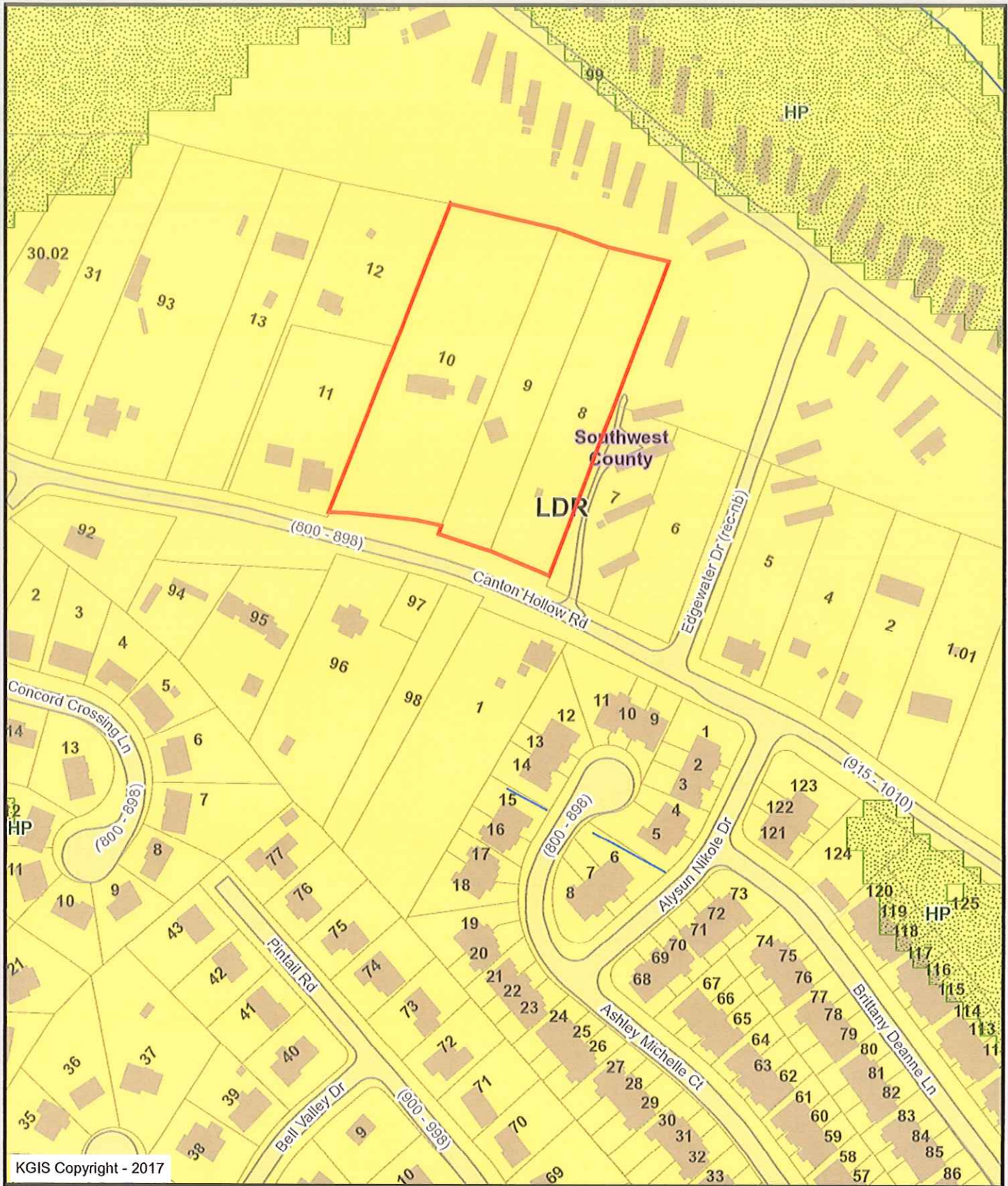
Current Zoning of Area

**Knoxville - Knox County - KUB Geographic Information System**

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### 820 826 830 Canton Hollow Road

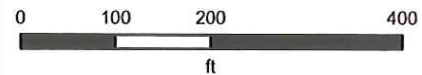
3.7 acres Request PR up to 8 units per acre

Sector Plan for the Area

#### Knoxville - Knox County - KUB Geographic Information System

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CHARACTER ELEVATION





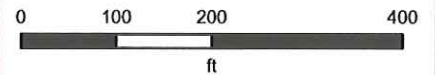
**820 826 830 Canton Hollow Road**

3.7 acres Request PR <8 units acre

Adjoins Mobile Home Park

**Knoxville - Knox County - KUB Geographic Information System**

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