



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-G-19-RZ  
4-B-19-SP

**AGENDA ITEM #:** 35  
**AGENDA DATE:** 4/11/2019

▶ **APPLICANT:** JAMES E. SAWYER  
**OWNER(S):** James E. Sawyer

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**TAX ID NUMBER:** 50 187 [View map on KGIS](#)  
**JURISDICTION:** Commission District 8  
**STREET ADDRESS:** 0 Babelay Rd  
▶ **LOCATION:** North side of Babelay Road, southeast side of Link Road  
▶ **TRACT INFORMATION:** 1.62 acres.  
**SECTOR PLAN:** Northeast County  
**GROWTH POLICY PLAN:** Rural Area  
**ACCESSIBILITY:** Access is via Link Road a local street with a pavement width of 18' feet within a right-of-way width of 29' feet.  
**UTILITIES:** Water Source: Northeast Knox Utility District  
Sewer Source: Knoxville Utilities Board  
**WATERSHED:** Woods Creek

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▶ **PRESENT PLAN DESIGNATION/ZONING:** A (Agricultural) / A (Agricultural)  
▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / PR (Planned Residential)  
▶ **EXISTING LAND USE:** Agriculture  
▶ **PROPOSED USE:** Residential  
**EXTENSION OF PLAN DESIGNATION/ZONING:**  
**HISTORY OF ZONING REQUESTS:** None noted.  
**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING:** North: Agriculture/Forestry/Vacant - AG (Agriculture)  
South: Agriculture/Forestry/Vacant - AG (Agriculture)  
East: Single family residential - AG (Agriculture)  
West: Rural residential, Agriculture/Forestry/Vacant - AG (Agriculture)  
**NEIGHBORHOOD CONTEXT:** The area is generally comprised of large agriculture/forestry/vacant lots with some smaller single family residential lots nearby.

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**STAFF RECOMMENDATION:**

▶ **ADOPT RESOLUTION #4-B-19-SP, amending the Northeast County Sector Plan to RR (Rural**

**Residential) designation and recommend that County Commission also adopt the sector plan amendment (see attached resolution, Exhibit A.) Applicant requested LDR.**

This site is located within the Rural Area of the Growth Policy Plan and is surrounded by AG (Agricultural) sector plan land use designations. However, a large adjacent tract was rezoned in 2007 to PR (Planned Residential) up to 2.5 du/acre, which is adjacent to the Urban Growth Area for the City of Knoxville. Staff recommends approval of the RR (Rural Residential) sector plan designation, which will accommodate the requested PR (Planned Residential) zone district.

► **RECOMMEND that County Commission APPROVE PR (Planned Residential) up to 2 du/ac zoning.**

Staff recommends approval of requested PR zoning up to 2 du/ac, which is compatible with the requested plan amendment to RR (Rural Residential) land use designation for this property.

**COMMENTS:**

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. No major changes have occurred since the last update of the Northeast County Sector Plan in 2016.

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

1. There are no new roads or utilities that have been introduced into this area since the adoption of the Northeast County Sector Plan in 2016.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The Northeast County Sector should have recognized the adjacent zoning patterns and designated the existing PR zoned area as Rural Residential (RR), of which this would be an extension, as well as the proximity of this area to the Urban Growth Area.

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

1. There are no new trends warranting reconsideration of the Northeast County Sector Plan.

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 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.

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. The property is located in the Rural Area on the Growth Policy Plan.
2. The area is adjacent to an existing PR (Planned Residential) zone district approved for up to 2.5 du/ac, which is adjacent to the Urban Growth Area.

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

1. The proposed amendment to 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. A planned unit development shall be compatible with the surrounding or adjacent zones and this shall be determined by the Planning Commission during the Use On Review process.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL AND DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. PR zoning is compatible with the proposed RR sector plan designation and any impacts will be addressed during the the use on review process.

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 recommended amendment for the Northeast County Sector Plan to RR (Rural Residential) makes the proposed rezoning consistent with the land use plan and all other adopted plans.

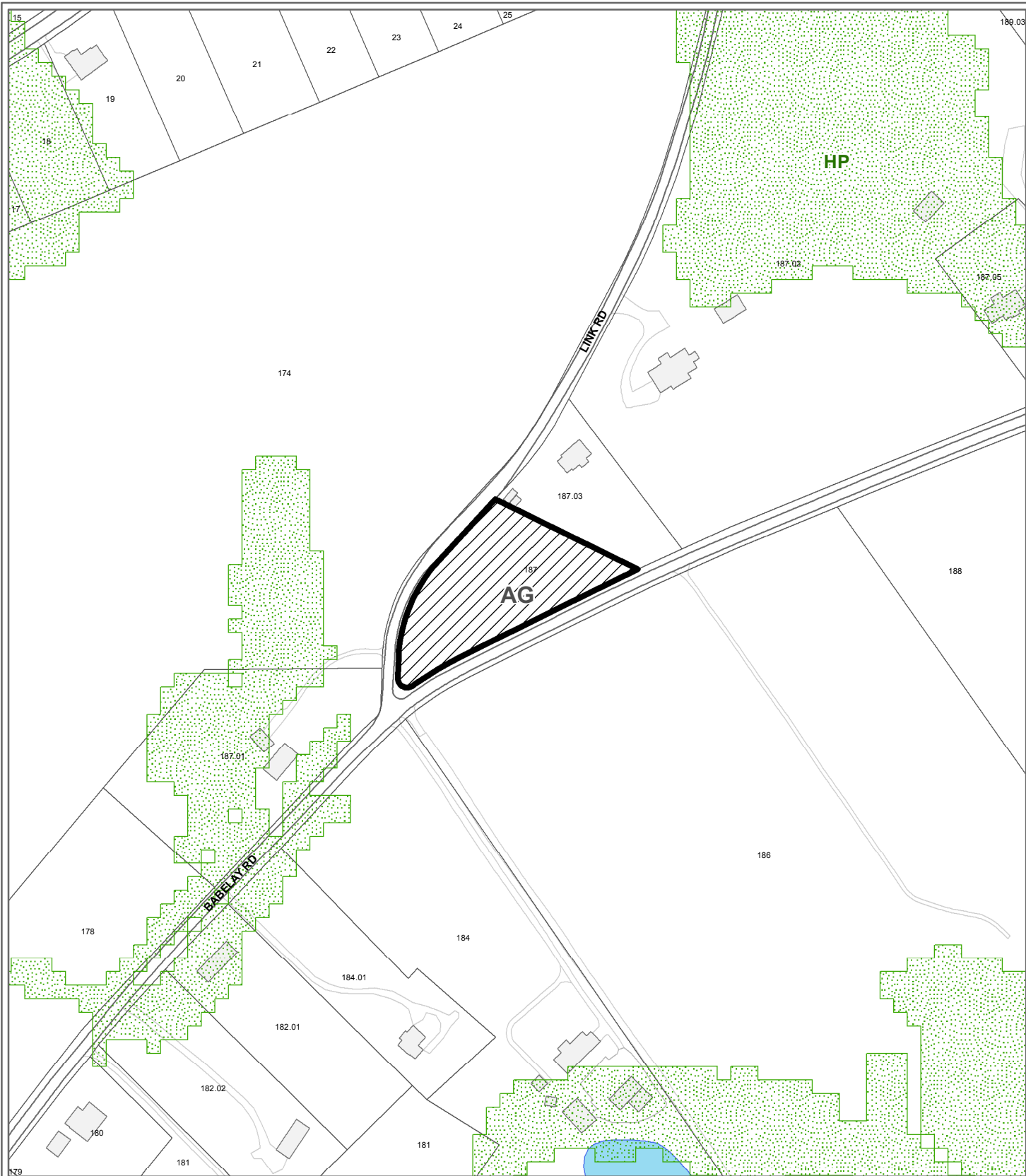
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: Ritta Elementary, Holston Middle, and Gibbs Elementary.

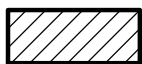
- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries 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 5/28/2019. 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.



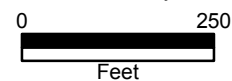
**4-B-19-SP / 4-G-19-RZ  
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

Petitioner: Sawyer, James E.



From: A (Agricultural)  
To: LDR (Low Density Residential)

Map No: 50  
Jurisdiction: County



Original Print Date: 3/18/2019 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTHEAST COUNTY SECTOR PLAN***

***WHEREAS***, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

***WHEREAS***, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

***WHEREAS***, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

***WHEREAS***, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northeast County Sector Plan, consistent with the requirements of the General Plan; and

***WHEREAS***, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

***WHEREAS***, Planning Commission staff recommends to amend the Sector Plan from Agriculture to Rural Residential, for property described in the application; and

***WHEREAS***, the Planning Commission staff recommends approval of a revised amendment to the Northeast County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

***WHEREAS***, the Planning Commission, at its regularly scheduled public hearing on April 11, 2019, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

***NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:***

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northeast County Sector Plan, with its accompanying staff report and map, file #4-B-19-SP.*

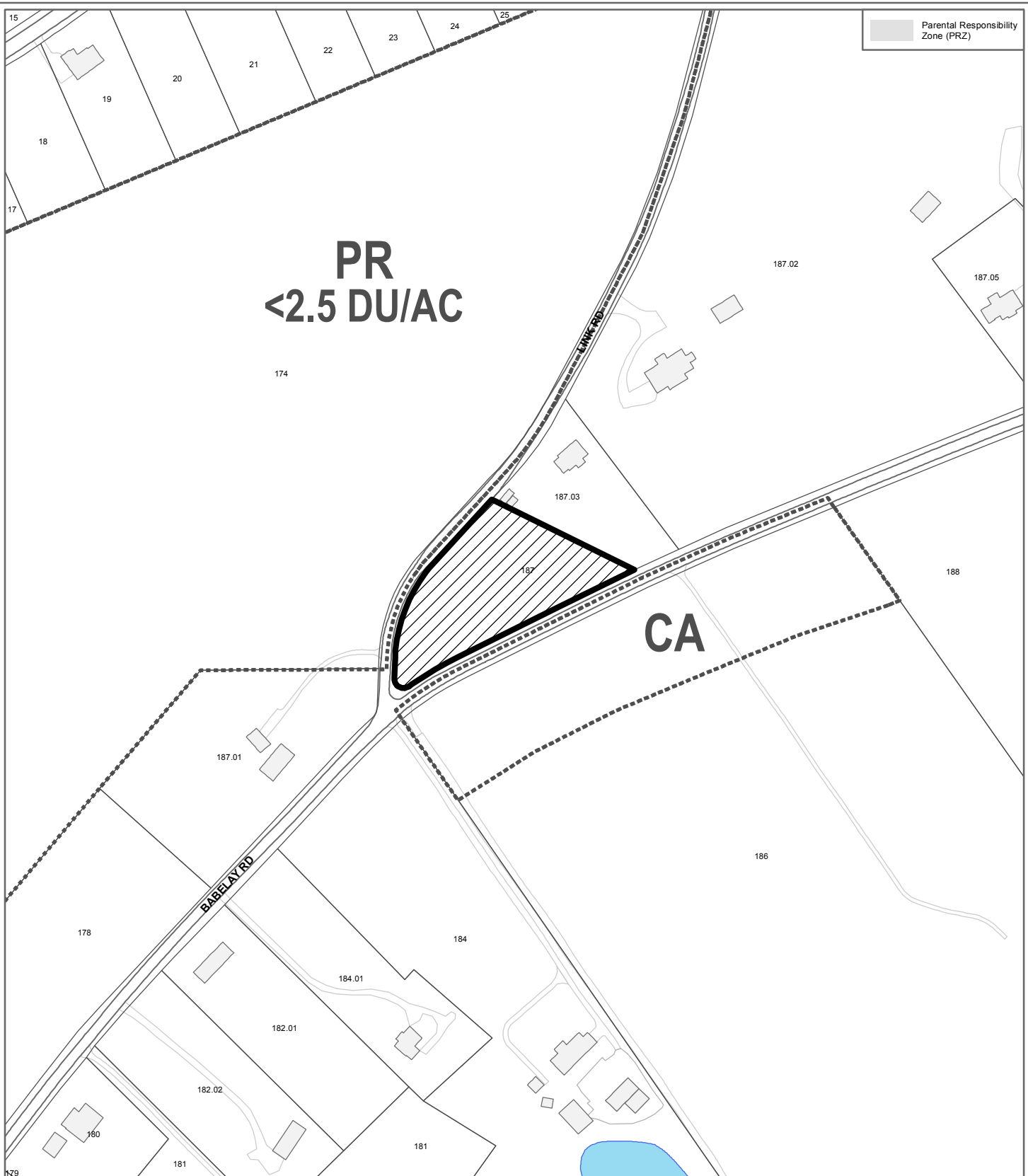
*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary



**4-G-19-RZ  
REZONING**

From: A (Agricultural)

To: PR (Planned Residential)



Petitioner: Sawyer, James E.

Map No: 50

Jurisdiction: County



Original Print Date: 3/18/2019      Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

\* May 28th County Commission

KNOXVILLE-KNOX COUNTY

M P C

METROPOLITAN PLANNING COMMISSION

T E N N E S S E E

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865-215-2500  
www.knoxmpc.org

REZONING  PLAN AMENDMENT

Name of Applicant: James E. Sawyer

Date Filed: 2-22-19 Meeting Date: 4-11-19

Application Accepted by: Sherry Michienzi

Fee Amount: 600.00 File Number: Rezoning 4-G-19-87

Fee Amount: 600.00 File Number: Plan Amendment 4-B-19-5P  
\$1200.00 TOTAL



PROPERTY INFORMATION

Address: 0 Bababay Rd

General Location: n/s Bababay Rd  
s/s Link Rd

Parcel ID Number(s): 050 187

Tract Size: 1.62 acres

Existing Land Use: Agriculture

Planning Sector: Northeast County

Growth Policy Plan:

Census Tract: 52.01

Traffic Zone: 135

Jurisdiction:  City Council \_\_\_\_\_ District

County Commission 8 District

Requested Change

REZONING

FROM: A

TO: PR

PLAN AMENDMENT

One Year Plan  Sector Plan

FROM: Ag

TO: LDR

PROPOSED USE OF PROPERTY

\_\_\_\_\_

Density Proposed \_\_\_\_\_ Units/Acre

Previous Rezoning Requests: \_\_\_\_\_

PROPERTY OWNER  OPTION HOLDER

PLEASE PRINT Name: JAMES, E. SAWYER

Company: \_\_\_\_\_

Address: 3738 LINK ROAD

City: KNOXVILLE State: TN Zip: 37918

Telephone: 865-679-2993

Fax: 865-688-6097

E-mail: Reveddie@newbeventy.org

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: JAMES, E. SAWYER

Company: \_\_\_\_\_

Address: 3738 LINK RD

City: KNOXVILLE State: TN Zip: 37918

Telephone: 865-679-2993

Fax: 865-688-6097

E-mail: Reveddie@newbeventy.org

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: James E. Sawyer

PLEASE PRINT Name: JAMES, E. SAWYER

Company: \_\_\_\_\_

Address: 3738 LINK ROAD

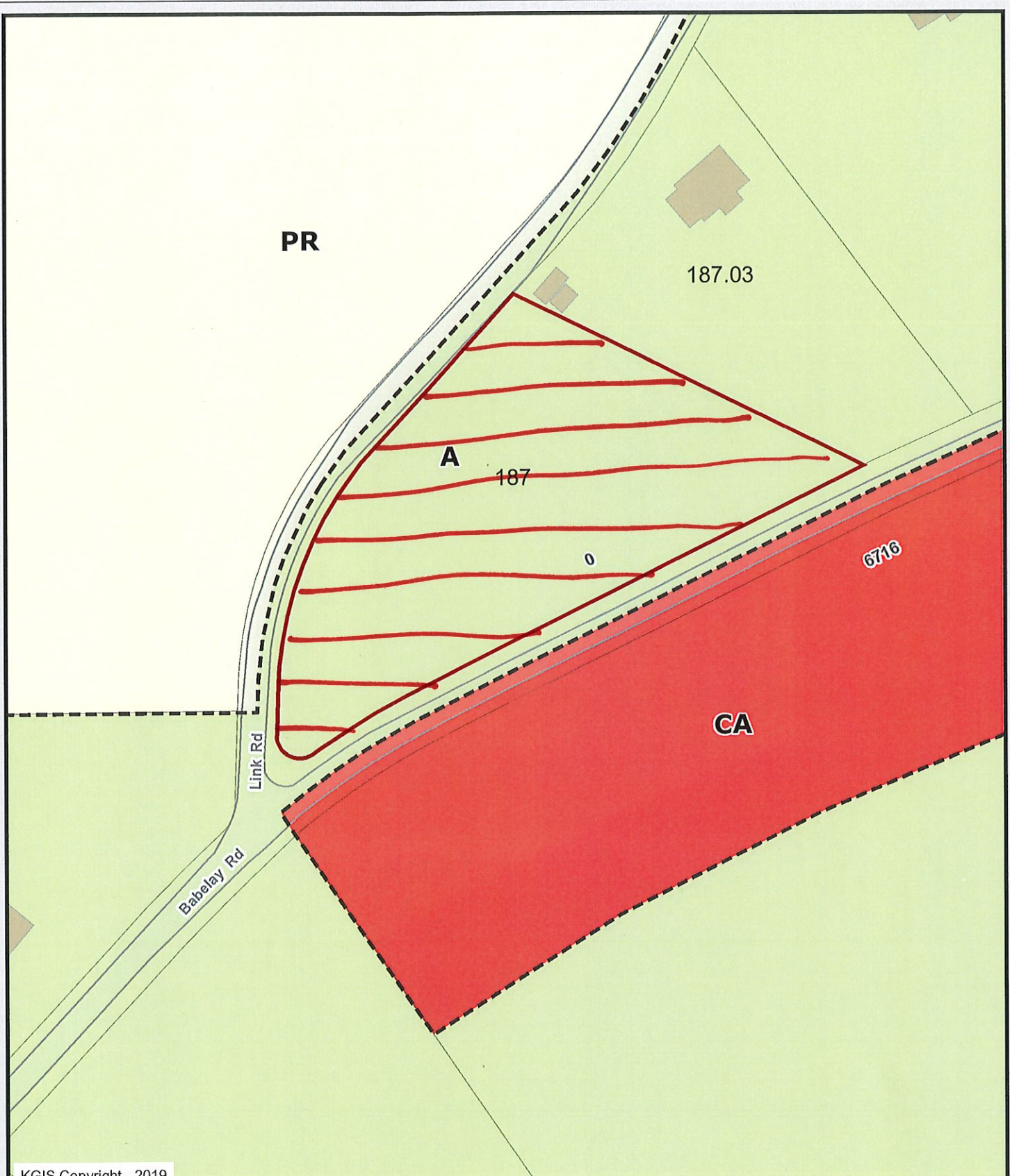
City: KNOXVILLE State: TN Zip: 37918

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E-mail: Reveddie@newbeventy.org







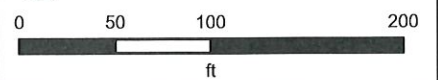
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### Letter Portrait

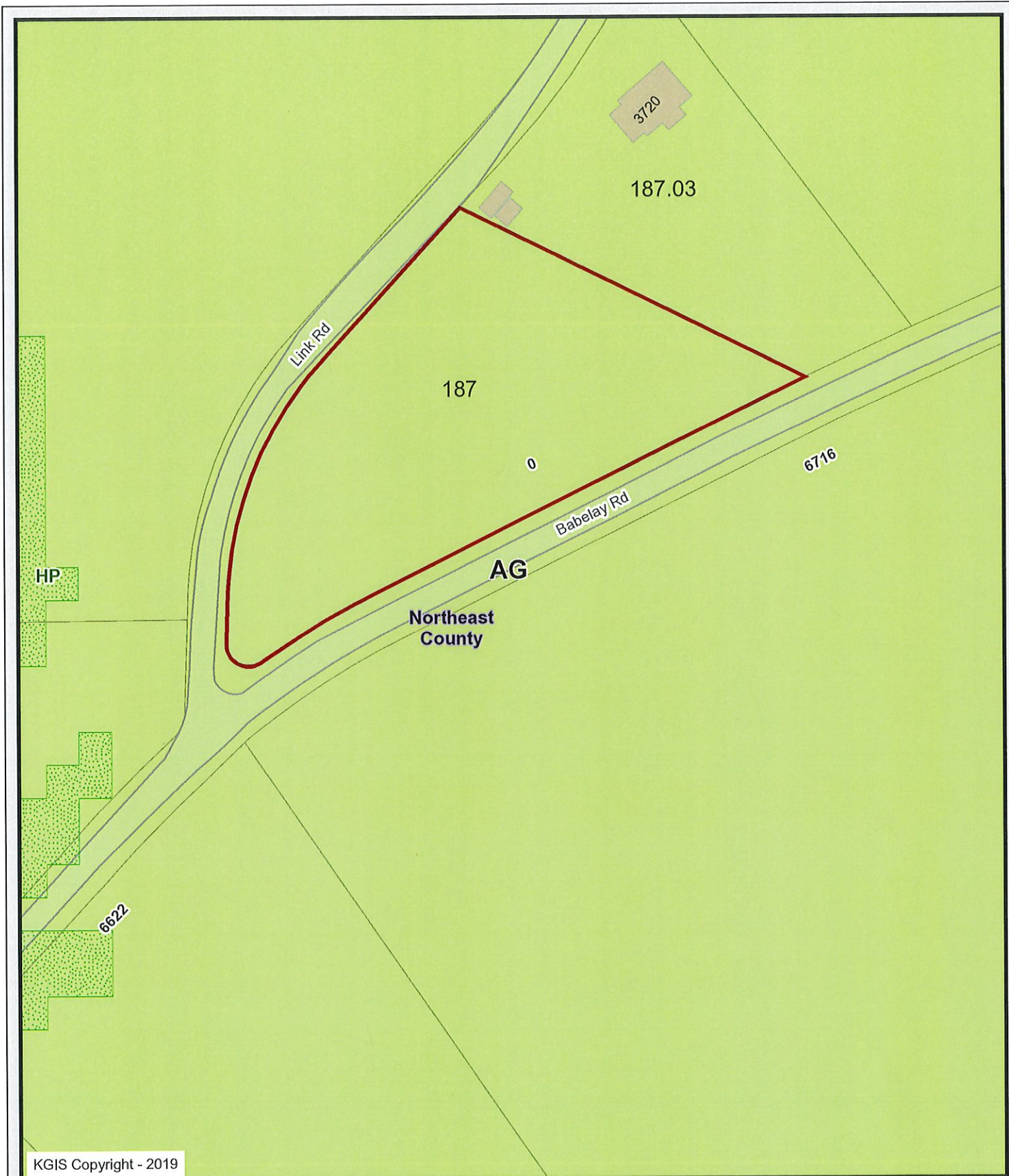
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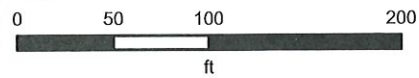
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### Letter Portrait

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

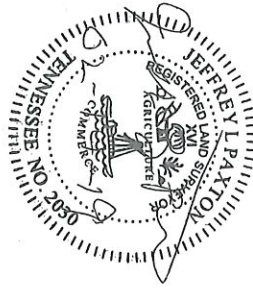


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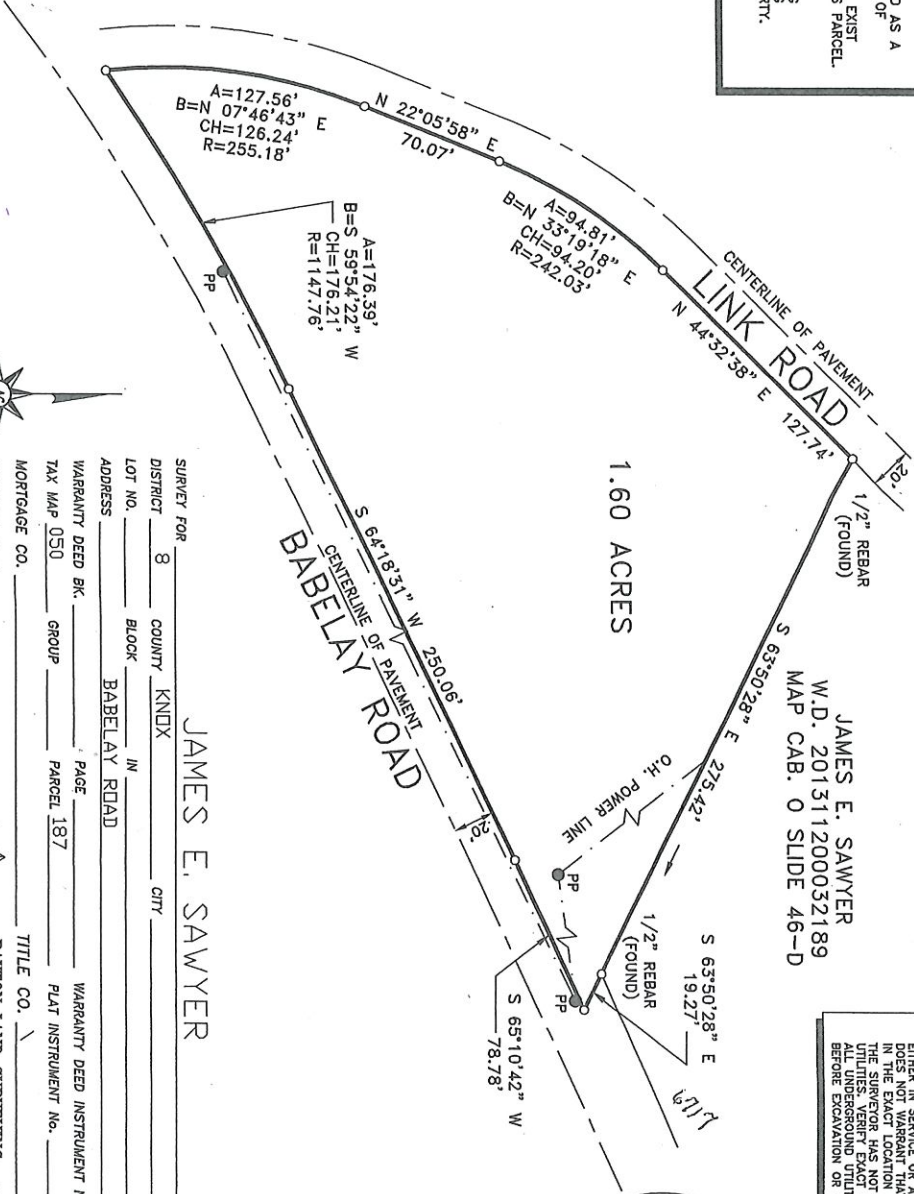
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- NOTES:
- 1.) SUBJECT TO EASEMENTS OR RIGHTS-OF-WAYS, OR CLAIMS OF EASEMENTS OR RIGHTS-OF-WAYS, NOT SHOWN BY THE PUBLIC RECORDS.
  - 2.) EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY AND HEREON AND ABSTRACT OF TITLE AND TITLE COMMITMENT NOT RESULTS OF TITLE SEARCHES WERE FURNISHED THIS SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.
  - 3.) PROPERTY IS ZONED: A  
PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS, CONDITIONS, PLANNING COMMISSION REGULATIONS, ZONING ORDINANCES, RIGHTS-OF-WAY, EASEMENTS, AND BUILDING SETBACK REQUIREMENTS, IF ANY, AFFECTING SAID PROPERTY.
  - 4.) UNLABELED CORNERS ARE CALCULATED POINTS

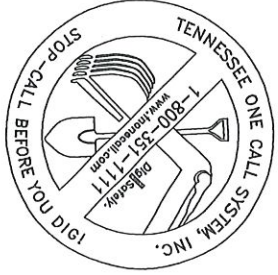


I DO HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF ERROR OF THE UNADJUSTED SURVEY IS NOT GREATER THAN 1 IN 10,000 AS SHOWN HEREON.

THIS IS TO CERTIFY THAT I HAVE EXAMINED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP AND FOUND THE DESCRIBED NOT TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA.



JAMES E. SAWYER  
W.D. 201311200032189  
MAP CAB. O SLIDE 46-D



NOTE:  
1.) THE UNDERGROUND UTILITIES SHOWN, IF ANY, HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SERVICE OR REASONED THE SURVEYOR FIELD AREA DOES NOT VARY FROM THAT INDICATED. THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. BECAUSE OF THE SIZE AND LOCATION AND DEPTH OF UTILITIES, THE EXACT LOCATION AND DEPTH OF UTILITIES ARE NOT KNOWN. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE BEFORE EXCAVATION OR CONSTRUCTION.



**JAMES E. SAWYER**

SURVEY FOR \_\_\_\_\_ COUNTY \_\_\_\_\_ KIND \_\_\_\_\_ CITY \_\_\_\_\_ WARD \_\_\_\_\_ STATE TN \_\_\_\_\_

DISTRICT 8 BLOCK \_\_\_\_\_ IN \_\_\_\_\_

ADDRESS BABELAY ROAD

WARRANTY DEED BK. \_\_\_\_\_ GROUP \_\_\_\_\_ PARCEL 187 PLAT INSTRUMENT No. \_\_\_\_\_

MORTGAGE CO. \_\_\_\_\_ TITLE CO. \_\_\_\_\_

MORTGAGE CO. No. \_\_\_\_\_ TITLE CO. No. \_\_\_\_\_

BEARING BASE CAB. O SLIDE 46-D ALTA INS.No. \_\_\_\_\_

SCALE 1" = 60' DATE 02-14-19

MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ CENSUS TRACT No. 52.01

MAP CAB. \_\_\_\_\_ SLIDE \_\_\_\_\_ DRAWN BY JLP

CITY BLOCK No. \_\_\_\_\_ PLS Drawing No. 028-19

PAXTON LAND SURVEYING  
Serving East Tennessee  
Jeffrey L. Paxton, RLS 2030  
10317 Asheville Highway  
Strawberry Plains TN 37871  
PH: (865) 789-8107  
EMAIL: RLS@JESELLSOUTHNET

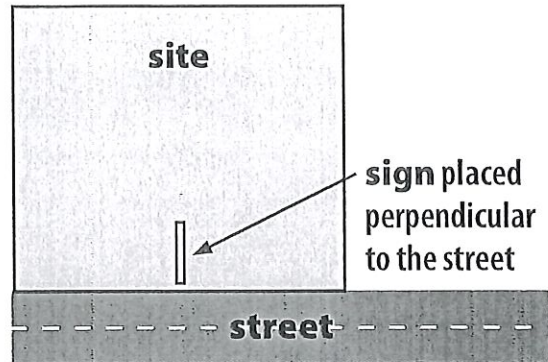
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC 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 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

March 27th (Wed) and April 12th (Fri)  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_

MPC File Number: \_\_\_\_\_