



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-M-19-RZ **AGENDA ITEM #:** 41  
 4-E-19-SP **AGENDA DATE:** 4/11/2019

▶ **APPLICANT:** VENTURE LAND HOLDINGS, LLC  
**OWNER(S):** Zong Ming Cheng

**TAX ID NUMBER:** 129 07701, 07702 [View map on KGIS](#)

**JURISDICTION:** Commission District 6

**STREET ADDRESS:** 0 Buttermilk Rd

▶ **LOCATION:** North side Buttermilk Road, West of Graybeal Road

▶ **TRACT INFORMATION:** 31.8 acres.

**SECTOR PLAN:** Northwest County

**GROWTH POLICY PLAN:** Rural Area

**ACCESSIBILITY:** Access is via Buttermilk Road, a minor collector, with a pavement width of 18' feet, within a right-of-way width of 45' feet.

**UTILITIES:** Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

**WATERSHED:** Hickory Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** AG (Agricultural) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Agriculture

▶ **PROPOSED USE:** Residential

**DENSITY PROPOSED:** 3 du/ac

**EXTENSION OF PLAN DESIGNATION/ZONING:**

**HISTORY OF ZONING REQUESTS:** None noted.

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING** North: Agriculture/Forestry/Vacant - AG (Agricultural)

South: Mining & landfills - HIM (Mining)

East: Rural residential - AG (Agricultural)

West: Rural residential & Transportation/Communications/Utilities - AG (Agricultural)

**NEIGHBORHOOD CONTEXT:** The site is adjacent to open pit mining operations and adjacent to West Knox Utility District's wastewater treatment plan, which is currently under construction. Large lot rural residential and agriculture/forestry/vacant lands also surround the site.

**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION #4-E-19-SP, amending the Northwest County Sector Plan to LDR (Low Density Residential) designation and recommend that County Commission also adopt the sector plan amendment (see attached resolution, Exhibit A.)**

This site is located within the Rural Area of the Growth Policy Plan, but is adjacent to the Planned Growth Area sector plan land use designations. Staff recommends approval of the LDR (Low Density Residential) sector plan designation, which will accommodate the requested PR (Planned Residential) zone district.

- ▶ **RECOMMEND that County Commission APPROVE PR (Planned Residential) zoning up to 2.1 dwelling units per acre, subject to one condition.**

Staff recommends approval of requested PR zoning up to 2.1 du/ac, which is compatible with the requested plan amendment to LDR (Low Density Residential) land use designation for this property and the steep slope constraints of the site. Although in the Rural Area, the property is adjacent to the Planned Growth Area of the Growth Policy Plan. (Applicant requested 3). Staff recommends approval, subject to one condition:

1) No clearing/grading of the site shall occur prior to use on review/concept plan approval by Knoxville-Knox County Planning.

**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 Northwest 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. The new wastewater treatment plan is under construction in this area since the adoption of the Northwest County Sector Plan in 2016.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no obvious or significant errors or omissions in the plan.

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

1. The Northwest County Sector continues to be the most rapidly growing part of Knox County.

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, but adjacent to the Planned Growth Area on the Growth Policy Plan.

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 LDR 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 Northwest County Sector Plan to LDR (Low Density Residential) makes the proposed rezoning consistent with the land use plan and all other adopted plans.

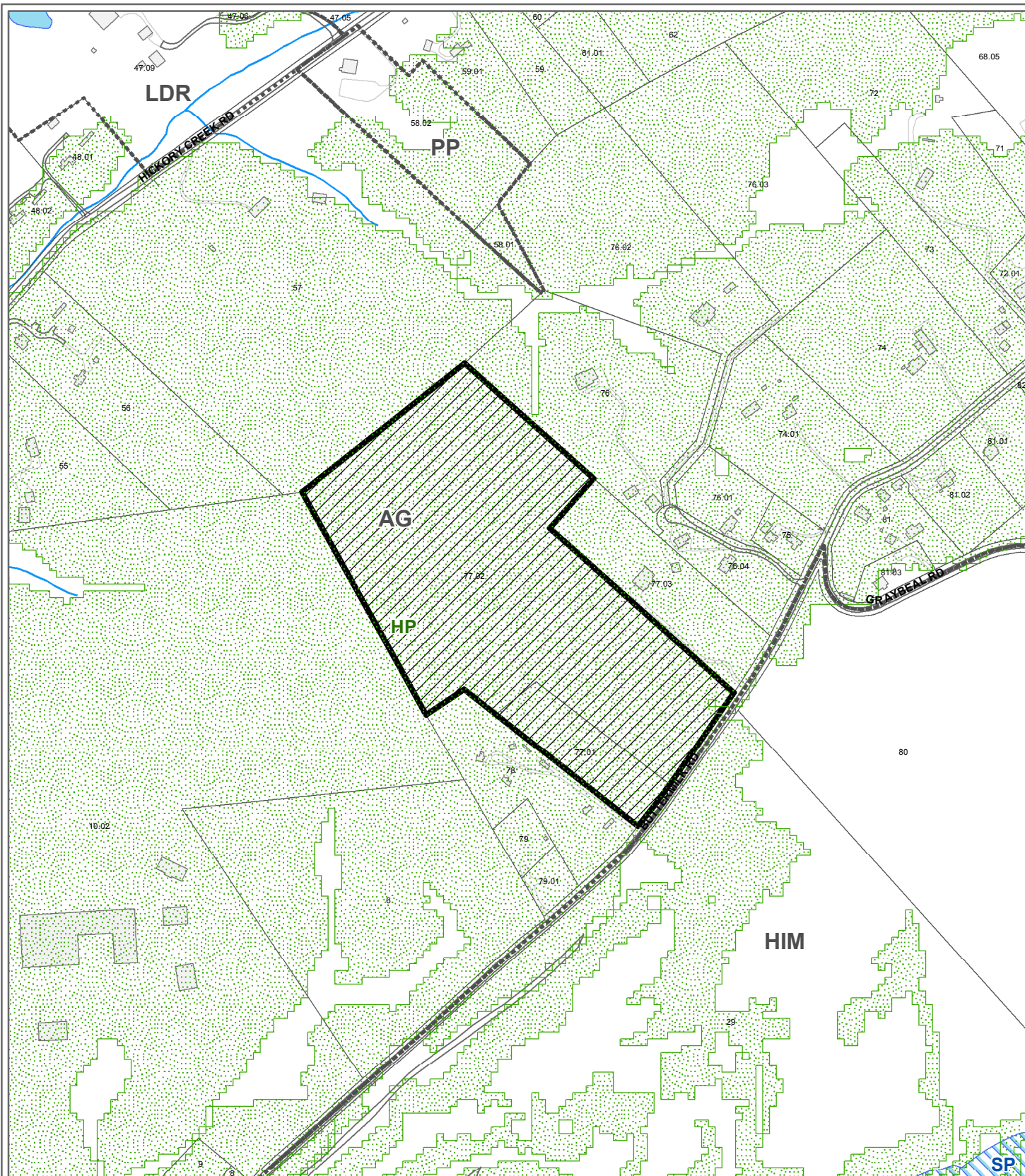
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: 35 (public school children, grades K-12)

Schools affected by this proposal: Hardin Valley Elementary, Hardin Valley 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 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-E-19-SP / 4-M-19-RZ  
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: AG/RR (Agricultural/Rural Residential)

To: LDR (Low Density Residential)



Petitioner: Venture Land Holdings, LLC

Map No: 129

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 NORTHWEST 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 Northwest 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***, Venture Land Holdings, LLC, has submitted an application to amend the Sector Plan from Agriculture to Low Density Residential, for property described in the application; and

***WHEREAS***, the Planning Commission staff recommends approval of a revised amendment to the Northwest 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 METROPOLITAN PLANNING COMMISSION:***

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

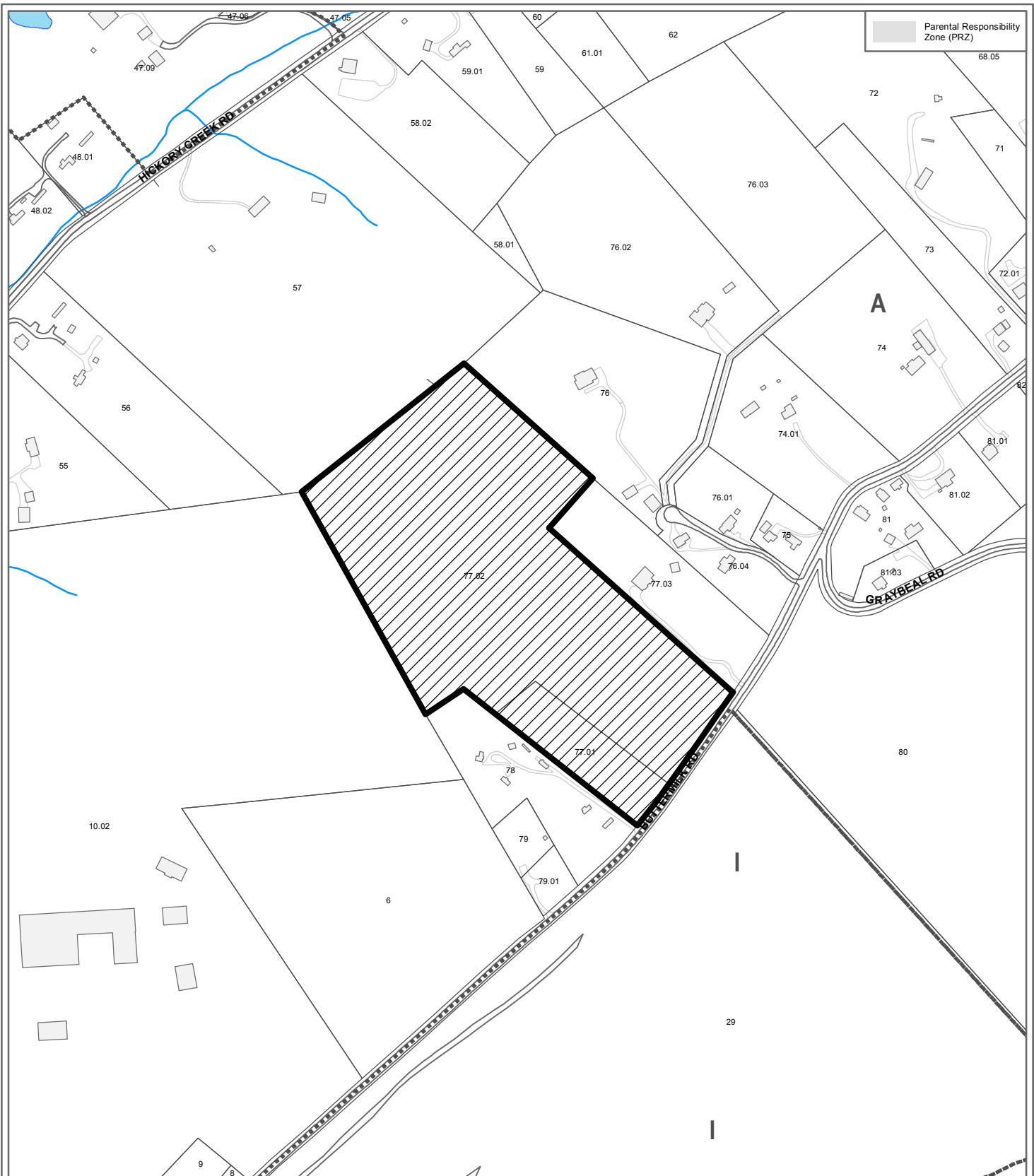
*SECTION 2: This Resolution shall take effect upon its approval.*

*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-M-19-RZ  
REZONING**

From: A (Agricultural)

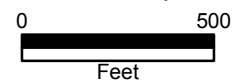
To: PR (Planned Residential)



Petitioner: Venture Land Holdings, LLC

Map No: 129

Jurisdiction: County



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

**REZONING**

**PLAN AMENDMENT**

Name of Applicant: Venture Land Holdings, LLC

Date Filed: 2/25/19 Meeting Date: 4/11/2019

Application Accepted by: Mike Reynolds

Fee Amount: \$2,190 File Number: Rezoning 4-M-19-RZ

Fee Amount: \$800 File Number: Plan Amendment 4-E-19-SP

**PROPERTY INFORMATION**

Address: Buttermilk Road

General Location: 3/4 mile east of Hickory Creek Rd

N/S Buttermilk Rd. W of Graybeal Rd.

Parcel ID Number(s): 179 07702 28.9 acres

179 07701 2.9 acres

Tract Size: 31.8 acres

Existing Land Use: Woods/Pasture

Planning Sector: NW County

Growth Policy Plan: Rural area

Census Tract: 59.05

Traffic Zone: 222

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 6th District

**Requested Change**

**REZONING**

FROM: A9

TO: PR 3 DU/acre

**PLAN AMENDMENT**

One Year Plan  NW County Sector Plan

FROM: A9

TO: LDR

**PROPOSED USE OF PROPERTY**

Density Proposed 3 Units/Acre

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

**PROPERTY OWNER**  **OPTION HOLDER**

PLEASE PRINT

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

Company: Venture Land Holdings, LLC

Address: 8219 North Crossing Court

City: Fortson State: GA Zip: 31808

Telephone: 706 536 3433

Fax: \_\_\_\_\_

E-mail: jackhughston

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT

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

Company: above

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: Jack Hughston/LLC

PLEASE PRINT

Name: Jack Hughston

Company: Venture Land Holdings, LLC

Address: 8219 North Crossing Court

City: Fortson State: GA Zip: 31808

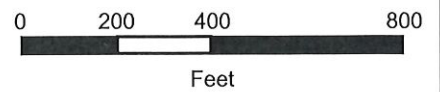
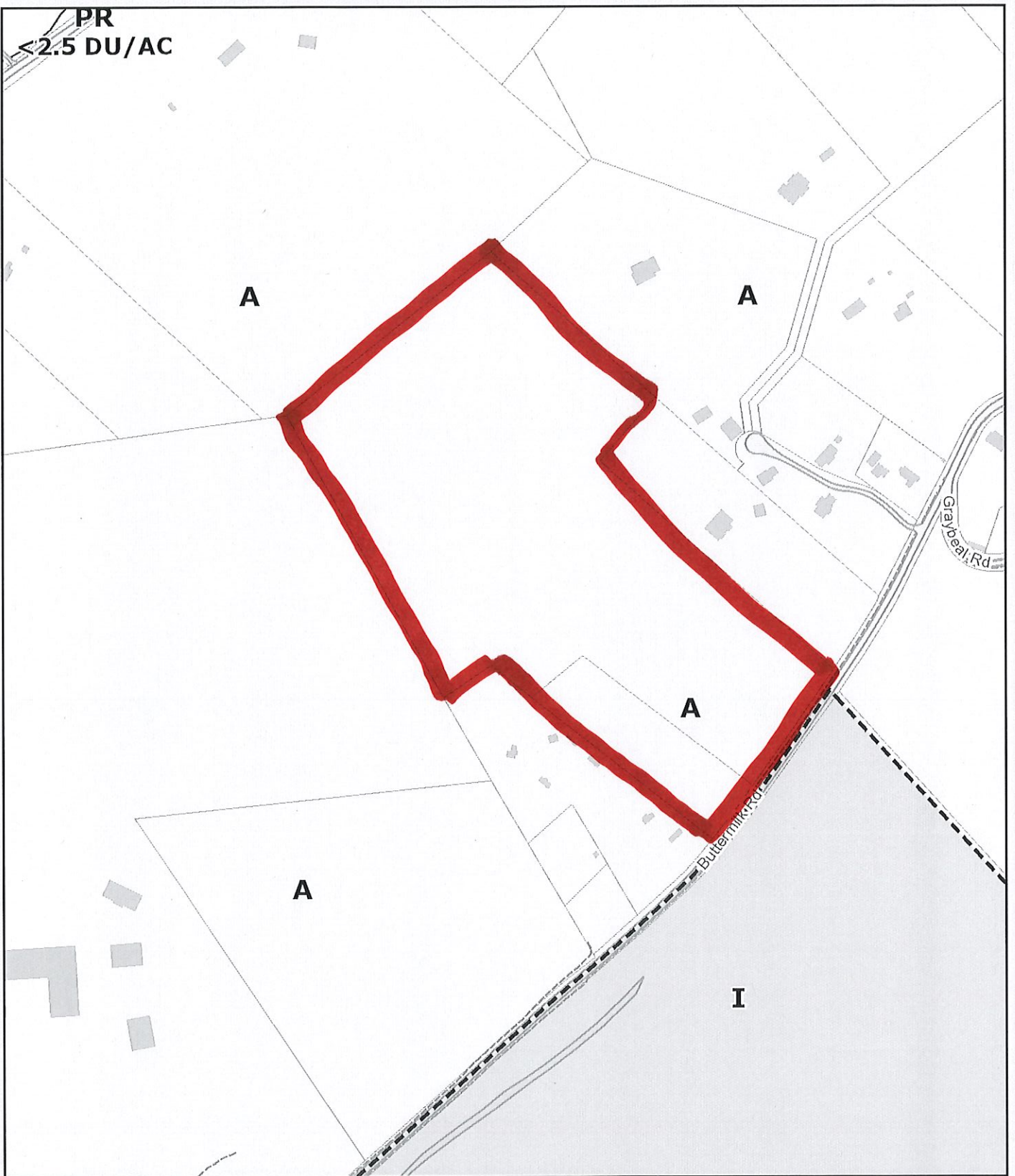
Telephone: 706 536 3433

E-mail: \_\_\_\_\_





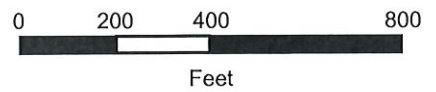
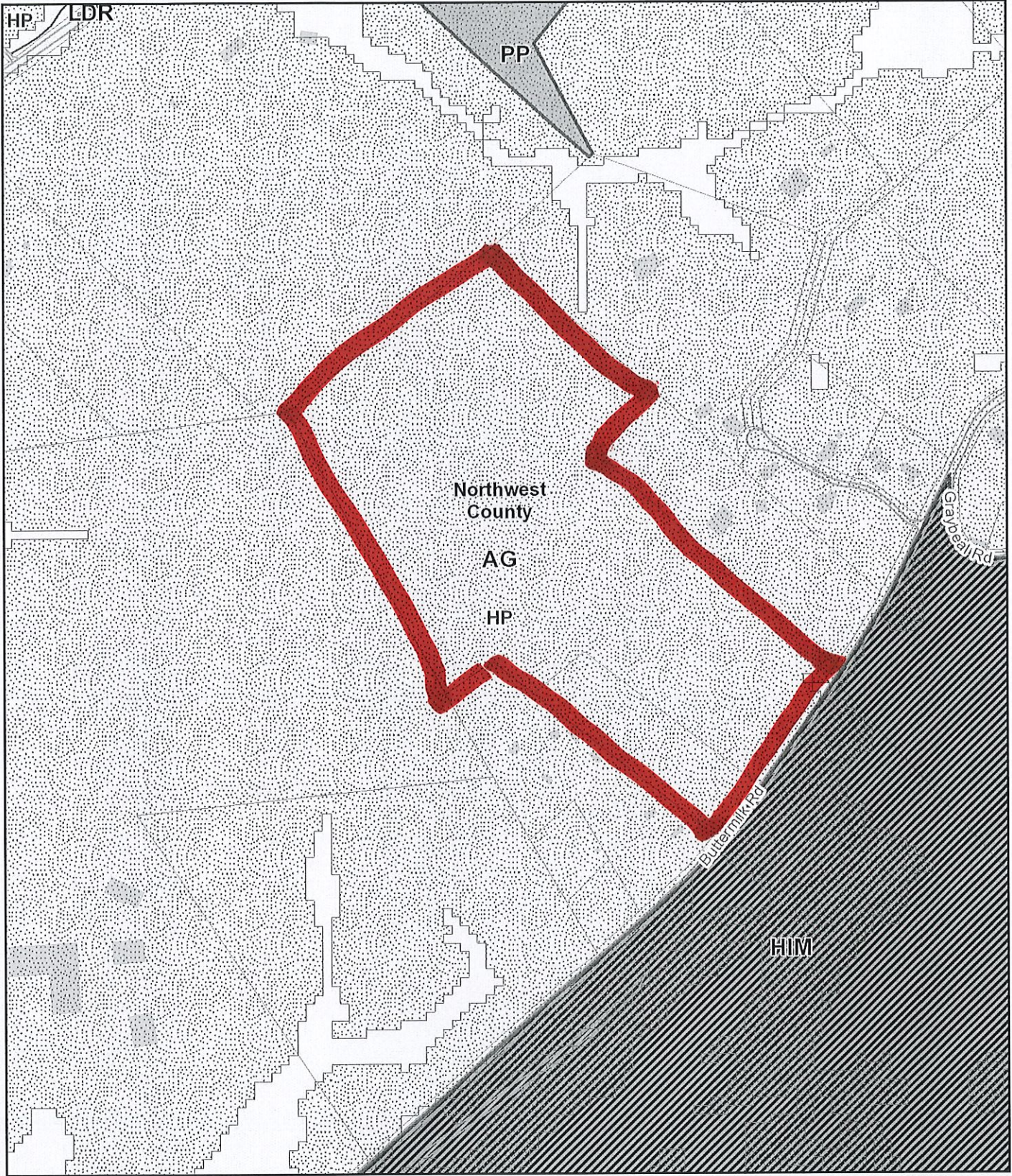
PR  
<2.5 DU/AC



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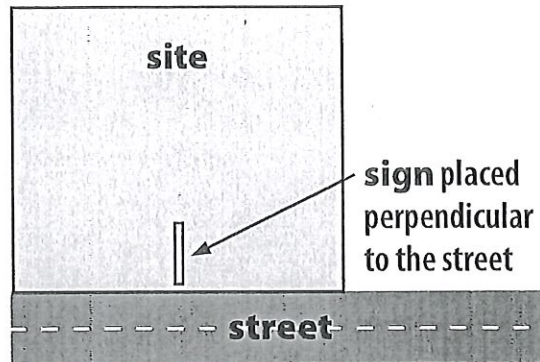
## REQUIRED SIGN POSTING AGREEMENT

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: [Signature]

Printed Name: Venture Land Holdings LLC

Phone: 706-536-3433 Email: \_\_\_\_\_

Date: 2-25-19

MPC File Number: 4-M-19-RZ + 4-E-19-SP