



PLAN AMENDMENT REPORT

▶ **FILE #:** 5-A-19-SP **AGENDA ITEM #:** 30

AGENDA DATE: 5/9/2019

▶ **APPLICANT:** DUKE DEVELOPMENT COMPANY, LLC
OWNER(S): Kalpesh D. & Jagruti Parikh

TAX ID NUMBER: 21 01002 [View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 0 Tazewell Pike

▶ **LOCATION:** West side of Tazewell Pike, North of Fairview Road

▶ **APPX. SIZE OF TRACT:** 9.89 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Taxewell Pike, a minor arterial, with a pavement width of 21' feet within a right-of-way width of 88' feet.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

▶ **PROPOSED PLAN DESIGNATION:** MDR (Medium Density Residential)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** Residential development

EXTENSION OF PLAN DESIGNATION:

HISTORY OF REQUESTS:

SURROUNDING LAND USE AND PLAN DESIGNATION:
North: Single family residential- LDR (Low Density Residential)
South: Agriculture/forestry/vacant - LDR (Low Density Residential) & SP (Stream Protection Area)

East: Commercial - MU-SD (Mixed Use Special District)

West: Single family residential - LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT The area is adjacent to the commercial node at Harbison Crossroads surrounding the intersection of Tazewell Pike and E Emory Road. The adjacent area is largely low density , single family residential.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #5-A-19-SP, amending the Northeast County Sector Plan to MDR (Medium Density Residential) and recommend that County Commission also adopt the sector plan amendment**

(see attached resolution, Exhibit A.)

This site is located within the Planned Growth Area of the Growth Policy Plan, it is located between a commercial shopping center and single family residential neighborhoods. It is Staff recommends approval of the LDR (Low Density Residential) sector plan designation, which will accommodate the requested PR (Planned Residential) zone district.

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. Gibbs Middle School has been constructed since the sector plan was last updated in 2016, contributing to the growing interest in new residential development in the Northeast County Sector.

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

1. The addition of traffic lights and turning lanes at the intersection of Tazewell Pike and E Emory Road in 2017 make additional residential development in the area more feasible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The Northeast County Sector Plan should have recognized the existing zoning of PR (Planned Residential) up to 9 du/ac on this parcel and designated it for MDR (Medium Density Residential).
2. The plan should have also recognized this large vacant parcel behind a commercial center as a transition area for MDR (Medium Density Residential) between the Mixed-Use Special District (MU-SD) and the adjacent single family residential neighborhoods (see attached Exhibit B).

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

1. The Northeast County Sector continues to grow and with the establishment of new schools is projected to continue growing.
2. The establishment of new schools in the area contributes to the increased interest in new residential development.

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.

ESTIMATED TRAFFIC IMPACT: 934 (average daily vehicle trips)

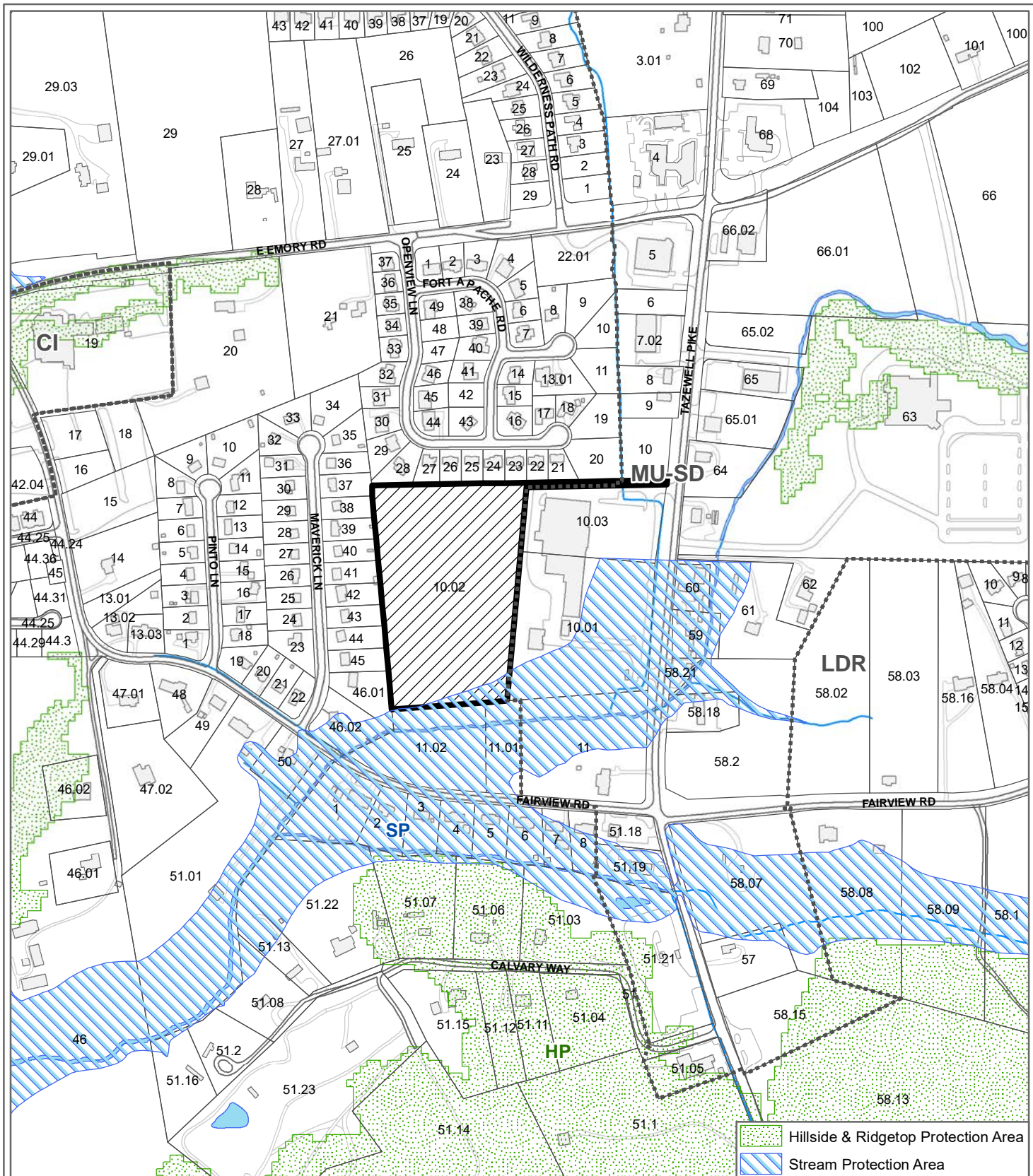
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed

ESTIMATED STUDENT YIELD: 30 (public school children, grades K-12)

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

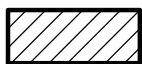
If approved, this item will be forwarded to Knox County Commission for action on 6/24/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**5-A-19-SP
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: MDR (Medium Density Residential)



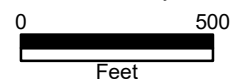
Petitioner: Duke Development Company, LLC

Map No: 21

Jurisdiction: County

Original Print Date: 4/17/2019
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:



**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, Steve Maddox has submitted an application to amend the Sector Plan from Low Density Residential to Medium Density 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 May 9, 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 #5-A-19-SP.

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

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

Date

Chairman

Secretary

SPECIAL LAND USE RECOMMENDATIONS

The following are special land use recommendations that deal with a specific area or location in the Northeast County Sector.

**Mixed Use Special District
NECO-1**

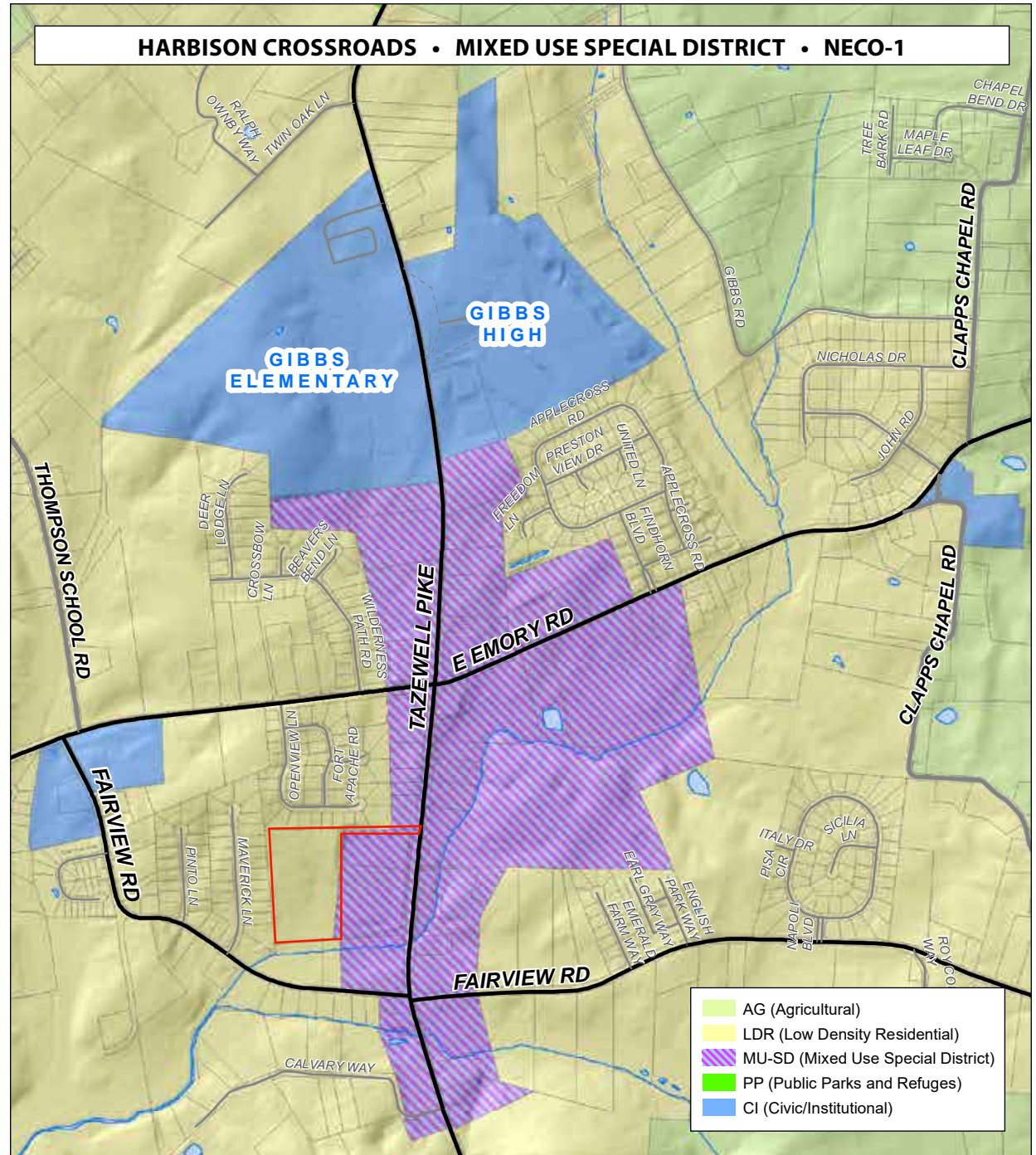
HARBISON CROSSROADS

Harbison Crossroads, located at the intersection of Tazewell Pike and Emory Road, is the primary commercial area for the greater Gibbs community. The zoning surrounding Harbison Crossroads is predominately commercial (CA – General Business) with the largest portions extending along Tazewell Pike. In the last twenty years, retail and service oriented businesses have developed along Tazewell Pike leading up to the intersection.

There are three transportation improvements to the Harbison Crossroads intersection. The current installation of a traffic light/turning lanes is scheduled to be complete in 2016. Future improvements propose to widen Emory Road and Tazewell Pike from two lanes to four lanes around years 2024 and 2029. These transportation improvements, coupled with steady residential activity will likely foster additional commercial development or redevelopment around Harbison Crossroads, similar to intersections along Emory Road in Halls (Emory Road and Maynardville Pike) and Powell (Emory Road and Brickyard Road).

In June 2015, the Knox County Mayor and School Superintendent agreed to fund the building of a new middle school in the Gibbs community. While a location has not been announced, the existing county owned property surrounding Gibbs Elementary is a candidate. A new middle school in this area will also foster additional residential and commercial development. Planning and connectivity will play an important role as Harbison Crossroads continues to develop and redevelop in the coming years.

The mixed use special district is located at Harbison Crossroads and extends north along Tazewell Pike to Gibbs Elementary and High Schools, south to Beaver Ridge and east along Emory Road. The district boundary encompasses the parcels containing the current CA zoning, along with adjacent tracts likely to be developed with similar uses in the future. The current form and function of this special district is strip commercial with future development and redevelopment likely to occur in the same manner.



REZONING PLAN AMENDMENT

Name of Applicant: Duke Development Company, LLC

Date Filed: 3/25/19 Meeting Date: May 9, 2019

Application Accepted by: M. Payne

Fee Amount: X File Number: Rezoning X

Fee Amount: \$800 File Number: Plan Amendment 5-A-19-51



PROPERTY INFORMATION

Address: _____

General Location: W side Tazewell Pk,
N of Fairview Rd'

Parcel ID Number(s): 021-010.02

Tract Size: 9.89 ac.

Existing Land Use: Vacant

Planning Sector: Northeast County

Growth Policy Plan: Planned Growth

Census Tract: 64.01

Traffic Zone: 184

Jurisdiction: City Council _____ District
 County Commission 8th District

Requested Change

REZONING

FROM: N/A

TO: N/A

PLAN AMENDMENT

One Year Plan Northeast Co. Sector Plan

FROM: LDR

TO: MDR

PROPOSED USE OF PROPERTY

Residential development

Density Proposed 9 du/ac Units/Acre

Previous Rezoning Requests: Property was rezoned PR in 1983 (5-B-83R2)

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT

Name: Mark C. Bunch

Company: Bunch Development Services

Address: 800 S. Gay St., Ste 1670

City: Knoxville State: TN Zip: 37929

Telephone: 865-246-2969

Fax: _____

E-mail: bunchdevelopment@gmail.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT
Name: Same as above

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: Mark C. Bunch

PLEASE PRINT
Name: Mark C. Bunch

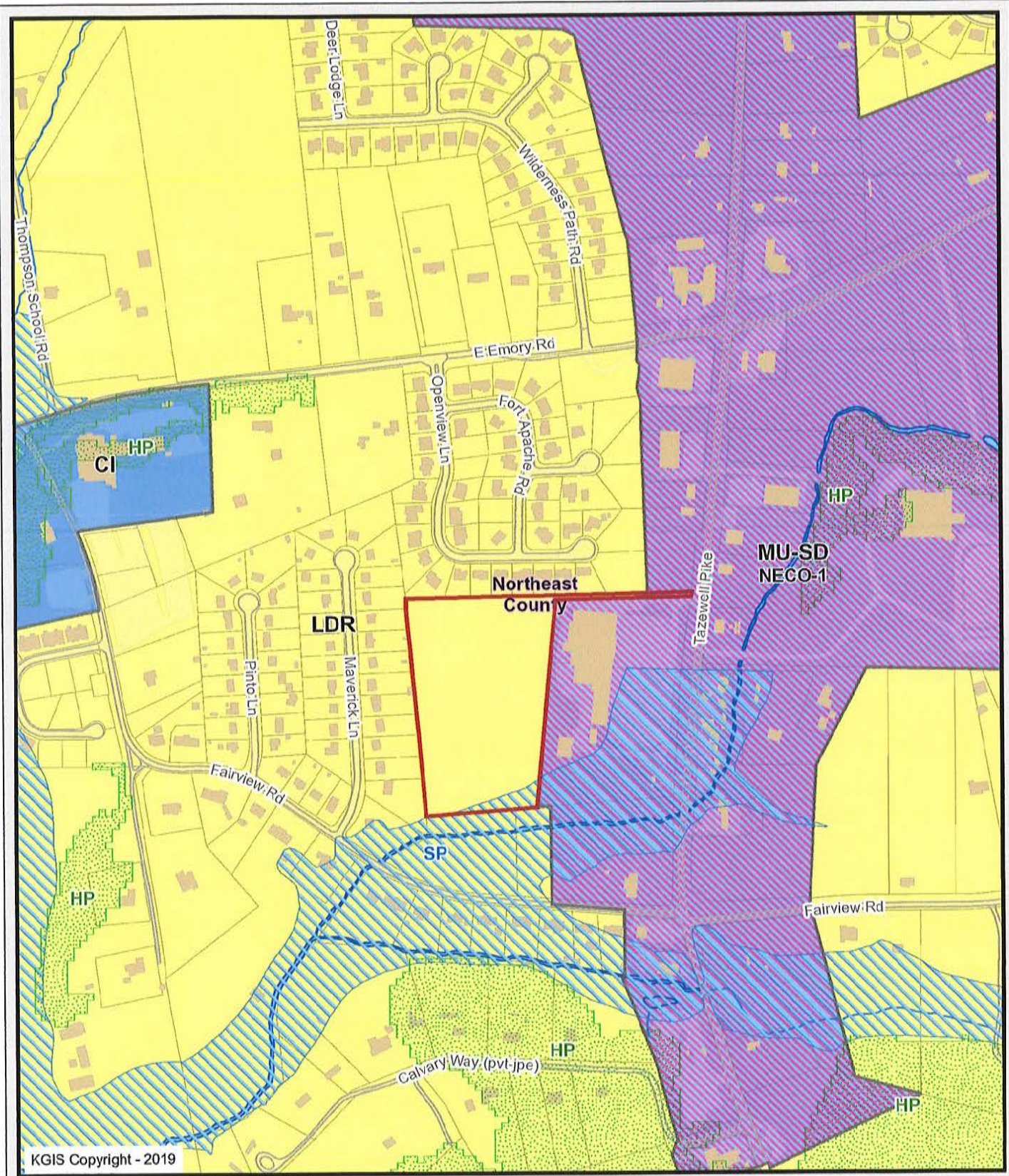
Company: Same as above

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-mail: _____



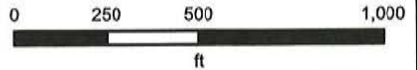
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Letter Portrait

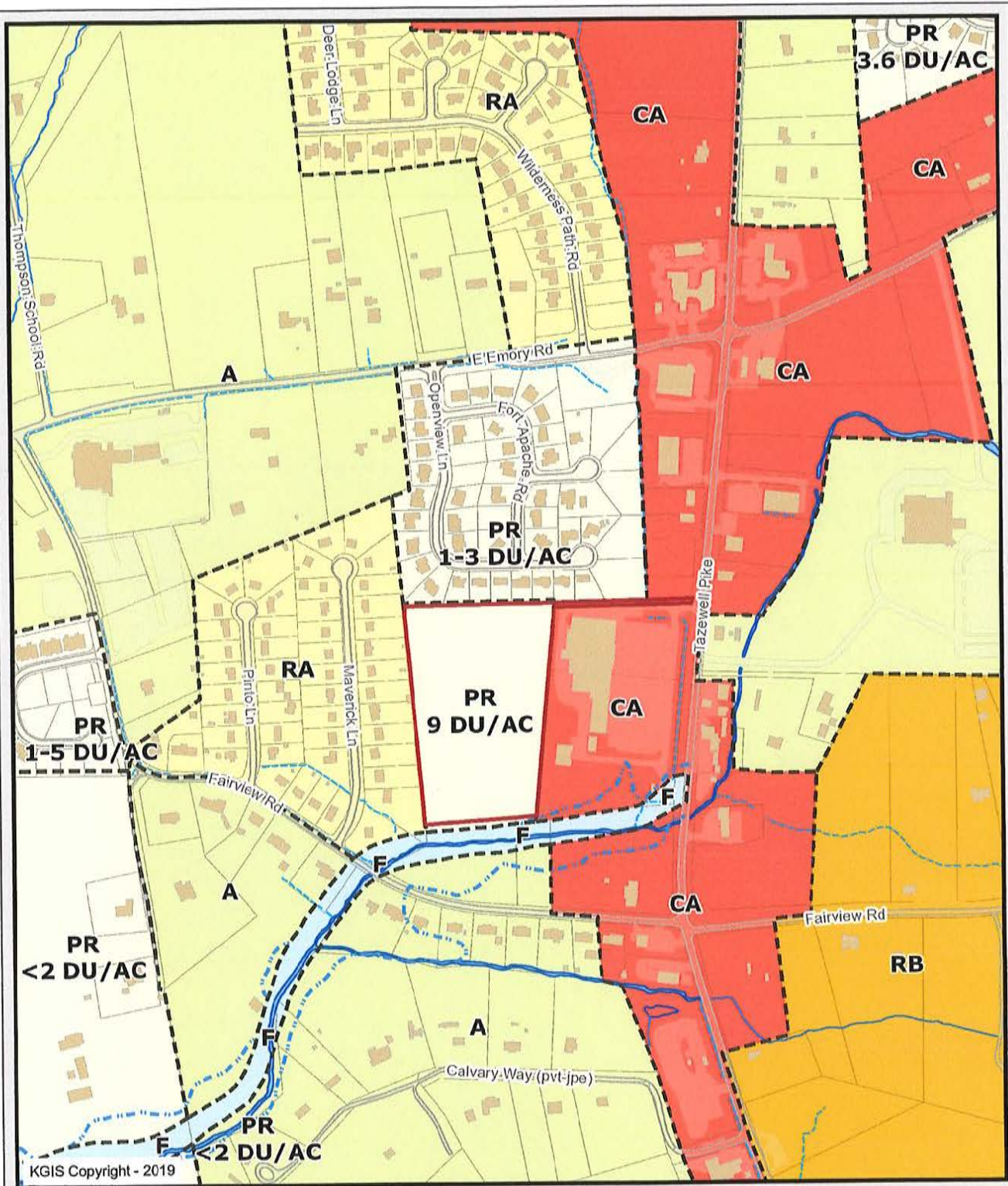
Knoxville - Knox County - KUB Geographic Information System



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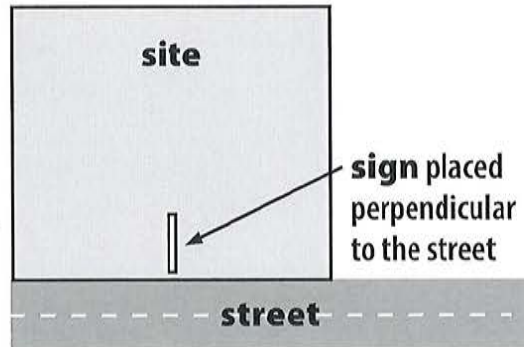
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. 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 15 days before 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 15 days before the next Planning Commission 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:

4/24/19 and 5/10/19
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Michael Brusseau (for Mark Bunch)

Printed Name: Michael Brusseau

Phone: 240-2969 Email: markbunch@comcaf.net

Date: 3/28/19

File Number: 5-A-19-SP