



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** **4-E-20-RZ** (REVISED) **AGENDA ITEM #:** **7**
4-F-20-SP (REVISED) **AGENDA DATE:** **9/10/2020**

POSTPONEMENT(S): 4/11/2019, 5/14/2020

► **APPLICANT:** **GEORGES BRANDAN**

OWNER(S): Georges Brandan

TAX ID NUMBER: 118 150 & 155 [View map on KGIS](#)

JURISDICTION: Commission District 3

STREET ADDRESS: 9805 Dutchtown Rd & 801 Bob Kirby Rd.

► **LOCATION:** **North side of Dutchtown Rd., west side of Bob Kirby Rd.**

► **TRACT INFORMATION:** **2 acres.**

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Dutchtown Road, a minor arterial with a pavement width of 34.8 feet within a right-of-way width of 88 feet and Bob Kirby Rd, a minor collector with a pavement width of 27.9 feet within a right-of-way width of 60 feet.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Turkey Creek

► **PRESENT PLAN DESIGNATION/ZONING:** **NC (Neighborhood Commercial) / CN (Neighborhood Commercial)**

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

► **EXISTING LAND USE:** **Single family residential**

► **DENSITY PROPOSED:** **5 du/ac**

EXTENSION OF PLAN DESIGNATION/ZONING: No.

HISTORY OF ZONING REQUESTS: 11-A-09-SP: LDR to NC; 6-B-08-SP: LDR to C (Denied)

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Single family residential - LDR (Low Density Residential)
South: Rural residential, single family residential - LDR (Low Density Residential)
East: Single family residential - NC (Neighborhood Commercial)
West: Single family residential - LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT: This area consists largely of single family residential and institutional uses.

STAFF RECOMMENDATION:

- ▶ **Adopt resolution #4-F-20-SP amending the Northwest County Sector Plan to LDR (Low Density Residential) because it is consistent with the surrounding development.**

- ▶ **Approve PR (Planned Residential) zoning up to 5 du/ac because it is consistent with the surrounding development.**

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. LDR is the dominate proposed land use surrounding the site.

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

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is no obvious or significant error or omission in the plan for this area.

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

1. The population of the Northwest County sector continues to be one of the fastest growing parts of Knox County. Demand for additional residential development opportunities.
2. This area is within the Planned Growth Area, but adjacent to the Urban Growth Area for Knoxville.

State law regarding amendments of the general plan (which includes 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:

- 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.
- 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 Northwest County sector continues to be the fastest growing part of Knox County and additional opportunities for a variety of housing types are warranted.

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

1. PR (Planned Residential) 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. Each planned unit development shall be compatible with the surrounding or adjacent zones.

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. The amendment to PR zoning will allow for the opportunity to review a development plan as part of the use-on-review process and address any possible conflicts.
2. The surrounding zoning and development pattern is consistent with the recommended LDR (Low Density Residential) land use classification and PR up to 5 du/ac zoning.

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 proposed amendment is consistent with the sector plan as amended.
2. The proposed amendment does not appear to be in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 120 (average daily vehicle trips)

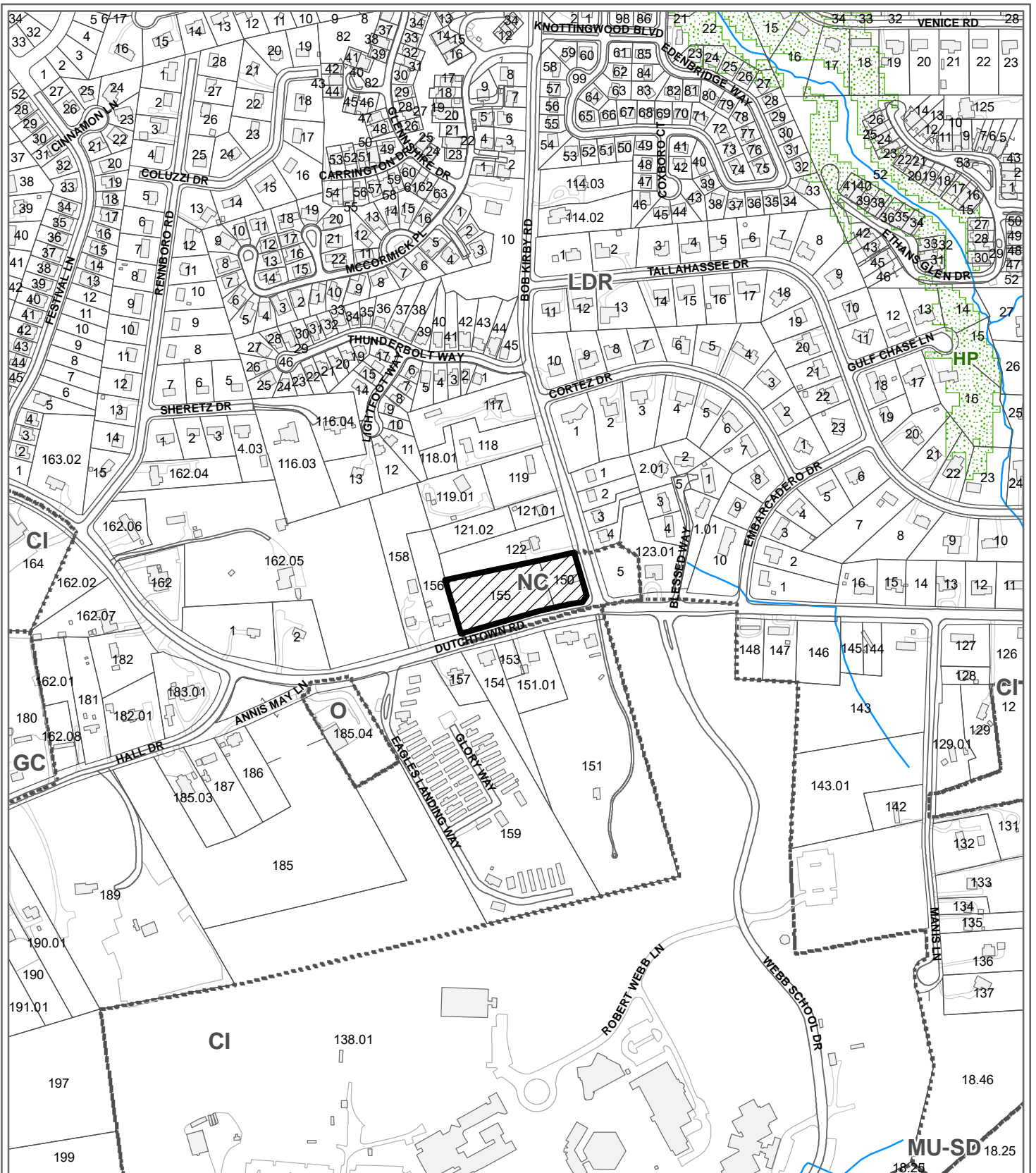
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 1 (public school children, grades K-12)

Schools affected by this proposal: Cedar Bluff 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.

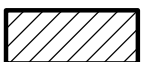
If approved, this item will be forwarded to Knox County Commission for action on 10/26/2020. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**4-F-20-SP / 4-E-20-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: NC (Neighborhood Commercial)

To: LDR (Low Density Residential)



Original Print Date: 3/16/2020

Revised: 8/19/2020

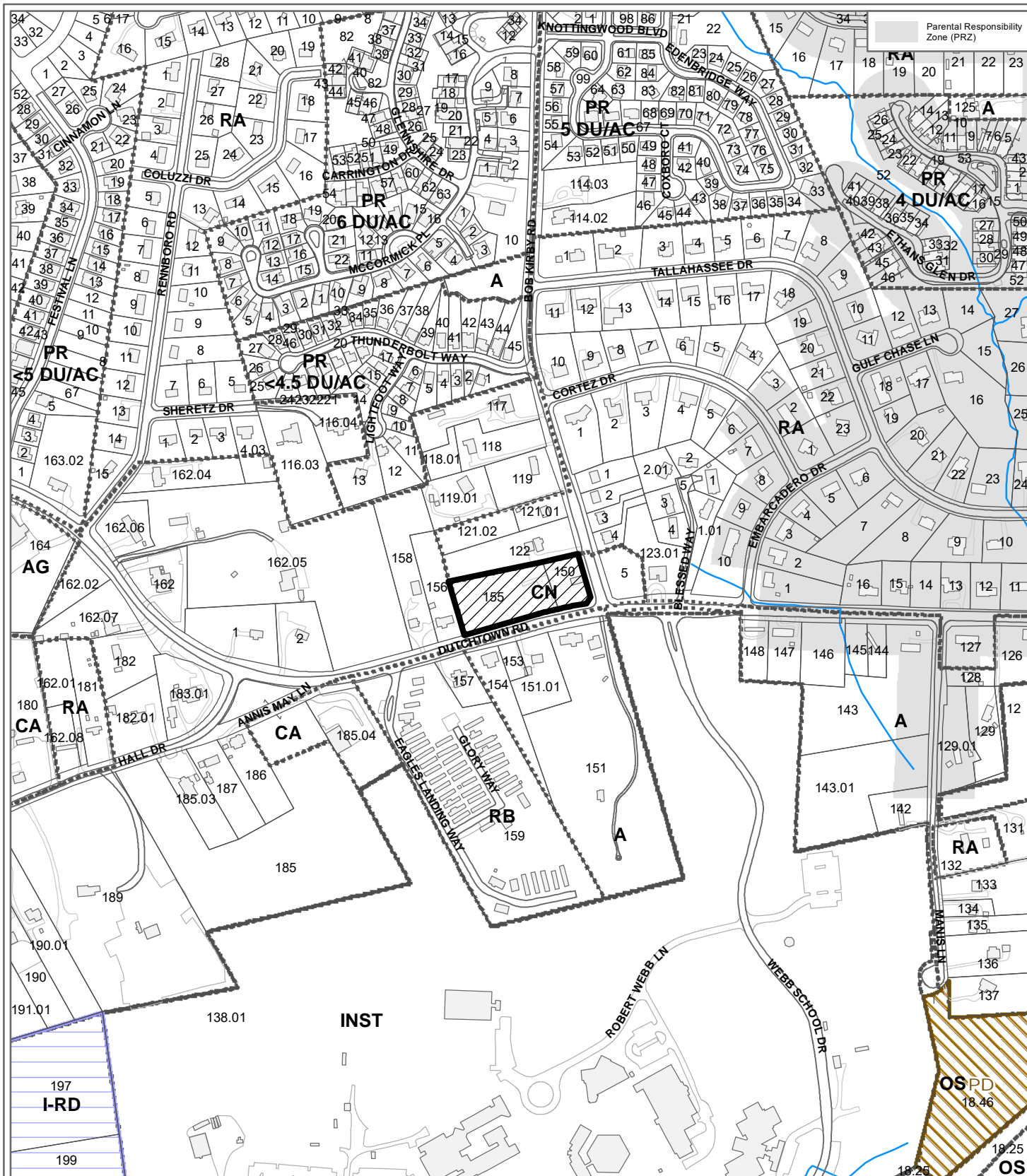
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Brandan, Georges

Map No: 118

Jurisdiction: County





4-E-20-RZ REZONING

From: CN (Neighborhood Commercial)

To: PR (Planned Residential)

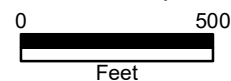


Original Print Date: 3/16/2020 Revised: 8/19/2020
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***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST COUNTY SECTOR PLAN***

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, Knox County Commission has remanded an application to consider an amendment to the Sector Plan from Neighborhood Commercial to Low Density Residential, for property described in the application; and

WHEREAS, the Planning Commission staff recommends approval of an 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 September 10, 2020, 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 Northwest County Sector Plan, with its accompanying staff report and map, file #4-F-20-SP.

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

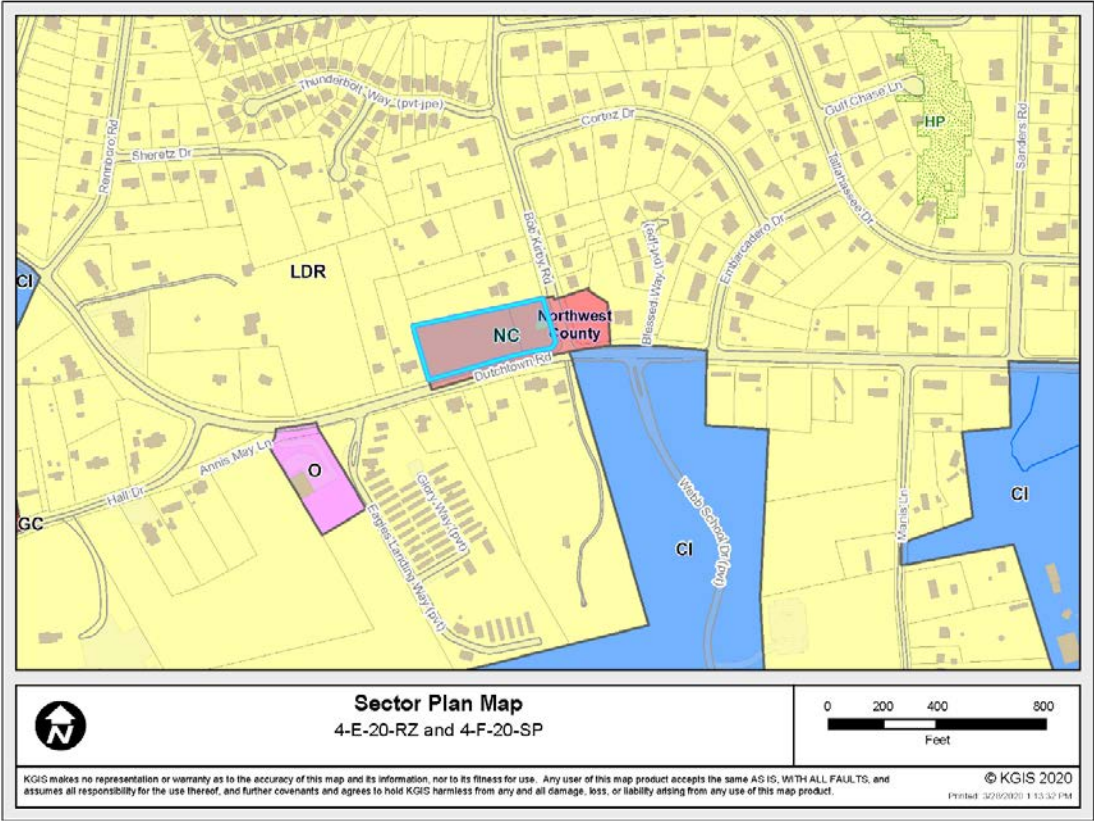
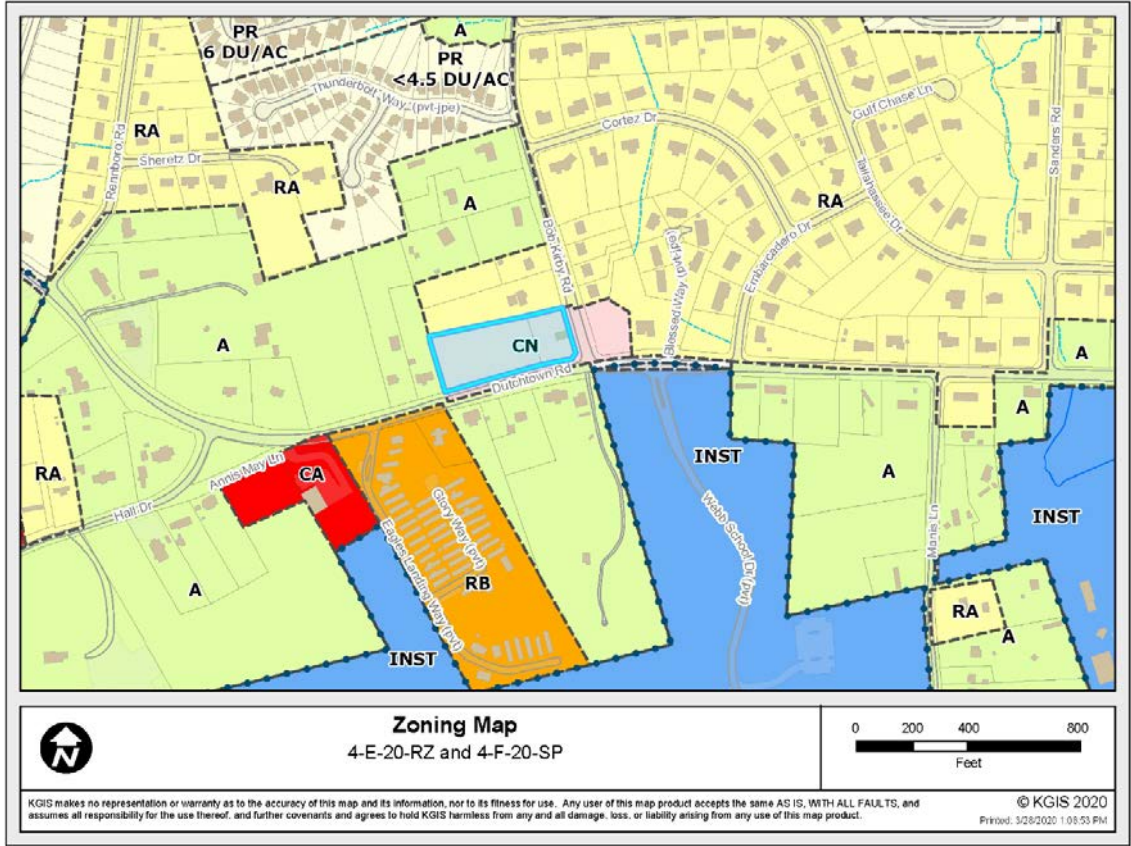
SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

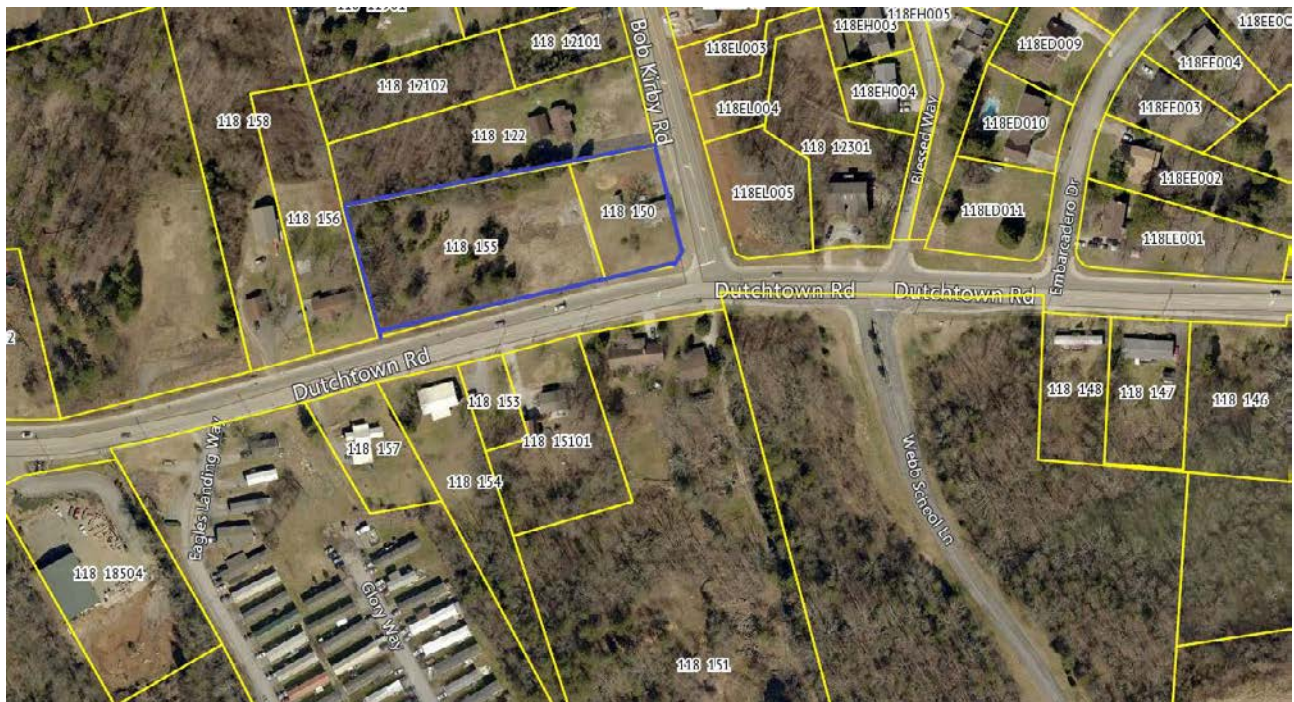
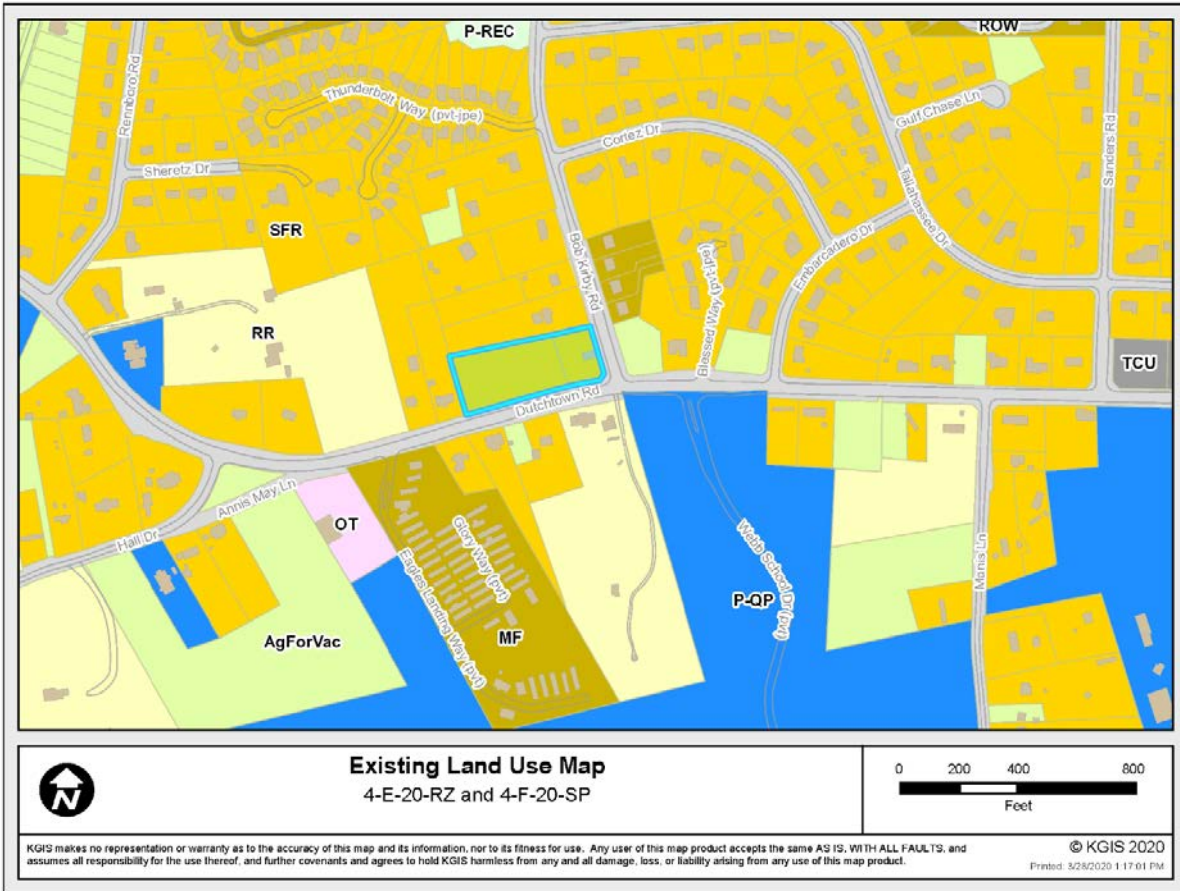
Chairman

Secretary

4-E-20-RZ and 4-F-20-SP: Exhibit B – Contextual Images



4-E-20-RZ and 4-F-20-SP: Exhibit B – Contextual Images



REVISED

4:30 pm, Aug 03, 2020

**DEVELOPMENT REQUEST****DEVELOPMENT**

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ Rezoning

Georges Brandan

Applicant Name

2/24/20

REVISED
8/3/2020

Date Filed

INITIAL HERE

A/9/20

Meeting Date (if applicable)

Owner

Affiliation

4-E-20-PZ
4-F-20-SP

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☒ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☒ Architect/Landscape Architect

Brian Pierce

Cope & Associates Inc.

Name

Company

2607 Kingston Pike, Ste 5

Knoxville

TN

37919

Address

City

State

Zip

865-599-4402

bpierce@cope-associates.com

Phone

Email

CURRENT PROPERTY INFO

Georges Brandan

1615 Rising View Lane Knoxville TN 865-548-1329

Owner Name (if different)

Owner Address

9805 Dutchtown Road/ 801 Bob Kirby

118 155 / 118 1540 LA

Owner Phone

Property Address

Parcel ID

Bob Kirby & Dutchtown Road W/S Bob Kirby Rd. N/S Dutchtown Rd.

2 acres

General Location

Tract Size

Northwest County 3

CN

Jurisdiction (specify district above)

- ☐ City ☒ County

Zoning District

Northwest County

NC

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Residential SFR

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

4:30 pm, Aug 03, 2020

FEB 24 2020

Knoxville-Knox County
Planning

DEVELOPMENT

- ☐
- Residential
- ☐
- Non-Residential

- ☐
- Other (specify):

SUBDIVISION

- Total Number of Lots Created:

- ☐
- Attachments / Additional Requirements

INITIAL HERE

- REVISÉD to LDR on 8/3/2020

- Proposed Plan Designation(s)

5 du/ac

RESIDENTIAL - WORKFORCE HOUSING

~~18 du/du~~

- ### Previous Rezoning Requests

- ☐
- Other (specify): _____

STAFF USE ONLY

☐ Traffic Impact Study

22

SP

TOTAL:

1200.⁰⁰

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

BRUN FLEXON

Please Print

2/2A/20

Date _____

SIGN HERE

865.599.440 Z

Phone Number

bpierce@COPE-ASSOCIATES.COM

Email

Elizabeth Albertson

Please Print

2/24/20

Date _____