



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 4-H-21-RZ **AGENDA ITEM #:** 17
4-C-21-SP **AGENDA DATE:** 4/8/2021

► **APPLICANT:** SMITHBILT HOMES / JOSH SANDERSON
OWNER(S): Smithbilt Homes

TAX ID NUMBER: 13 115.01 & 127 [View map on KGIS](#)
JURISDICTION: Commission District 8
STREET ADDRESS: 8107 and 0 Tazewell Pike
► **LOCATION:** West side of Tazewell Pike, southwest of Campbells Point Road
► **TRACT INFORMATION:** 76.26 acres.
SECTOR PLAN: Northeast County
GROWTH POLICY PLAN: Rural Area
ACCESSIBILITY: Tazewell Pike is a minor arterial with a 19-ft pavement width inside a 40-ft right-of-way.
UTILITIES: Water Source: Northeast Knox Utility District
Sewer Source: Knoxville Utilities Board
WATERSHED: Flat Creek

► **PRESENT PLAN DESIGNATION/ZONING:** AG (Agricultural) / A (Agricultural)
► **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / PR (Planned Residential)
► **EXISTING LAND USE:** Agricultural/forestry/vacant
► **DENSITY PROPOSED:** 5 du/ac
EXTENSION OF PLAN DESIGNATION/ZONING: No
HISTORY OF ZONING REQUESTS: None noted for this property
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Rural residential, single family residential, and agricultural/forestry/vacant - AG (Agricultural) - A (Agricultural), RA (Low Density Residential), and PR (Planned Residential) with up to 1 du/ac
South: Rural residential, single family residential, and agricultural/forestry/vacant - AG (Agricultural) - A (Agricultural) zone
East: Rural residential, single family residential, and agricultural/forestry/vacant - AG (Agricultural) - A (Agricultural) zone
West: Agricultural/forestry/vacant - AG (Agricultural) and HP (Hillside and Ridgetop Protection Area) - A (Agricultural) zone

NEIGHBORHOOD CONTEXT: This is a rural area characterized by large lots with single family detached dwellings. There are a few subdivisions with smaller lots to the south closer to Gibbs schools.

STAFF RECOMMENDATION:

- ▶ **Deny the Northeast County Sector Plan amendment to Low Density Residential because it does not meet the criteria for a plan amendment and is not supported by the Growth Policy Plan.**

- ▶ **Approve PR zoning with up to 1 du/ac because it is consistent with the Growth Policy Plan, the sector plan, and 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. There are no recent significant changes to conditions that would warrant a plan amendment to the LDR land use classification, as this property is in the County's Rural Area, which does not support the LDR land use class.

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 not an error in the plan to warrant a plan amendment to the LDR land use classification.

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

1. There are no trends in development, population, or traffic that warrant reconsideration of the sector plan to the LDR land use classification.

OTHER CONSIDERATIONS:

1. The Growth Policy Plan does not support the LDR land use classification in the County's Rural Area.
2. The Rural Residential land use designation typically allows up to 2 du/ac in the County's Rural Area, though if a TIL is provided showing no negative impacts would be expected, 3 du/ac can be considered. However, this land use classification has not been used in the Northeast County Sector (there are currently no parcels with that designation), so it could be considered spot zoning to amend these parcels to the Rural Residential land use class to allow PR zoning with up to 3 du/ac.

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. There have been some infrastructure improvements over the last decade, including intersection improvements at the intersection of E. Emory Road and Tazewell Pike to the south.

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

1. The PR (Planned Residential Zone) 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. Such compatibility shall be determined by the planning commission by review of the development plans.
3. The surrounding area is low density residential dwellings at a density of 1 du/ac. Surrounding properties with past rezoning cases have been limited to 1 du/ac or denied.

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 PR zone at 1 du/ac retains the rural nature of this area while still allowing development.
2. The property is in the Gibbs Middle School Parental Responsibility Zone and partially in the Gibbs Elementary School Parental Responsibility Zone, so sidewalks may be required along Tazewell Pike.
3. The development would have access to sewer lines at the front of the property.

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 current Agricultural land use designation allows PR zoning with up to 1 du/ac at a maximum.
2. To allow more than 1 du/ac, a plan amendment would be required.
 - a. The Growth Policy Plan does not support the requested LDR land use classification within the County's Rural Area.
 - b. As stated previously, the Rural Residential land use designation allows up to 2 du/ac in the County's Rural Area, or up to 3 du/ac if a TIL is provided showing no negative impacts would be expected. However, since this land use classification has not been used elsewhere in the Northeast County Sector, it could be considered spot zoning to amend these parcels to the Rural Residential land use class to allow PR zoning with up to 3 du/ac.
3. The sector plan reports that many residents chose to live here for the rural setting (p. 1) and that, during the update process, citizens expressed concern for loss of farmland to residential zoning (p. 25). The sector plan recommends a balance between future development and protecting the qualities inherent to the Northeast County Sector, which includes the rural character of the area (p. 1).

ESTIMATED TRAFFIC IMPACT: 3560 (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.

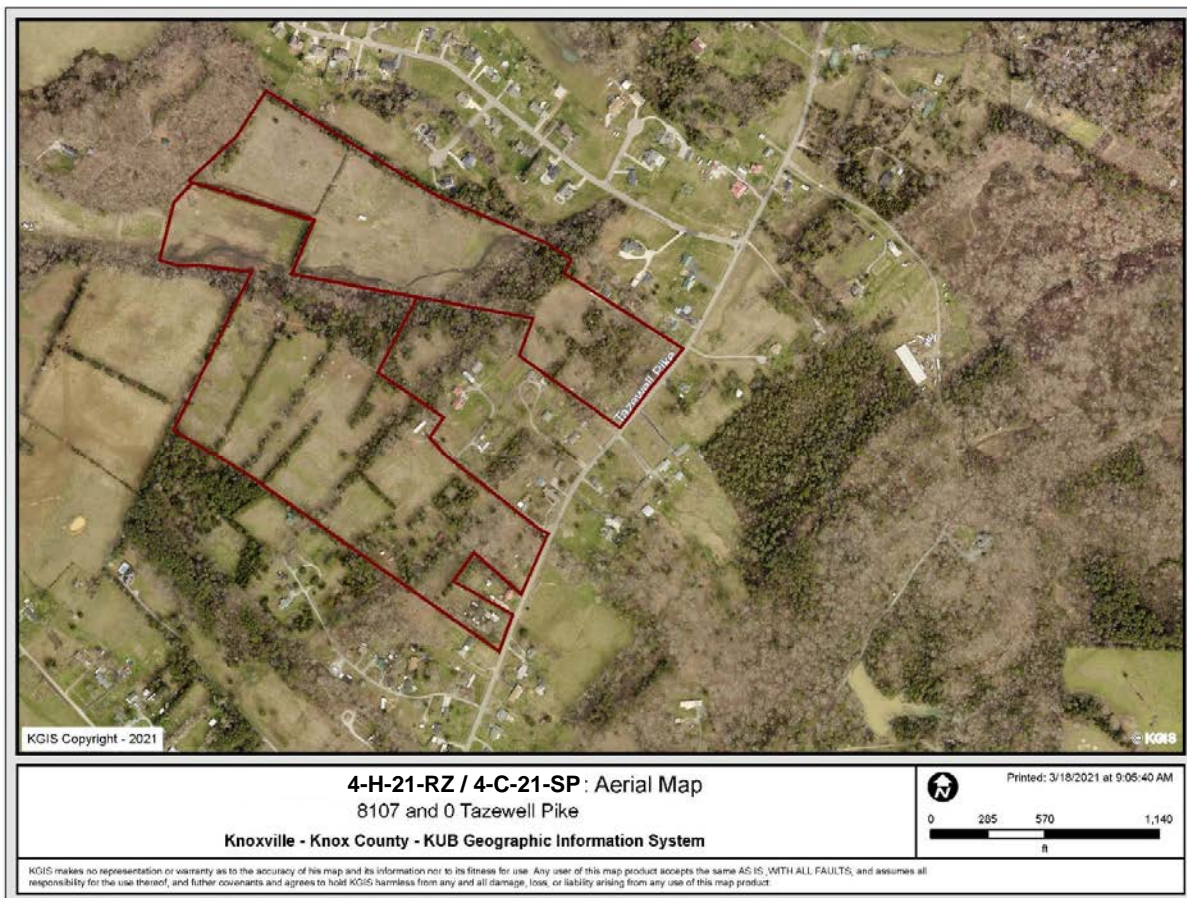
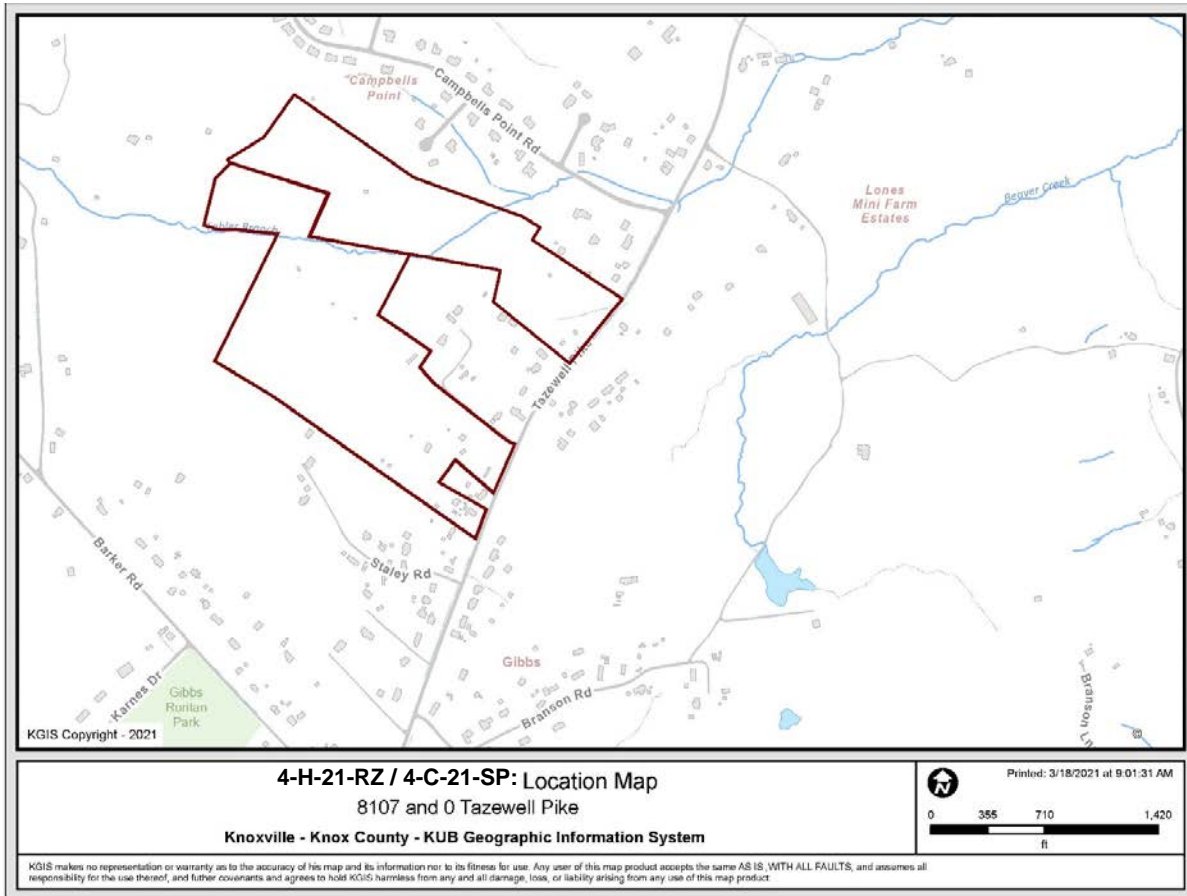
ESTIMATED STUDENT YIELD: 127 (public school children, grades K-12)

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

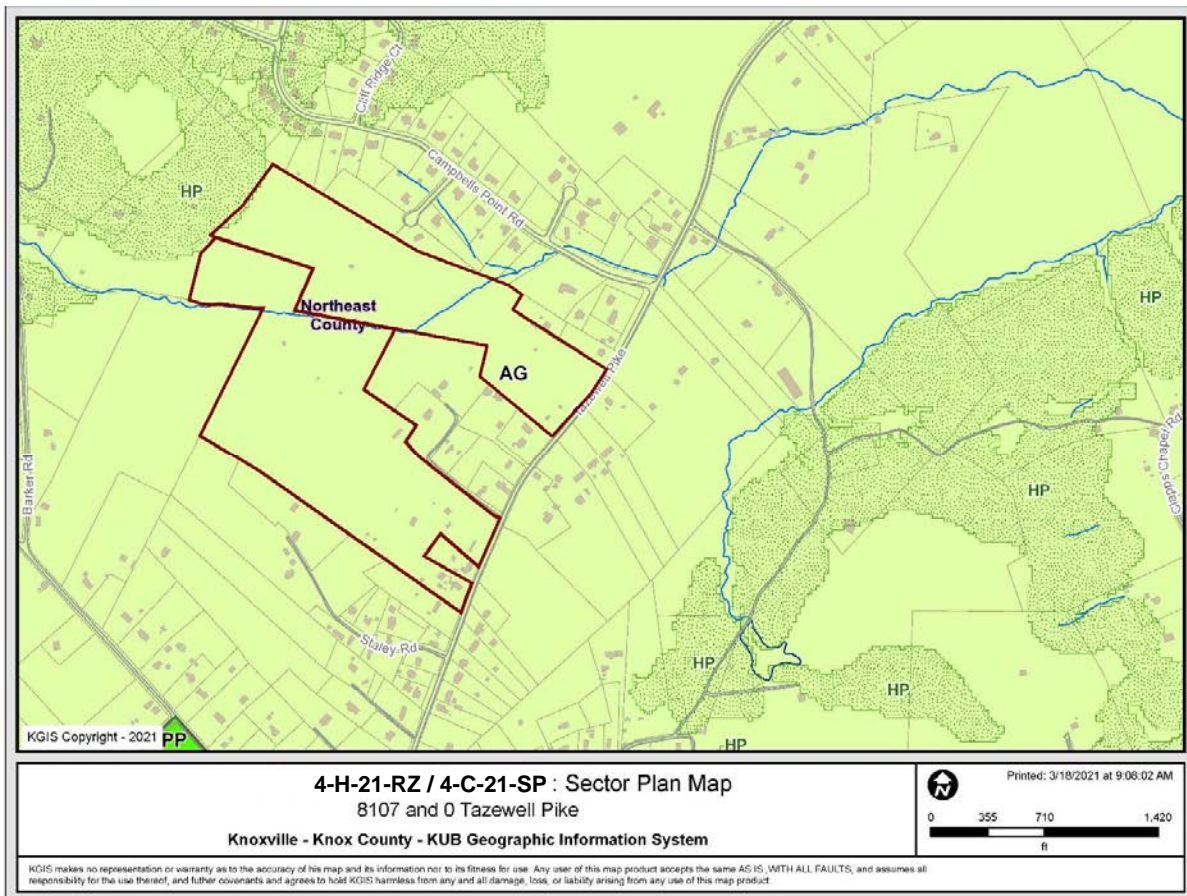
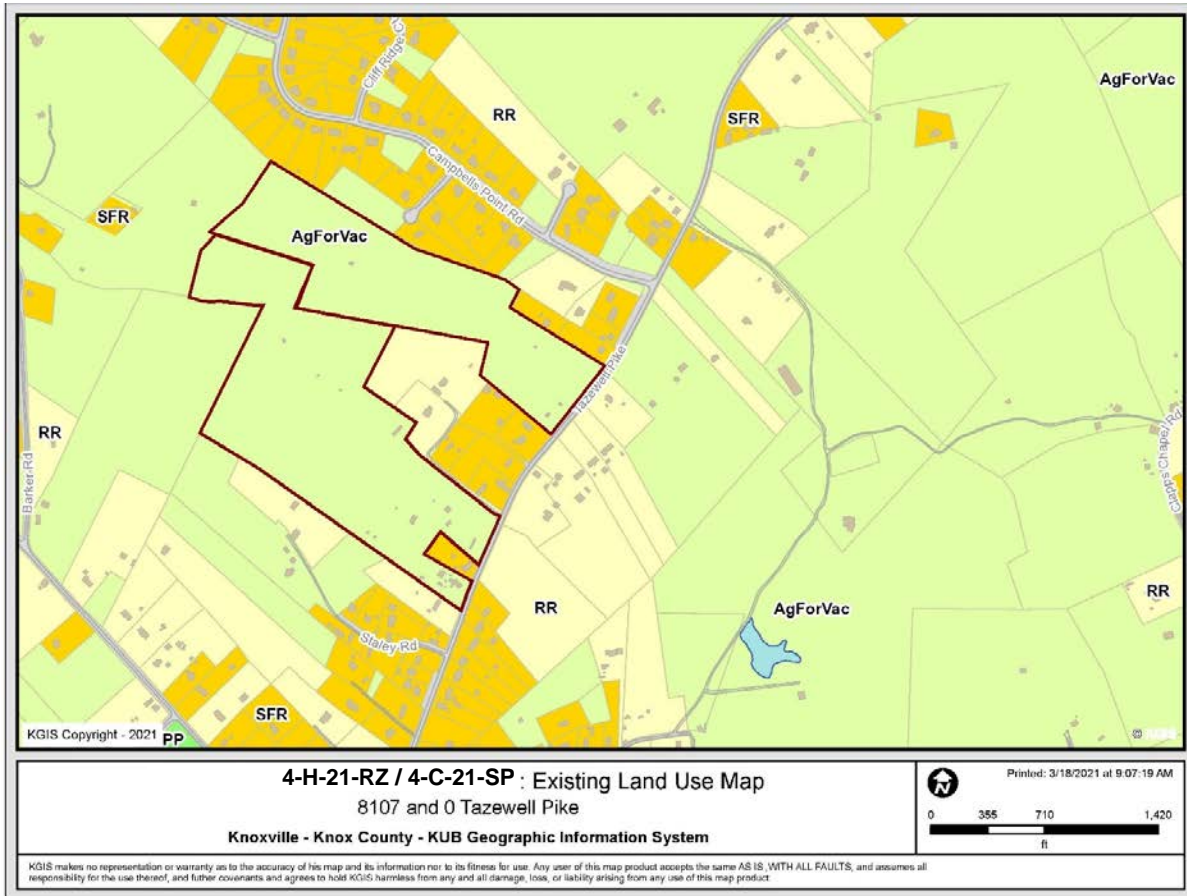
- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries 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 5/24/2021. 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.

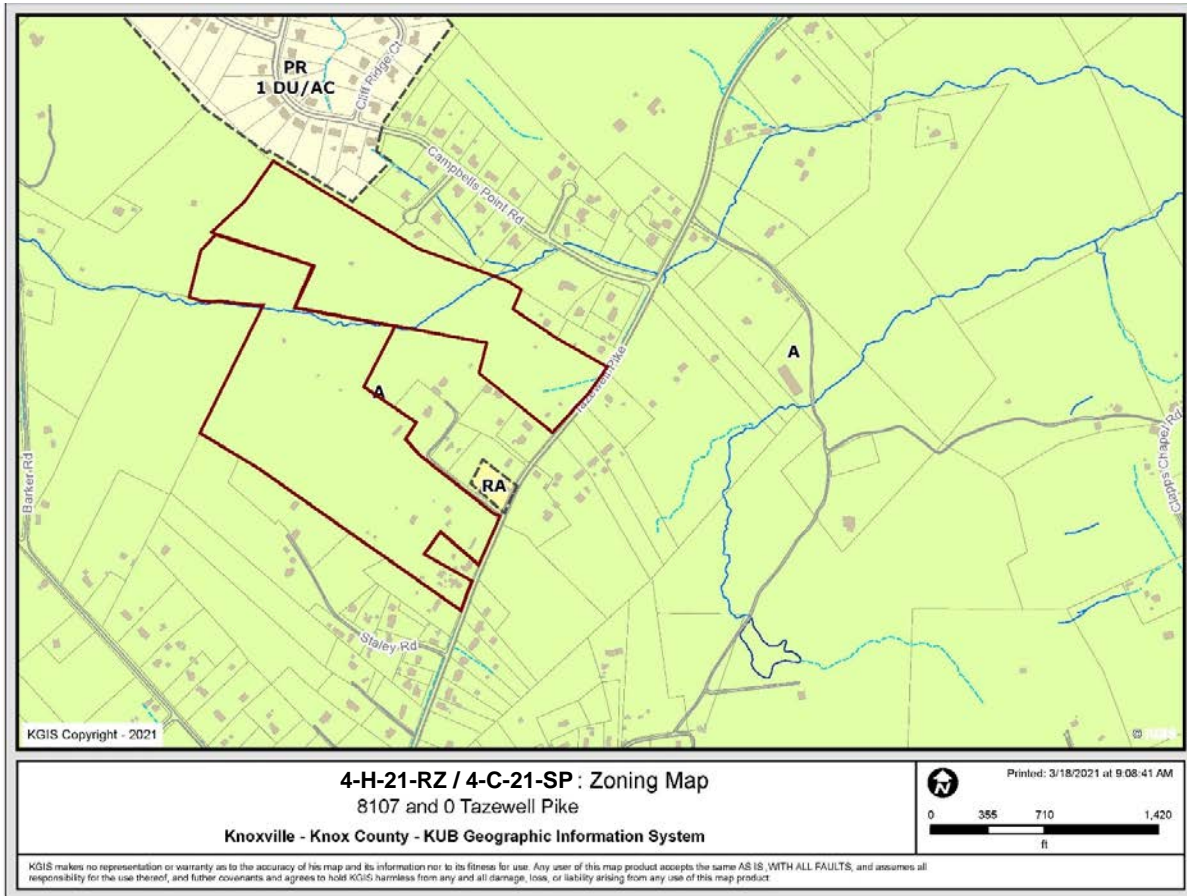
4-H-21-RZ / 4-C-21-SP
EXHIBIT A. Contextual Images



4-H-21-RZ / 4-C-21-SP
EXHIBIT A. Contextual Images



4-H-21-RZ / 4-C-21-SP
EXHIBIT A. Contextual Images





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ SP ☐ OYP
☒ Rezoning

Smithbilt Homes/ Josh Sanderson

Applicant Name

Affiliation

2/19/2021
Date Filed

4/8/2021
Meeting Date (if applicable)

File Number(s)

4-H-21-RZ
4-C-21-SP

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

Wanis A. Rghebi, PE

SEC, LLC

Name

Company

4909 Ball Road

Knoxville

TN

37931

Address

City

State

ZIP

865-694-7756

wrghebi@sengconsultants.com

Phone

Email

CURRENT PROPERTY INFO

Smithbilt Homes

4909 Ball Road, Knoxville, Tn 37931

865-694-7756

Owner Name (if different)

Owner Address

Owner Phone

8107 Tazewell Pike , Corryton, TN 37721

013, Part of Parcels 115.01 & 127

Property Address

Parcel ID

(42.64 + 33.62) acres

STAFF USE ONLY

w/s of Tazewell Pk, southwest of Campbell's Point Rd.
General Location

71 acres +/-

76.26 Total acres

Tract Size

8th

Jurisdiction (specify district above)

☐ City ☒ County

A

Zoning District

Northeast County

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

farm land

N

HPUD

HPUD

Existing Land Use

Septic (Y/N)

Sewer Provider

Water Provider

DEVELOPMENT REQUEST

☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA
☒ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created _____

☐ Other (specify) _____

☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

☒ Zoning Change PR
Proposed Zoning

☐ Plan Amendment Change LDR
X
5 units per acre Agr.

Proposed Density (units/acre) Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

STAFF USE ONLY**PLAT TYPE**

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat)
☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1	Total
0325 4413.00	
Fee 2	
0527 800.00	
Fee 3	
	\$5213.00

AUTHORIZATION

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



Wanis Ali Rghebi, PE

2-19-2021

Applicant Signature

Please Print

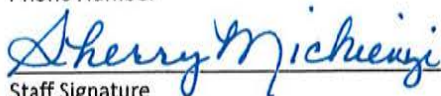
Date

865-694-7756

wrghebi@sengconsultants.com

Phone Number

Email



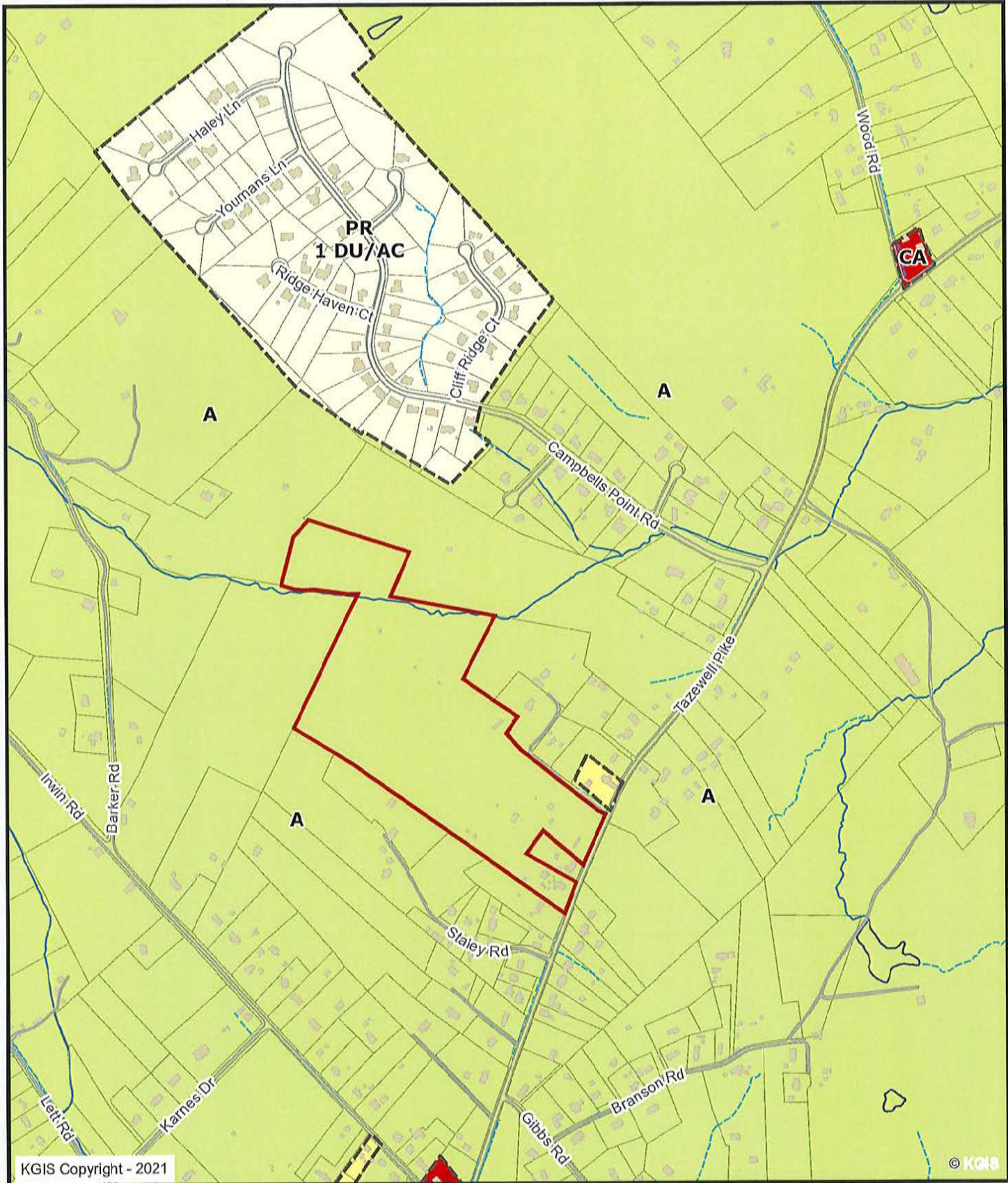
Sherry Michienzi

2/22/2021

Staff Signature

Please Print

Date

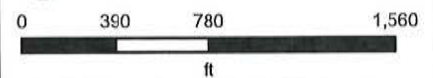


Letter Portrait

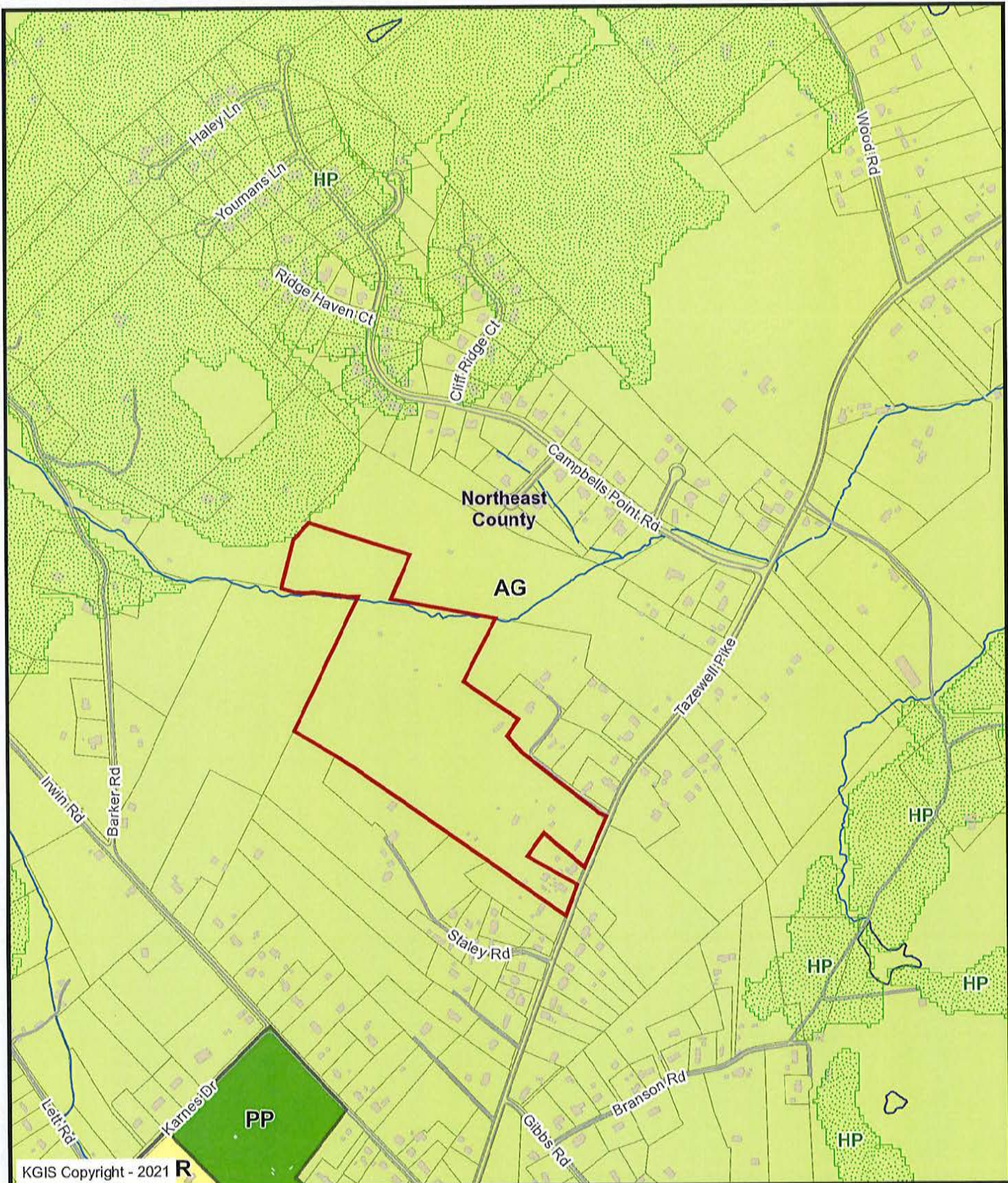
Knoxville - Knox County - KUB Geographic Information System



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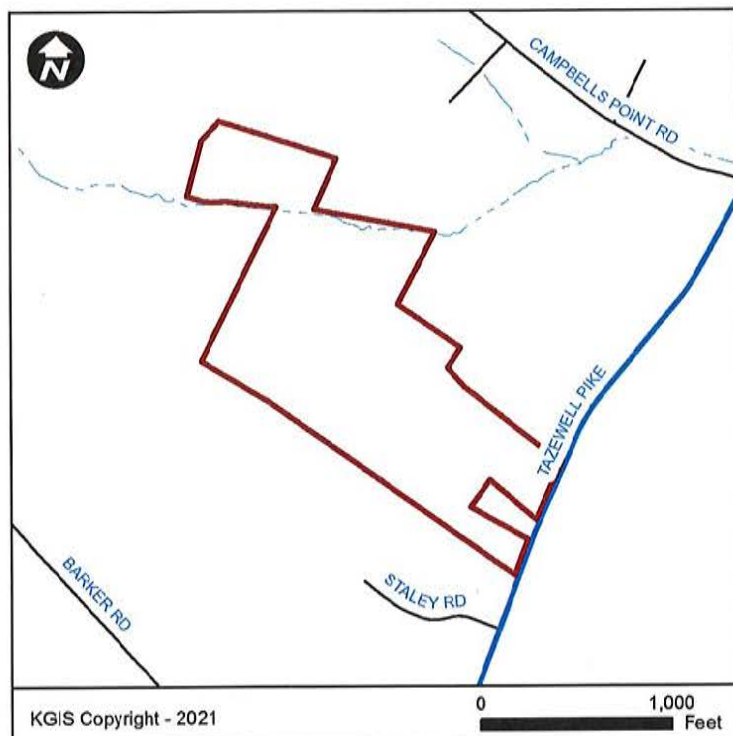
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0 390 780 1,560
ft

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Parcel 013 11501 - Property Map and Details Report**Property Information**

Parcel ID: 013 11501
 Location Address: 8107 TAZEWEEL PIKE
 CLT Map: 13
 Insert:
 Group:
 Condo Letter:
 Parcel: 115.01
 Parcel Type: NORMAL
 District: N8
 Ward:
 City Block:
 Subdivision: GREENBELT APP #A-2259
 Rec. Acreage: 0
 Calc. Acreage: 42.64
 Recorded Plat: 20200828 - 0016716
 Recorded Deed: 1719 - 756
 Deed Type: Deed:Special Wa
 Deed Date: 10/28/1980

Address Information

Site Address: 8107 TAZEWEEL PIKE
 CORYTON - 37721
 Address Type: DWELLING, SINGLE-FAMILY
 Site Name:
 Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Jurisdiction Information

County: KNOX COUNTY
 City / Township:

Political Districts

Voting Precinct: 81
 Voting Location: Gibbs Elementary School
 7715 TAZEWEEL PIKE
 TN State House: 19 Dave Wright
 TN State Senate: 6 Becky Duncan Massey
 County Commission: 8 Richie Beeler
 (at large seat 10) Larsen Jay
 (at large seat 11) Justin Biggs
 School Board: 8 Mike McMillan
 Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Owner Information

HONEYCUTT THOMAS G & FANNIE M
 8107 TAZEWEEL PIKE
 CORYTON, TN 37721

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Knoxville-Knox Co. Planning Information

Census Tract: 64.02
 Planning Sector: Northeast County

Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

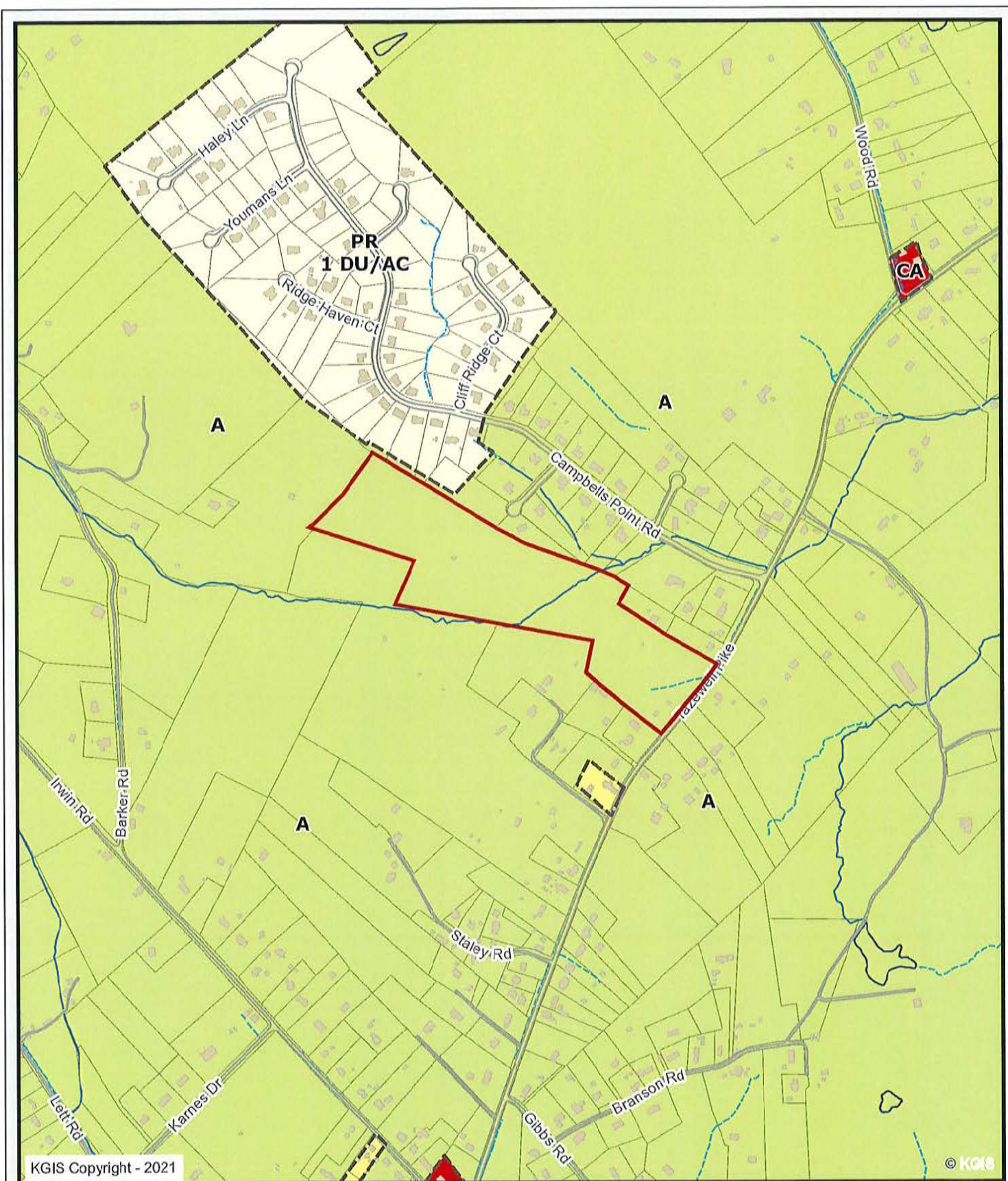
School Zones

Elementary: GIBBS ELEMENTARY
 Intermediate:
 Middle: GIBBS MIDDLE
 High: GIBBS HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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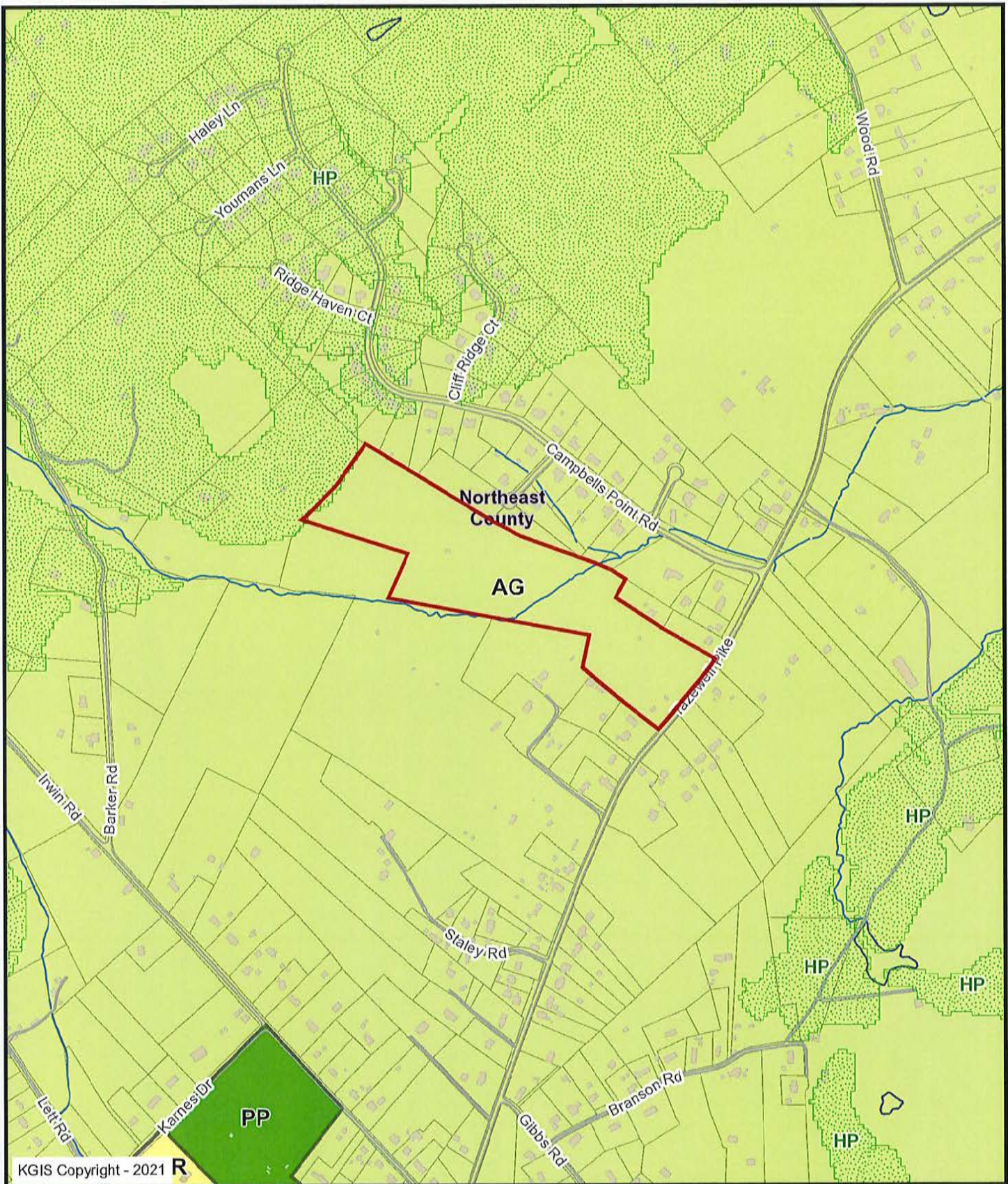
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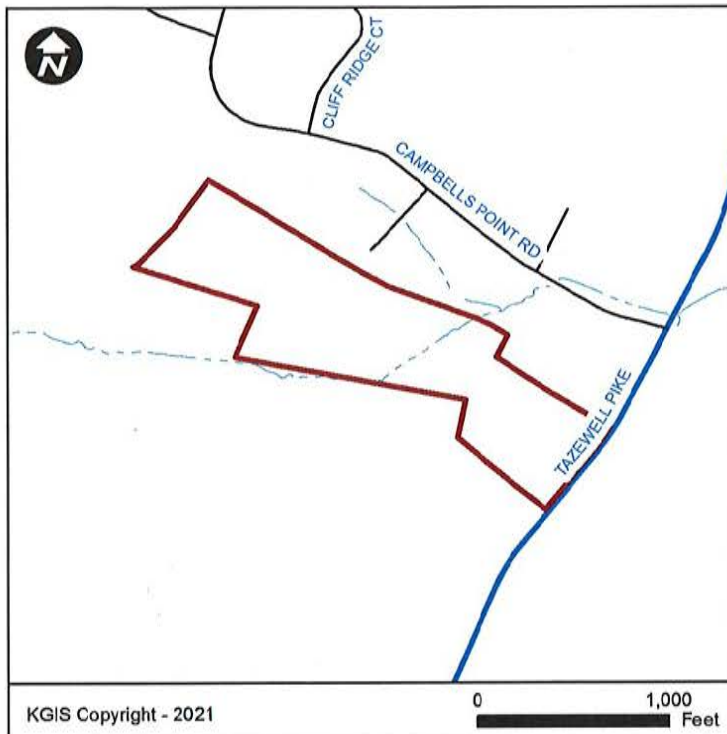
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Parcel 013 127 - Property Map and Details Report**Property Information**

Parcel ID: 013 127
 Location Address: 0 TAZEWELL PIKE
 CLT Map: 13
 Insert:
 Group:
 Condo Letter:
 Parcel: 127
 Parcel Type: NORMAL
 District: N8
 Ward:
 City Block:
 Subdivision: GREENBELT APP #A-3655
 Rec. Acreage: 0
 Calc. Acreage: 33.62
 Recorded Plat: -
 Recorded Deed: 20141126 - 0029748
 Deed Type: Deed:Full Coven
 Deed Date: 11/26/2014

Address Information

Site Address: 0 TAZEWELL PIKE
 CORRYTON - 37721
 Address Type: UNUSED LAND
 Site Name:
 Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Jurisdiction Information

County: KNOX COUNTY
 City / Township:

Political Districts

Voting Precinct: 81
 Voting Location: Gibbs Elementary School
 7715 TAZEWELL PIKE
 TN State House: 19 Dave Wright
 TN State Senate: 6 Becky Duncan Massey
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 (at large seat 10) Larsen Jay
 (at large seat 11) Justin Biggs
 School Board: 8 Mike McMillan
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 8107 TAZEWELL PIKE
 CORRYTON, TN 37721

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DEVELOPMENT REQUEST☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA☒ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

☐ Combine Parcels ☐ Divide Parcel
Unit / Phase Number _____ Total Number of Lots Created _____☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☒ Zoning Change PR
Proposed Zoning _____☐ Plan Amendment Change
Proposed Plan Designation(s) _____5 units per acre Agr.

Proposed Density (units/acre) _____ Previous Rezoning Requests _____

☐ Other (specify) _____

Pending Plat File Number

STAFF USE ONLY**PLAT TYPE**☐ Staff Review ☐ Planning Commission**ATTACHMENTS**☐ Property Owners / Option Holders ☐ Variance Request**ADDITIONAL REQUIREMENTS**☐ Design Plan Certification (*Final Plat*)☐ Use on Review / Special Use (*Concept Plan*)☐ Traffic Impact Study☐ COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

Fee 3

AUTHORIZATION

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

Applicant Signature

Wanis Ali Rghebi, PE

2-19-2021

Please Print

Date

865-694-7756

wrghebi@sengconsultants.com

Phone Number

Email

Staff Signature

Please Print

Date

8107 Tazewell Pk & O Tazewell Pk

