



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 1-F-21-RZ **AGENDA ITEM #:** 18  
1-F-21-SP **AGENDA DATE:** 1/14/2021

▶ **APPLICANT:** **BARRY VAULTON**  
**OWNER(S):** Vaulton Family Holding Company, LLC

**TAX ID NUMBER:** 62 02308 & 02309 [View map on KGIS](#)

**JURISDICTION:** Commission District 8

**STREET ADDRESS:** 0 Asheville Hwy.

▶ **LOCATION:** **North side of Asheville Hwy., west of Cash Rd., east of N. Wooddale Rd.**

▶ **TRACT INFORMATION:** **5 acres. Rezoning for A portion only; Sector Plan Amendment for whole property**

**SECTOR PLAN:** East County

**GROWTH POLICY PLAN:** Urban Growth Area

**ACCESSIBILITY:** Access is via Asheville Highway, a 4-lane median sepeated major arterial, with a right-of-way of 112 feet, owned by TDOT.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Sinking Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **LDR (Low Density Residential) & MU-SD (Special Use District) / A (Agricultural)**

▶ **PROPOSED PLAN DESIGNATION/ZONING:** **GC (General Commercial) / CA (General Business) - Rezoning is being requested for a portion of both parcels**

▶ **EXISTING LAND USE:** **Agriculture/forestry/vacant**

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** No

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

**SURROUNDING LAND USE, PLAN DESIGNATION, ZONING** North: Agriculture/forestry/vacant - LDR (Low Density Residential)

South: Agriculture/forestry/vacant, office, public/quasi-public - MU-SD (Mixed Use Special District) ECO-5

East: Rural residential - MU-SD (Mixed Use Special District) ECO-5

West: Agriculture/forestry/vacant - MU-SD (Mixed Use Special District) ECO-5

**NEIGHBORHOOD CONTEXT:** This section of Asheville Highway consists of primarily large, vacant, agricultural lots with small office and some smaller scale commercial uses.

**STAFF RECOMMENDATION:**

- ▶ **Approve MU-SD (Mixed Use Special District) and ECO-6 (Asheville Highway Mixed Use Agricultural, Commercial, Office and Residential Districts). (Applicant requested GC (General Commercial)).**
  
- ▶ **Approve PC (Planned Commercial) zoning for the entirety of both parcels because it would allow commercial development with site plan review at this location. (Applicant requested an extension of CA (General Business) on both parcels).**

**COMMENTS:**

This section of Asheville Highway is part of the Urban Growth Boundary for the City of Knoxville in the Growth Policy Plan, however, this section of highway remains more rural in character and median cuts in the highway facility are further apart than on more urban sections of Asheville Highway. This characteristic of Asheville Highway in this area makes commercial development more challenging and any consideration of commercial uses should be limited to those requiring development plan review by the Planning Commission. This section of Asheville Highway is bounded on both ends by the MU-SD ECO-6 designation that allows consideration of the PC (Planned Commercial) zone district.

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

**CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:**

1. In the development of the East County Sector Plan the community expressed concerns regarding the potential development of Asheville Highway into an entirely commercial corridor. The applicant requested GC (General Commercial) could allow consideration of commercial zone districts that would permit a wide array of intensive commercial uses that do not require site plan review by the Planning Commission, thus reducing the ability for potential conflict mitigation between commercial uses and the rural character of this section of the corridor.

**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.  
2. Asheville Highway is controlled by the Tennessee Department of Transportation (TDOT) and any necessary improvements to accommodate development at this location would have to be coordinated with that agency.

**AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:**

1. When the East County Sector Plan was adopted in 2011, it wasn't anticipated that the demand for office space may be reduced by the shift to telecommuting for many businesses conducting office type activities. Consideration of MU-SD ECO-6 for this similar to the existing MU-SD ECO-5 classification, however, it also allows consideration of PC (Planned Commercial) zoning, which requires site plan review and could mitigate potential impacts through design.

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

1. As many businesses are shifting to not requiring a physical centralized office space for employees, permitting commercial development that requires site plan review to address concerns related to more intensive commercial activities should be considered for this section of Asheville Highway.

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.

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Policy Plan, however, this section of highway remains more rural in character and median cuts in the highway facility are further apart than on more urban sections of Asheville Highway. This characteristic of Asheville Highway in this area makes commercial development more challenging and any consideration of commercial uses should be limited to those requiring development plan review by the Planning Commission. This section of Asheville Highway is bounded on both ends by the MU-SD ECO-6 designation that allows consideration of the PC (Planned Commercial) zone district.

**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 GENERALLY:**

1. The area has existing CA (General Business) zoning on the frontage, which permits a wide array of commercial uses that do not require review of a development plan by the Planning Commission. The shift to virtual offices for many business means the likelihood of office development in this area is further reduced. However, commercial development will likely remain viable since many commercial uses require a physical presence and PC (Planned Commercial) will require plan review to mitigate impacts and soften the appearance of commercial uses along the highway through landscaping and other provisions for design that may be required by a development plan.

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

1. The PC (Planned Commercial) is intended for a unified grouping of commercial buildings which do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible. It is not the intent of this zone to restrict potential development by limiting uses. In general, uses permitted shall include office, commercial services and light distribution centers.

2. A development plan for the planned commercial complex shall be submitted to the planning commission for approval as a use permitted on review.

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

1. Rezoning to PC (Planned Commercial) for the entirety of both parcels at this location would permit development of commercial uses at this site, however, review of a development plan as part of the use on review process would help mitigate potential impacts from any commercial development at this location.

2. The existing CA (General Business) zone district on the front portion of the parcels permits many commercial uses without the opportunity for review of a development plan by the Planning Commission. The PC zone district will require review of any commercial development at this location.

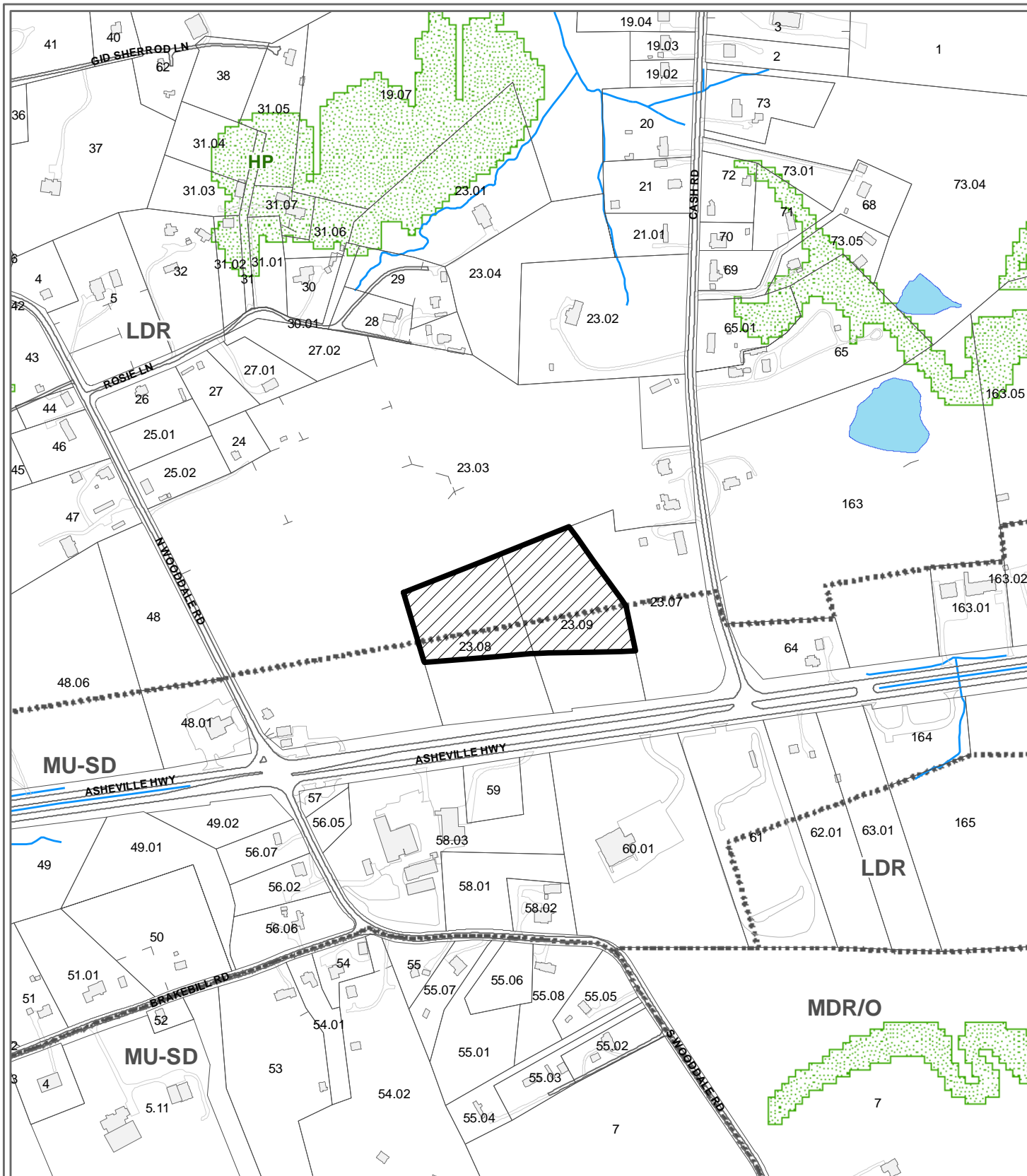
**THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:**

1. The PC zone is consistent with the accompanying staff recommended plan amendment to the MU-SD ECO-6 (Asheville Highway Mixed Use Agricultural, Commercial, Office and Residential Districts) land use designation.

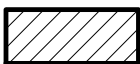
**ESTIMATED TRAFFIC IMPACT:** Not required.

**ESTIMATED STUDENT YIELD:** Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 2/22/2021. 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.



**1-F-21-SP / 1-F-21-RZ  
EAST COUNTY SECTOR PLAN AMENDMENT**



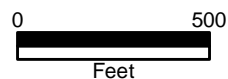
From: LDR (Low Density Residential) & MU-SD (Special Use District)  
To: GC (General Commercial)

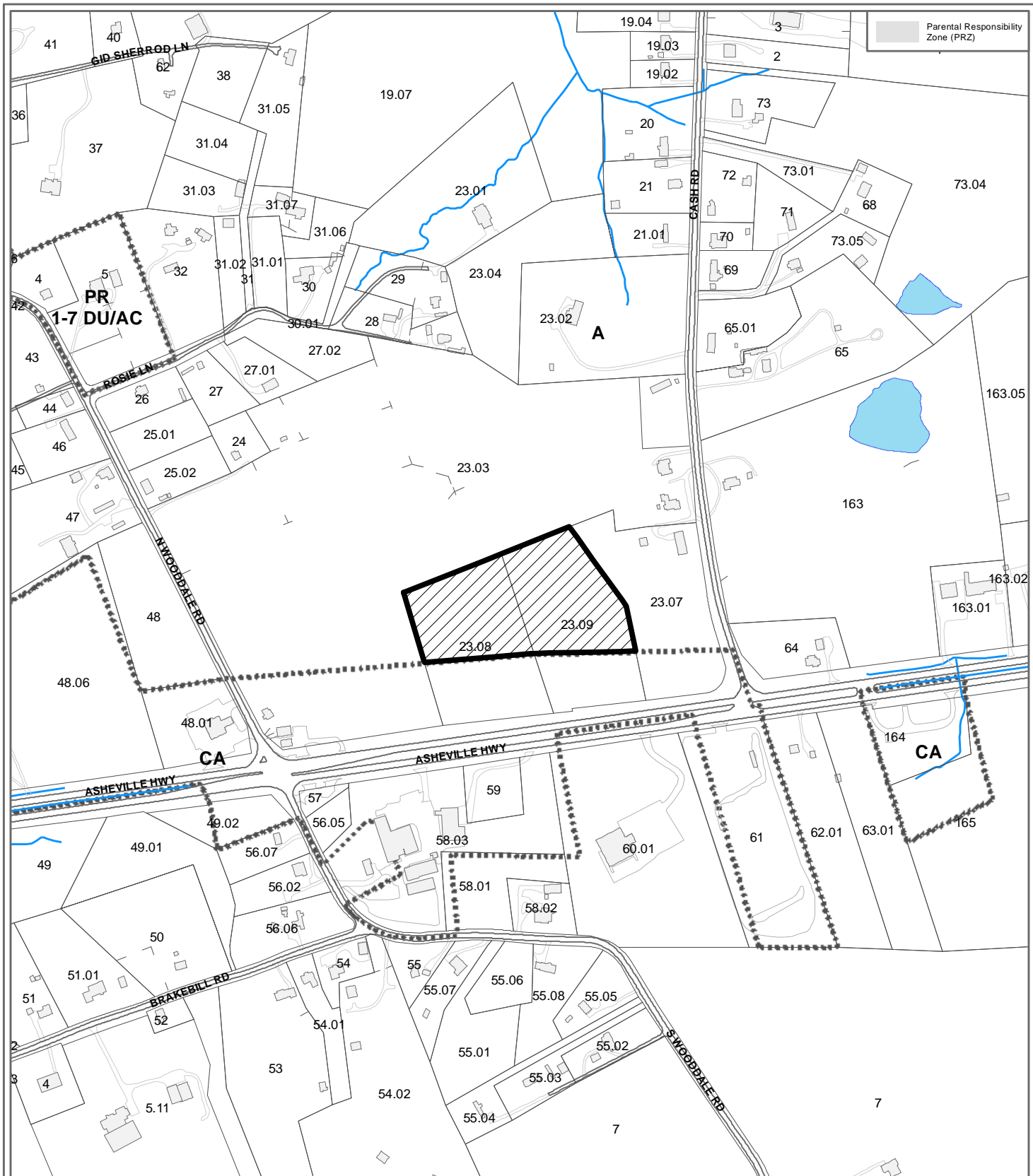
Petitioner: Vaulton, Barry

Map No: 62

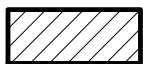
Jurisdiction: County

Original Print Date: 12/7/2020      Revised:  
Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902





**1-F-21-RZ  
REZONING**

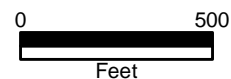


From: A (Agricultural)  
To: CA (General Business)

Original Print Date: 12/7/2020  
Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Vaulton, Barry

Map No: 62  
Jurisdiction: County



***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE EAST 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 East 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, Knoxville-Knox County Planning has recommended amendment to the Sector Plan from Low Density Residential and Asheville Highway Mixed Use Agricultural, Residential, and Office Districts to Asheville Highway Mixed Use Agricultural, Commercial, Office and Residential Districts for property described in the staff report; and*

*WHEREAS, the Planning Commission staff recommends approval of an amendment to the East 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 January 14, 2021, 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 East County Sector Plan, with its accompanying staff report and map, file #1-F-21-SP.*

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

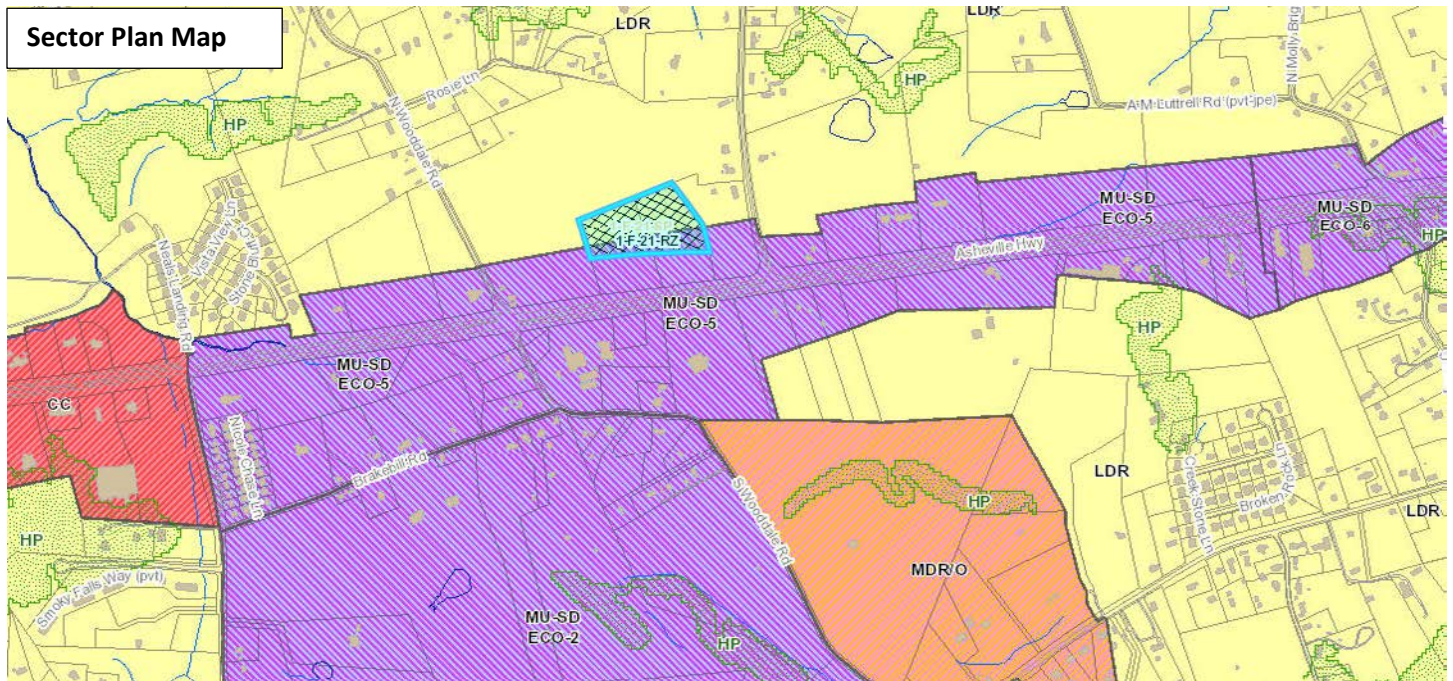
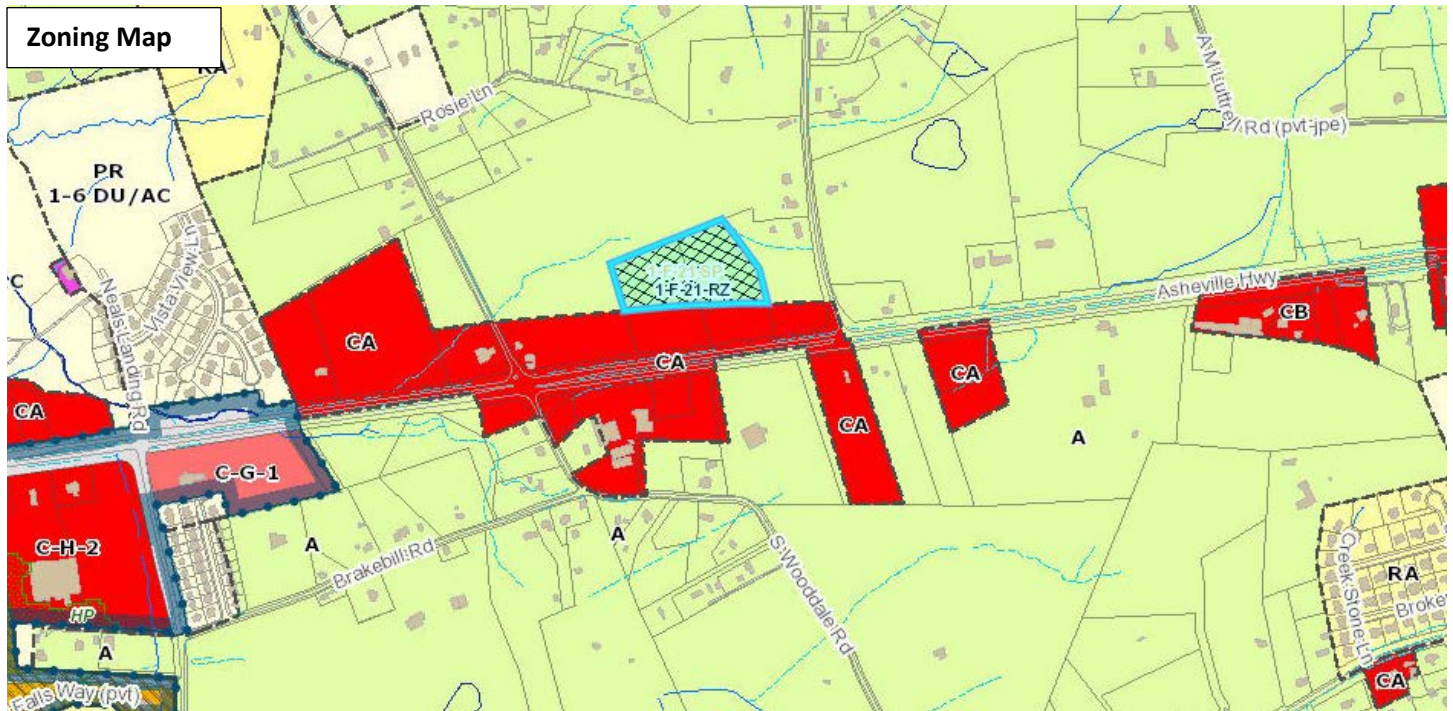
*SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

# Exhibit B. 1-F-21-RZ / 1-F-21-SP Contextual Images



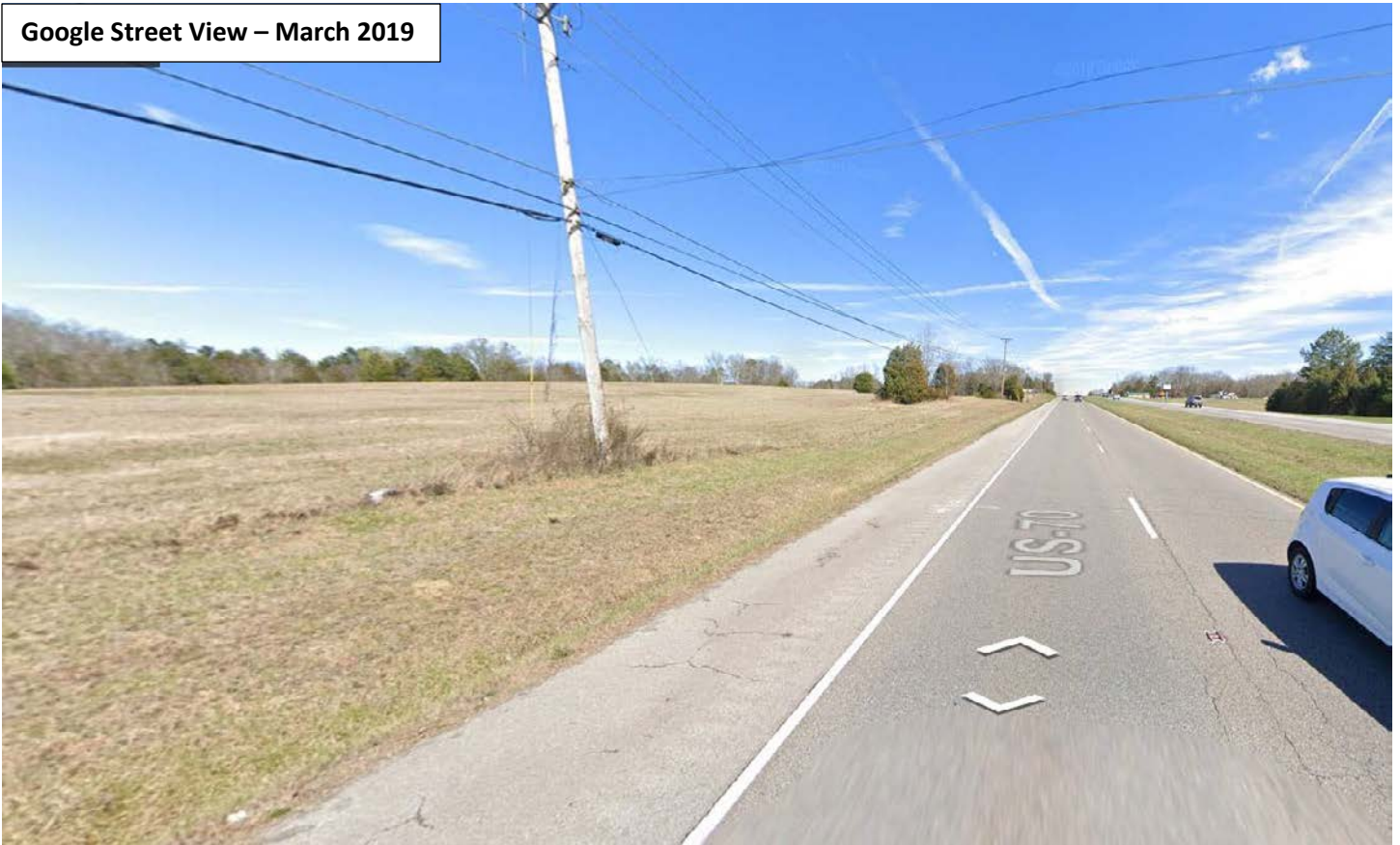
# Exhibit B. 1-F-21-RZ / 1-F-21-SP Contextual Images



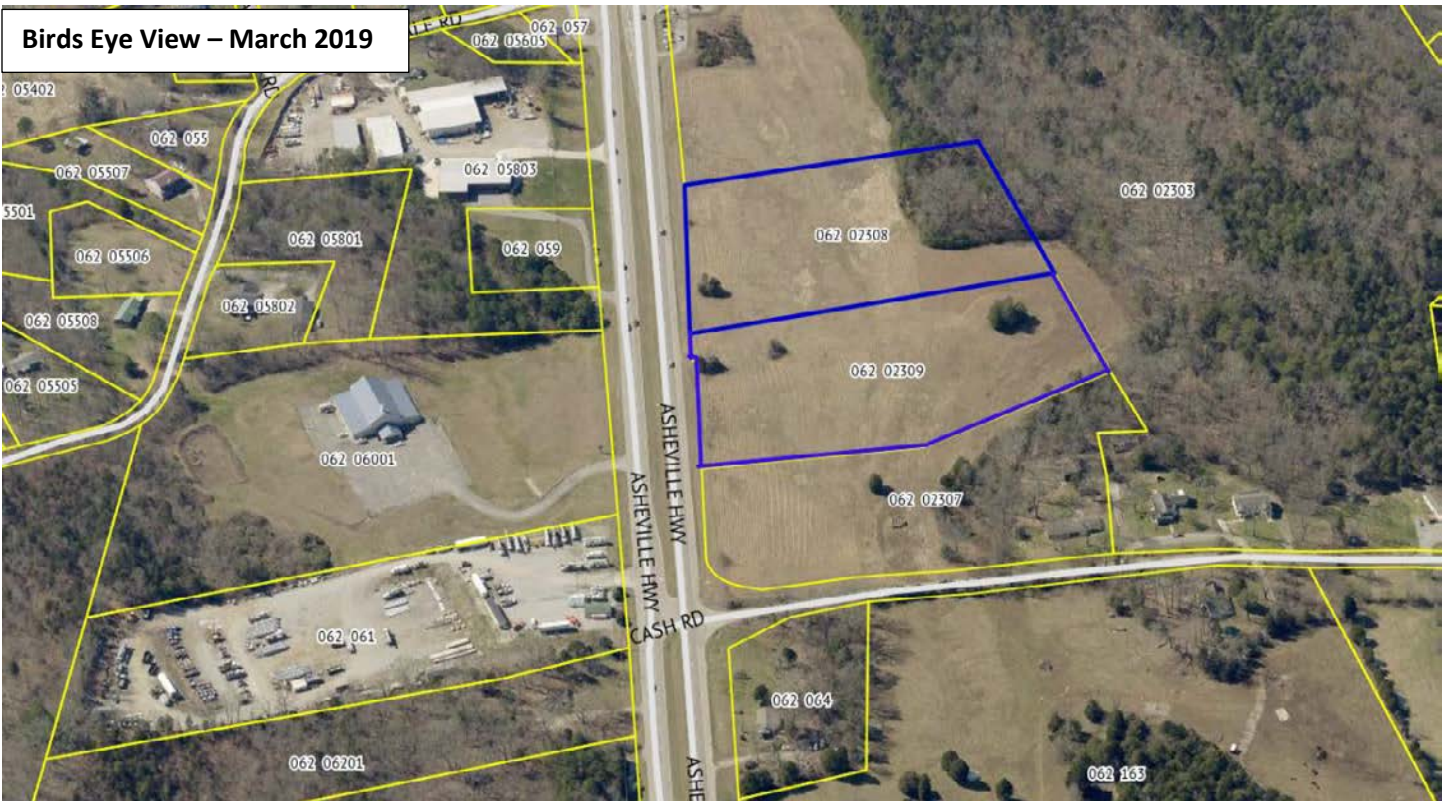


# Exhibit B. 1-F-21-RZ / 1-F-21-SP Contextual Images

Google Street View – March 2019



Birds Eye View – March 2019





# 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

Barry Vaulton

Applicant Name

Affiliation

11-24-2020  
Date Filed

1-14-2021  
Meeting Date (if applicable)

File Number(s)  
1-F-21-RZ  
1-F-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

SEC, LLC

Name

Company

4909 Ball Road

SEC, LLC

TN

37931

Address

City

State

ZIP

865-694-7756

wrghebi@sengconsultants.com

Phone

Email

### CURRENT PROPERTY INFO

Vaulton Family Holding Company, LLC

7808 Asheville Hwy  
Knoxville, TN 37924

865-388-4156

Owner Name (if different)

Owner Address

Owner Phone

0 Asheville Highway (350' west of Cash Road)

062/23.09

(2.9 acres of 5.11 tot.)

Property Address

N/S Asheville Hwy  
west of Cash Rd

Parcel ID

062/23.08

(2.1 acres of 5.13 tot)

### STAFF USE ONLY

East of N. Woodale Rd

5.0 acres

General Location

Tract Size

8th

A/CA (A portion only)

Jurisdiction (specify district above)

City  County

Zoning District

East County

LDR / mu-SD (ECO-5)

Urban Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Vacant

N

KUB

KUB

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

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

**SUBDIVISION REQUEST**

Related Rezoning File Number

Proposed Subdivision Name \_\_\_\_\_

Combine Parcels  
  Divide Parcel  
 Unit / Phase Number \_\_\_\_\_ Total Number of Lots Created \_\_\_\_\_

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

**ZONING REQUEST**

Pending Plat File Number

Zoning Change  
 upper portion from Agr. to CA  
 Proposed Zoning

Plan Amendment Change  
 GC on total acreage of  
 Proposed Plan Designation(s) both properties 10.24 acres  
 (approx)

Proposed Density (units/acre) \_\_\_\_\_ Previous Rezoning Requests \_\_\_\_\_

Other (specify) \_\_\_\_\_

**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
0327   1500.00	
Fee 2	
0527   800.00	
Fee 3	
	\$2300.00

**AUTHORIZATION**

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

*Wanis A. Rghebi*  
Applicant Signature

Wanis A. Rghebi

Please Print

11-29-20

Date

865-694-7756

Phone Number

wrghebi@sengconsultants.com

Email

*Sherry Muchenzi*  
Staff Signature

SHERRY MUCHENZI

Please Print

11-24-2020

Date



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### Letter Portrait

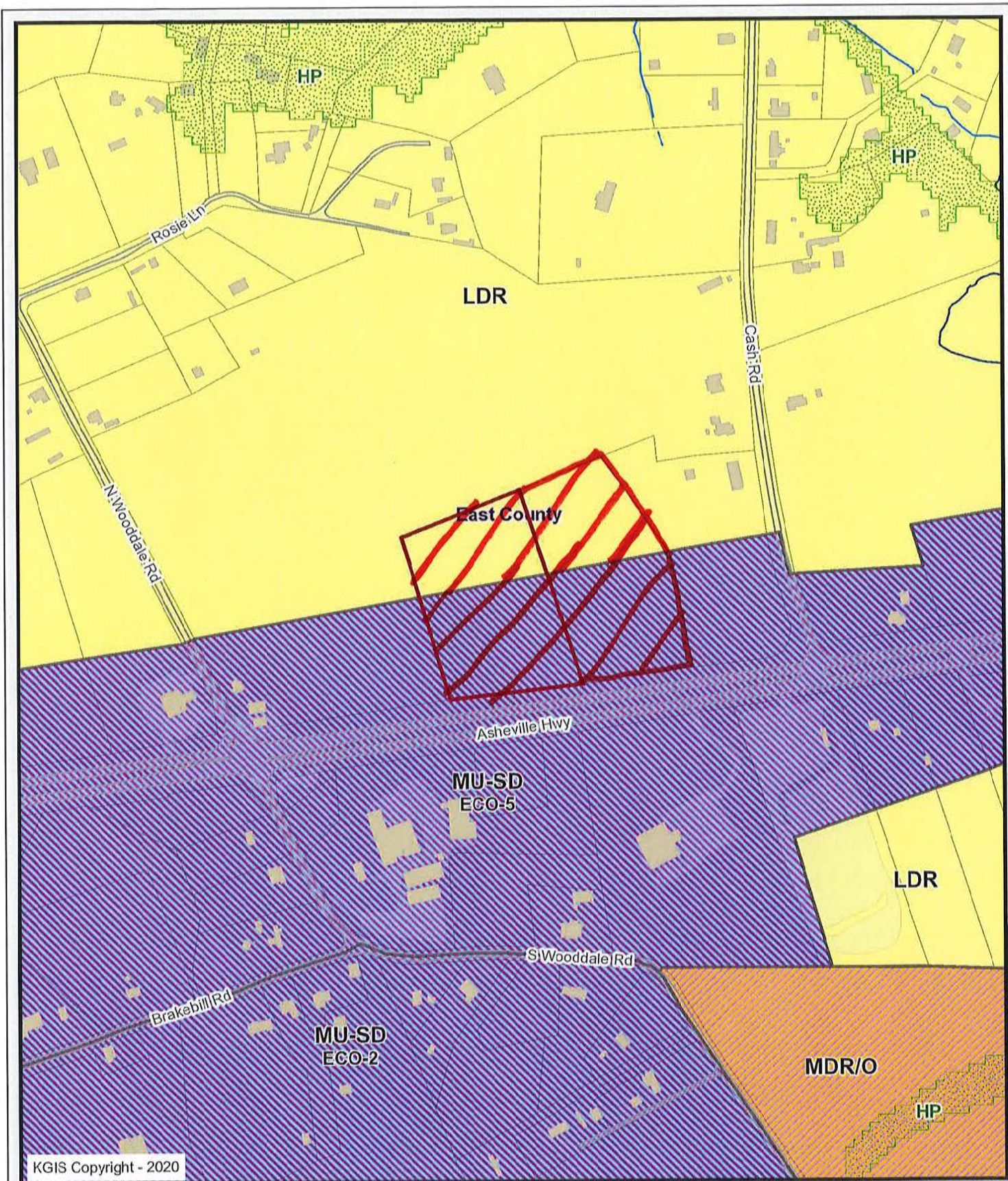
### Knoxville - Knox County - KUB Geographic Information System



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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

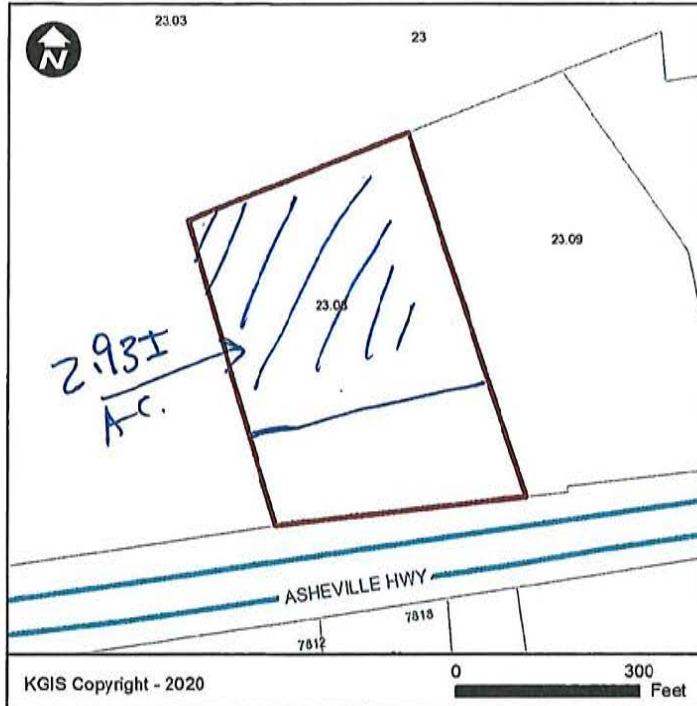
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ft

**Parcel 062 02308 - Property Map and Details Report**



**Property Information**

Parcel ID: 062 02308  
 Location Address: 0 ASHEVILLE HWY  
 CLT Map: 62  
 Insert:  
 Group:  
 Condo Letter:  
 Parcel: 23.08  
 Parcel Type: NORMAL  
 District: S8  
 Ward:  
 City Block:  
 Subdivision: DAVID LAMB PROPERTY  
 Rec. Acreage: 5.13  
 Calc. Acreage:  
 Recorded Plat: 20150605 - 0066827  
 Recorded Deed: 20150618 - 0069557  
 Deed Type: Deed:Full Coven  
 Deed Date: 6/18/2015

**Address Information**

Site Address: 0 ASHEVILLE HWY  
 KNOXVILLE - 37924  
 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: 76  
 Voting Location: Sunnyview School  
 412 BAGWELL RD  
 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**

VAULTON FAMILY HOLDING COMPANY LLC  
 7808 ASHEVILLE HWY  
 KNOXVILLE, TN 37924  
 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: 53.01  
 Planning Sector: East County  
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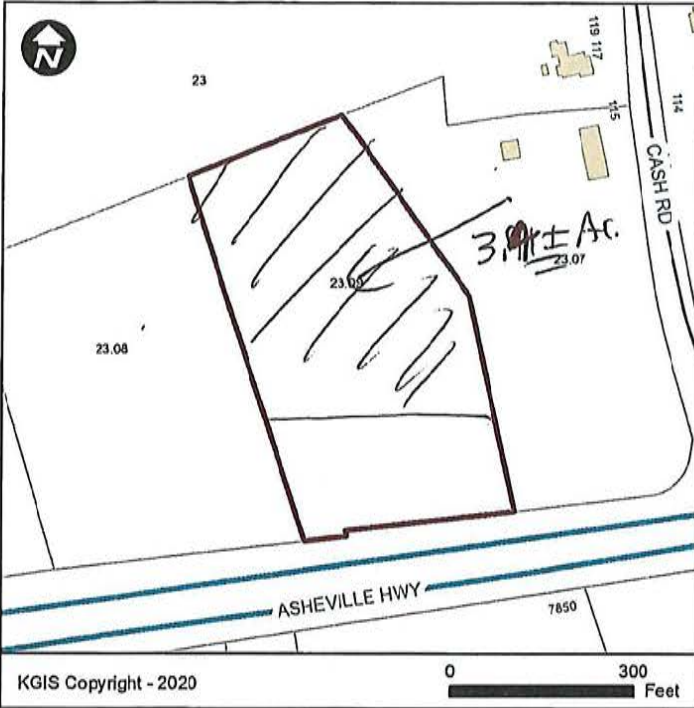
**School Zones**

Elementary: SUNNYVIEW PRIMARY  
 Intermediate: CHILHOWEE INTERMEDIATE  
 Middle: CARTER MIDDLE  
 High: CARTER HIGH  
 Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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