



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 11-M-20-RZ **AGENDA ITEM #:** 11
11-E-20-SP **AGENDA DATE:** 1/14/2021

POSTPONEMENT(S): 11/12/2020, 12/10/2020

▶ **APPLICANT:** PATRICIA NELSON
OWNER(S): Patricia Nelson

TAX ID NUMBER: 84 058 [View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 1630 Osborne Rd.

▶ **LOCATION:** South side of Osborne Road due north of Strawberry Plains Pike

▶ **TRACT INFORMATION:** 4.15 acres.

SECTOR PLAN: East County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Osborne Road, a major collector, with a pavement width of 17.4 feet within a right-of-way width of 60 feet.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Swan Pond Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / CA (General Business)

▶ **EXISTING LAND USE:** Wholesale

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

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Single family residential - LDR (Low Density Residential)
South: Agriculture/forestry/vacant - LDR (Low Density Residential)
East: Single family residential - LDR (Low Density Residential)
West: Single family residential - LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT: The area is primarily single-family residential uses and approximately 1/5 mile outside of the Strawberry Plains Pike / I-40 interchange.

STAFF RECOMMENDATION:

- ▶ **Deny GC (General Commercial) designation because it is not consistent with the surrounding development or zoning.**

- ▶ **Deny CA (General Business) zoning because it is not compatible with the sector plan and could create adverse impacts for the surrounding agricultural and low density residential area.**

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 changing conditions that warrant amendment of the land use plan at this location.

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

1. There are no new roads or utilities that were not anticipated and make commercial development more feasible at this location.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

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

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

1. There are no new trends in development or population in this area that warrants reconsideration of this area for commercial development.

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 are no changing conditions in this area that warrant a rezoning to commercial for this area.

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

1. The GC (General Business) zone district is for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.
2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development proposed at a future time would be compatible with the surrounding land uses.

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. A rezoning to CA (General Business) could allow for higher intensity land uses that could generate adverse impacts on adjacent low density residential properties.

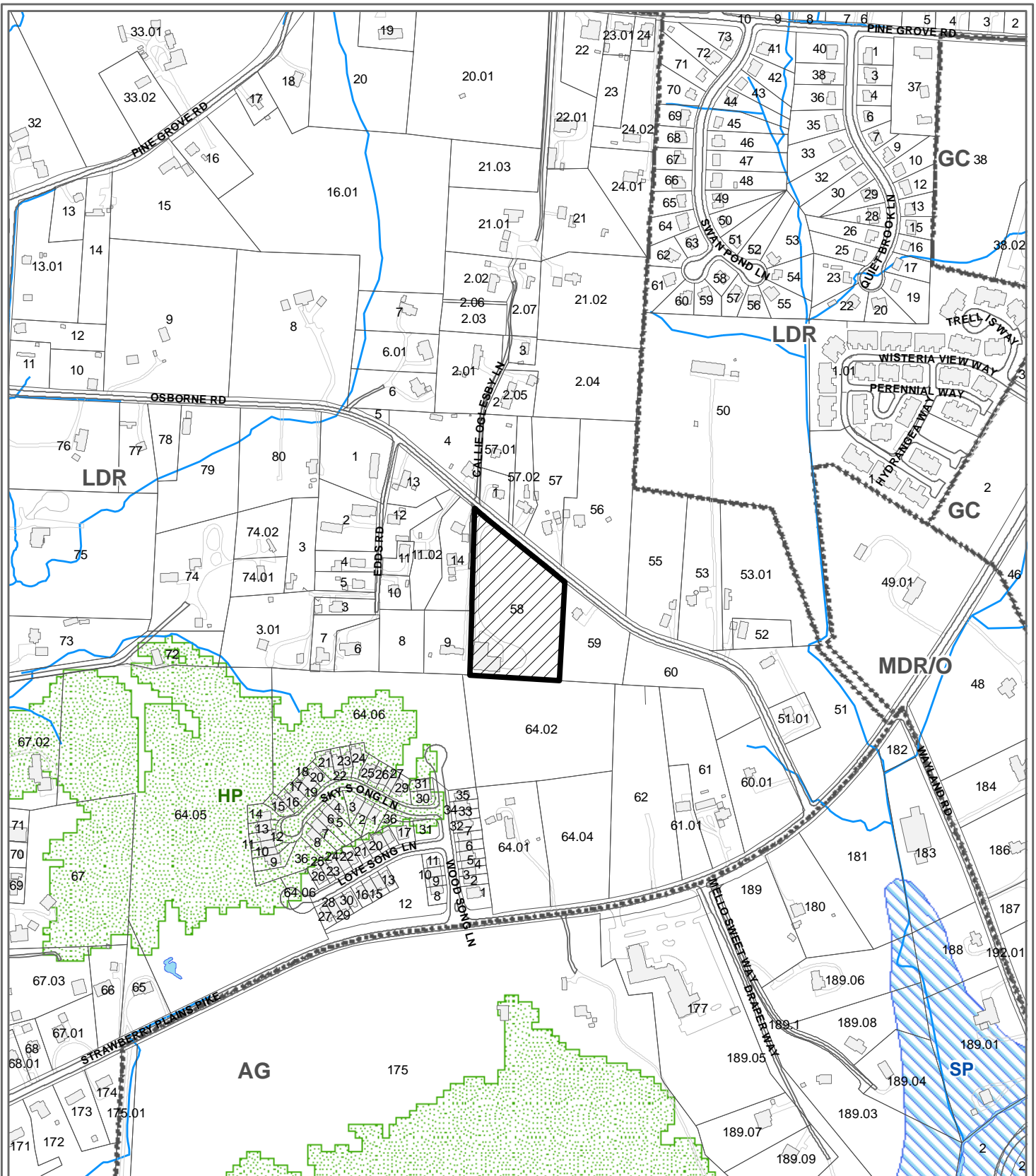
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The rezoning is not consistent with the East County Sector Plan, which is part of the General Plan.

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.



**11-E-20-SP / 11-M-20-RZ
EAST COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)
To: GC (General Commercial)



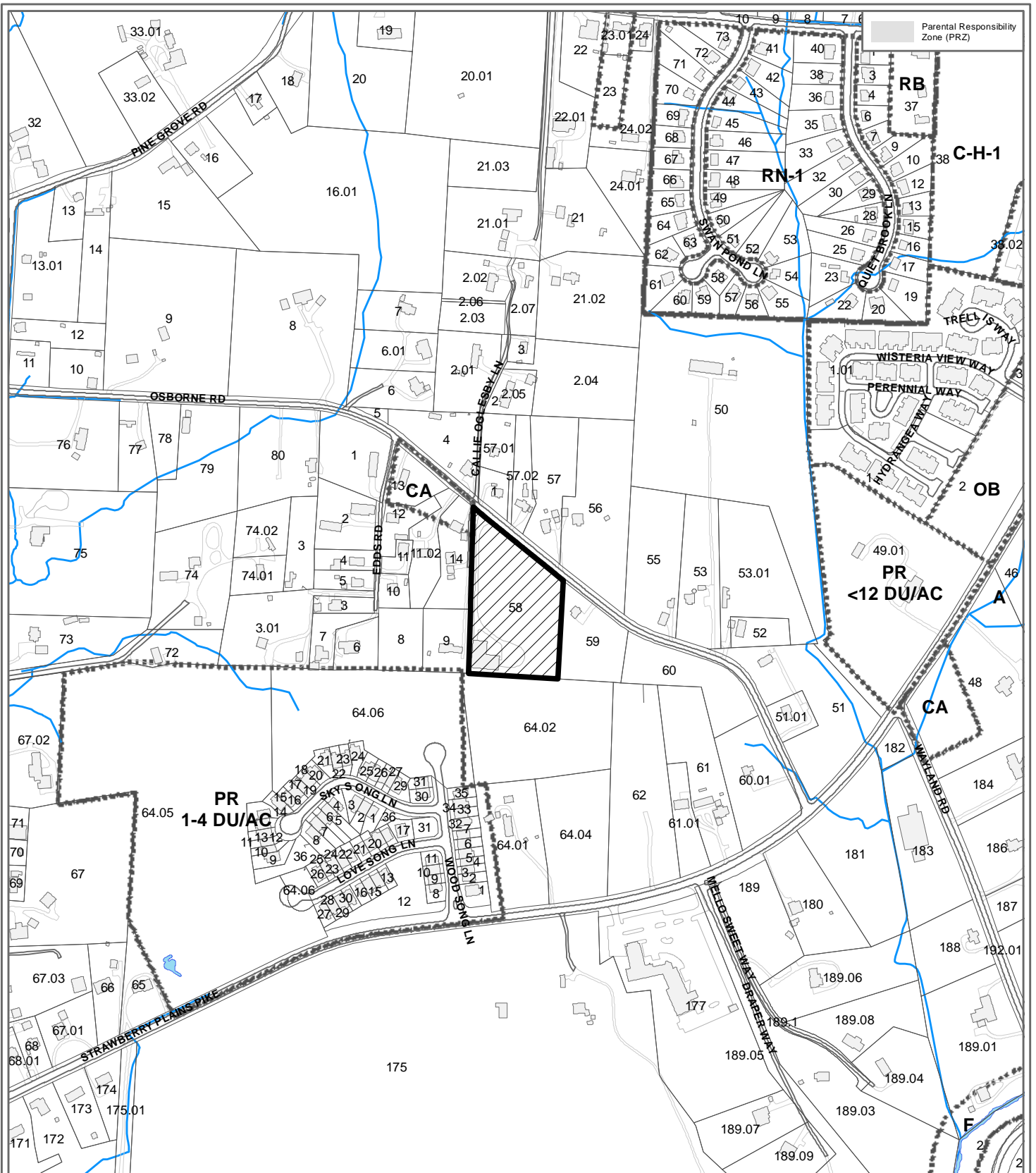
Petitioner: Nelson, Patricia

Map No: 84

Jurisdiction: County



Original Print Date: 10/20/2020 Revised:
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902



**11-M-20-RZ
REZONING**

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



Petitioner: Nelson, Patricia

Map No: 84

Jurisdiction: County



Original Print Date: 10/20/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. 11-M-20-RZ & 11-E-20-SP Contextual Images

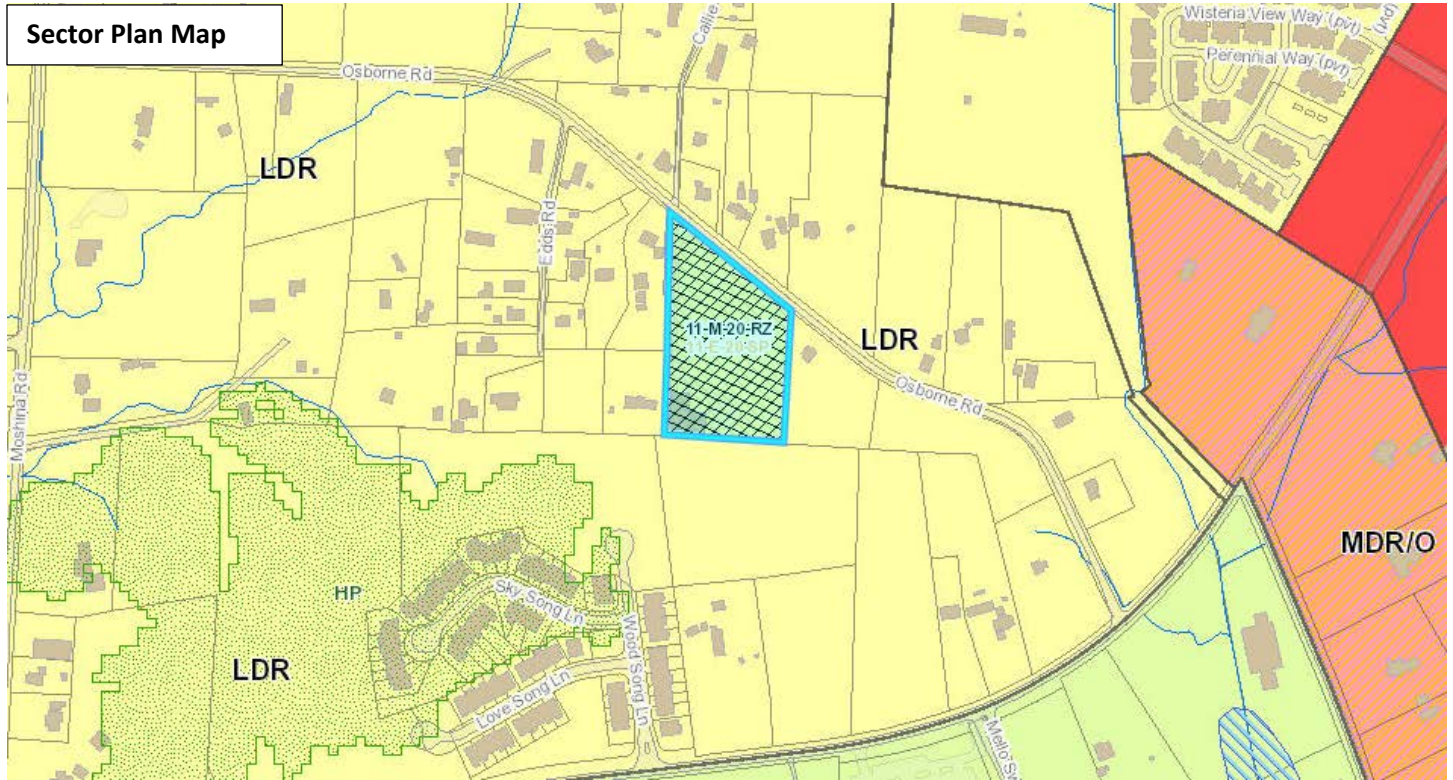
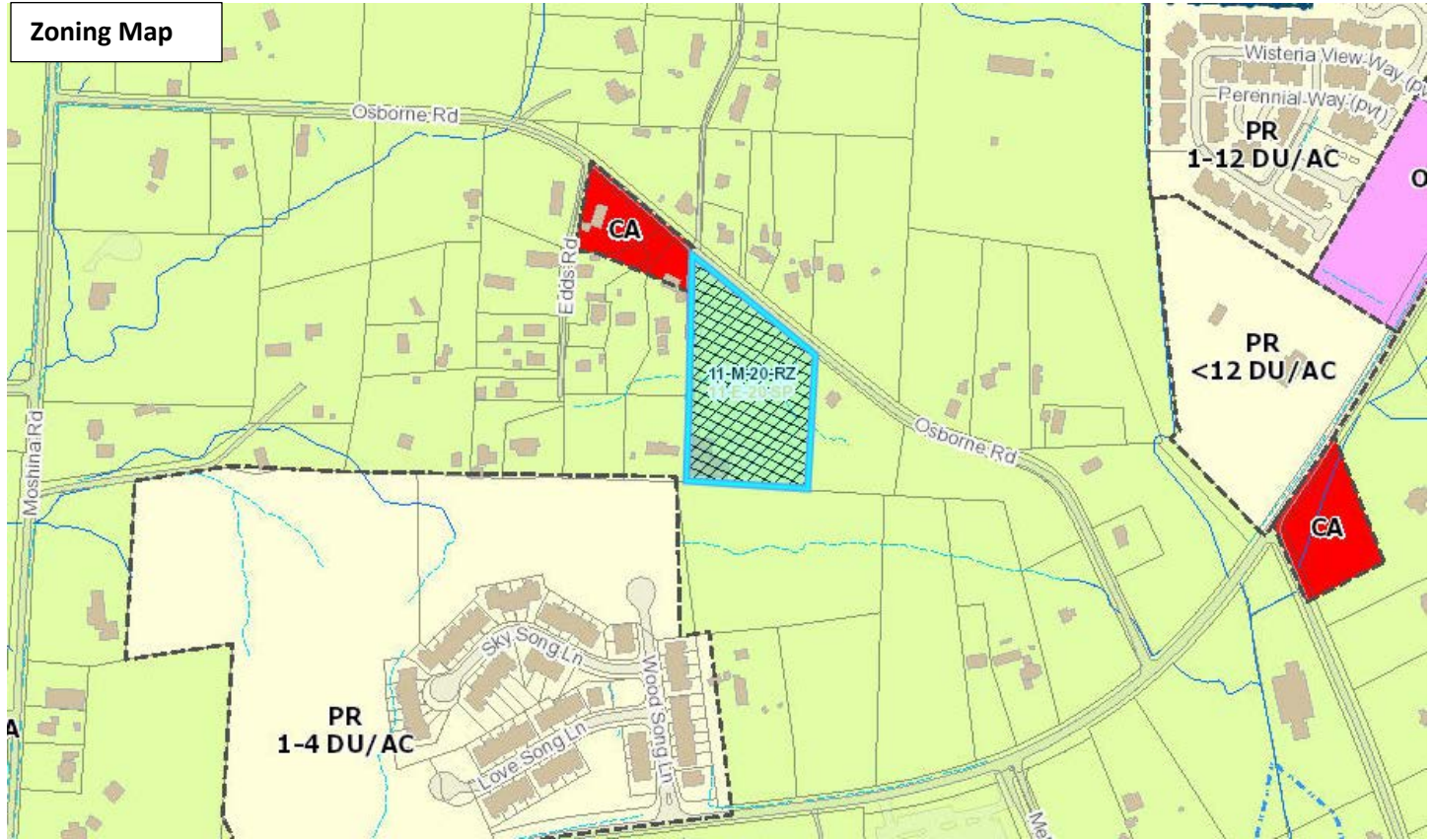
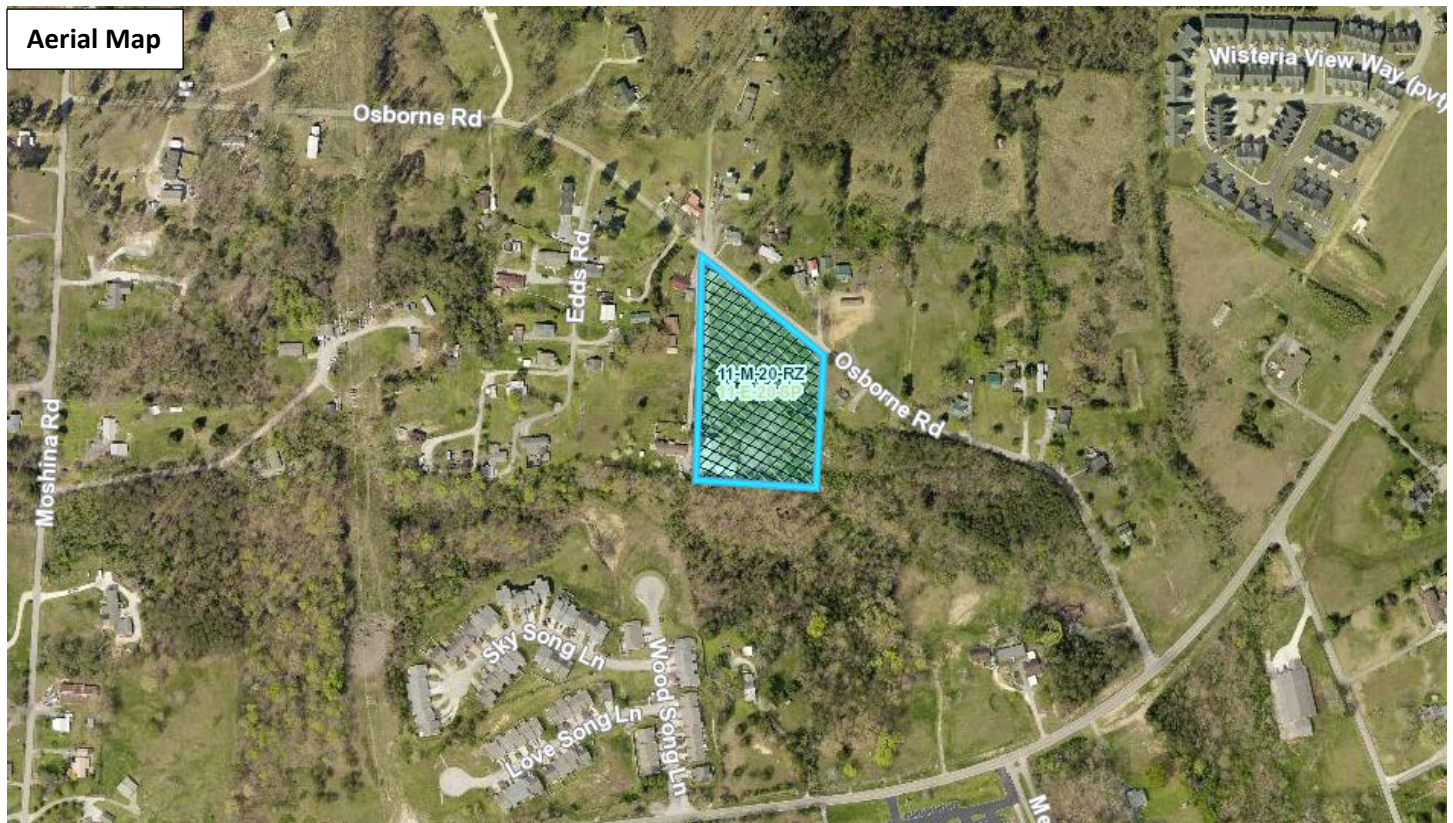
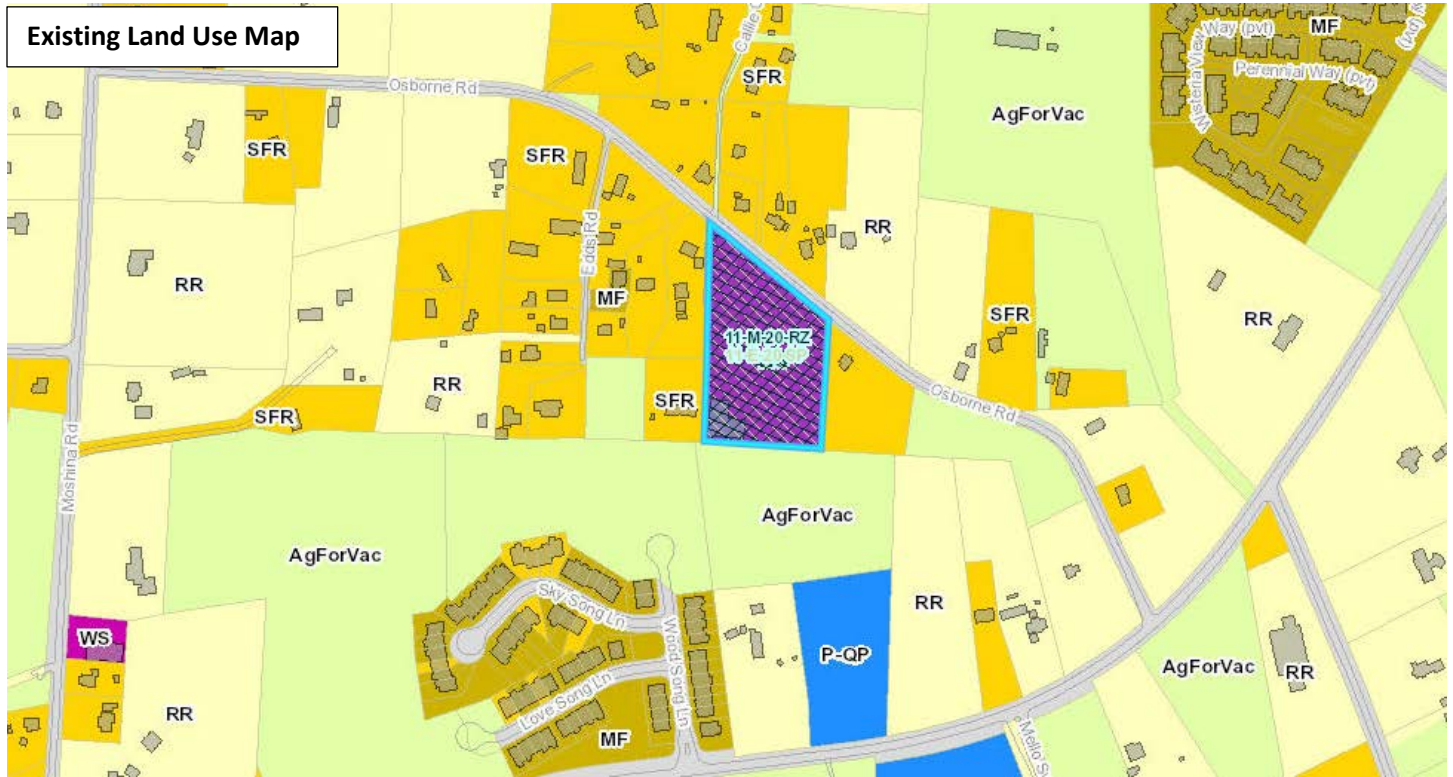


Exhibit A. 11-M-20-RZ & 11-E-20-SP Contextual Images





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

Patricia Nelson

Applicant Name

Affiliation

09/25/2020

11/12/2020

Date Filed

Meeting Date (if applicable)

File Number(s)

11-M-20-RZ

11-E-20-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

Patricia Nelson

Name

Company

1712 Osborne rd

knoxville

tn

37914

Address

City

State

ZIP

865-522-5960

jeremiah7878@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Patricia Nelson

1712 Osborne rd

865-522-5960

Owner Name (if different)

Owner Address

Owner Phone

1630 Osborne rd

084 058

Property Address

Parcel ID

STAFF USE ONLY

s/s Osborne Rd due north of Strawberry Plains Pike

4.15 ac.

General Location

Tract Size

8th

A

Jurisdiction (specify district above)

- City
- County

Zoning District

East County

LDR

Urban

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

Large structure

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

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

ca

Proposed Zoning

Plan Amendment Change

GC

Proposed Plan Designation(s)

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
0326	\$1,000	\$1,600.00
Fee 2		
0526	\$600.00	
Fee 3		

AUTHORIZATION

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

Patricia Nelson

Digitally signed by Patricia Nelson
DN: cn=Patricia Nelson, o, ou, email=jeremiah7878@gmail.com, c=US
Date: 2020.09.27 16:01:29 -04'00'

Patricia Nelson

09/25/2020

Applicant Signature

Please Print

Date

865-522-5960

jeremiah7878@gmail.com

Phone Number

Email

Marc Payne

Digitally signed by Marc Payne
Date: 2020.09.28 12:48:56 -04'00'

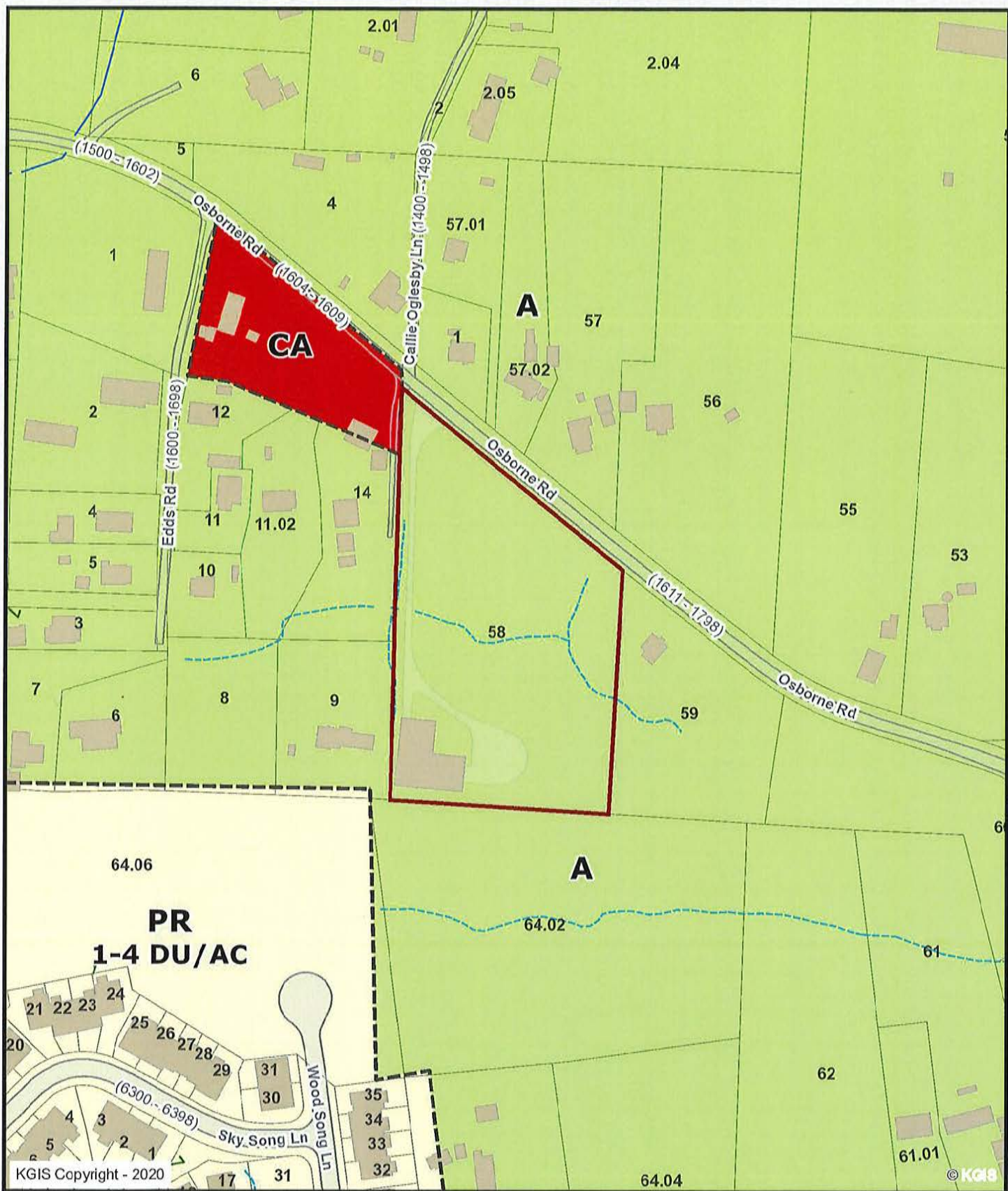
Marc Payne

9/28/2020

Staff Signature

Please Print

Date



Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 9/30/2020 at 9:14:08 AM



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