



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 5-C-21-RZ

AGENDA ITEM #: 17

5-A-21-SP

AGENDA DATE: 5/13/2021

► **APPLICANT:** CLARK CROSSING, LLC

OWNER(S): Glenda Jett

TAX ID NUMBER: 137 225 (PORTION OF)

[View map on KGIS](#)

JURISDICTION: Commission District 9

STREET ADDRESS: 7628 Chapman Hwy.

► **LOCATION:** **Northeast side of Chapman Hwy., northwest side of E. Marine Rd. & Kimberlin Heights Rd. intersection**

► **TRACT INFORMATION:** **0.56 acres. This rezoning & sector plan amendment is for a small portion of the Agricultural zone only**

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Chapman Highway, a TDOT controlled, a 4-lane major arterial with a pavement width of 79.2 feet within a right-of-way of 100 feet.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Burnett Creek

► **PRESENT PLAN DESIGNATION/ZONING:** **LDR (Low Density Residential)- small portion only / A (Agricultural) - small portion only**

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

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

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, GC is the south and the west

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Agriculture/forestry/vacant - GC (General Commercial), LDR (Low Density Residential)

ZONING South: Commercial, agriculture/forestry/vacant - GC (General Commercial)

East: Agriculture/forestry/vacant - LDR (Low Density Residential)

West: Commercial, agriculture/forestry/vacant - GC (General Commercial)

NEIGHBORHOOD CONTEXT: This area within a commercial corridor along Chapman Highway, within 200' of the roadway and within 0.20 miles of the commercial node with E. Governor John Sevier Highway. A mix of single family residential and large

STAFF RECOMMENDATION:

- ▶ **Approve GC (General Commercial) because it is a minor extension of the existing commercial node around the intersection of Chapman Highway and Governor John Sevier Highway.**

- ▶ **Approve CA (General Business) because it is a minor extension of the existing commercially zoned areas around the intersection of Chapman Highway and Governor John Sevier Highway.**

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. This area has been the focal point of new commercial activity in the South County Sector for the last decade.

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

1. No new roads have been introduced into this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The plan recognized the commercial node at this sector, this represents a minor expansion of the existing node.

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

1. Since 2010, 27% of commercial building activity in the South County sector has occurred around the intersection of Chapman Highway and Governor John Sevier 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.

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. This area has been the focal point of new commercial activity in the South County Sector for the last decade.

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

1. The CA (General Business) zone 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. The CA zone is often located at intersections between arterial and collector roads and along some highway corridors.
3. The CA zone is a lesser intense commercial zone than the CB (Business and Manufacturing) zone, which generally attracts large volumes of traffic and may have adverse effects on surrounding properties.

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. This amendment is a minor extension of 0.56 acres of existing CA zoning.

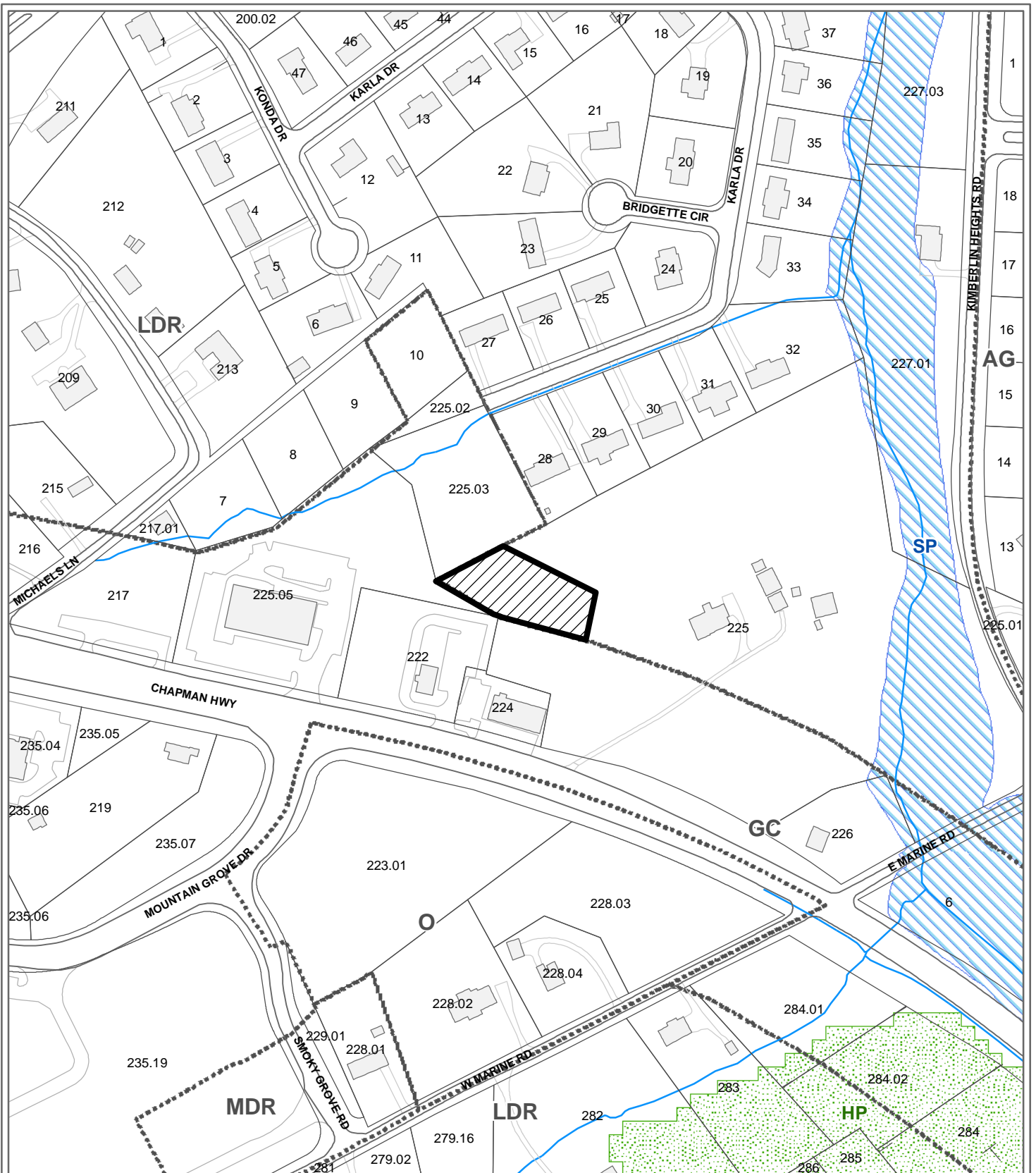
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. This amendment is consistent with and not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

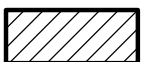
If approved, this item will be forwarded to Knox County Commission for action on 6/28/2021. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**5-A-21-SP / 5-C-21-RZ
SOUTH COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)- small portion only

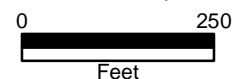
To: GC (General Commercial)



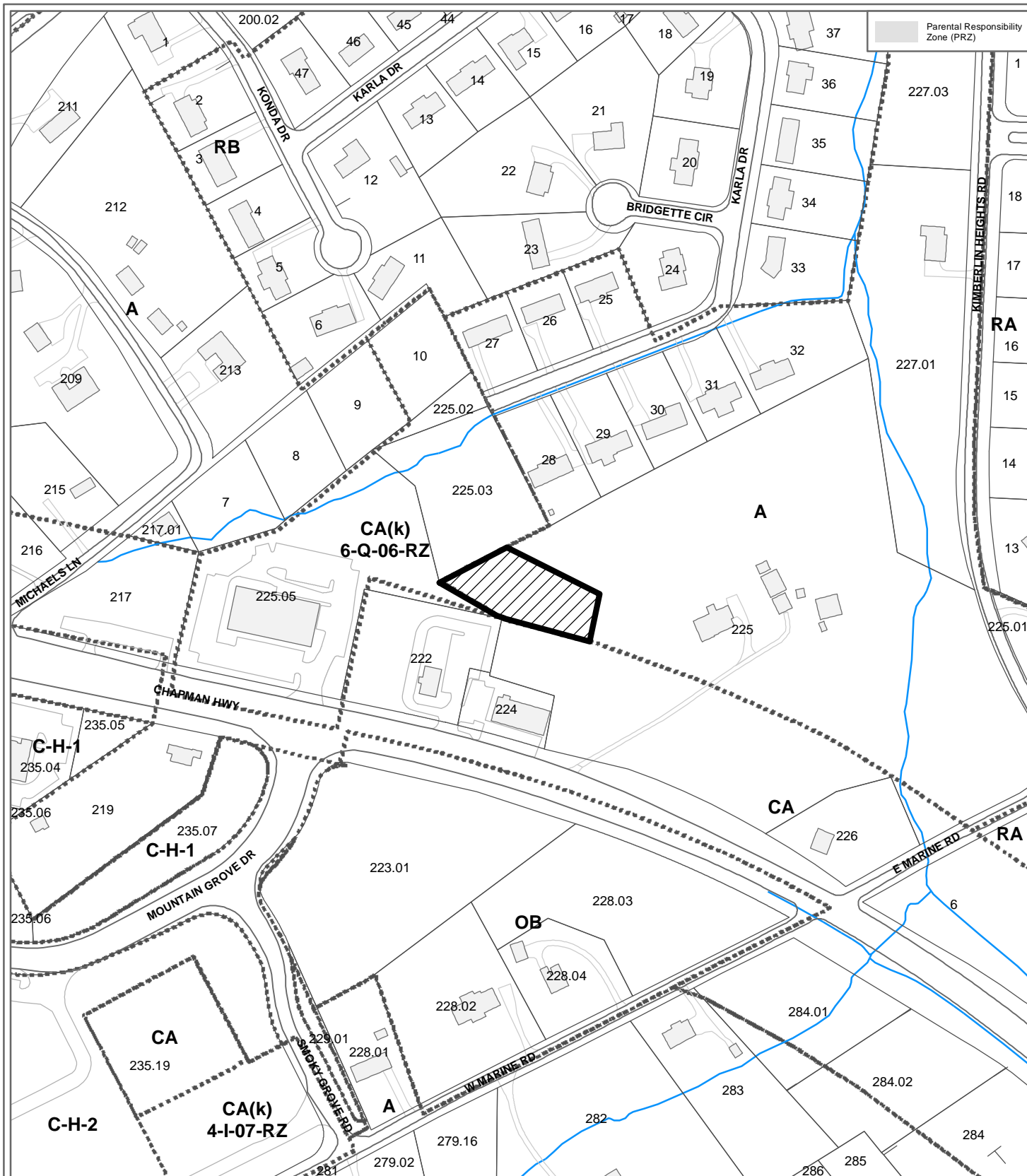
Petitioner: Clark Crossing, LLC

Map No: 137

Jurisdiction: County



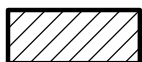
Original Print Date: 4/7/2021
Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



**5-C-21-RZ
REZONING**

From: A (Agricultural) - small portion only

To: CA (General Business)



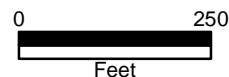
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Revised:

Petitioner: Clark Crossing, LLC

Map No: 137

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***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTH 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 South 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, Clark Crossing, LLC has submitted an application for an amendment to the South County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Low Density Residential to General Commercial 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 13, 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 South County Sector Plan, with its accompanying staff report and map, file #5-A-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. 5-C-21-RZ / 5-A-21-SP Contextual Images

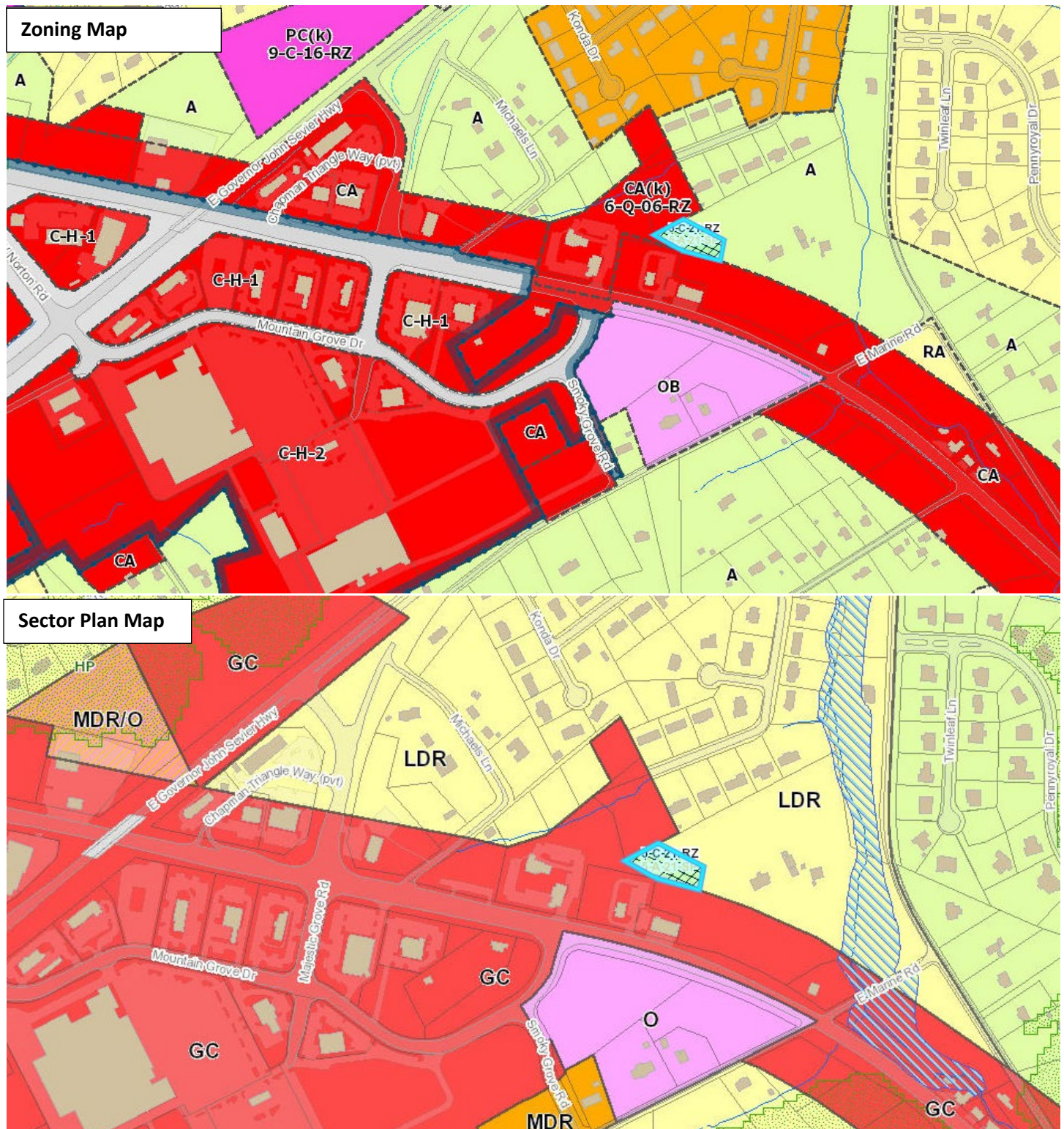


Exhibit B. 5-C-21-RZ / 5-A-21-SP Contextual Images

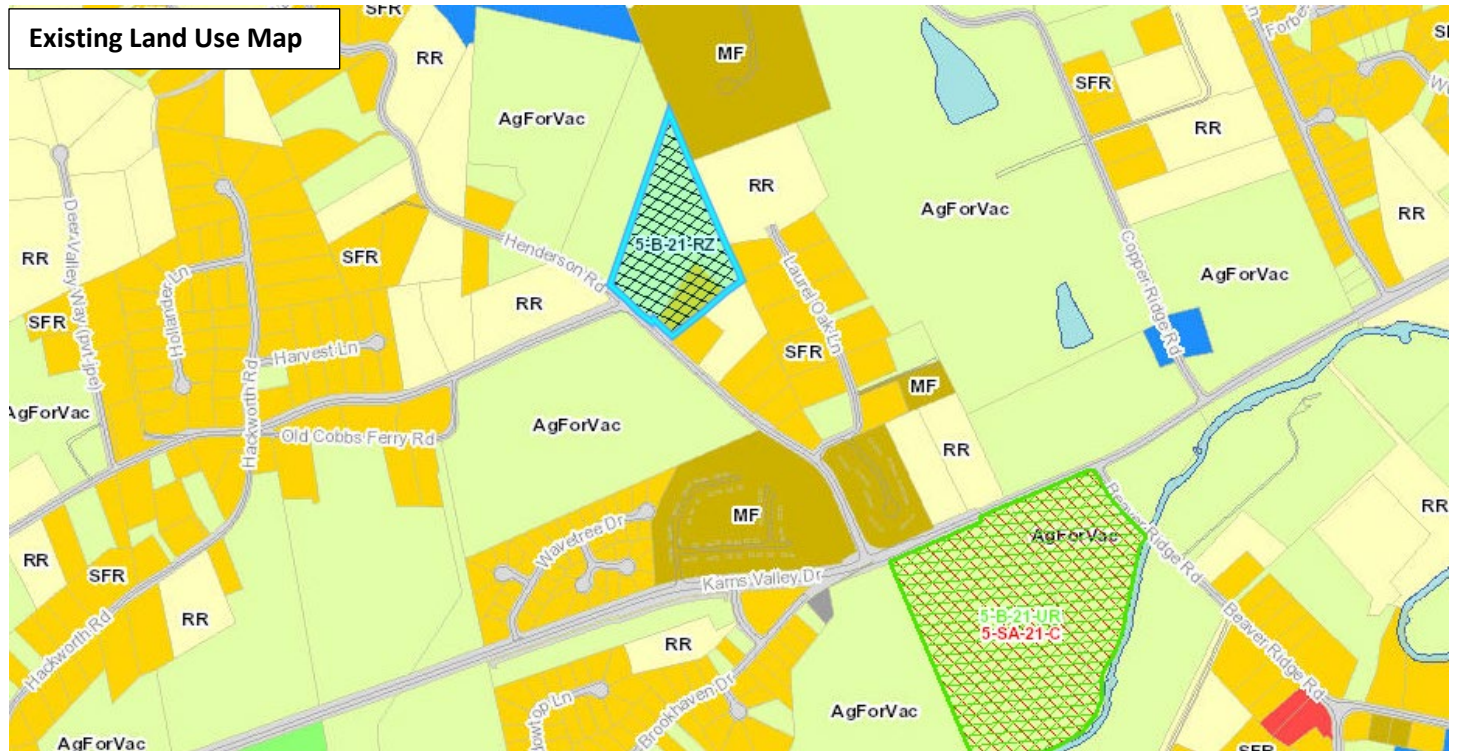
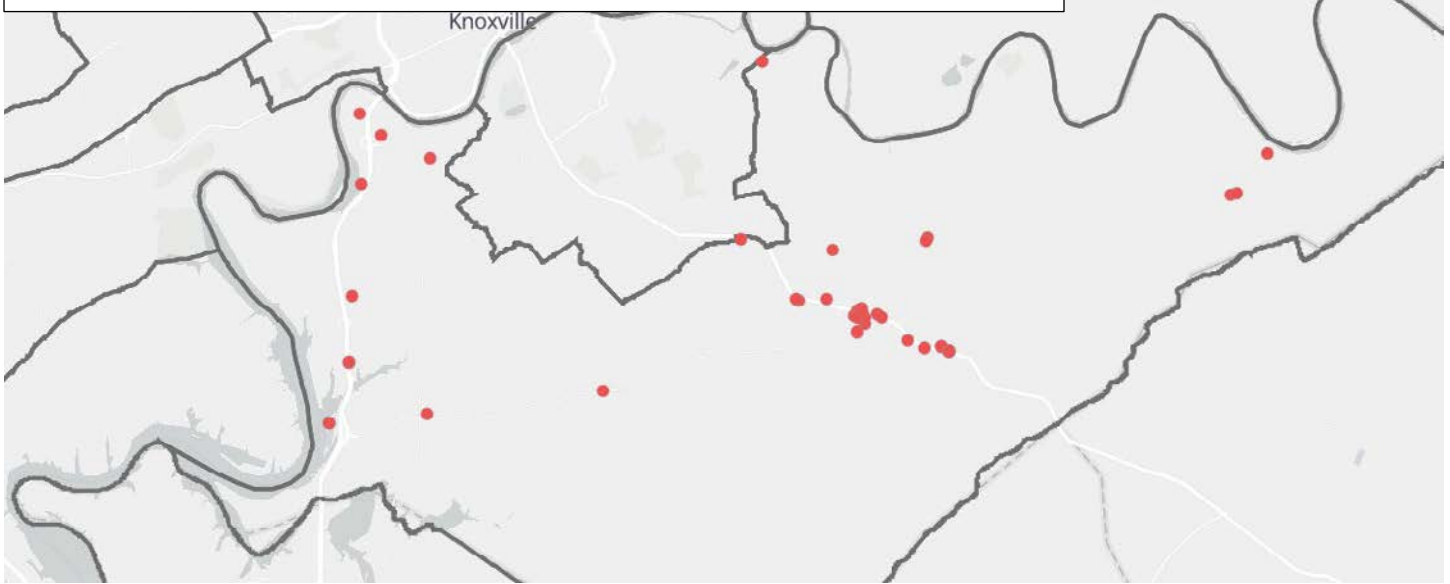
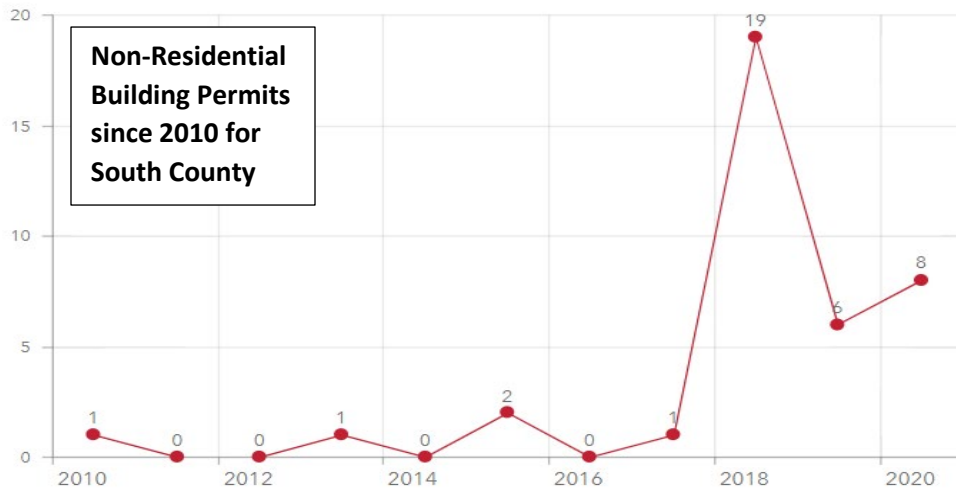


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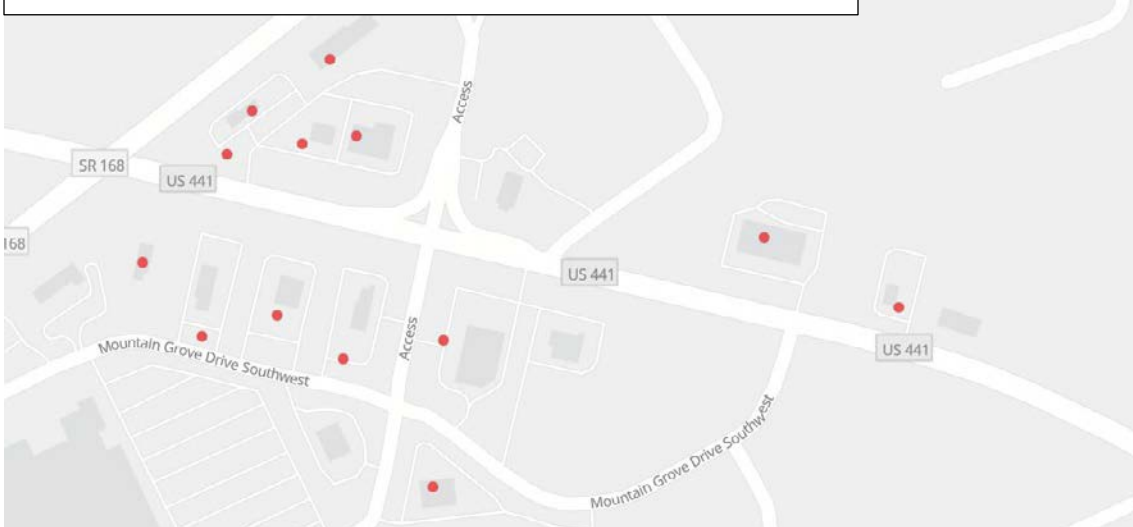
Development Activity for Commercial Development since 2010 for South County



Non-Residential Building Permits since 2010 for South County



Intersection of Chapman Highway/Governor John Sevier Highway





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

Clark Crossing, LLC

Option Holder

Applicant Name

Affiliation

March 23, 2021

May 13, 2021

File Number(s)

Date Filed

Meeting Date (if applicable)

5-C-21-RZ

5-A-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

John R. Anderson, P.E.

SITE, Inc.

Name

Company

10215 Technology Drive, Suite 304

Knoxville

TN

37932

Address

City

State

ZIP

865-777-4165

janderson@site-incorporated.com

Phone

Email

CURRENT PROPERTY INFO

Glenda Jett

7628 Chapman Hwy

865-577-9655

Owner Name (if different)

Owner Address

Owner Phone

7628 Chapman Hwy

137 225

(portion of)

Property Address

Parcel ID

Knox Chapman

Knox Chapman

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northeast side Chapman Hwy., northwest of E. Marine Rd. &

0.56 acres

General Location

Kimberlin Heights Rd. intersection

Tract Size

☐ City ☒ County

9th
District

A portion only

Zoning District

Vacant

Existing Land Use

South County

Planning Sector

LDR portion only

Sector Plan Land Use Classification

Planned

Growth Policy Plan Designation

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

Unit / Phase Number

- ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify)☐ Attachments / Additional Requirements**ZONING REQUEST**

Pending Plat File Number

- ☒ Zoning Change **CA**
Proposed Zoning
☒ Plan Amendment Change **GC**
Proposed Plan Designation(s)

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

0326

1000.00

Fee 2

0526

600.00

Fee 3

\$1600.00

AUTHORIZATION

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



Clark Crossing, LLC

3/23/2021

Applicant Signature

Please Print

Date

404-643-2441

BEAD@WESTBROOKRE.COM

Phone Number

Email



Sherry Michienzi

3/23/2021

Staff Signature

Please Print

Date