



PLAN AMENDMENT REPORT

▶ **FILE #:** 11-D-21-SP **AGENDA ITEM #:** 10

AGENDA DATE: 11/10/2021

▶ **APPLICANT:** KNOXVILLE-KNOX COUNTY PLANNING

OWNER(S): Frank Aparicio

TAX ID NUMBER: 150 020

[View map on KGIS](#)

JURISDICTION: Commission District 9

STREET ADDRESS: 9109 Chapman Hwy.

▶ **LOCATION:** West side of Chapman Highway, south of Simpson Road

▶ **APPX. SIZE OF TRACT:** 12.37 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Chapman Highway, a major arterial 4-lane highway with 45' of pavement within a 100-ft ROW.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Hinds Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) & HP (Hillside Protection) / PR (Planned Residential)

▶ **PROPOSED PLAN DESIGNATION:** MDR (Medium Density Residential) & HP (Hillside Protection)

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

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: Property was zoned CA in 1998 (8-A-98-RZ), then rezoned in 2002 to PR at 1-10 du/ac (2-E-02-RZ)

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Office / LDR (Low Density Residential) and HP (Hillside Protection)

South: Agricultural/forestry/vacant and single-family residence/ A (Agricultural), GC (General Commercial) and HP (Hillside Protection)

East: Commercial and light industrial uses/ GC (General Commercial) and HP (Hillside Protection)

West: Rural residential/ A (Agricultural) and HP (Hillside Protection)

NEIGHBORHOOD CONTEXT This property is located at the southern end of the Chapman Highway corridor near the Knox/Blount County line, among a mix of rural residential, commercial and light industrial development.

STAFF RECOMMENDATION:

- ▶ **Approve the South County Sector Plan amendment to MDR (Medium Density Residential) and HP (Hillside Protection) because of an error in the 2012 plan.**

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 significant changes in conditions in the area.

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

1. There are no significant new roads or utilities in the area that were not anticipated in the plan.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

Two errors have occurred in the designation of land use and zoning for this property:

1. Sector plan amendments have been required since 2001. When the property was rezoned in February 2002 from Commercial to Planned Residential, there should have been a corresponding amendment to the 2002 South County Sector Plan (adopted by the Planning Commission in January 2002).
2. When the most recent South County Sector Plan was adopted in 2012, the property had already been rezoned to Planned Residential allowing up to 10 du/ac. The sector plan should have designated this property as MDR (Medium Density Residential) rather than LDR (Low Density Residential) to recognize the full range of allowable residential intensity.

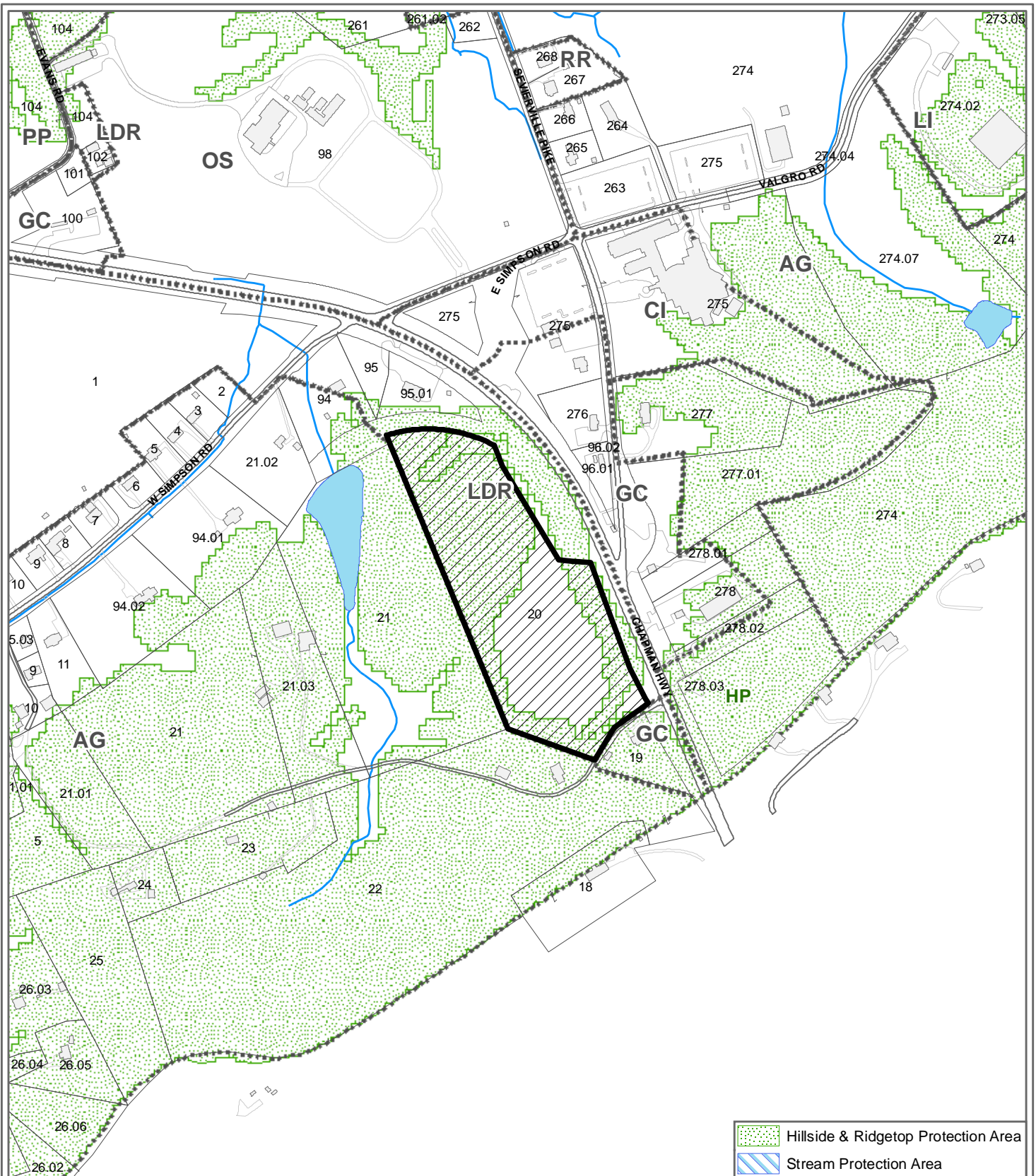
TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:



1. There are no notable trends in development, population or traffic.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 12/20/2021. 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.



 Hillside & Ridgetop Protection Area
 Stream Protection Area

**11-D-21-SP
SOUTH COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential) & HP (Hillside Protection)

To: MDR (Medium Density Residential) & HP (Hillside Protection)



Petitioner: Knoxville-Knox County Planning

Map No: 150

Jurisdiction: County



Original Print Date: 10/13/2021 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

***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, Knoxville-Knox County Planning 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 and Hillside Protection to Medium Density Residential and Hillside Protection consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, is warranted because of changing conditions in the sector as enumerated in the Plan; or is necessary to address an obvious error or omission in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing on November 10, 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 #11-D-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



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

Knoxville-Knox County Planning

Applicant Name		Affiliation
9/30/2021	11/10/2021	File Number(s) 11-D-21-SP
Date Filed	Meeting Date (if applicable)	

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

Knoxville-Knox County Planning

Name	Company		
400 Main Street, Suite 403	Knoxville	TN	37902
Address	City	State	ZIP
865-215-2500	jeanne.stevens@knoxplanning.org		
Phone	Email		

CURRENT PROPERTY INFO

Frank Aparicio	P.O. Box 477 Pigeon Forge, TN 37868	(865) 453-1665
Owner Name (if different)	Owner Address	Owner Phone
9109 Chapman Hwy, Knoxville, TN 37920	150 020	
Property Address	Parcel ID	
KUB	Knox-Chapman	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

West side of Chapman Hwy, south of Simpson Rd		12.37 ac
General Location		Tract Size
<input type="checkbox"/> City <input checked="" type="checkbox"/> County	9th District	PR 1-10 du/ac
	Zoning District	vacant
South County	LDR and HP	Planned Growth
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

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

Proposed Zoning _____

Plan Amendment Change

MDR & HP

Proposed Plan Designation(s)
2-E-02-RZ

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

Other (specify) _____

Pending Plat File Number

11-SD-21-C

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 \$0
Fee 2		
Fee 3		

AUTHORIZATION

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

Applicant Signature

865-215-2500

Phone Number

Jeanne Stevens, AICP

Staff Signature

Knoxville-Knox County Planning

Please Print

jeanne.stevens@knoxplanning.org

Email

Jeanne Stevens

Please Print

9/30/2021

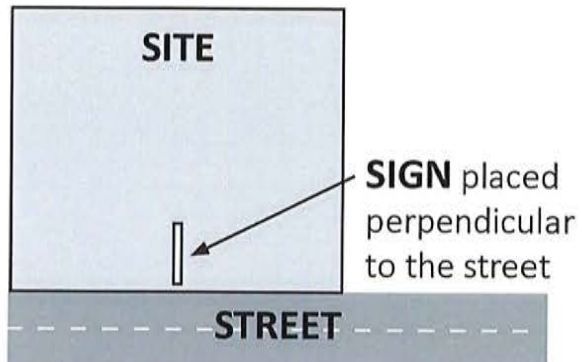
Date

9/30/2021

Date

Digitally signed by Jeanne Stevens, AICP
Date: 2021.10.01 09:32:57 -04'00'

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

Oct. 26th and Nov 11th
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Knoxville-Knox County Planning

Date: 10-4-21

File Number: 11-D-21-SP

- Sign posted by Staff
 Sign posted by Applicant