



PLAN AMENDMENT REPORT

► **FILE #:** 10-B-21-SP

AGENDA ITEM #: 8

AGENDA DATE: 10/14/2021

► **APPLICANT:** **LEN JOHNSON**
OWNER(S): Sam Toba

TAX ID NUMBER: 109 K C 002

[View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 3613 Sevierville Pk.

► **LOCATION:** **South side of Sevierville Pike, southwest of intersection of Sevier Avenue and Lancaster Drive**

► **APPX. SIZE OF TRACT:** **6650 square feet**

SECTOR PLAN: South City

GROWTH POLICY PLAN:

ACCESSIBILITY: Access is via Sevierville Pike, a major collector, with a pavement width of 28-ft within a right-of-way width of 60-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Baker Creek

► **PRESENT PLAN AND ZONING DESIGNATION:** **LDR (Low Density Residential) / RN-2 (Single-Family Residential Neighborhood)**

► **PROPOSED PLAN DESIGNATION:** **NC (Neighborhood Commercial)**

► **EXISTING LAND USE:** **Single family residential**

EXTENSION OF PLAN DESIGNATION: Yes, NC and C-N is adjacent to the east at the intersection of Sevierville Pike and Lancaster Drive.

HISTORY OF REQUESTS: No noted.

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Commercial / NC (Neighborhood Commercial) / C-N (Neighborhood Commercial)

South: Single family residential / LDR (Low Density Residential) / RN-2 (Single-Family Residential Neighborhood)

East: Commercial / NC (Neighborhood Commercial) / C-N (Neighborhood Commercial)

West: Single family residential / LDR (Low Density Residential) / RN-2 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT This is a neighborhood commercial node with surrounding single family and multi-family residential uses extending around the commercially zoned areas.

STAFF RECOMMENDATION:

- **Approve the South City Sector Plan amendment for NC (Neighborhood Commercial) land use classification because it is a minor extension of an existing neighborhood commercial node.**

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 is serviced by sidewalks, and the pedestrian facility network is continuing to grow. Sidewalk improvements are proposed with a bid date of spring 2022 for Lancaster Drive from Sevierville Pike to Tilson Street, which will eventually connect this area to the Baker Creek Preserve.
2. This area is becoming more walkable, particularly as the Urban Wilderness Gateway Park is built out which lies within a 1/4 mile of the neighborhood commercial node.

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

1. This node is well served by utilities and roads. It is on the KAT bus route 40 and within a 1/4 mile of a park and the extensive and growing trail network of the Urban Wilderness.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is no obvious or significant error in the plan, however, the NC land use classification could have been extended to this parcel to square up the commercial node at this location.

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

1. The population of Knoxville continues to grow, as does the demand for walkable neighborhood commercial uses. These are particularly warranted at the intersection of collector roads where there are existing commercial uses that are central to the neighborhood, accessible by transit and sidewalks.

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.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/16/2021 and 11/30/2021. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 10-A-21-RZ

AGENDA ITEM #: 8

10-B-21-PA

AGENDA DATE: 10/14/2021

► **APPLICANT:** LEN JOHNSON

OWNER(S): Sam Toba

TAX ID NUMBER: 109 K C 002

[View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 3613 Sevierville Pk.

► **LOCATION:** South side of Sevierville Pike, southwest of intersection of Sevier Avenue and Lancaster Drive

► **TRACT INFORMATION:** 6650 square feet.

SECTOR PLAN: South City

GROWTH POLICY PLAN:

ACCESSIBILITY: Access is via Sevierville Pike, a major collector, with a pavement width of 28-ft within a right-of-way width of 60-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Baker Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RN-2 (Single-Family Residential Neighborhood)

► **PROPOSED PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / C-N (Neighborhood Commercial)

► **EXISTING LAND USE:** Single family residential

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, NC and C-N is adjacent to the east at the intersection of Sevierville Pike and Lancaster Drive.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Commercial / NC (Neighborhood Commercial) / C-N (Neighborhood Commercial)

ZONING South: Single family residential / LDR (Low Density Residential) / RN-2 (Single-Family Residential Neighborhood)

East: Commercial / NC (Neighborhood Commercial) / C-N (Neighborhood Commercial)

West: Single family residential / LDR (Low Density Residential) / RN-2 (Single-Family Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This is a neighborhood commercial node with surrounding single family and

STAFF RECOMMENDATION:

- ▶ **Approve the One Year Plan amendment to NC (Neighborhood Commercial) because it is a minor extension of an existing neighborhood commercial node.**

- ▶ **Approve C-N (Neighborhood Commercial) zoning because it would allow for additional commercial development at an existing walkable commercial node.**

COMMENTS:

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

AN ERROR IN THE PLAN:

1. This minor extension of the Neighborhood Commercial land use classification at this intersection squares up the node on the One Year Plan map.

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

1. The sidewalk and trail network has grown significantly in the last decade in South Knoxville, with additional improvements in the park system also anticipated with the creation of the Urban Wilderness Gateway Park within 1/4 mile of this intersection.
2. Additional sidewalk improvements are planned along Lancaster Drive.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There has been no change in public policy that would trigger the need for a plan amendment, However, there is a growing trend in development to provide for walkable neighborhood commercial uses both nationwide and in Knoxville.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. No new information has become available to reveal the need for a plan amendment.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. The demand for walkable neighborhoods is increasing throughout the City of Knoxville.
2. The sidewalk and trail network has grown significantly in the last decade in South Knoxville, with additional improvements in the park system such as the creation of the Urban Wilderness Gateway Park within 1/4 mile of this intersection.

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

1. The C-N Neighborhood Commercial Zoning District is intended to provide for an environment of integrated residential development and small-scale commercial and service uses, predominantly serving nearby residential neighborhoods.
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. This is a minor extension of the C-N zone district at this intersection and is approximately 6,500 sq. ft. adjacent lot. It is not expected to cause any adverse impacts.
2. The property is adjacent to existing C-N zoning as well as residential properties. The C-N zone only permits lesser intense commercial uses than the other commercial zone districts because C-N is intended to be

located in close proximity to residential areas.

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 proposed amendment to the South City Sector Plan amending this parcel supports the minor extension of the C-N zone district.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/16/2021 and 11/30/2021. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.

***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTH CITY 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 City 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, Len Johnson has submitted an application for an amendment to the South City 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 Neighborhood 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 October 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 South City Sector Plan, with its accompanying staff report and map, file #10-B-21-SP.

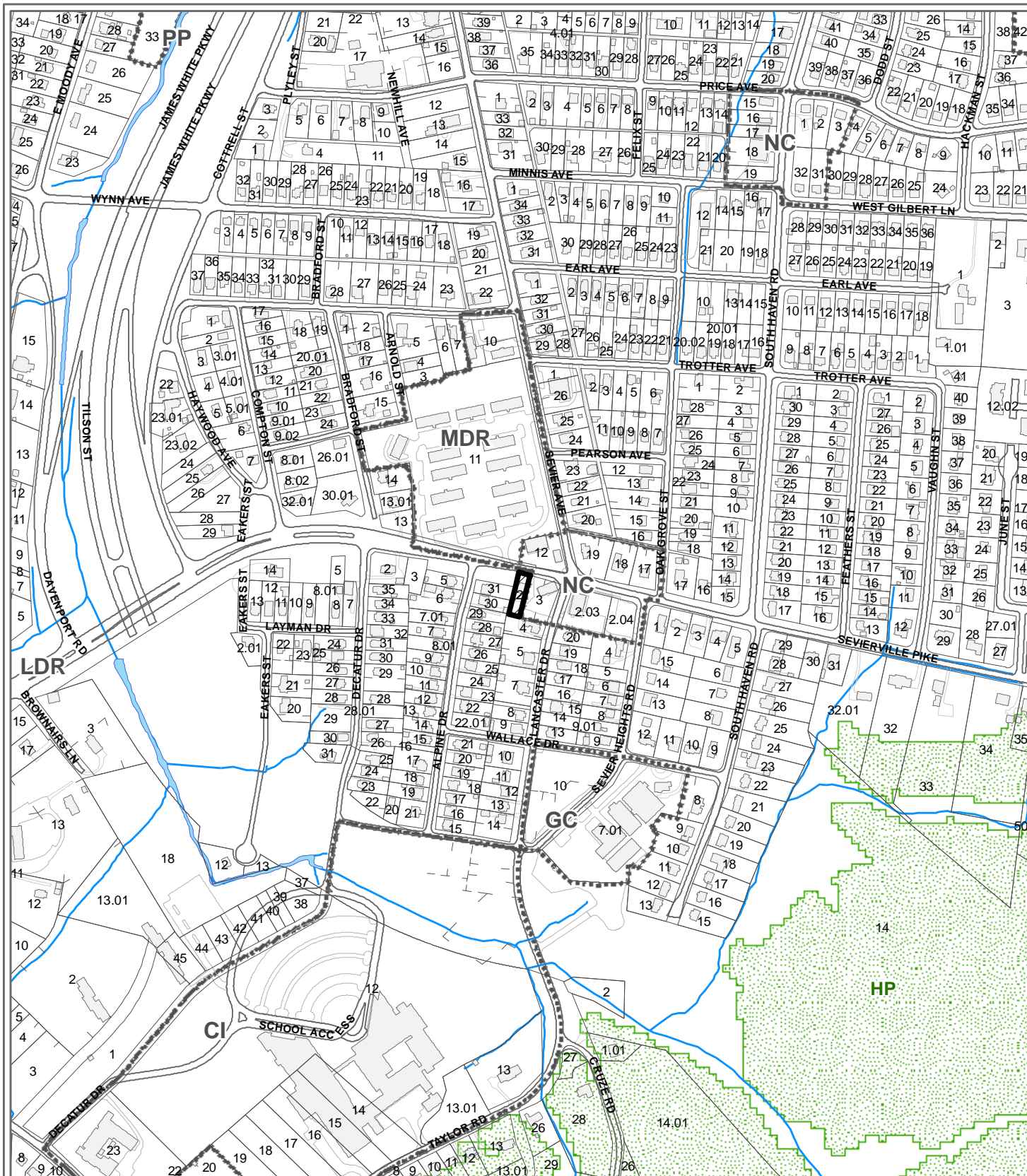
SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary



10-B-21-SP / 10-A-21-RZ
SOUTH CITY SECTOR PLAN AMENDMENT

From: LDR (Low Density Residential)

To: NC (Neighborhood Commercial)

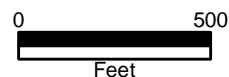


Original Print Date: 9/8/2021
 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

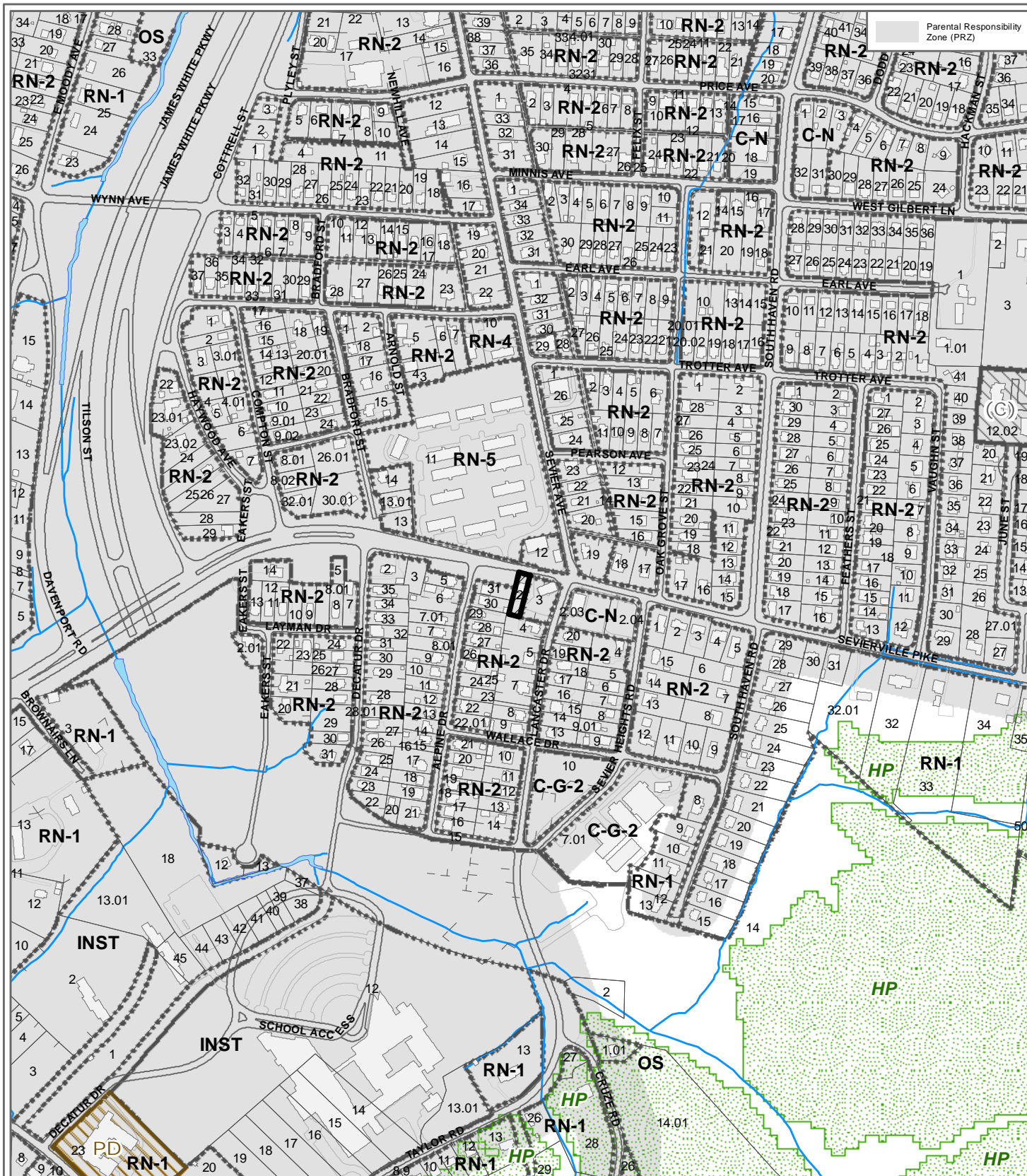
Petitioner: Johnson, Len

Map No: 109

Jurisdiction: City







10-A-21-RZ REZONING

From: RN-2 (Single-Family Residential Neighborhood)

To: C-N (Neighborhood Commercial)



Original Print Date: 9/8/2021
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Johnson, Len

Map No: 109

Jurisdiction: City

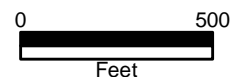


Exhibit B. 10-A-21-RZ / 10-B-21-PA / 10-B-21-SP Contextual Images

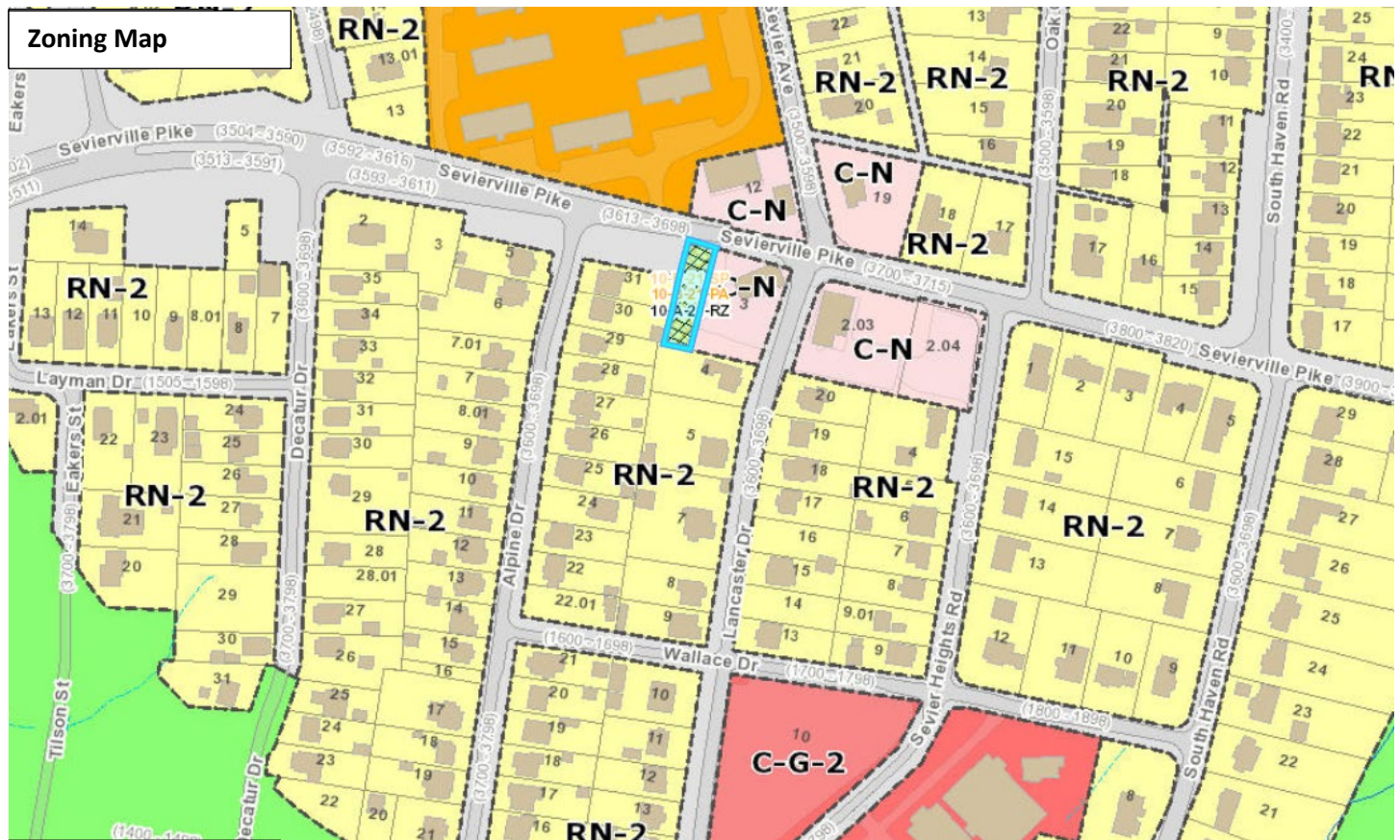


Exhibit B. 10-A-21-RZ / 10-B-21-PA / 10-B-21-SP Contextual Images

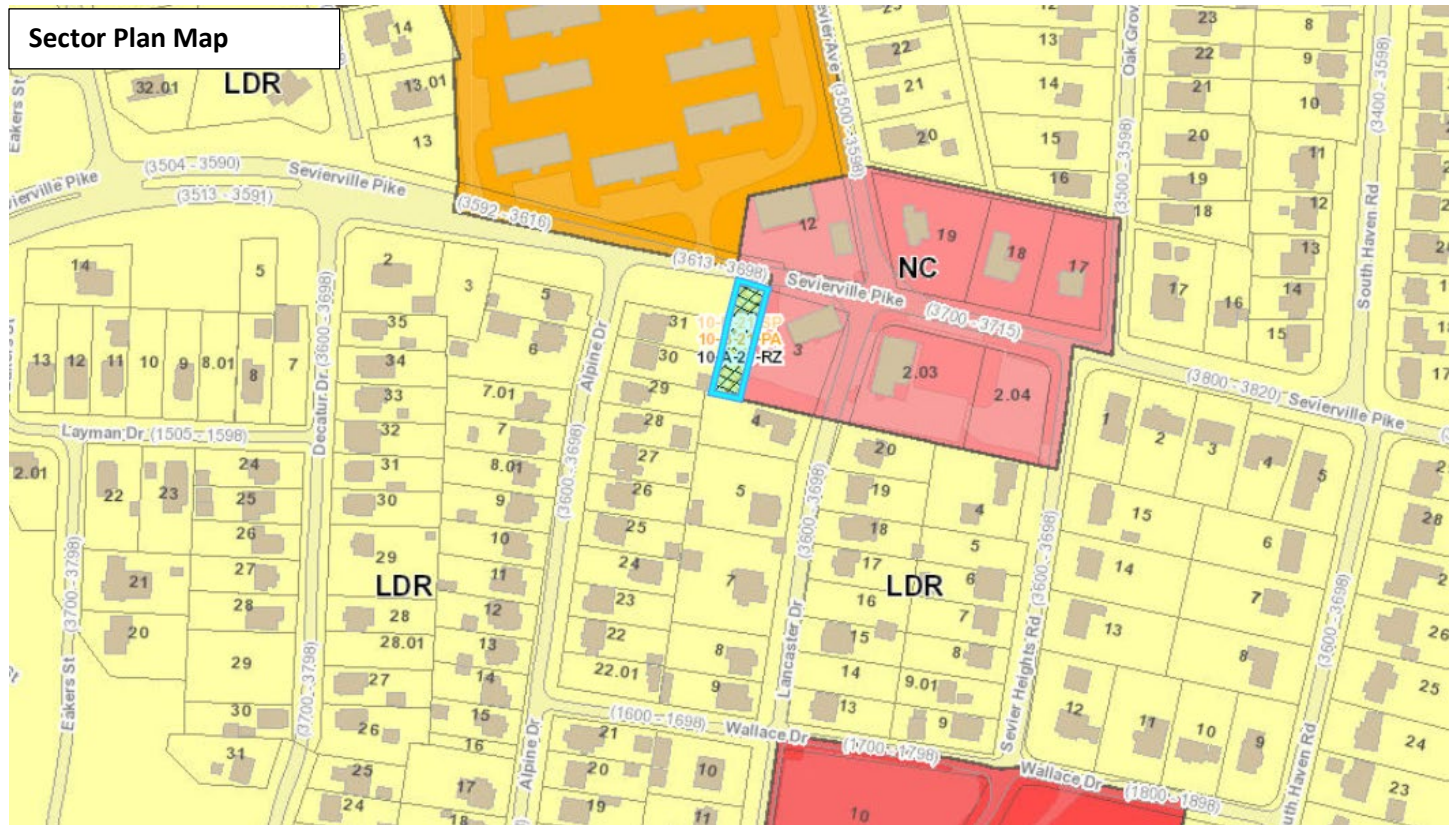
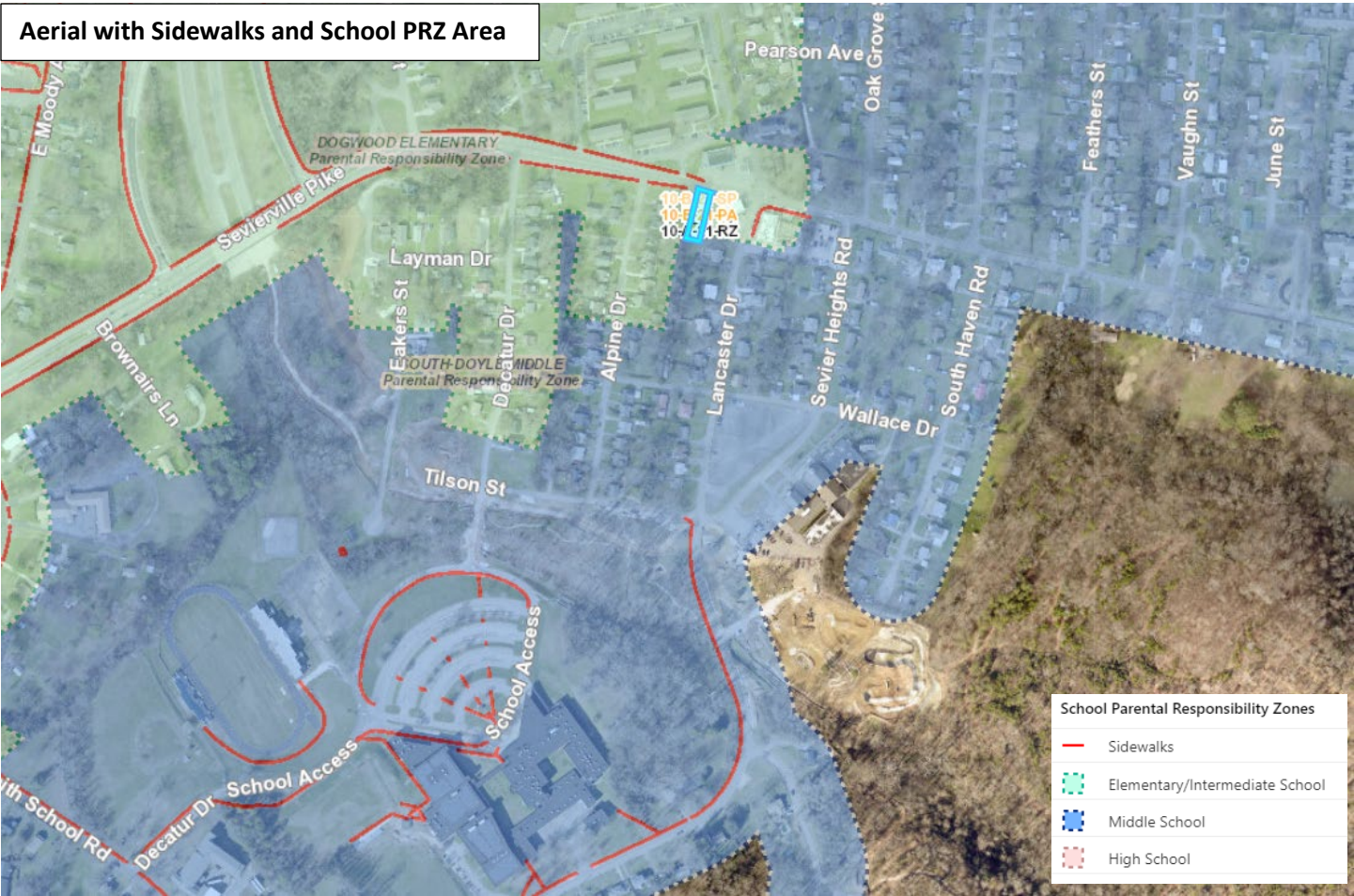


Exhibit B. 10-A-21-RZ / 10-B-21-PA / 10-B-21-SP Contextual Images





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

LEN JOHNSON

ARCHITECT

Applicant Name

~~30 JULY 2021~~
~~24 JUNE 2021~~

~~14 OCTOBER 2021~~
~~12 AUGUST 2021~~

Affiliation

Date Filed

Meeting Date (if applicable)

10-A-21-RZ

10-B-21-PA

10-B-21-SP

File Number(s)

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

LEN JOHNSON

R. LEN JOHNSON & ASSOCIATES

Name

Company

LEN JOHNSON

KNOXVILLE

TN

37920

Address

City

State

ZIP

724 TAYLOR ROAD

lenedna@bellsouth.net

Phone

865-573-1148

Email

CURRENT PROPERTY INFO

SAM TOBEA

3643 SEVIERVILLE PIKE

577-8981

Owner Name (if different)

Owner Address

Owner Phone

3613 SEVIERVILLE PIKE

109KC002

Property Address

Parcel ID

KUB

KUB

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

s/s Sevierville Pk., southwest of intersection of Sevier Ave. & Lancaster Dr.

approx. 6,650 s.f.

General Location

Tract Size

☒ City ☐ County
1st District

RN-2
Zoning District

SFR
Existing Land Use

South City

LDR

N/A

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 _____

Related Rezoning File Number

Unit / Phase Number _____

- ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements**ZONING REQUEST**☒ Zoning Change

C-N

Proposed Zoning

Pending Plat File Number

☒ Plan Amendment Change**LDR TO NC**
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

0516

300.00

\$1900.00**AUTHORIZATION**

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

Applicant Signature

LEN JOHNSON

Please Print

30 JULY 21
~~24 JUN 21~~

Date

865-573-1148

lenedna@bellsouth.net

Email

Phone Number

Sherry Michienzi

Staff Signature

Sherry Michienzi

Please Print

swm / 8/2/2021

Date