



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 10-J-21-RZ
10-G-21-SP

AGENDA ITEM #: 17
AGENDA DATE: 10/14/2021

► **APPLICANT:** JAMMIE DAVIS
OWNER(S): James Hart

TAX ID NUMBER: 79 K A 31 (PART OF) & 31.01 (PART OF) [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 0 Oak Ridge Hwy.

► **LOCATION:** Northeast side of Oak Ridge Highway, northwest of Ridgeland Road and Raj Road intersection

► **TRACT INFORMATION:** 4.85 acres.

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Oak Ridge Hwy a 4-lane major arterial road with 70-ft of pavement width within a 130-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) & HP (Hillside Protection) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) & HP (Hillside Protection) / CA (General Business)

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

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, commercial zoning exists to the south and west.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Single-family residential - LDR (Low-Density Residential) - A (Agricultural) District

ZONING South: Single-family residential - LDR (Low-Density Residential) - CA (General Business) District

East: Single-family residential - LDR (Low-Density Residential) - A (Agricultural) District

West: Commercial - GC (General Commercial) - C-H-2 (Highway Commercial) District

NEIGHBORHOOD CONTEXT: These properties are located on the north side of Oak Ridge Highway, a

STAFF RECOMMENDATION:

- ▶ **Approve the Northwest City Sector Plan amendment to GC (General Commercial) & HP (Hillside Protection) for all of Parcel 31 and the southern portion of Parcel 31.01 as shown on Exhibit A, because it is a minor extension and is consistent with existing development that borders Oak Ridge Highway.**

- ▶ **Approve CA (General Business) zoning for all of Parcel 31 and the southern portion of Parcel 31.01 as shown in Exhibit A, because it is an extension of existing CA zoning and is consistent with existing development that borders Oak Ridge Highway.**

COMMENTS:

Staff recommends retaining LDR (Low Density Residential) /HP (Hillside Protection) designation and A (Agricultural) zoning for the north portion of Parcel 31.01 due to its steeper slopes, and for the purpose of separating commercial and residential uses.

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 have been no changes to conditions to warrant amending the land use plan.

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

1. Oak Ridge Highway was widened in 2014 to a five-lane major arterial road. This upgraded facility can accommodate higher traffic volumes and therefore can better support commercial uses that border this road.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. When the Northwest City Sector Plan was adopted in 2015, it did not recognize the existing CA zoning on the southern portion of Parcel 31 which had been in place since 1991.

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

1. Continued residential growth in the Northwest City Sector has generated demand for commercial uses to serve these new residents..

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6:30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. Properties along Oak Ridge Highway have been transitioning from Agricultural zoning to Commercial zoning for a number of years.
2. Oak Ridge Highway was widened in 2014 to a five lane major arterial road. This upgraded facility can accommodate higher traffic volumes and therefore can better support commercial uses.

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

1. The CA (General Business) zone is intended for general retail business and services but not for manufacturing or for processing materials other than farm products.

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. The proposed rezoning is consistent with the commercial character of properties to the west and south. The topography of the site provides some natural separation from the single-family residences to the east of these parcels.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE

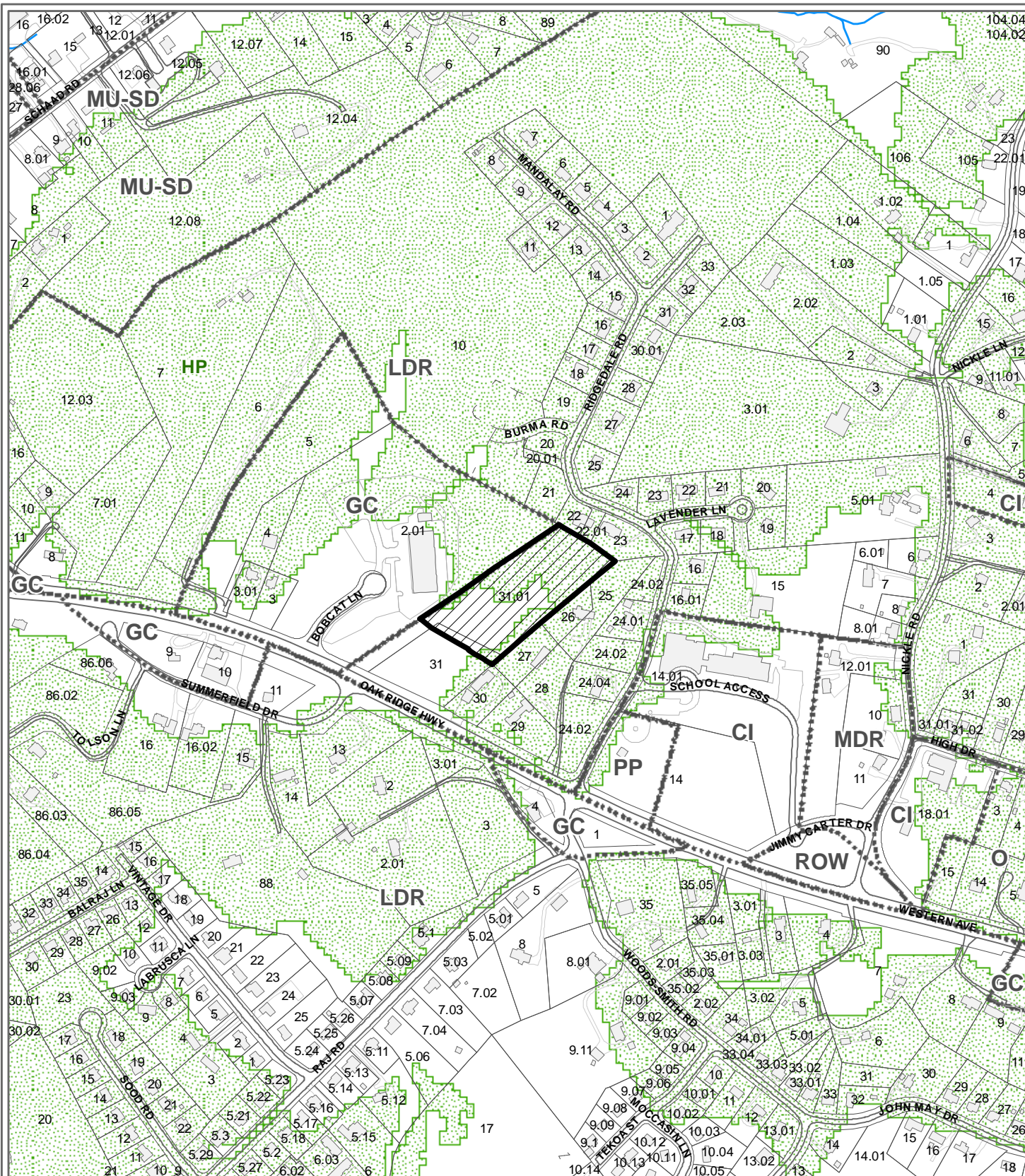
GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed amendment to the Northwest City Sector Plan amending these parcels to GC (General Commercial) designation would support CA (General Business) zoning.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 11/15/2021. 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.



**10-G-21-SP / 10-J-21-RZ
NORTHWEST CITY SECTOR PLAN AMENDMENT**



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

To: GC (General Commercial) & HP (Hillside Protection)

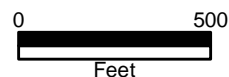
Original Print Date: 9/8/2021
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

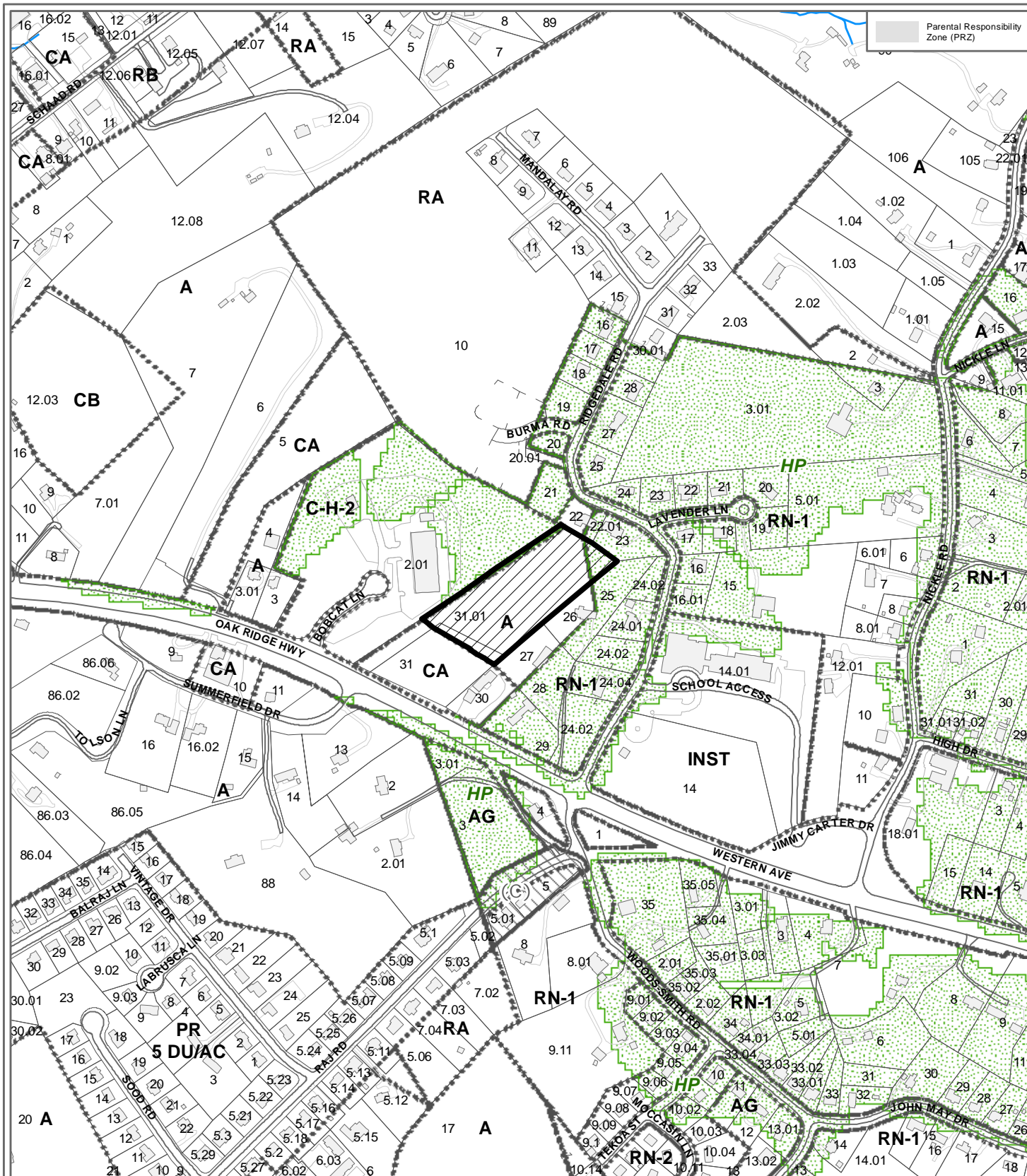
Revised:

Petitioner: Davis, Jammie

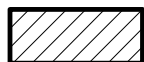
Map No: 79

Jurisdiction: County





10-J-21-RZ REZONING

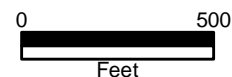


From: A (Agricultural) (portion only)
To: CA (General Business)

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

Petitioner: Davis, Jammie

Map No: 79
Jurisdiction: County



**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTHWEST 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 Northwest 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**, Jammie Davis has submitted an application for an amendment to the Northwest 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 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 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 Northwest City Sector Plan, with its accompanying staff report and map, file #10-G-21-SP.

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

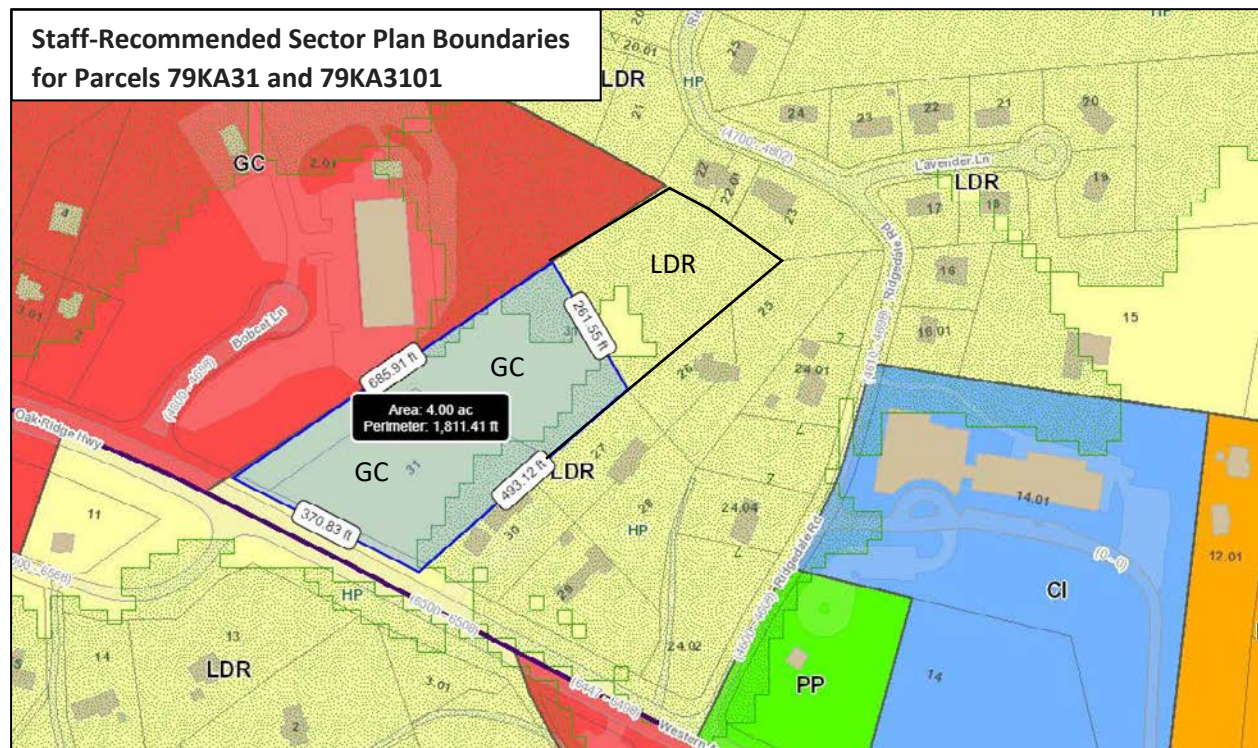
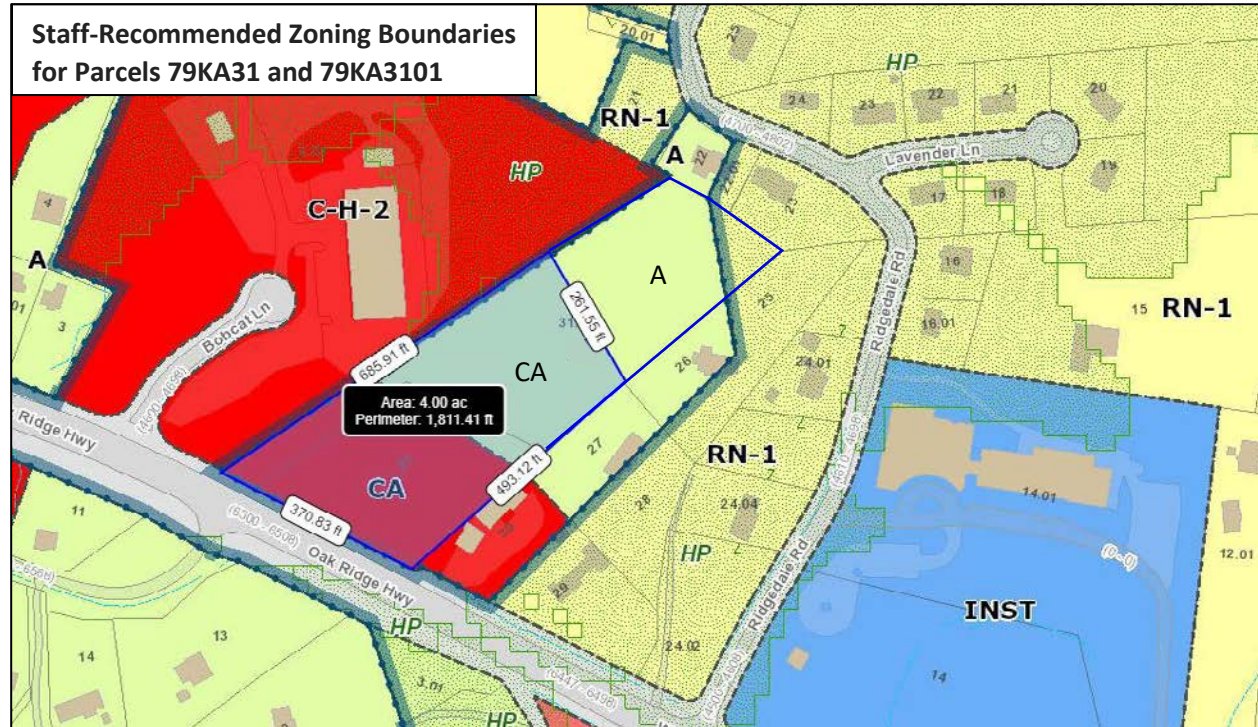
SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

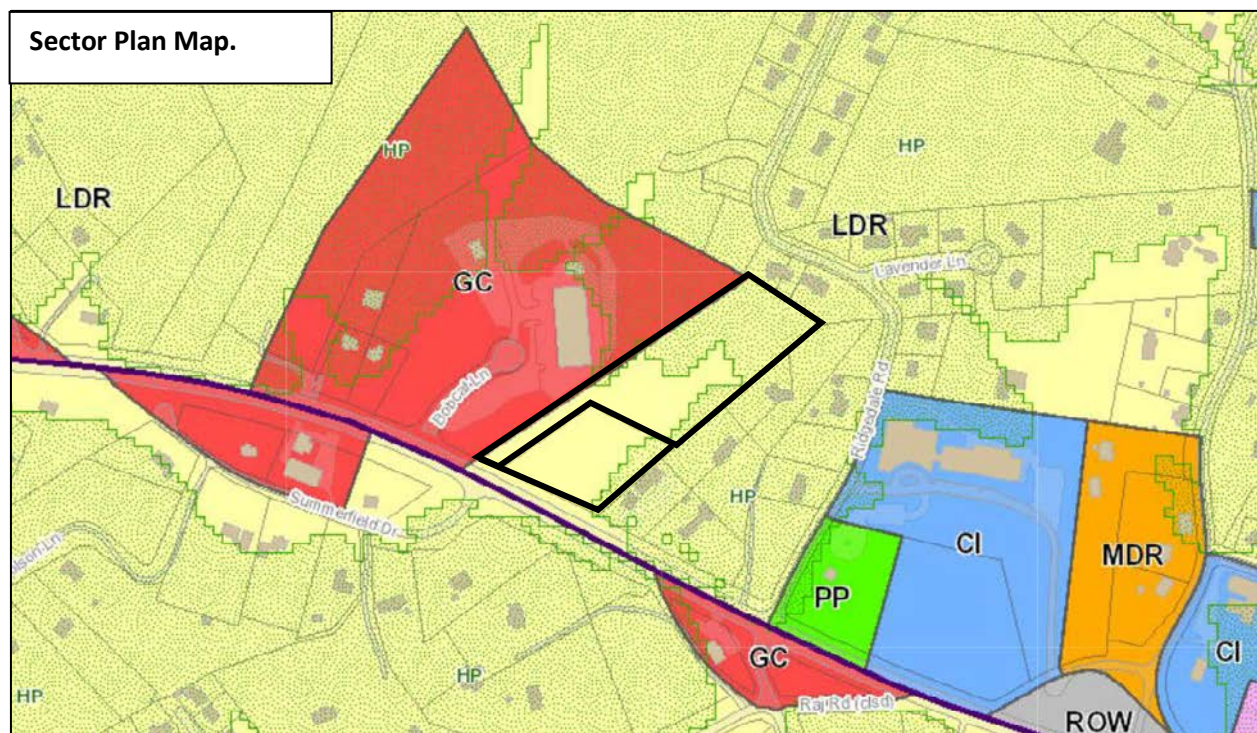
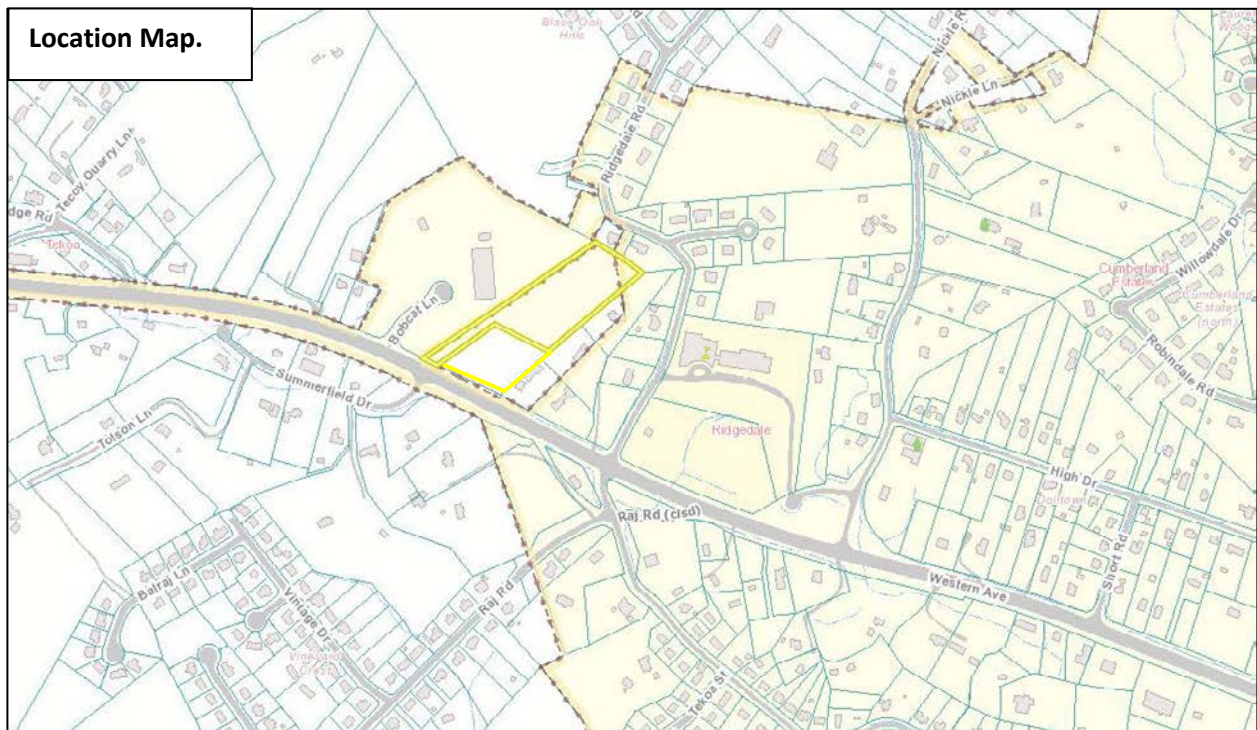
Secretary

EXHIBIT A. Contextual Images



10-J-21-RZ

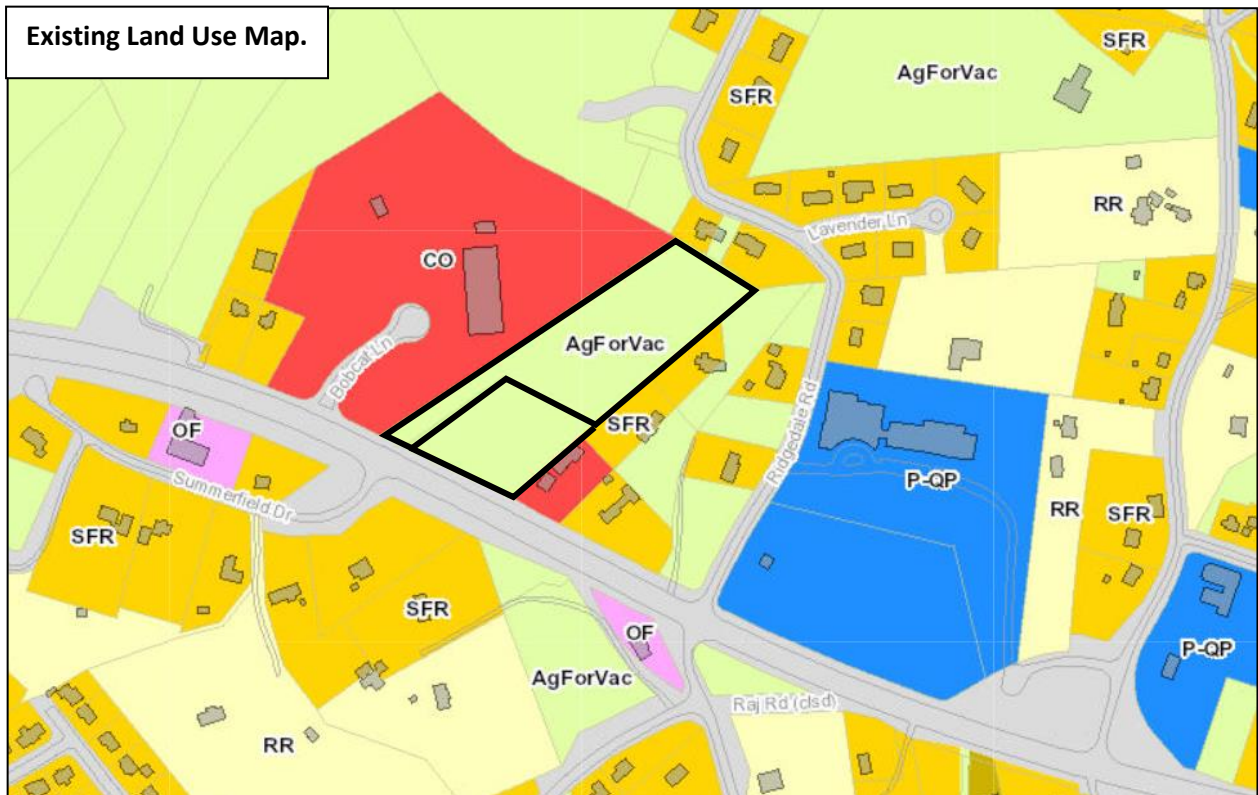
EXHIBIT A. Contextual Images



10-J-21-RZ

EXHIBIT A. Contextual Images

Existing Land Use Map.



Aerial Map.



10-J-21-RZ

EXHIBIT A. 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

Jammie Davis
Applicant Name

Affiliation

8/25/21
Date Filed

10/14/21
Meeting Date (if applicable)

File Number(s)

10-J-21-RZ
10-G-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

Kaity Patterson
Name

Batson, Himes, Norvell & Poe
Company

4334 Papermill Drive
Address

Knoxville
City

TN
State

37909
ZIP

865-588-6472
Phone

kpatterson@bhn-p.com
Email

CURRENT PROPERTY INFO

James Hart
Owner Name (if different)

3036 EARLY MORNING LANE
Owner Address

Owner Phone

0 Oak Ridge Hwy
Property Address

MAP 79KA
Parcel ID

(part of) (part of)
Parcels 31 & 31.01
(0.22 acres RZ & (3.11 RZ)
(1.74 SP) & (3.11 SP)
(0.62 acres zoned RN-1 is
not included in request)

HPUD
Sewer Provider

HPUD
Water Provider

STAFF USE ONLY

Northeast side of Oak Ridge Hwy., northwest of Ridgeland Rd. & Raj Rd. intersection

General Location

Tract Size

☐ City ☒ County 6th
District

A portion only
Zoning District

AgForVac
Existing Land Use

Northwest City
Planning Sector

LDR & HP
Sector Plan Land Use Classification

Urban Growth
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 _____

Unit / Phase Number _____

- ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements _____

Related Rezoning File Number _____

ZONING REQUEST☒ Zoning Change

CA

Proposed Zoning

☒ Plan Amendment Change

HP & GC (for all 5.85 acres involved)

Proposed Plan Designation(s)

3-C-90-RZ, 12-E-91-RZ & 6-K-99-RZ

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

0326

1000.00

Total

Fee 2

0527

800.00

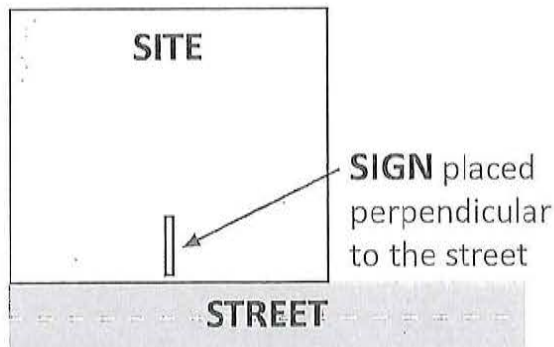
Fee 3

\$1800.00**AUTHORIZATION**

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


Applicant SignatureKaity Patterson
Please Print8/25/21
Date805-588-6472
Phone Numberkpatterson@bhn-p.com
Email
Staff SignatureSherry Michienzi
Please Print8/26/2021 swm
Date

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:

Sept 29 and Oct 15
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Jammie Davis

Date: 8-26-2021

File Number: 10-J-21-RZ/10-G-21-SP



Sign posted by Staff



Sign posted by Applicant