



# PLAN AMENDMENT REPORT

► **FILE #:** 4-A-22-SP

**AGENDA ITEM #:** 8

**AGENDA DATE:** 4/14/2022

► **APPLICANT:** HOPEFUL HOUSING / HUBER PROPERTIES  
**OWNER(S):** Quint Bourgeois

**TAX ID NUMBER:** 69 P E 01701, 017, 018 & 01801 [View map on KGIS](#)

**JURISDICTION:** Council District 5

**STREET ADDRESS:** 4207 , 4201, 4123 & 0 Bruhin Rd.

► **LOCATION:** West side of Bruhin Road, southwest of intersection with Broadview Drive

► **APPX. SIZE OF TRACT:** 4.6 acres

**SECTOR PLAN:** North City

**GROWTH POLICY PLAN:**

**ACCESSIBILITY:** Access is via Bruhin Rd, a major collector with a pavement width of 21-ft within a right-of-way of 88 feet.

**UTILITIES:** Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Second Creek

► **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / RN-1 (Single-Family Residential Neighborhood)

► **PROPOSED PLAN DESIGNATION:** MDR/O (Medium Density Residential/Office)

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

**EXTENSION OF PLAN DESIGNATION:** No

**HISTORY OF REQUESTS:** 1-A-15-SP/1-A-15-RZ/1-A-15-PA: R-1A to R-2 and LDR to MDR (Denied), 4-B-16-RZ/4-B-16-PA-4-B-16-SP: R-1A to R-2 and LDR to MDR (Denied)

**SURROUNDING LAND USE AND PLAN DESIGNATION:** North: Single family residential / LDR (Low Density Residential)

South: Single family residential / LDR (Low Density Residential)

East: Public park / PP (Public Park), MDR (Medium Density Residential) / OS (Open Space)

West: Multi-family / MDR (Medium Density Residential)

**NEIGHBORHOOD CONTEXT** This is a transition area around the commercial node at Dutch Valley Drive and Bruhin Road, across from Inskip Pool and Park and includes a mix of multi-family and single family dwellings.

**STAFF RECOMMENDATION:**

- **Approve the sector plan amendment to MDR/O (Medium Density Residential/Office) because it is consistent with the location criteria.**

**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. While there are no changes to the road or utility network in this area, the increasing demand and limited stock for a variety of housing types and housing in general is well documented nationwide.

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

1. The last sector plan for this area was adopted in 2007 and sometime between 2007 and 2014 an additional transit route was added to this area. KAT bus route 24 was added to provide service for the Inskip Community.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The sector plan could have considered this location as MDR and/or MDR/O because it adjacent to an existing commercial node and multi-family residential.  
2. This large, vacant, and relatively flat parcel is also across from a community park and pool and within 500-ft of a bus route, making this location ideal for infill development for multi-family residential.

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 housing accessible to transit opportunities.  
2. There are very limited opportunities for additional residential growth within the City of Knoxville that are located adjacent to an existing park and are also accessible by transit.

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: 1258 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 12 (public school children, grades K-12)

Schools affected by this proposal: Inskip Elementary, Gresham Middle, and Central High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2022 and 5/31/2022. 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 #:** 4-A-22-RZ

**AGENDA ITEM #:** 8

4-A-22-PA

**AGENDA DATE:** 4/14/2022

► **APPLICANT:** HOPEFUL HOUSING / HUBER PROPERTIES

OWNER(S): Quint Bourgeois

TAX ID NUMBER: 69 P E 01701, 017, 018 & 01801

[View map on KGIS](#)

JURISDICTION: Council District 5

STREET ADDRESS: 4207 , 4201, 4123 & 0 Bruhin Rd.

► **LOCATION:** West side of Bruhin Road, southwest of intersection with Broadview Drive

► **TRACT INFORMATION:** 4.6 acres.

SECTOR PLAN: North City

GROWTH POLICY PLAN:

ACCESSIBILITY: Access is via Bruhin Rd, a major collector with a pavement width of 21-ft within a right-of-way of 88-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Second Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RN-1 (Single-Family Residential Neighborhood)

► **PROPOSED PLAN DESIGNATION/ZONING:** MDR/O (Medium Density Residential/Office) / RN-5 (General Residential Neighborhood)

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

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

HISTORY OF ZONING REQUESTS: 1-A-15-SP/1-A-15-RZ/1-A-15-PA: R-1A to R-2 and LDR to MDR (Denied), 4-B-16-RZ/4-B-16-PA-4-B-16-SP: R-1A to R-2 and LDR to MDR (Denied)

SURROUNDING LAND USE, PLAN DESIGNATION,

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

ZONING

South: Single family residential / LDR (Low Density Residential) / RN-1 (Single-Family Residential Neighborhood)

East: Public park / PP (Public Park), MDR (Medium Density Residential) / OS (Open Space), RN-2 (Single-Family Residential Neighborhood)

West: Multi-family / MDR (Medium Density Residential) / RN-4 (General Residential Neighborhood), General Residential Neighborhood Zoning

NEIGHBORHOOD CONTEXT: This is a transitional area around the commercial node at Dutch Valley Drive and Bruhin Road, across from Inskip Pool and Park and includes a mix of multi-family and single family dwellings.

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**STAFF RECOMMENDATION:**

- ▶ **Approve the One Year Plan amendment to MDR/O (Medium Density Residential/Office) because it is consistent with the location criteria.**
  
- ▶ **Approve RN-5 (General Residential Neighborhood) zoning because the location serves as a transition between the single family residential neighborhood to the north and the commercial node to the south.**

**COMMENTS:**

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

AN ERROR IN THE PLAN:

1. The plan should have considered designating this area as MDR/O because it meets the location criteria for the land use classification.
  - a) Near community activity centers, including uses such as schools and colleges, parks, and community commercial/office nodes.
  - b) As transitional areas between commercial development and low density residential neighborhoods
  - c) Site with less than 15 percent slopes
  - d) Along or near corridors that are served by or proposed to be served by transit, with densities proposed to be above 12 dwelling units per acre and to be served by sidewalk.

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. Though there have been no significant infrastructure changes in this area, the subject property is adjacent to a commercial node, across the street from a public park and within 500-ft of an intersection serviced by transit.

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, infill development within 500-ft of a transit line for medium density residential/office provides additional opportunity for residential options close within a walkable distance to transit.

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. This is a transitional area between the commercial node at Dutch Valley Drive and Bruhin Road and single family residential neighborhoods.
2. This area is within 500-ft of a KAT bus route.

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

1. The RN-5 may include a mix of single-family, two-family, townhouse, and multi-family dwellings. The RN-5 District may also serve as a functional transition between traditionally single-family and two-family residential neighborhoods within the City, and more intensely developed residential or commercial areas.
2. Rezonings 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 transitional area between the commercial node at Dutch Valley Drive and Bruhin Road with existing multi-family residential uses in the area.
2. If the trip generation for a proposed residential development reaches 750 daily trips a level one traffic analysis will be required as part of the development process for the City of Knoxville.

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 consistent with recommended plan amendment to MDR/O and is in line with all other adopted plans.
2. The subject property is also located across from a public park and pool providing recreational opportunities within walking distance for area residents.

ESTIMATED TRAFFIC IMPACT: 1258 (average daily vehicle trips)

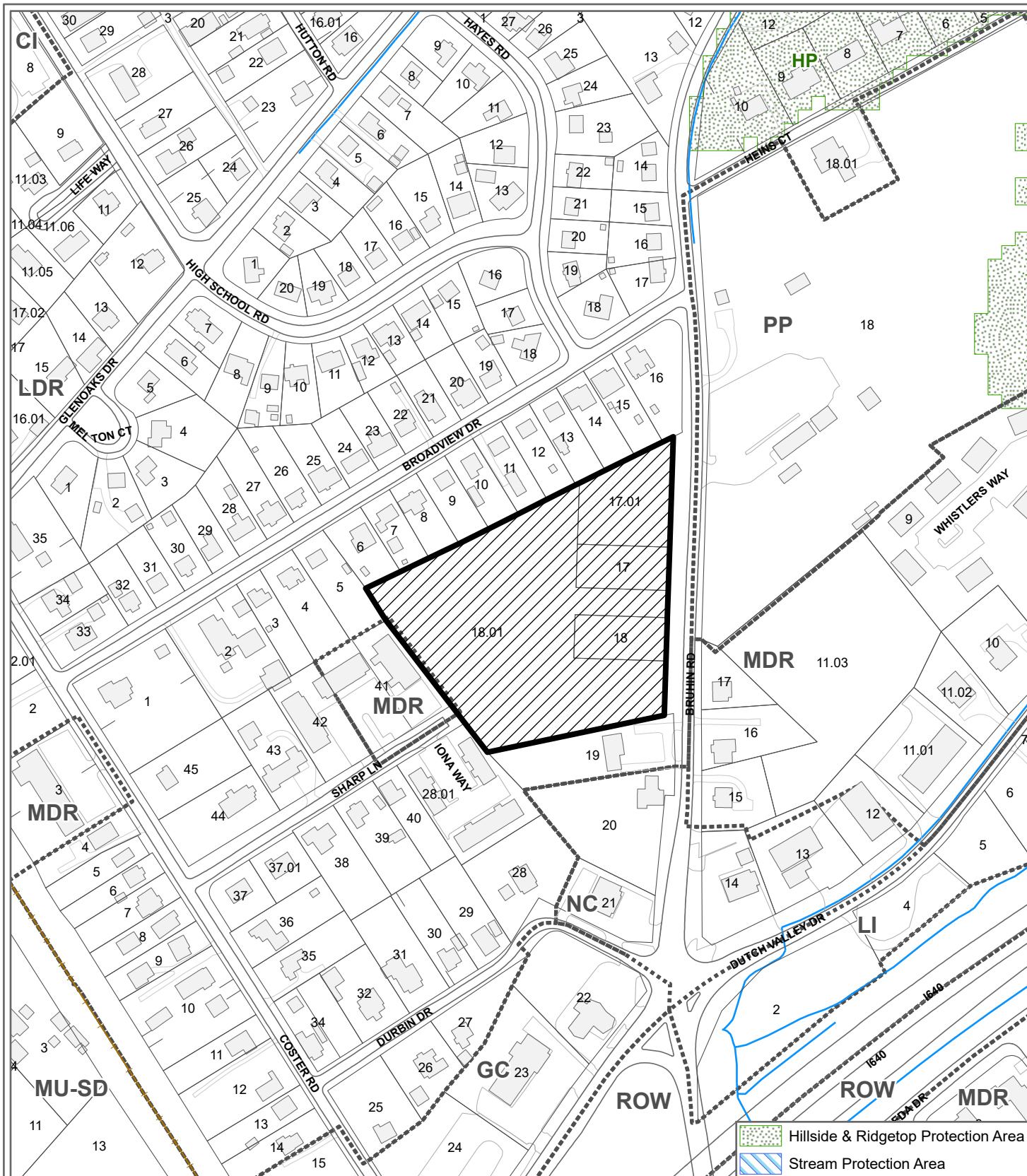
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

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Schools affected by this proposal: Inskip Elementary, Gresham Middle, and Central High.

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- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

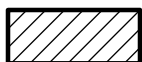
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**4-A-22-SP  
NORTH CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: MDR/O (Medium Density Residential/Office)

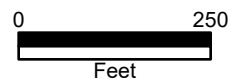


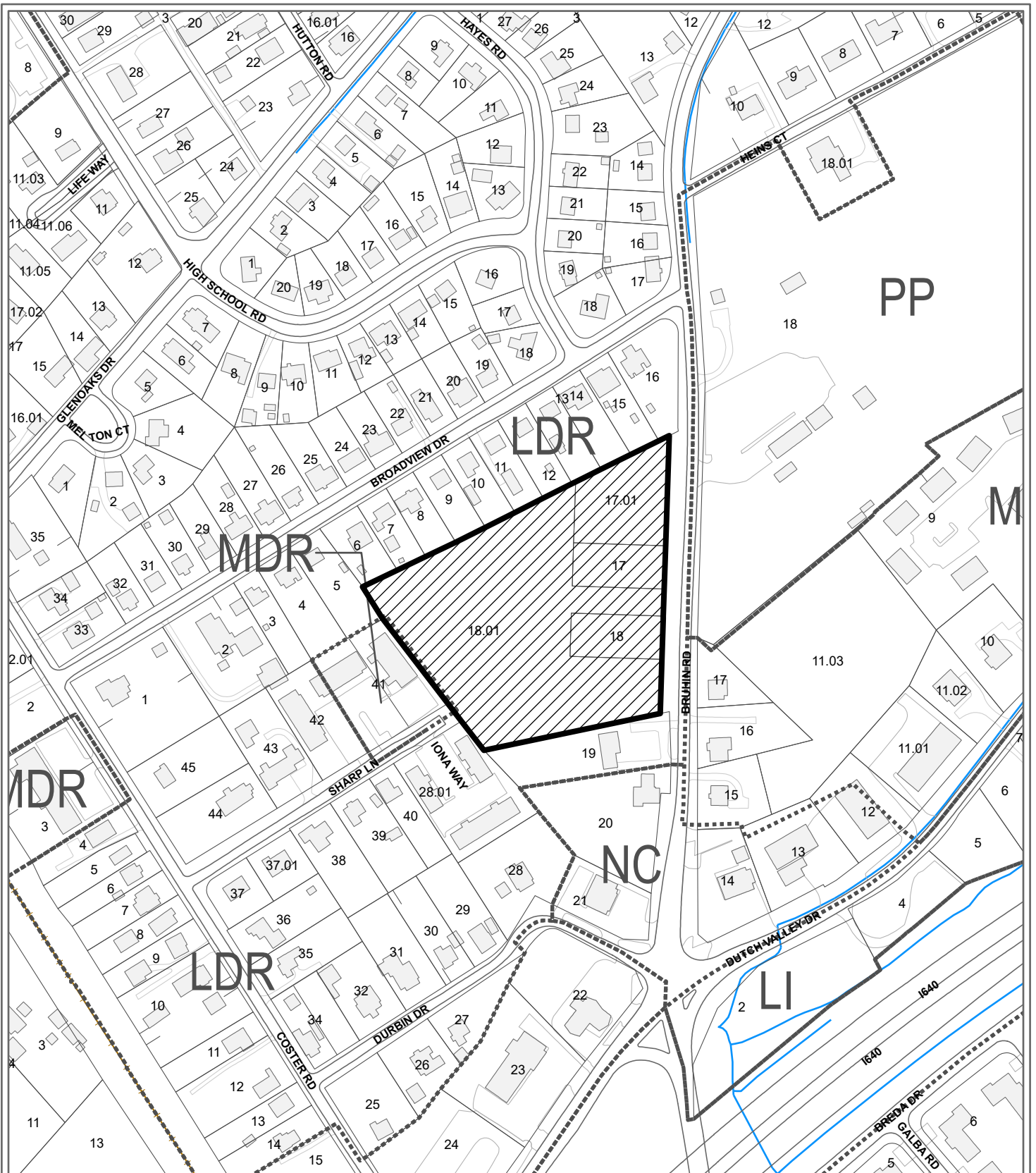
Original Print Date: 3/7/2022      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Hopeful Housing / Huber Properties

Map No: 69

Jurisdiction: City

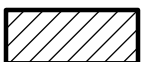




**4-A-22-PA / 4-A-22-RZ  
PLAN AMENDMENT**

From: LDR (Low Density Residential)

To: MDR/O (Medium Density Residential/Office)



Original Print Date: 3/7/2022  
Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Hopeful Housing / Huber Properties

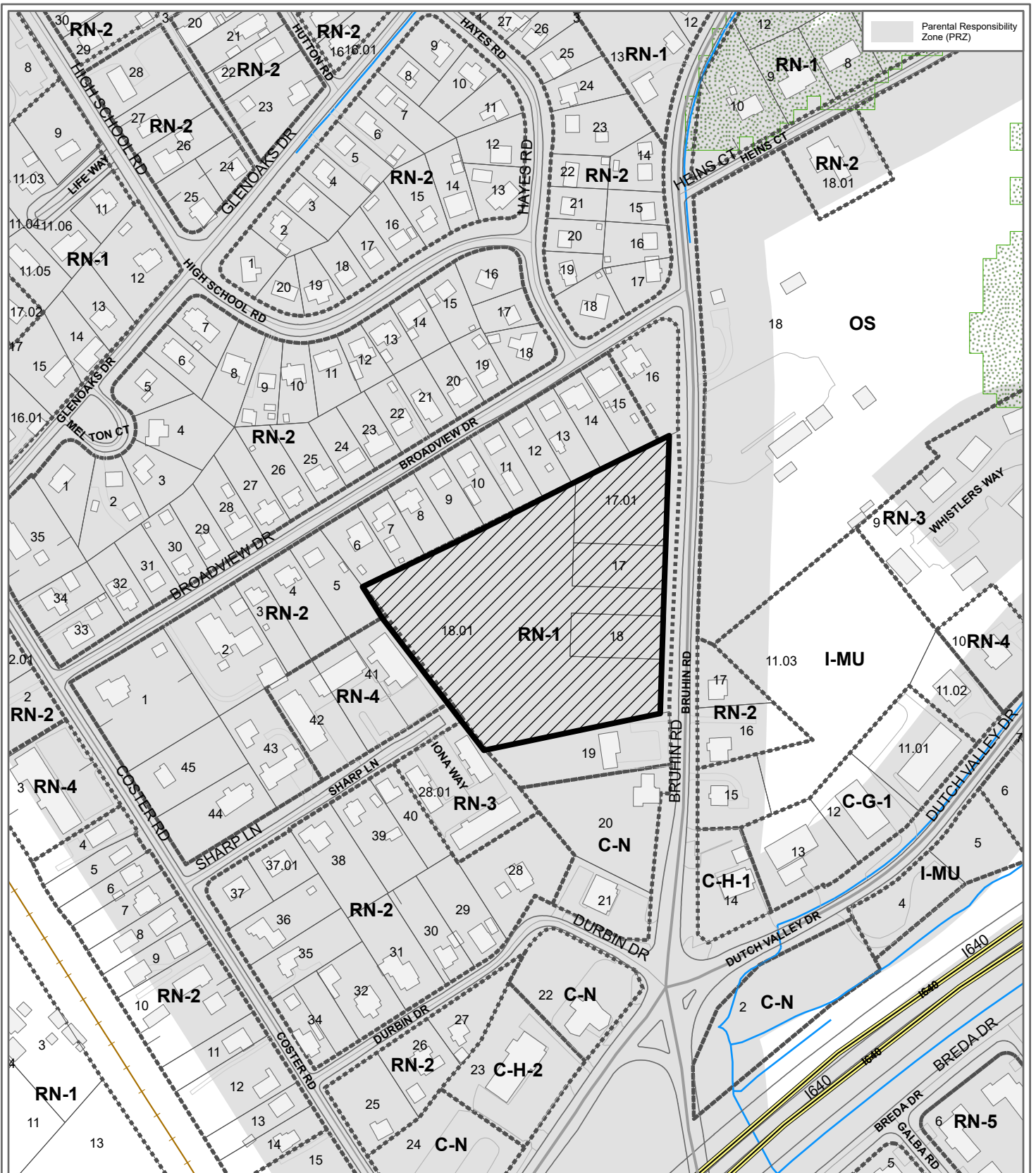
Map No: 69

Jurisdiction: City

0 250  
Feet



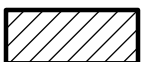




### 4-A-22-RZ REZONING

From: RN-1 (Single-Family Residential Neighborhood)

To: RN-5 (General Residential Neighborhood)



Original Print Date: 3/7/2022  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Hopeful Housing / Huber Properties

Map No: 69

Jurisdiction: City

0 250  
Feet



***KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE NORTH 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 North 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***, Hopeful Housing / Huber Properties has submitted an application for an amendment to the North City Sector Plan for the property described in the application; and

***WHEREAS***, the Planning Commission recommends approval of an amendment to the Sector Plan from Low Density Residential to Medium Density Residential/Office 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 April 14, 2022, 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 North City Sector Plan, with its accompanying staff report and map, file #4-A-22-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.

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*Date*

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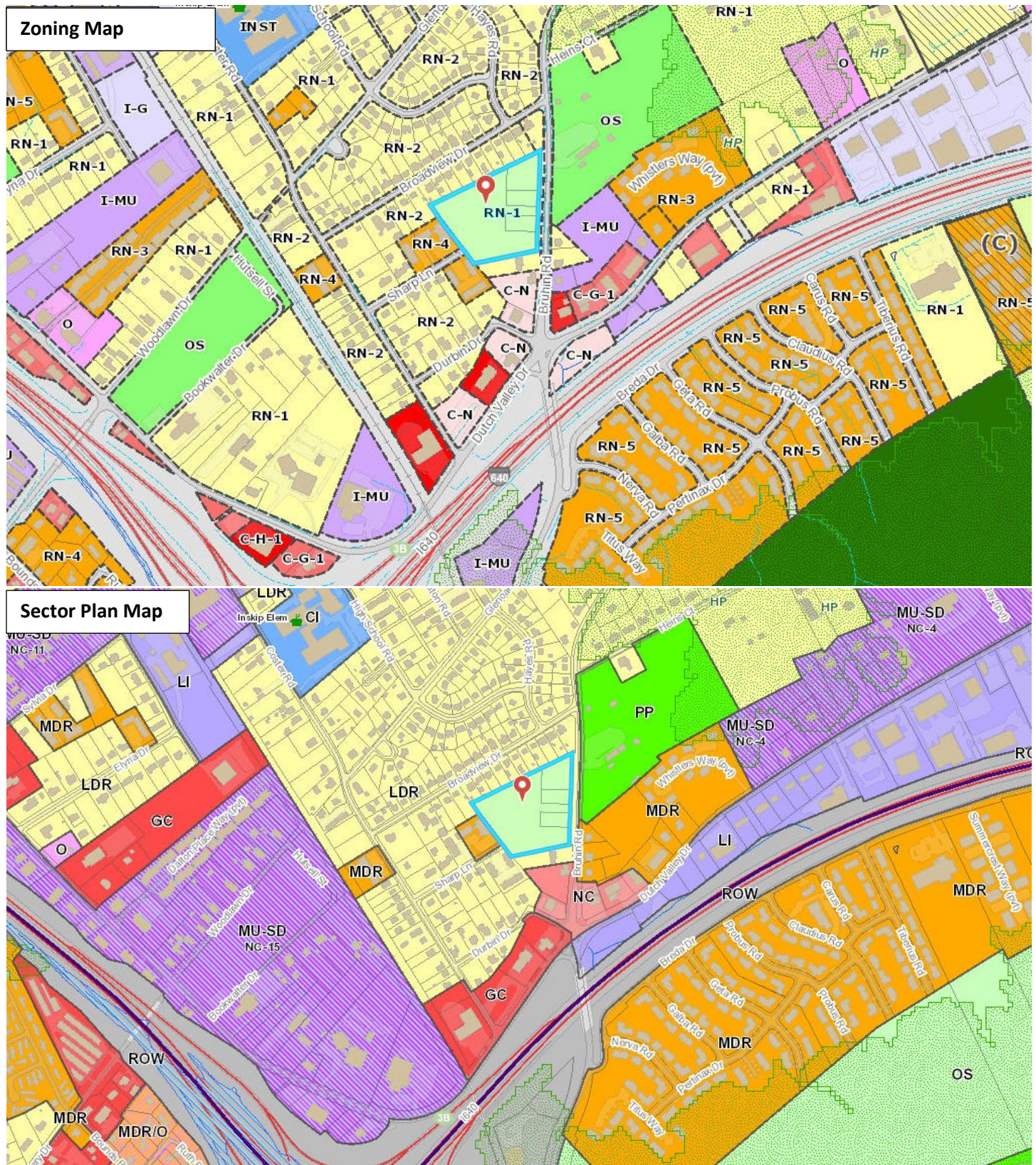
*Chairman*

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*Secretary*



## Exhibit B. 4-A-22-RZ /4-A-22-PA /4-A-22-SP Contextual Images





The map displays a variety of land use designations: LDR (Low Density Residential, yellow), LI (Light Industrial, purple), CI (Community Institutional, blue), GC (General Commercial, red), MDR (Medium Density Residential, orange), PP (Public Purpose, green), MU-SD NC-4 (Medium Density Single-Family Detached, purple with diagonal lines), MU-SD NC-15 (Medium Density Single-Family Detached, purple with horizontal lines), NC (Neighborhood Commercial, pink), ROW (Right-of-Way, grey), and OS (Office Professional, green). A specific site is highlighted in light green with a red location pin, situated near Broadview Dr and Sharp Ln. The map also shows major roads like High School Rd and various residential streets such as Broadview Dr, Sharp Ln, and Durbin Dr.







# 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

Hopeful Housing

Applicant Name

2-02-2022

1-28-22

Date Filed

Huber Properties

April 14, 2022

March 10, 2022

Meeting Date (if applicable)

Affiliation

File Number(s)

4-A-22-RZ  
4-A-22-PA  
4-A-22-SP

## CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☒ Applicant ☐ Property Owner ☒ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

John Huber

Name

Hopeful Housing

Company

P.O. Box 22314, Knoxville, TN 37933

Address

City

State

ZIP

865-966-1600

Phone

john@southernsignature.net

Email

## CURRENT PROPERTY INFO

Quint Bourgeois

Property Owner Name (if different)

10255 Kingston PK, Knoxville TN

Property Owner Address

865-693-3232

Property Owner Phone

069PE01701; 017; 019 018

4207, 4201, 4123 and 0 Bruhin Road, Knoxville, TN 37912

Property Address

Parcel ID

.63 acres / .33ac / .32ac

KUB

Sewer Provider

KUB

Water Provider

N/A

Septic (Y/N)

## STAFF USE ONLY

west side of Bruhin Rd., SW of intersection with Broadview Dr.

General Location

4.60 acres total

Tract Size

☒ City ☐ County 5th

District

BN-1

Zoning District

AgFor Vac

Existing Land Use

North City

Planning Sector

LDR

Sector Plan Land Use Classification

N/A

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 ChangeProposed Zoning RN-1 to RN-5☒ Plan Amendment ChangeProposed Plan Designation(s) LDR-MDR-O

Pending Plat File Number

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

0324 600.00

Fee 2

0526 600.00

Fee 3

0516 300.00 \$ 1500.00

Total

**AUTHORIZATION**

Applicant Signature

Please Print

Date

865-966-1600  
Phone Numberjohn@southern signature.net  
Email1-28-22\*see attached contract

Property Owner Signature

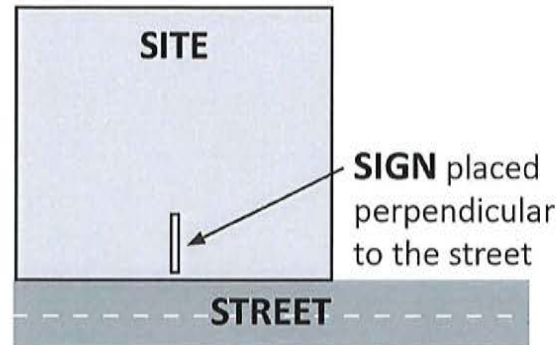
Please Print

Date

2/2/2022 sum2/2/2022  
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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:*

March 30, 2022  
(applicant or staff to post sign)

and

April 15, 2022  
(applicant to remove sign)

Applicant Name:

Hopeful Housing  
Huber Properties

Date:

2/2/2022

File Number:

4-A-22-RZ  
4-A-22-PA  
4-A-22-SP



Sign posted by Staff



Sign posted by Applicant