



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 7-F-22-RZ

AGENDA ITEM #: 5

8-G-22-SP

AGENDA DATE: 8/11/2022

► **APPLICANT:** CASTILLO HOMES, LLC
OWNER(S): Myra Candice Creswell Clark

TAX ID NUMBER: 137 D A 010,137 225.02

[View map on KGIS](#)

JURISDICTION: Commission District 9

STREET ADDRESS: 0 KARLA DR

► **LOCATION:** Southwest end of Karla Drive, south of Konda Dr

► **TRACT INFORMATION:** 0.73 acres.

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Karla Drive, a local street with a 26-ft pavement width within a 50-ft right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Burnett Creek

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

► **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / RA (Low Density Residential)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes LDR (Low Density Residential) land use designation is adjacent.

HISTORY OF ZONING REQUESTS: 6-Q-06-RZ: A to CA

SURROUNDING LAND USE, PLAN DESIGNATION, North: Single family residential - LDR (Low Density Residential) - RB (General Residential)

ZONING South: Agricultural/forestry/vacant & commercial - GC (General Commercial) - CA (k) (General Business with conditions)

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

West: Agricultural/forestry/vacant & single family residential - LDR (Low Density Residential) - RB (General Residential) & A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is part of the Woodfield Park neighborhood, which is composed of detached single family homes on lots that are approximately a

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to LDR (Low Density Residential) because it is compatible with adjacent development.**

- ▶ **Approve the RA (Low Density Residential) zone because it is consistent with surrounding development.**

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 property is adjacent to an existing low density residential subdivision. Since 2010, there has been moderate commercial expansion immediately to the south along Chapman Highway.
2. The proposed sector plan amendment from GC (General Commercial) to LDR (Low Density Residential) would further protect the residential character of the existing Woodfield Park neighborhood.

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

1. The subject property is at the terminus of Karla Drive, and residential development could access that local road.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The South County Sector Plan originally assigned the subject property with an LDR designation. In 2006, this was amended to GC in response to a plan amendment and rezoning request by the property owner at the time. The request was approved with the condition that commercial development not adjoin the residential property lines or access the subdivision.
2. Restoring the LDR designation is an appropriate measure, considering the close proximity to residences.

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

1. The LDR land use designation provides a transitional buffer between expanding commercial development along Chapman Highway and the existing Woodfield Park neighborhood, while also allowing residential development to meet the demand for housing in Knox County.

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. The subject property is a natural extension of the existing low density residential subdivision, making the RA zone an appropriate district.

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

1. The RA zone is intended for residential areas with low population densities, which is consistent with the location of the subject property at the edge of a residential subdivision.

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 zoning change is not anticipated to have any adverse impact on surrounding properties. The subject property is under an acre in size, limiting the scale of potential residential development and vehicular use on the existing residential streets.

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

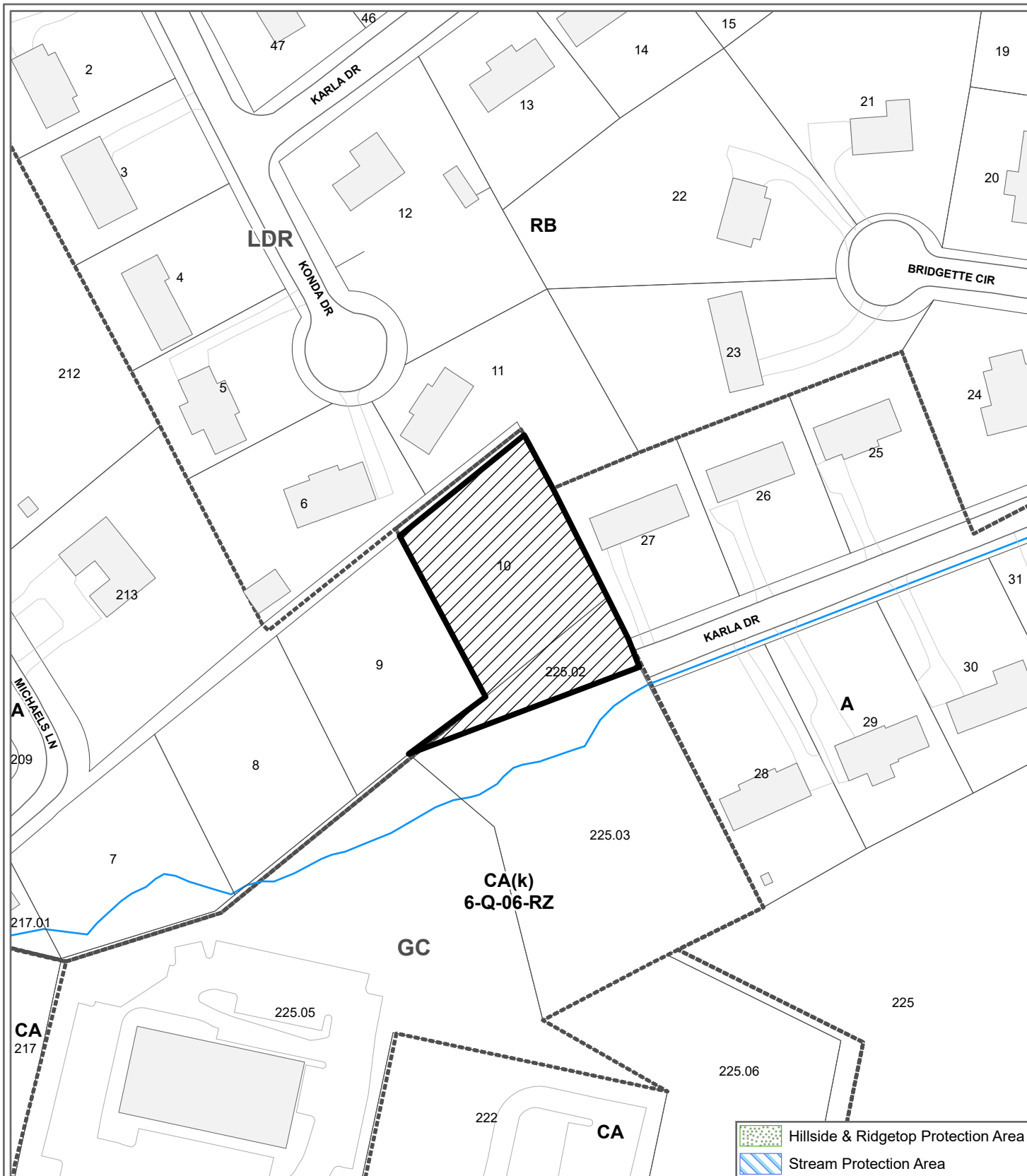
ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The RA zone is consistent with the recommended reinstatement of the property's LDR designation in the South County Sector Plan.
2. The proposed zoning change is compatible with the property's location in the Planned Growth Area of the Growth Policy Plan, and it is not in conflict with any other adopted plans.

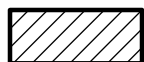
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/26/2022. 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.



**8-G-22-SP / 7-F-22-RZ
SOUTH COUNTY SECTOR PLAN AMENDMENT**

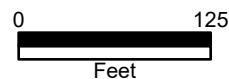


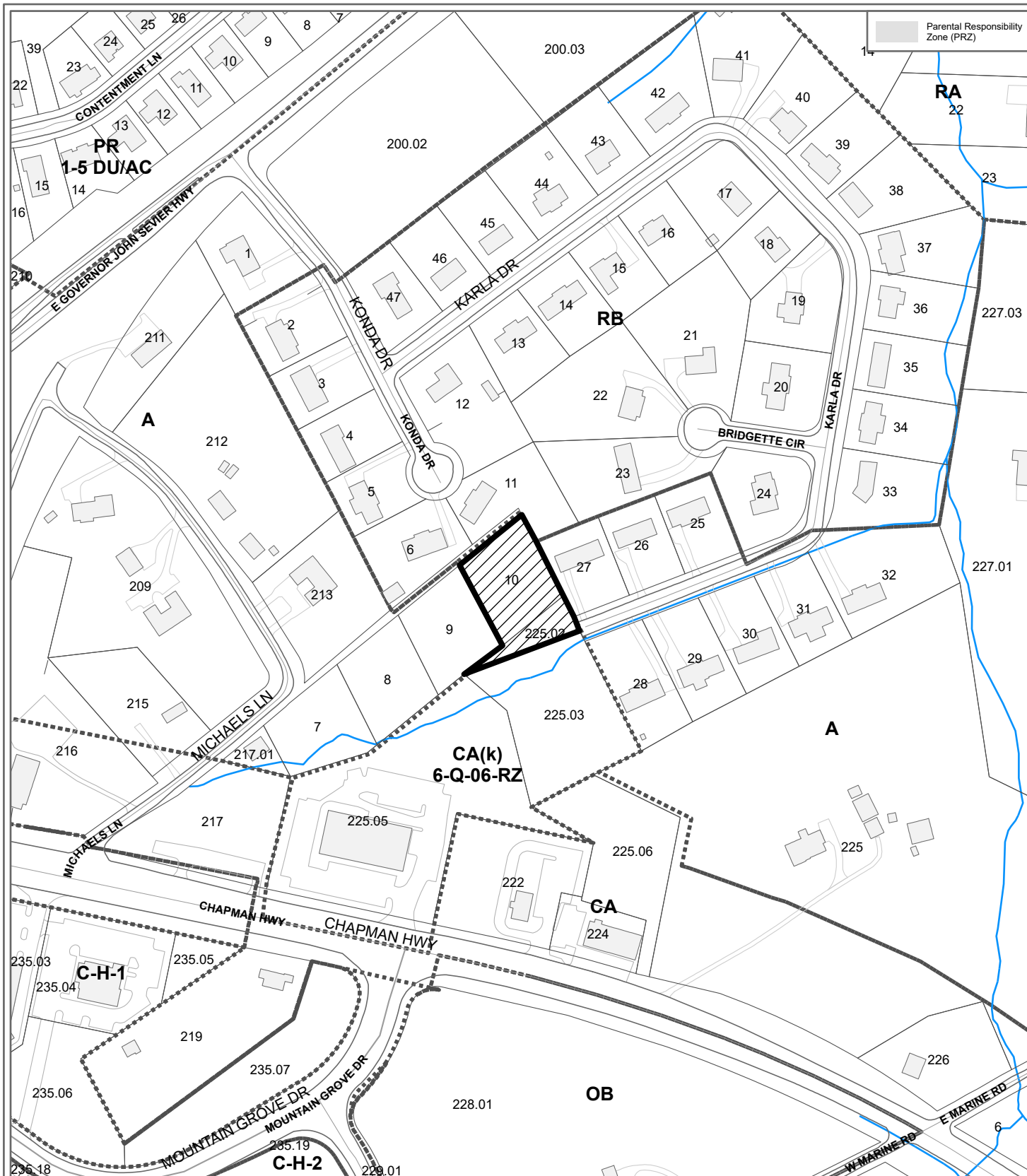
From: GC (General Commercial)
To: LDR (Low Density Residential)

Original Print Date: 7/21/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Castillo Homes, LLC

Map No: 137
Jurisdiction: County

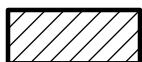




**7-F-22-RZ
REZONING**

From: CA (General Business) (k)

To: RA (Low Density Residential)



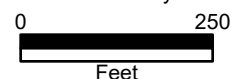
Original Print Date: 6/8/2022
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Castillo Homes, LLC

Map No: 137

Jurisdiction: County



***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, Castillo Homes, 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 General Commercial to Low Density Residential 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 August 11, 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 South County Sector Plan with its accompanying staff report and map, file # 8-G-22-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. 7-F-22-RZ / 8-G-22-SP Contextual Images

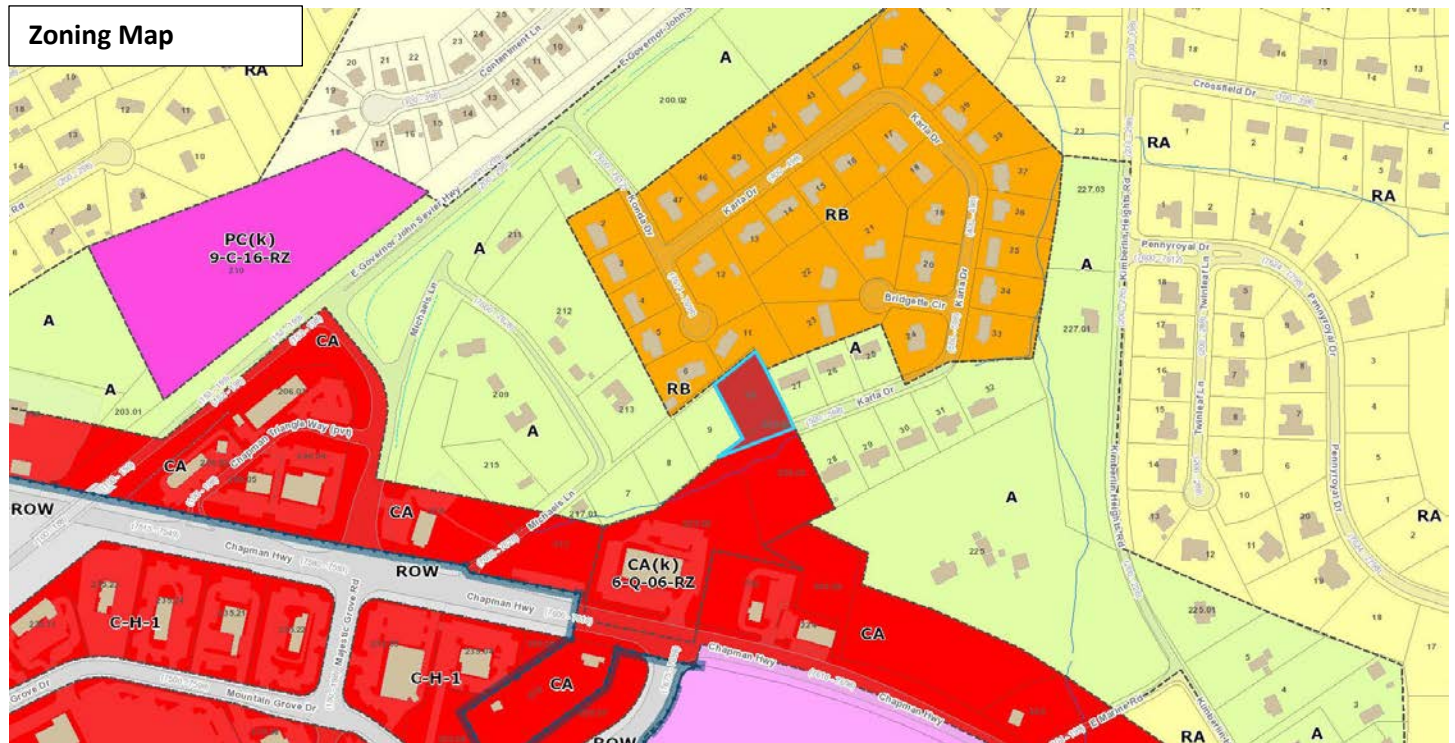


Exhibit B. 7-F-22-RZ / 8-G-22-SP Contextual Images

Existing Land Use Map



Aerial Map





Request to Postpone • Table • Withdraw

Castillo Homes LLC

7/6/2022

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

7/14/2022

Scheduled Meeting Date

File Number(s)

7-F-22-RZ

POSTPONE

☒ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: ☒ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the 8/11/2022 Planning Commission Meeting.

WITHDRAW

☐ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than noon on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received prior to public notice and the request is approved by the Executive Director or Planning Services Manager. **The refund check will be mailed to the original payee.*

TABLE

☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

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

Frankie Ramos-Castillo

Applicant Signature

Please Print

865-344-0486

castillohomesllc@gmail.com

Phone Number

Email

STAFF ONLY

Jessie Hillman

Staff Signature

Please Print

Date Paid

☒ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

7/6/2022

Date:

Payee Name

Payee Phone

Payee Address

February 2022



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ Sector Plan
☐ One Year Plan
☐ Rezoning

Castillo Homes, LLC

Applicant Name

5/24/2022

Date Filed

8/11/2022

Planning Commission
Meeting (if applicable)

9/26/2022(Knox County Commission)

Legislative Meeting (if applicable)

8-G-22-SP / 7-F-22-RZ

File Number(s)

CORRESPONDENCE

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

Frankie Castillo Castillo Homes, LLC

Name / Company

1581 Pine Ridge Rd. Rd. Seymour TN 37865

Address

865-344-0486 / castillohomesllc@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Myra Candice Creswell Clark

Owner Name (if different)

P.O. Box 1184 Seymour TN 37865

Owner Address

865-591-9581

Owner Phone / Email

0 KARLA DR

Property Address

137 D A 010,137 225.02

Parcel ID

0.73 acres

Tract Size

Knox-Chapman Utility District

Sewer Provider

Knox-Chapman Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

southwest end of Karla Drive, south of Konda Dr

General Location

☐ City Commission District 9 CA (k) (General Business)

☒ County District Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

South County

Planning Sector

GC (General Commercial)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

☐ Development Plan ☐ Planned Development ☐ 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

Total Number of Lots Created

Additional Information

☐ Attachments / Additional Requirements

ZONING REQUEST

☐ Zoning Change **RA (Low Density Residential)**
Proposed Zoning

Pending Plat File Number

Proposed Density (units/acre) Previous Zoning Requests

☒ Plan Amendment Change **LDR (Low Density Residential)**
Proposed Plan Designation(s)

Additional Information

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ COA Checklist (Hillside Protection)
☐ Design Plan Certification (Final Plat)
☐ Site Plan (Development Request)
☐ Traffic Impact Study
☐ Use on Review / Special Use (Concept Plan)

Fee 1

\$600.00

Total

Fee 2

Fee 3

AUTHORIZATION

By signing below, I certify that I am the property owner, applicant, or owner's authorized representative.

Frankie Castillo Castillo Homes, LLC, 1581 Pine Ridge Rd. Rd. Seymour TN

5/24/2022

Application Authorized By

Affiliation

Date

865-344-0486 / castillohomesllc@gmail.com

Phone / Email

Staff Signature

Please Print

Date Paid



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

Castillo Homes LLC

Applicant Name

Affiliation

5/24/2022
Date Filed

7/14/2022
Meeting Date (if applicable)

8-G-22-UR File Number(s)

7-F-22-RZ

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

Frankie Ramos-Castillo

Castillo Homes LLC

Name

Company

1581 Pine Ridge Rd

Seymour

TN

37865

Address

City

State

ZIP

(865) 344-0486

castillohomesllc@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Myra Candice Creswell Clark

PO Box 1184, Seymour, TN 37865

(865) 591-9581

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Konda Dr

137DA010 and 13722502

Property Address

Parcel ID

Knox Chapman Utility District

Knox Chapman Utility District

No

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southwest end of Karla Dr., south of Konda Dr. .73 acres
General Location Tract Size

☐ City ☒ County

9th
District

CA(K)
Zoning District

Ag For Vac
Existing Land Use

South County
Planning Sector

GC
Sector Plan Land Use Classification

Planned Growth
Growth Policy Plan Designation

November 22, 2021

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

RA

Proposed Zoning

LDR

☐ Plan Amendment Change

Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

6-Q-06-RZ / 6-F-06-SP

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

0324 600.00

Fee 2

Fee 3

#600.00

AUTHORIZATION

Fabi N. S. Castillo Homes

Applicant Signature

Frankie Ramos, Castillo Homes

Please Print

May 24, 2022

Date

(865) 344-0486

Phone Number

castillohomesllc@gmail.com

Email

Myra C. Clark

Property Owner Signature

Myra C. Clark

Please Print

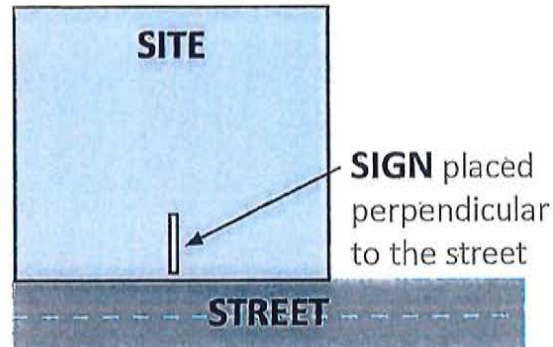
5/24/2022

Date

Sherry Michienzi

5/24/22 sum

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:

June 29, 2022 and July 15, 2022
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Castillo Homes, LLC

Date: 5/24/2022

File Number: 7-F-22-RZ

☐

Sign posted by Staff

☐

Sign posted by Applicant