



# PLAN AMENDMENT REPORT

**FILE #:** 7-H-22-SP **AGENDA ITEM #:** 6  
**POSTPONEMENT(S):** 7/14/2022 **AGENDA DATE:** 10/6/2022  
**APPLICANT:** DKLEVY  
**OWNER(S):** Metro Knoxville HMA LLC

**TAX ID NUMBER:** 106 K C 01705 [View map on KGIS](#)  
**JURISDICTION:** Council District 2  
**STREET ADDRESS:** 0 Old Weisgarber Rd.  
**LOCATION:** **West side of Old Weisgarber Rd., south of Middlebrook Pk., east of Stocton Dr.**  
**APPX. SIZE OF TRACT:** **53.93 acres**  
**SECTOR PLAN:** Northwest City  
**GROWTH POLICY PLAN:** N/A  
**ACCESSIBILITY:** Access is via Old Weisgarber Road, a minor collector with a pavement width of 21-ft within a right-of-way width of 70-ft.  
**UTILITIES:** Water Source: Knoxville Utilities Board  
 Sewer Source: Knoxville Utilities Board  
**WATERSHED:** Fourth Creek

**PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential), HP (Hillside Protection) & SP(Stream Protection) / AG (Agricultural), HP ( Hillside Protection) & F (Floodway)  
**PROPOSED PLAN DESIGNATION:** MDR / O (Medium Density Residential / Office) , HP (Hillside Protection) & SP (Stream Protection)  
**EXISTING LAND USE:** Agriculture/forestry/vacant

**EXTENSION OF PLAN DESIGNATION:** Yes, MDR/O is adjacent.

**HISTORY OF REQUESTS:** 7-I-13-RZ: A-1 & F-1 to O-1 & F-1

**SURROUNDING LAND USE AND PLAN DESIGNATION:**

North: Office, Agriculture/forestry/vacant - MDR/O (Medium Density Residential/Office), SP (Stream Protection)  
 Office, Agriculture/forestry/vacant - MDR/O (Medium Density Residential/Office), SP (Stream Protection)

South: Rural residential, Single family residential - LDR (Low Density Residential), HP (Hillside Protection)

East: Rural residential, Office, Public/quasi-public - O (Office), SP (Stream Protection)

West: Single family residential - LDR (Low Density Residential), SP (Stream Protection)

**NEIGHBORHOOD CONTEXT** This forested, steep sloped area is a transitional area between the medical office park along Middlebrook Pike and the single family residential

**STAFF RECOMMENDATION:**

- ▶ **Table this sector plan amendment as requested by the applicant.**

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/1/2022 and 11/15/2022. 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 #:** 7-P-22-RZ **AGENDA ITEM #:** 6  
 7-C-22-PA **AGENDA DATE:** 10/6/2022

POSTPONEMENT(S): 7/14/2022

▶ **APPLICANT:** DKLEVY  
**OWNER(S):** Metro Knoxville HMA LLC

**TAX ID NUMBER:** 106 K C 01705 [View map on KGIS](#)

**JURISDICTION:** Council District 2

**STREET ADDRESS:** 0 Old Weisgarber Rd.

▶ **LOCATION:** **West side of Old Weisgarber Rd., south of Middlebrook Pk., east of Stockton Dr.**

▶ **TRACT INFORMATION:** **53.93 acres.**

**SECTOR PLAN:** Northwest City

**GROWTH POLICY PLAN:** N/A

**ACCESSIBILITY:** Access is via Old Weisgarber Road, a minor collector with a pavement width of 21-ft within a right-of-way width of 70-ft.

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

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Fourth Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **LDR (Low Density Residential), HP (Hillside Protection) & SP (Stream Protection) / AG (Agricultural) HP (Hillside Protection & F (Floodway)**

▶ **PROPOSED PLAN DESIGNATION/ZONING:** **MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) & SP (Stream Protection) / RN-5 (General Residential Neighborhood), HP (Hillside Protection) & SP & F (Floodway)**

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

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, MDR/O is adjacent. No, RN-5 is not adjacent.

**HISTORY OF ZONING REQUESTS:** 7-I-13-RZ: A-1 & F-1 to O-1 & F-1

**SURROUNDING LAND USE, PLAN DESIGNATION,** North: Office, Agriculture/forestry/vacant - MDR/O (Medium Density Residential/Office), SP (Stream Protection) - OP (Office Park) & F (Floodplain Overlay)

**ZONING** South: Rural residential, Single family residential - LDR (Low Density Residential), HP (Hillside Protection) - RN-1 (Single-Family Residential Neighborhood) & HP (Hillside Protection Overlay)

East: Rural residential, Office, Public/quasi-public - O (Office), SP (Stream Protection) - AG (Agriculture) & F (Floodway Overlay)

West: Single family residential - LDR (Low Density Residential), SP (Stream Protection) - RN-1 (Single-Family Residential Neighborhood) & F (Floodplain Overlay)

NEIGHBORHOOD CONTEXT: This forested, steep sloped area is a transitional area between the medical office park along Middlebrook Pike and the single family residential neighborhood of West Hills.

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**STAFF RECOMMENDATION:**

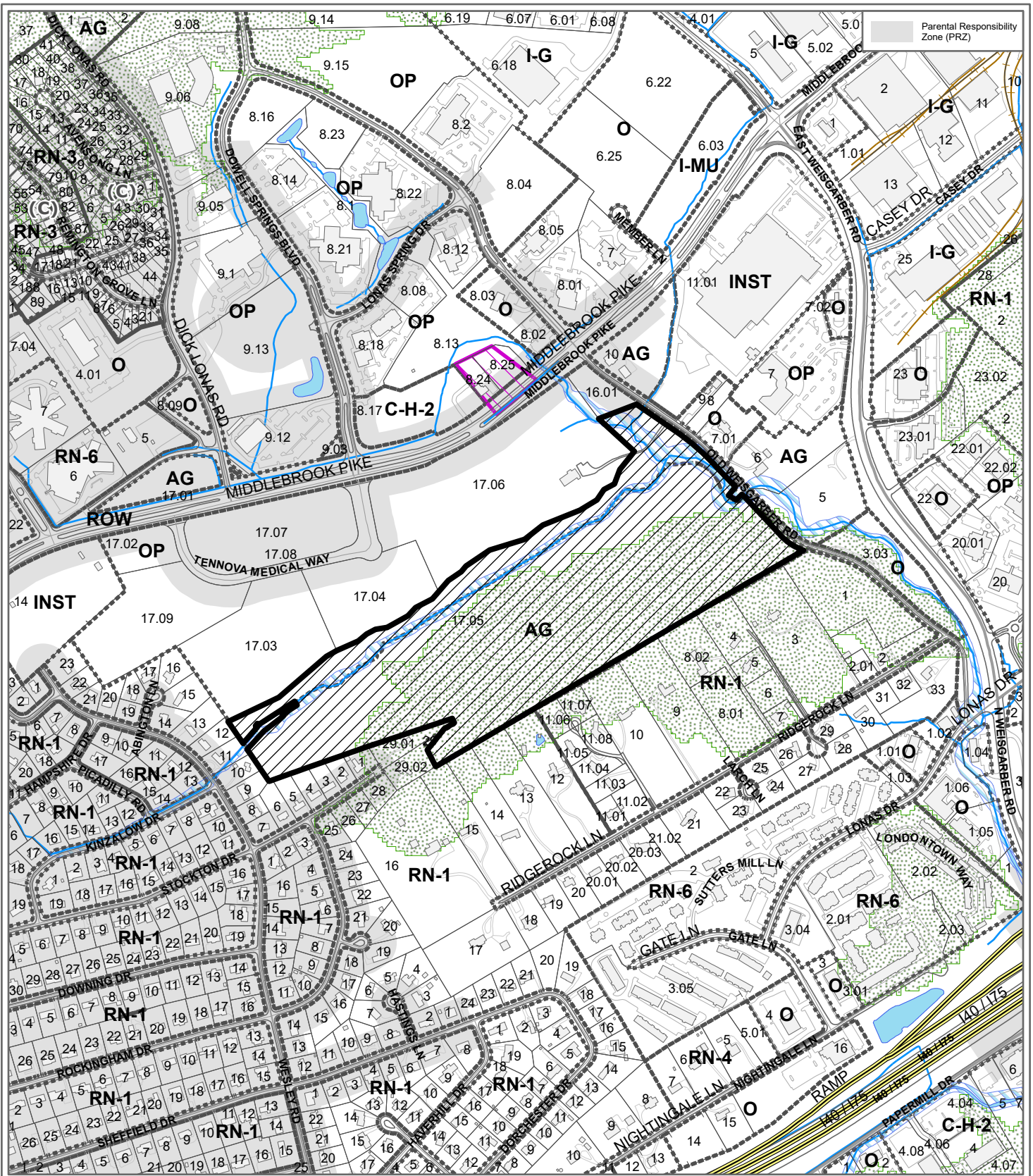
- ▶ **Table this one year plan amendment as requested by the applicant.**
  
- ▶ **Table this rezoning as requested by the applicant.**

**COMMENTS:**

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/1/2022 and 11/15/2022. 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.



**7-P-22-RZ  
REZONING**

From: AG (Agricultural) HP (Hillside Protection & F (Floodway)

To: RN-5 (General Residential Neighborhood), HP (Hillside Protection) & F (Floodway)



Petitioner: DKLEVY

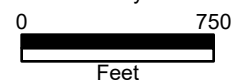
Map No: 106

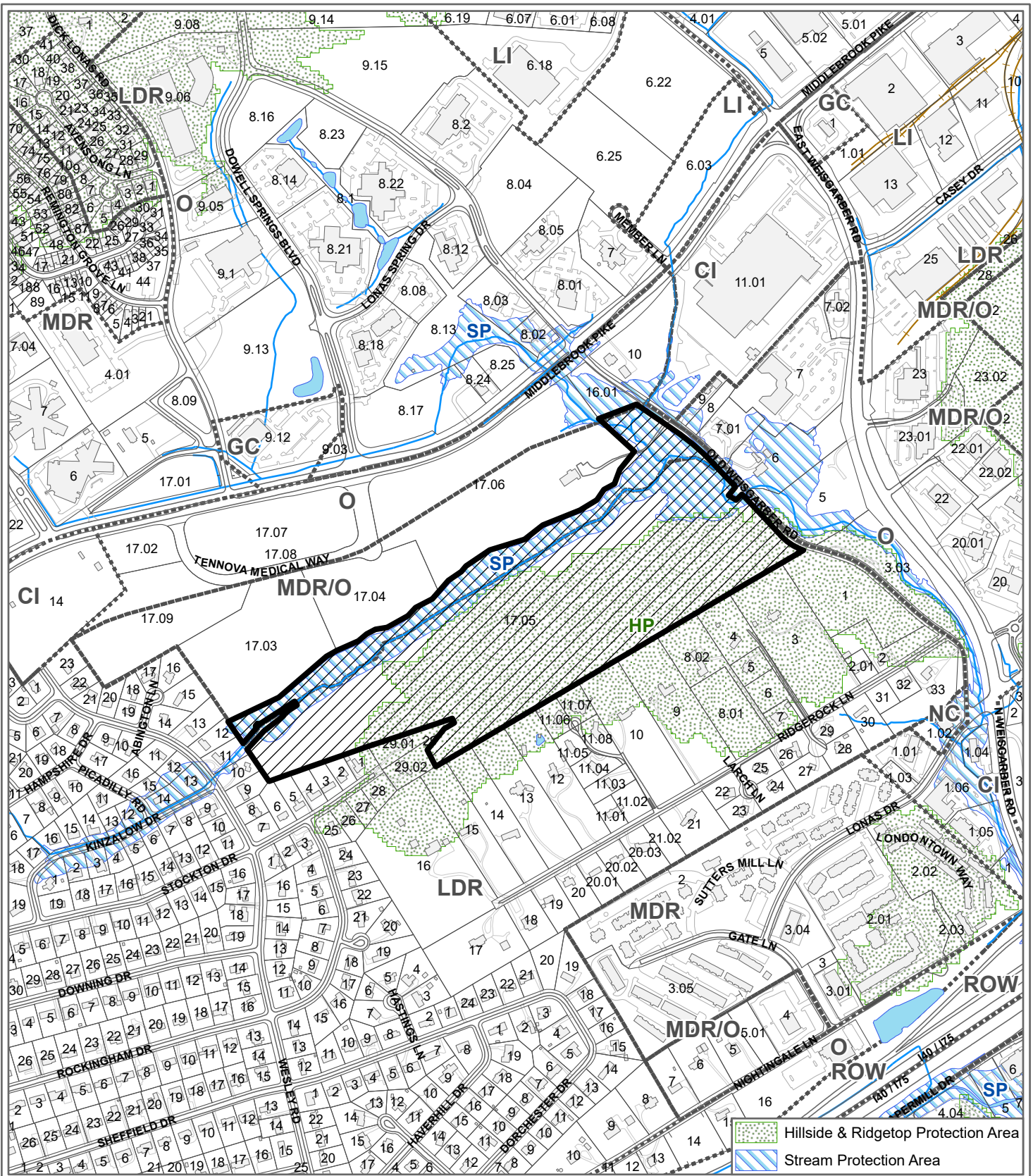
Jurisdiction: City

Original Print Date: 6/8/2022

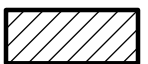
Revised:

Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902





**7-H-22-SP  
NORTHWEST CITY SECTOR PLAN AMENDMENT**

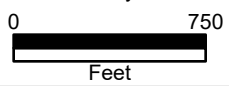


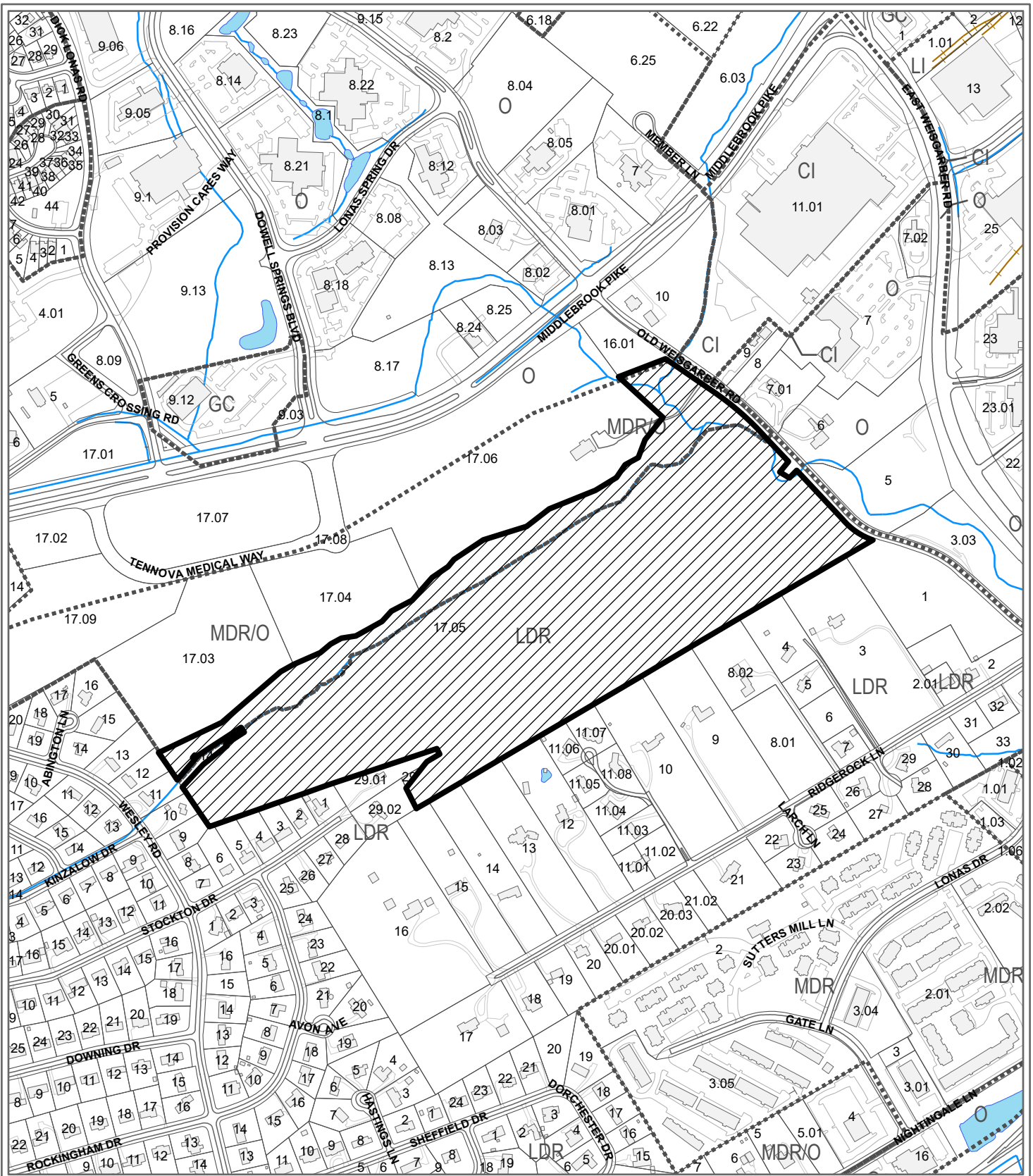
From: LDR (Low Density Residential), HP (Hillside Protection) & SP (Stream Protection)  
 To: MDR (Medium Density Residential), HP (Hillside Protection) & SP (Stream Protection)

Petitioner: DKLEVY

Map No: 106  
 Jurisdiction: City

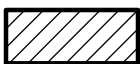
Original Print Date: 6/8/2022      Revised:  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902





**7-C-22-PA / 7-P-22-RZ  
PLAN AMENDMENT**

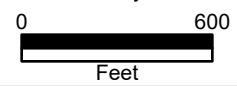
Petitioner: DKLEVY



From: LDR (Low Density Residential), HP (Hillside Protection) & SP (Stream Protection)  
 To: MDR (Medium Density Residential) / O (Office), HP (Hillside Protection) & SP (Stream Protection)

Map No: 106  
 Jurisdiction: City

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





# Request to Postpone • Table • Withdraw

DKLEVY

9/20/22

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

Date of Request

10/6/22

Scheduled Meeting Date

File Number(s)

7-P-22-RZ, 7-H-22-SP, 7-C-22-PA

## 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 \_\_\_\_\_ 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.

Applicant Signature

Daniel Levy

Please Print

865-474-9264

Phone Number

dlevy@dklevydesign.com

Email

## STAFF ONLY

Staff Signature

Elizabeth Albertson

Please Print

N/A

Date Paid

No Fee

Eligible for Fee Refund?  Yes  No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address





# Request to Postpone • Table • Withdraw

DKLEVY

7/5/22

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

Date of Request

7/14/22

Scheduled Meeting Date

File Number(s)

7-P-22-RZ; 7-H-22-SP; 7-C-22-PA

## 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 10/6/22 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.*

Daniel Levy

Applicant Signature

Please Print

(865) 474-9264

dlevy@dklevydesign.com

Phone Number

Email

## STAFF ONLY

Staff Signature

Please Print

Date Paid

No Fee

Eligible for Fee Refund?  Yes  No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address



# 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

DKLEVY

Architect

Applicant Name

Affiliation

05/31/2022

07/14/2022

Date Filed

Meeting Date (if applicable)

<p><b>7-P-22-RZ</b> File Number(s)</p> <p><b>7-H-22-SP</b></p> <p><b>7-C-22-PA</b></p>
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## 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

Daniel Levy

DKLEVY Architecture

Name

Company

3523 Maloney Road

Knoxville

TN

37920

Address

City

State

ZIP

(865) 474-9264

dlevy@dklevydesign.com

Phone

Email

## CURRENT PROPERTY INFO

Metro Knoxville HMA LLC

14400 Metcalf Ave Overland Park, KS 66223

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Old Weisgarber Road

106KC01705

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

West side of Old Weisgarber Rd, south of Middlebrook Pk, east of Stockton Dr.

53.93 acres

General Location

Tract Size

City  County

2  
District

AG & HP & SP F

Zoning District

Agriculture/forestry/vacant

Existing Land Use

Northwest City

Planning Sector

LDR, HP, SP

Sector Plan Land Use Classification

with the City of Knoxville

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

**RN-5    HP, F**

Proposed Zoning

Plan Amendment Change

**MDR/O    HP/SP**

Proposed Plan Designation(s)

~~Units per acre~~

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		Total
0326	\$3,296.50	\$4,496.50
Fee 2		
0527	\$800.00	
Fee 3		
0517	\$400.00	

## AUTHORIZATION



Daniel Levy

05/31/2022

Applicant Signature

Please Print

Date

(865) 474-9264

dlevy@dklevydesign.com

Phone Number

Email



Jay Buckley

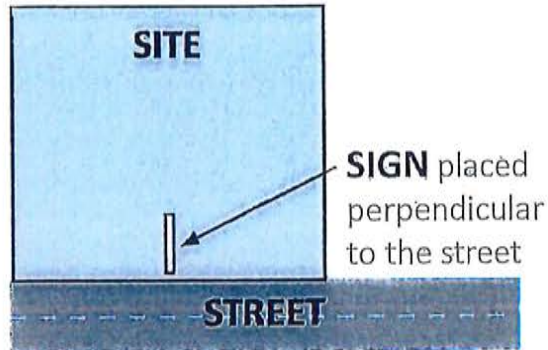
5/31/22

Property Owner Signature

Please Print

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:*

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

Applicant Name: Dan Levy

Date: 5/31/2022

File Number: 7-P-22-RZ, 7-H-22-SP, 7-C-22-PA

Sign posted by Staff

Sign posted by Applicant