



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 9-B-22-RZ **AGENDA ITEM #:** 18
9-B-22-SP **AGENDA DATE:** 9/8/2022

▶ **APPLICANT:** JULIO MANUEL SOLIS ROBLERO
OWNER(S): Julio Manuel Solis Roblero

TAX ID NUMBER: 48 045.05 [View map on KGIS](#)

JURISDICTION: Commission District 7

STREET ADDRESS: 3116 MYNATT RD

▶ **LOCATION:** South side of Mynatt Rd., west of Maynardville Pk.

▶ **TRACT INFORMATION:** 6.99 acres.

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Mynatt Road, a major collector street with a 20-ft pavement width within a 70-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / RB (General Residential)

▶ **EXISTING LAND USE:** Rural Residential

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes.

HISTORY OF ZONING REQUESTS: 12-B-08-RZ: A to PR (withdrawn)

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Agriculture/forestry/vacant - RB (General Residential)

South: Multifamily, rural residential - RB (General Residential), PR (Planned Residential) up to 5 du/ac

East: Agriculture/forestry/vacant - A (Agricultural)

West: Agriculture/forestry/vacant - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is comprised of mobile home communities, large rural residential lots and single family detached subdivisions among forested hillsides.

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to MDR (Medium Density Residential) because it is consistent with the location criteria for MDR and development trends in the area.**

- ▶ **Approve the RB (General 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. There are no substantial changes of conditions in the area warranting an amendment to the North County Sector Plan.

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

1. There have no expansions of new roads or utilities that were not anticipated in the sector plan. However, existing roads and utilities would accommodate the proposed MDR (Medium Density Residential) designation. The property has access to a major collector street leading to a commercial node to the east.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The North County Sector Plan could have considered including the subject property in the existing grouping of MDR designated properties north and south of Mynatt Road to the east. The property is also located in between LDR (Low Density Residential) designated properties to the west and a commercial node to the east which meets the MDR criteria as a transition between commercial development and low density residential neighborhoods.

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

1. There has been recent expansion of MDR land use across Mynatt Road from the subject property, and the proposed amendment aligns with that trend.

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. This area is transitioning to denser residential development moving west along Mynatt Rd. There is a site plan under review for a mobile home park on the adjacent property to the north, which recently rezoned to RB (General Residential). The proposed RB zone for the subject property is consistent with this development.

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

1. The RB zone provides for land uses that range from houses to multi-dwelling developments and other uses that are compatible with intensive residential development. The subject property neighbors RB-zoned properties on three sides, and is an appropriate site for a minor extension of that zone.

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 subject property is bound on the south end by Hines Branch Creek and a tributary blue line stream runs north to south through the property as well. Any future development plan will be required to incorporate a 50-ft stream buffer for permitting. A floodplain analysis is also recommended for the southern portion of the property to avoid stormwater hazards associated with Hines Branch.

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:

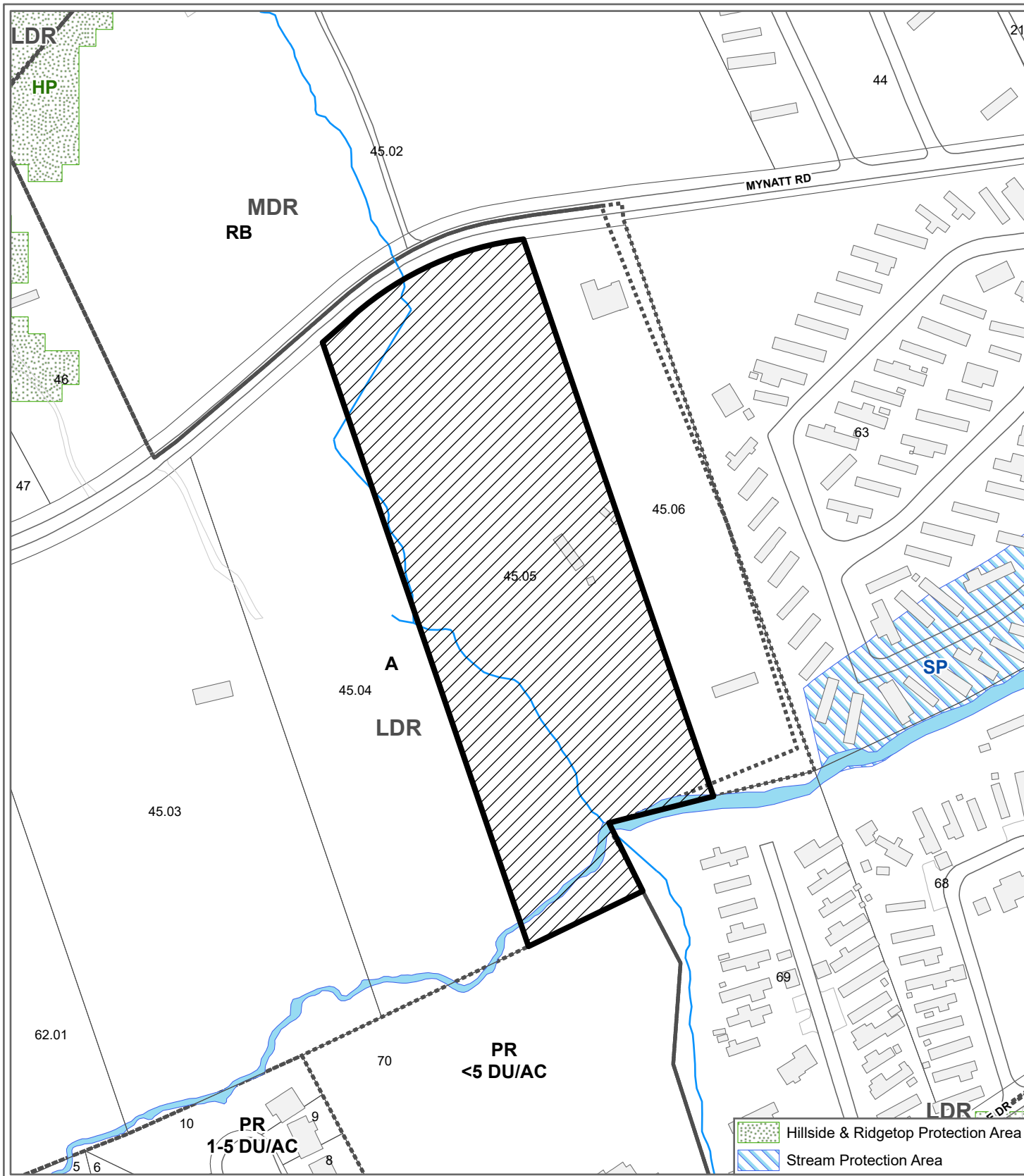
1. The proposed RB zone is consistent with the North County Sector Plan as amended.
2. The subject property is in the Planned Growth Area of the Growth Policy Plan.
3. The zone change is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: 0 (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.

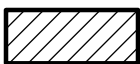
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/24/2022. 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.



**9-B-22-SP / 9-B-22-RZ
NORTH COUNTY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)
To: MDR (Medium Density Residential)

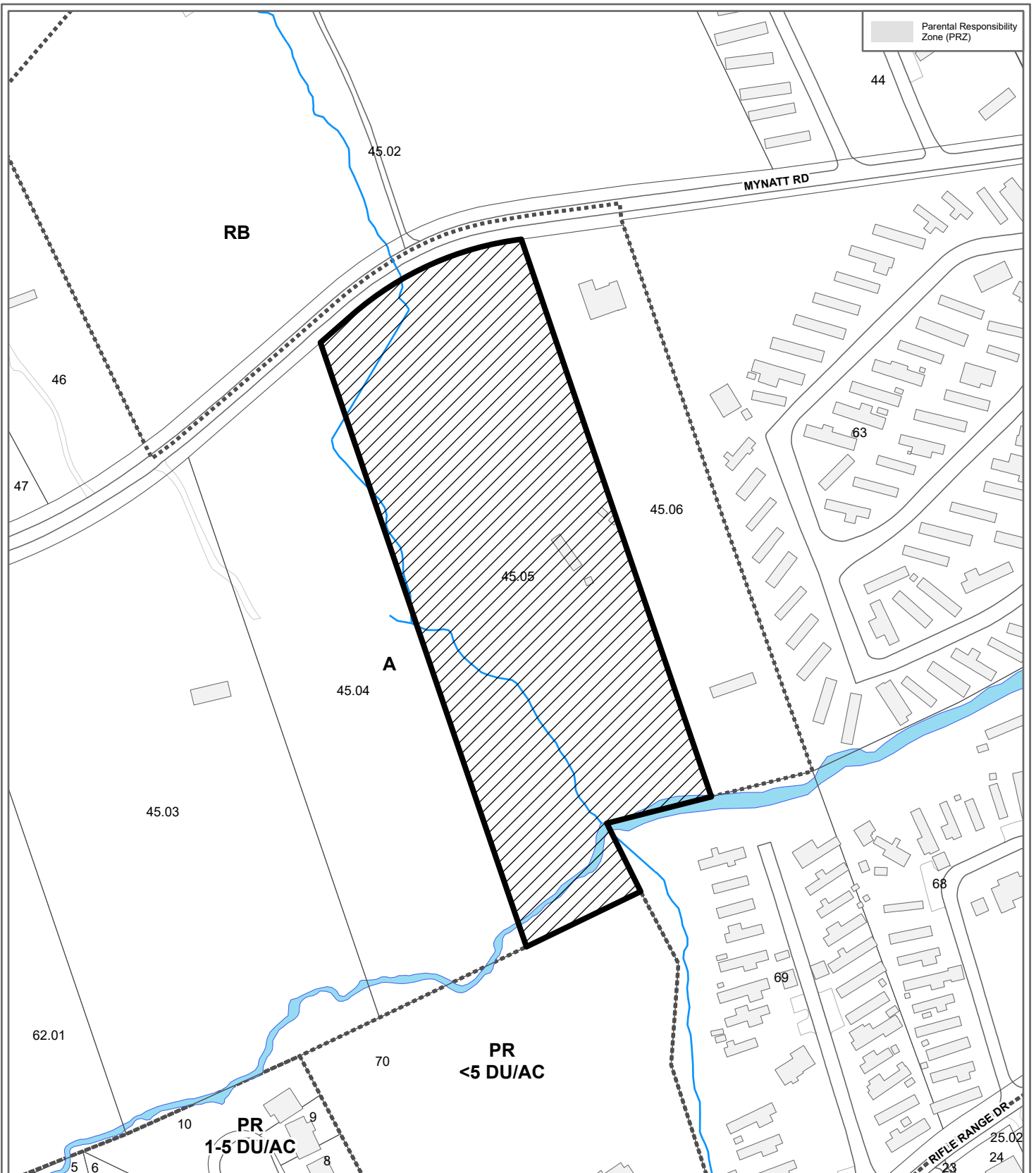


Original Print Date: 8/15/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Julio Manuel Solis Roblero

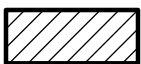
Map No: 48
Jurisdiction: County





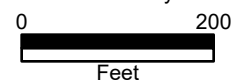
**9-B-22-RZ
REZONING**

Petitioner: Julio Manuel Solis Roblero



From: A (Agricultural)
To: RB (General Residential)

Map No: 48
Jurisdiction: County



Original Print Date: 8/15/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTH 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 North 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, Julio Manuel Solis Roblero has submitted an application for an amendment to the North County 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 Medium 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 September 8, 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 County Sector Plan with its accompanying staff report and map, file # 9-B-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.

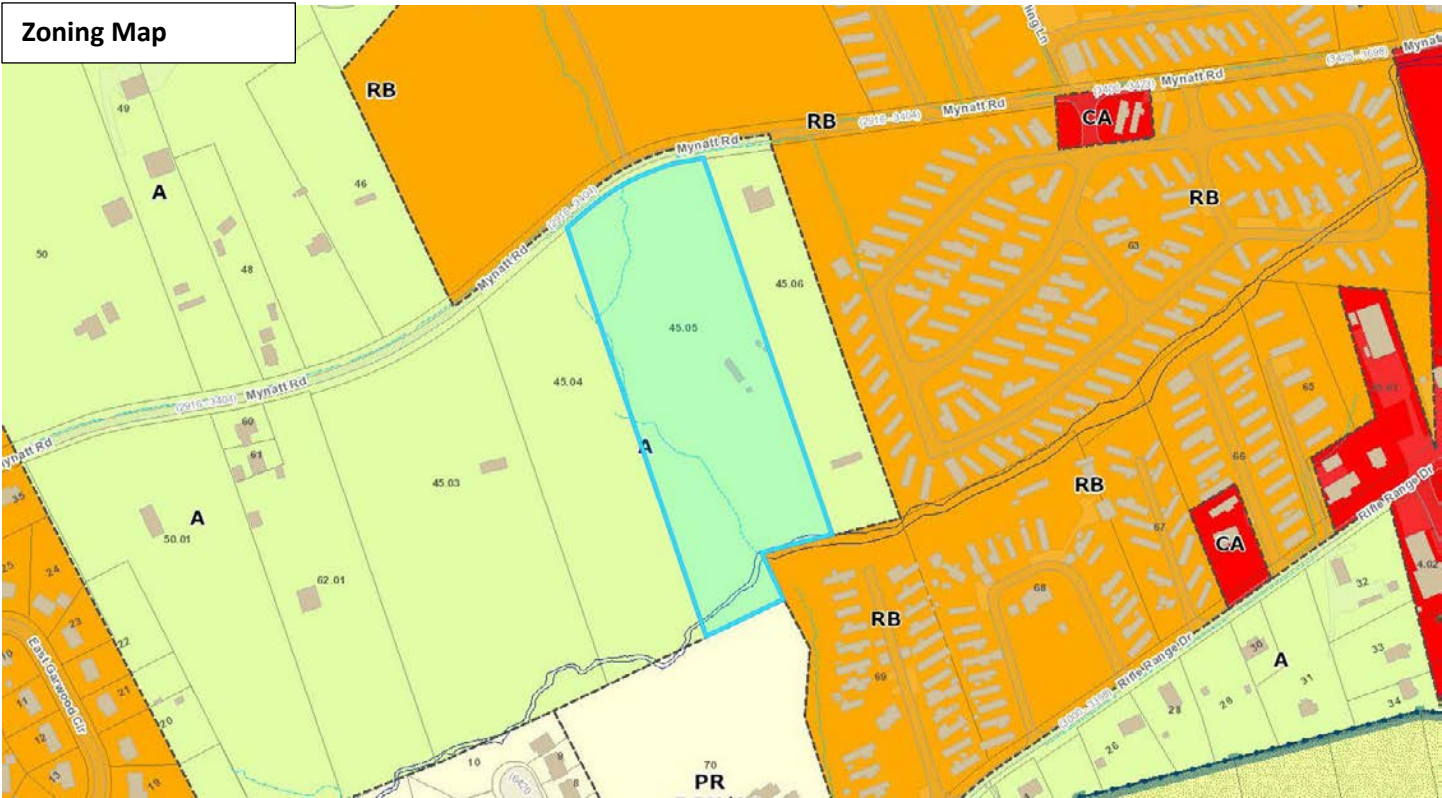
Date

Chairman

Secretary

Exhibit B. 9-B-22-RZ / 9-B-22-SP Contextual Images

Zoning Map



Sector Plan Map

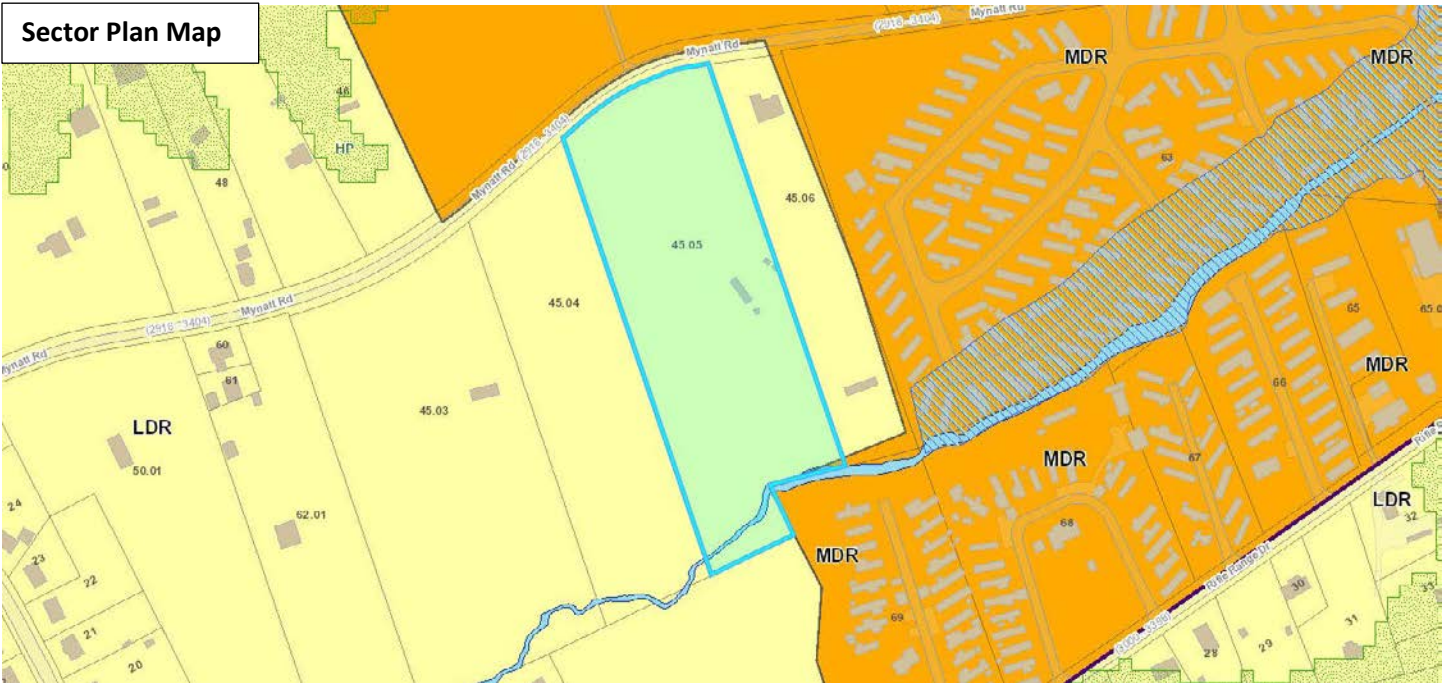


Exhibit B. 9-B-22-RZ / 9-B-22-SP Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Julio Manuel Solis Roblero

Applicant Name

7/13/2022

Date Filed

9/8/2022

Planning Commission Meeting (if applicable)

(10/24/2022) Knox County Commission)

Legislative Meeting (if applicable)

9-B-22-RZ / 9-B-22-SP

File Number(s)

CORRESPONDENCE

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

Julio Manuel Solis Roblero

Name / Company

3116 Mynatt Rd Knoxville TN 37918

Address

865-244-5839 / juliosolis8@yahoo.com

Phone / Email

CURRENT PROPERTY INFO

Julio Manuel Solis Roblero

Owner Name (if different)

3116 Mynatt Rd Knoxville TN 37918

Owner Address

865-244-5839 / juliosolis8@yah

Owner Phone / Email

3116 MYNATT RD

Property Address

48 045.05

Parcel ID

6.99 acres

Tract Size

Part of Parcel (Y/N)?

Hallsdale-Powell Utility District

Sewer Provider

Hallsdale-Powell Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Mynatt Rd., west of Maynardville Pk.

General Location

City **Commission District 7 A (Agricultural)**

County District Zoning District

Rural Residential

Existing Land Use

North County

Planning Sector

LDR (Low Density Residential)

Sector Plan Land Use Classification

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

Unit / Phase Number

Total Number of Lots Created

Additional Information

- Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

- Zoning Change **RB (General Residential)**

Proposed Zoning

Proposed Density (units/acre) Previous Zoning Requests

- Plan Amendment Change **MDR (Medium Density Residential)**

Proposed Plan Designation(s)

Additional Information

Pending Plat File Number

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

\$1,600.00

Fee 2

Fee 3

Total

AUTHORIZATION

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

Julio Manuel Solis Roblero, 3116 Mynatt Rd Knoxville TN 37918

7/13/2022

Application Authorized By

Affiliation

Date

865-244-5839 / juliosolis8@yahoo.com

Phone / Email

Michelle Portier

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

Julio Manuel Solis Roblero _____
 Applicant Name Affiliation

07/13/2022 _____
 Date Filed Meeting Date (if applicable)

File Number(s)

9-B-22-SP / 9-B-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

Julio Manuel Solis Roblero _____
 Name Company

3116 Mynatt rd _____ Knoxville _____ Tn _____ 37918 _____
 Address City State ZIP

865-244-5839 _____ Julio Solis B@yahoo.com _____
 Phone Email

CURRENT PROPERTY INFO

Julio Manuel Solis Roblero _____ 3116 Mynatt rd Knoxville Tn 37918 _____ 865-244-5839 _____
 Property Owner Name (if different) Property Owner Address Property Owner Phone

3116 Mynatt rd Knoxville Tn 37918 _____ 048-04505 _____
 Property Address Parcel ID

Hallsdale-Powell Utility _____ Hallsdale-Powell Utility _____
 Sewer Provider Water Provider Septic (Y/N)

STAFF USE ONLY

_____ 7 acres _____
 General Location Tract Size

City County _____
 District Zoning District Existing Land Use

 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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

- Combine Parcels
 Divide Parcel

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change

Proposed Zoning RB

Plan Amendment Change

Proposed Plan Designation(s) MDR

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
0802	\$ 750-	\$ 1600-
Fee 2		
0604	\$ 850-	
Fee 3		

AUTHORIZATION


Applicant Signature

Julio Manuel Solis Roblero
Please Print

07/13/2022
Date

865-244-5839
Phone Number

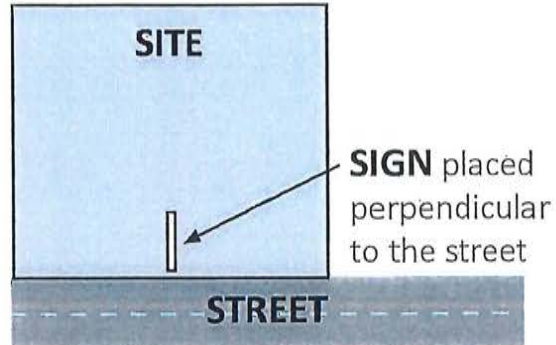
JulioSolis8@yahoo.com
Email


Property Owner Signature

Julio Manuel Solis Roblero
Please Print

07/13/2022
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:

8/24/2022 and 9/9/2022
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Julio Manuel Solis Roblero

Date: 7/13/2022

File Number: 9-B-22-RZ / 9-B-22-9P

- Sign posted by Staff
- Sign posted by Applicant