



PLAN AMENDMENT REPORT

▶ **FILE #:** 1-A-23-SP

AGENDA ITEM #: 6

AGENDA DATE: 1/12/2023

▶ **APPLICANT:** CHRIS AND RENEE HARWELL
OWNER(S): Renee Harwell

TAX ID NUMBER: 123 F A 014 [View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 102 STONEWALL DR

▶ **LOCATION:** East side of Stonewall Dr, north of Chapman Hwy

▶ **APPX. SIZE OF TRACT:** 0.57 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Stonewall Drive, a local street with a pavement width of 16 ft within a 25-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential), HP (Hillside Protection) / RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **PROPOSED PLAN DESIGNATION:** O (Office), HP (Hillside Protection)

▶ **EXISTING LAND USE:** Single Family Residential

EXTENSION OF PLAN DESIGNATION: Yes

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Single family residential - Low Density Residential

South: Office - O (Office)

East: Multifamily - MDR (Medium Density Residential)

West: Single family residential - LDR (Low Density Residential)

NEIGHBORHOOD CONTEXT This property is located at the entrance of a single family detached residential neighborhood next to a commercial node on Chapman Hwy and an apartment community to the east.

STAFF RECOMMENDATION:

▶ **Deny the sector plan amendment to O (Office) because it is located at the gateway of an established neighborhood, and it does not meet any of the conditions warranting a change to the land use plan.**

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 have been no recent developments in this general area that reflect the need for a change in the subject property's land use designation from LDR (Low Density Residential) to O (Office).

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

1. This section of Chapman Highway and the narrow, local road of Stonewall Drive have not seen improvements that warrant reconsideration of the subject property's residential land use.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The subject property has a dwelling on it that was built in 1940, and it is part of the South Woodlawn Neighborhood. The residential classification is not the result of an error in the sector plan.

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

1. There have been no new trends in this area that pertain to the land use designation for the subject property.
2. The property's location next to a welcome sign for the established South Woodlawn Neighborhood makes an office use here possibly damaging to the image and character of the neighborhood.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 2/7/2023 and 2/21/2023. 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 #:** 1-A-23-RZ
1-A-23-PA

AGENDA ITEM #: 6
AGENDA DATE: 1/12/2023

▶ **APPLICANT:** CHRIS AND RENEE HARWELL
OWNER(S): Renee Harwell

TAX ID NUMBER: 123 F A 014 [View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 102 Stonewall DR

▶ **LOCATION:** East side of Stonewall Dr, north of Chapman Hwy

▶ **TRACT INFORMATION:** 0.57 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Stonewall Drive, a local street with a pavement width of 16 ft within a 25-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential), HP (Hillside Protection) / O (Office), HP (Hillside Protection Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** O (Office), HP (Hillside Protection) / O (Office), HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Single Family Residential

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

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

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

South: Office - O (Office) - O (Office)

East: Multifamily - MDR (Medium Density Residential) - RN-5 (General Residential Neighborhood)

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

NEIGHBORHOOD CONTEXT: This property is located at the entrance of a single family detached residential neighborhood next to a commercial node on Chapman Hwy and an apartment community to the east.

STAFF RECOMMENDATION:

- ▶ **Deny the One Year Plan amendment to O (Office) because it encroaches into a residential neighborhood, and does not meet any of the conditions warranting a change to the land use plan.**

- ▶ **Deny O (Office) zoning because it is not compatible with the land use plan for the area and the residential neighborhood of which it is a part. The HP (Hillside Protection) overlay is retained.**

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

AN ERROR IN THE PLAN:

1. The subject property contains a single family detached home and is located at an entrance to the established South Woodlawn residential neighborhood. The One Year Plan's land use designation of LDR (Low Density Residential) is reflective of the surrounding area and is not the result of an error.

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. There have been no significant capital improvements in this area that would impact the land use designation for the subject property.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There are no public policy changes that support an extension of the O (Office) land use designation into this residential neighborhood.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. The Chapman Highway Corridor Study identifies the area where the subject property is located as being primarily residential.
2. There is no new information that points to the need for an Office land use designation at an entrance of the South Woodlawn Neighborhood.

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. The area has not seen any significant changes in the last 20 years that would make a rezoning to O (Office) necessary.
2. While there is O zoning adjacent to the south, that property is located along Chapman Hwy, a major arterial street.

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

1. The zoning ordinance states that the O district is intended to provide for an environment of low intensity office and service uses, mixed with residential uses. The O District may additionally serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas.
2. The subject property's location between a single family residential neighborhood and a commercial node on Chapman Highway aligns with the purpose of O zoning as described above.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. O zoning permits a variety of uses that could draw additional traffic into this residential area. Although the subject property is located near Chapman Highway and a bus stop, it is only accessible through Stonewall Dr, which is narrow enough to make an increase in traffic challenging for neighboring residents.

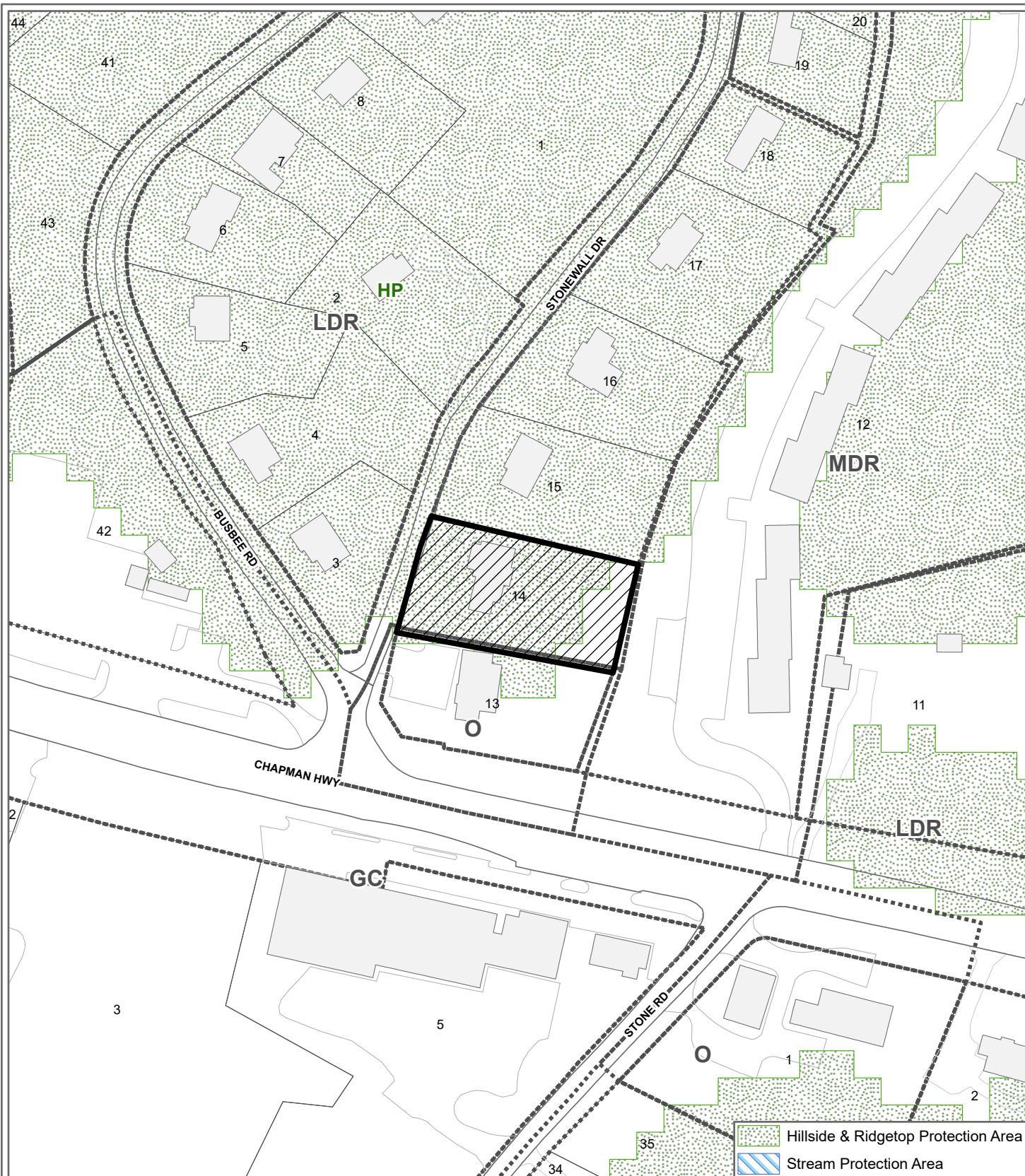
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed O zoning conflicts with development policy 8.4 in the General Plan to "protect neighborhoods from encroaching commercial development and other incompatible uses."
2. The proposed zoning district is not consistent with the land use plans for this area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

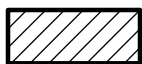
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**1-A-23-SP
SOUTH CITY SECTOR PLAN AMENDMENT**

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

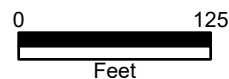
To: O (Office), HP (Hillside Protection)



Petitioner: Chris and Renee Harwell

Map No: 123

Jurisdiction: City





**1-A-23-PA / 1-A-23-RZ
PLAN AMENDMENT**

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

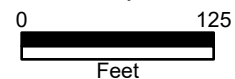
To: O (Office), HP (Hillside Protection)

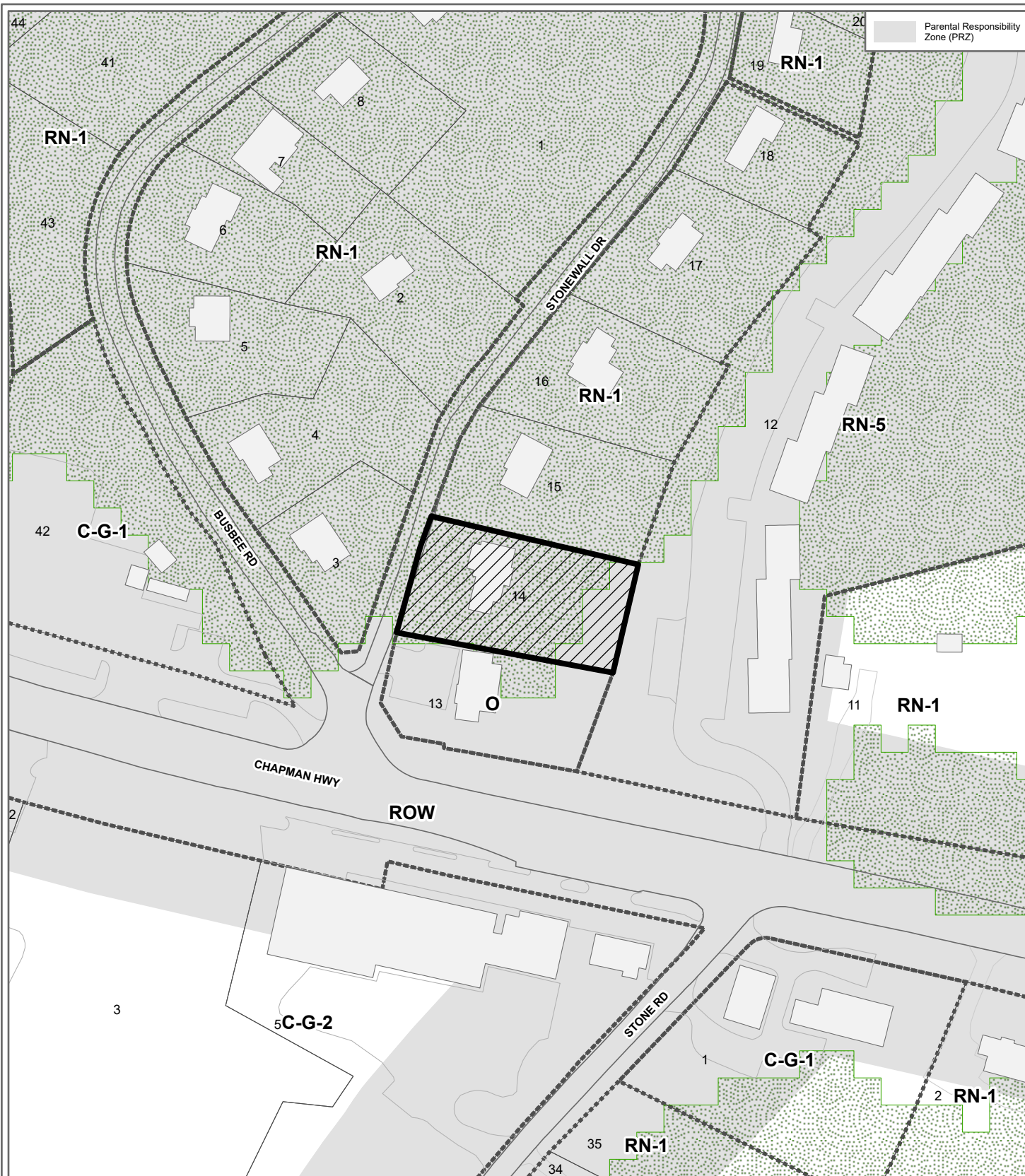


Petitioner: Chris and Renee Harwell

Map No: 123

Jurisdiction: City





**1-A-23-RZ
REZONING**

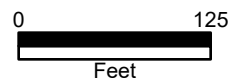
From: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
To: O (Office), HP (Hillside Protection Overlay)



Petitioner: Chris and Renee Harwell

Map No: 123

Jurisdiction: City



Staff - Slope Analysis
 Case: 1-A-23-RZ/1-A-23-SP/1-A-23-PA

CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	20,998	0.48			
Non-Hillside	3,858	0.09	N/A		
0-15% Slope	2,983	0.07	100%	2,983	0.07
15-25% Slope	7,079	0.16	50%	3,539	0.08
25-40% Slope	6,470	0.15	20%	1,294	0.03
Greater than 40% Slope	609	0.01	10%	61	0.001
Ridgetops					
Hillside Protection (HP) Area	17,140	0.39	Recommended disturbance budget within HP Area	7,877	0.2
			Percent of HP Area	0.5	

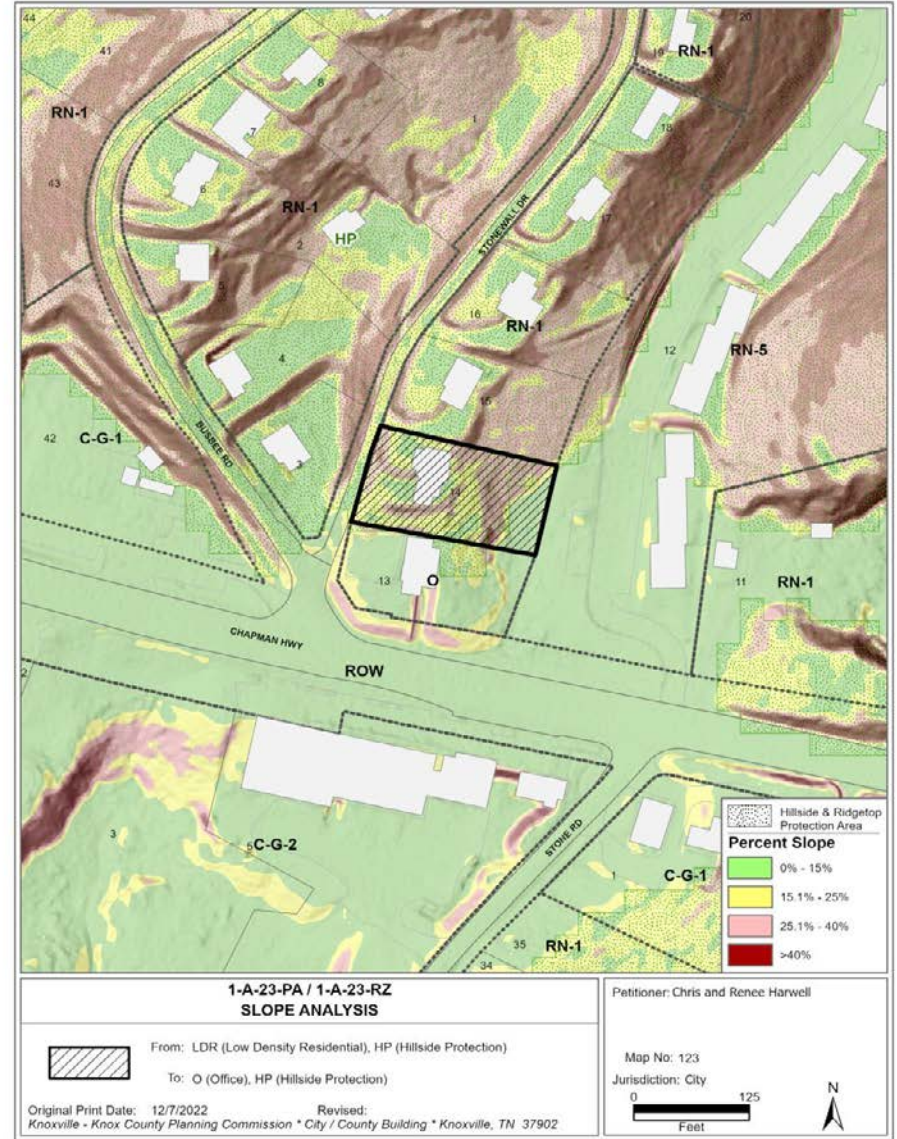


Exhibit A. 1-A-23-RZ/ 1-A-23-PA/ 1-A-23-SP Context Images

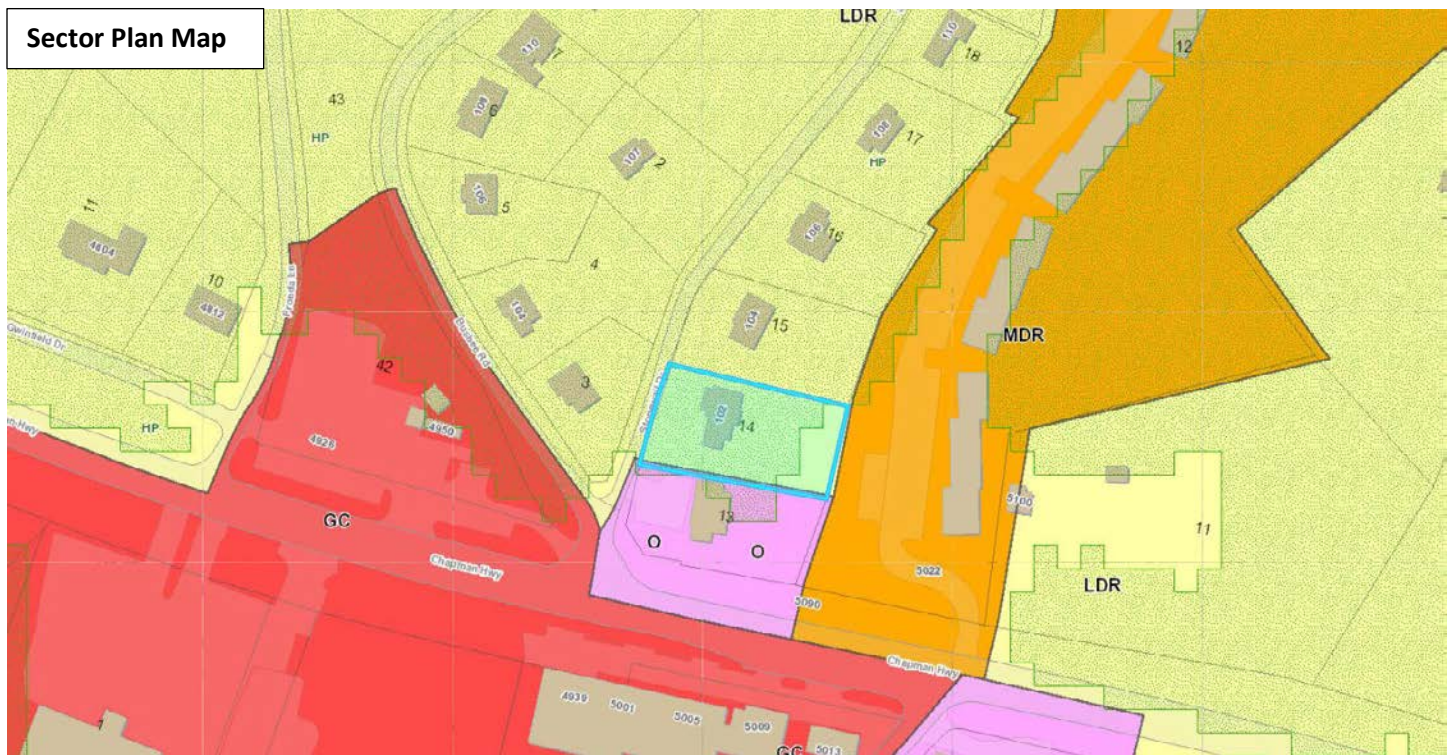
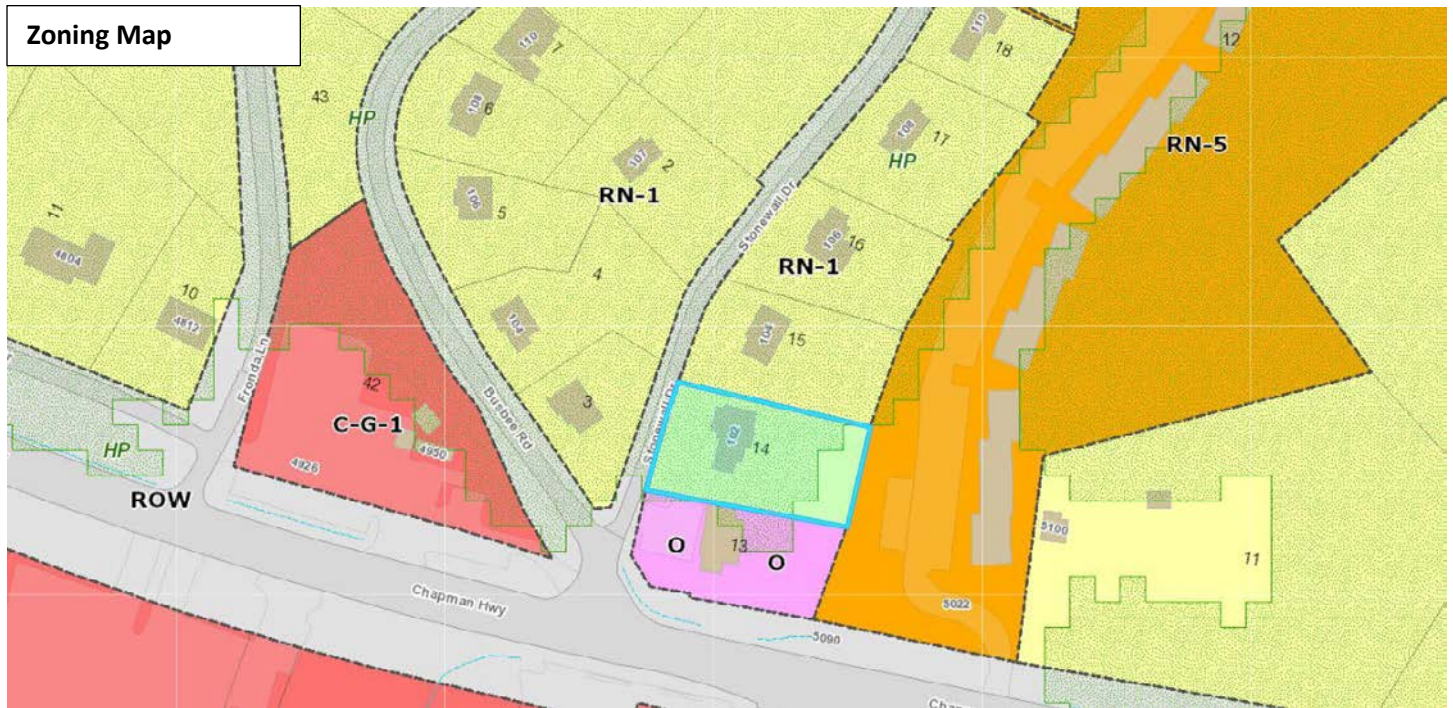


Exhibit A. 1-A-23-RZ/ 1-A-23-PA/ 1-A-23-SP Context Images

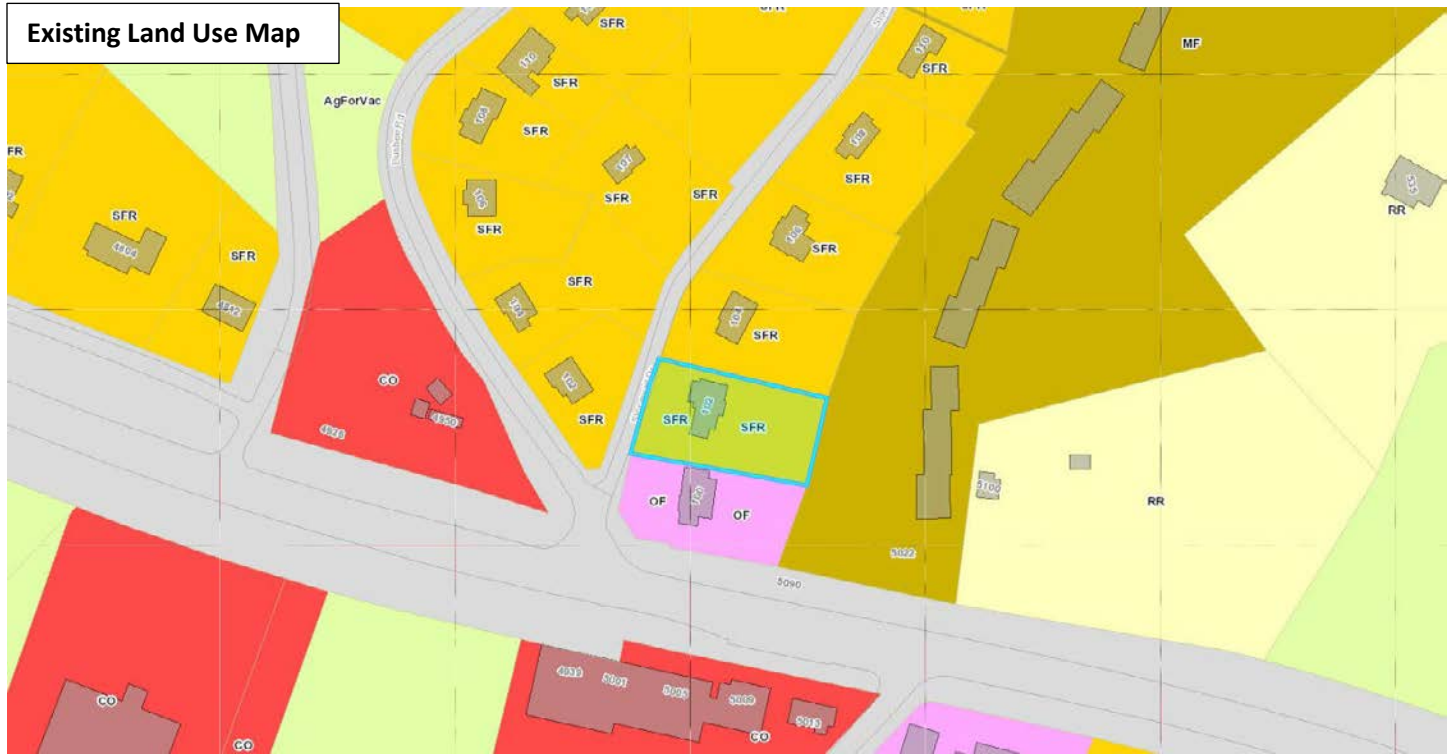


Exhibit A. 1-A-23-RZ/ 1-A-23-PA/ 1-A-23-SP Context Images

Neighborhood welcome sign from subject property





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

Chris and Renee Harwell

Applicant Name

Affiliation

9/1/2022

Date Filed

1/12/2023

Meeting Date (if applicable)

1-A-23-SP

File Number(s)

CORRESPONDENCE

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

Renee Harwell

Name / Company

1025 Buckskin Trl Knoxville TN 37920

Address

865-705-4407

Phone / Email

CURRENT PROPERTY INFO

Renee Harwell

Owner Name (if different)

1025 Buckskin Trl Knoxville TN 37920

Owner Address

865-705-4407

Owner Phone / Email

102 STONEWALL DR

Property Address

123 F A 014

Parcel ID

Part of Parcel (Y/N)?

21364 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Stonewall Dr, north of Chapman Hwy

General Location

City

Council District 1

RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Single Family Residential

County District

Zoning District

Existing Land Use

South City

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change O (Office), HP (Hillside Protection Overlay)	Pending Plat File Number
Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment O (Office), HP (Hillside Protection)	
Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	\$2,900.00	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> COA Checklist (Hillside Protection) <input type="checkbox"/> Design Plan Certification (Final Plat) <input type="checkbox"/> Site Plan (Development Request) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> Use on Review / Special Use (Concept Plan)	Fee 2	
	Fee 3	

AUTHORIZATION

Chris and Renee Harwell	9/1/2022
Applicant Signature	Date
Please Print	

Renee Harwell	9/1/2022
Property Owner Signature	Date
Please Print	

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Chris and Renee Harwell

Applicant Name

Affiliation

9/1/2022

Date Filed

1/12/2023

Meeting Date (if applicable)

1-A-23-RZ / 1-A-23-PA

File Number(s)

CORRESPONDENCE

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

Renee Harwell

Name / Company

1025 Buckskin Trl Knoxville TN 37920

Address

865-705-4407

Phone / Email

CURRENT PROPERTY INFO

Renee Harwell

Owner Name (if different)

1025 Buckskin Trl Knoxville TN 37920

Owner Address

865-705-4407

Owner Phone / Email

102 STONEWALL DR

Property Address

123 F A 014

Parcel ID

Part of Parcel (Y/N)?

21364 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Stonewall Dr, north of Chapman Hwy

General Location

City

Council District 1

**RN-1 (Single-Family Residential Neighborhood), HP
(Hillside Protection Overlay)**

Single Family Residential

County District

Zoning District

Existing Land Use

South City

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change O (Office), HP (Hillside Protection Overlay)	Pending Plat File Number
Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment O (Office), HP (Hillside Protection)	
Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	\$2,900.00	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> COA Checklist (Hillside Protection) <input type="checkbox"/> Design Plan Certification (Final Plat) <input type="checkbox"/> Site Plan (Development Request) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> Use on Review / Special Use (Concept Plan)	Fee 2	
	Fee 3	

AUTHORIZATION

Applicant Signature: **Chris and Renee Harwell** Date: **9/1/2022**
Please Print

Phone / Email: _____
Property Owner Signature: **Renee Harwell** Date: **9/1/2022**
Please Print

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Applicant Name: Chris & Renee HARVELL Affiliation: _____

Date Filed: 9-1-22 Meeting Date (if applicable): January 12, 2023 ~~Nov 10-22~~

1-A-23-RZ 1-A-23-PA 1-A-23-SP	File Number(s)
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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

Name: Chris HARVELL Company: _____

Address: 1025 Buckskin TRAIL City: Knoxville TN State: TN ZIP: 37920

Phone: 865-705-4407 Email: CHRIS HARVELL@COMCAST.NET

CURRENT PROPERTY INFO

Property Owner Name (if different): Chris & Renee Harvell Property Owner Address: 1025 Buckskin TRAIL Property Owner Phone: 865-705-4407

Property Address: 102 Stone Wall Drive Parcel ID: 123FA064 865 768 2169

Sewer Provider: KUB Water Provider: KUB Septic (Y/N): N

STAFF USE ONLY

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

Proposed Subdivision Name _____

Related Rezoning File Number

Combine Parcels
 Divide Parcel
 Unit / Phase Number _____

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

Proposed Zoning

Pending Plat File Number

Plan Amendment Change

Proposed Plan Designation(s) _____

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
Fee 2	
Fee 3	

AUTHORIZATION

Chris Harwell

Applicant Signature

Chris Harwell

Please Print

9-1-22

Date

865 705 4407

Phone Number

CHRIS HARWELL @ COMCAST.NET

Email

Chris Harwell

Property Owner Signature

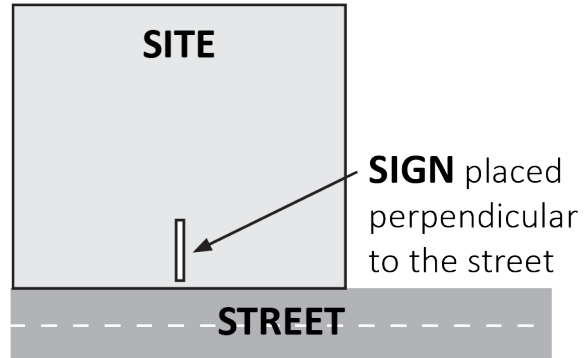
CHRIS HARWELL

Please Print

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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:

_____ and _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

- Sign posted by Staff
- Sign posted by Applicant