



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 3-M-23-RZ
3-A-23-SP

AGENDA ITEM #: 28
AGENDA DATE: 3/9/2023

▶ **APPLICANT:** TRAVIS YATES
OWNER(S): Eric Nelson

TAX ID NUMBER: 137 254.03 (PART OF) [View map on KGIS](#)
JURISDICTION: Commission District 9
STREET ADDRESS: 400 W GOVERNOR JOHN SEVIER HWY

▶ **LOCATION:** **South side of W Governor John Sevier Hwy, east of South Point Rd, west of Mountain Grove Dr**

▶ **TRACT INFORMATION:** **11 acres.**
SECTOR PLAN: South County
GROWTH POLICY PLAN: Planned Growth Area
ACCESSIBILITY: Access is via W Govenernor John Sevier Hwy, a major arterial with a pavement width of 46-ft within a right-of-way width of 112-ft.
UTILITIES: Water Source: Knox-Chapman Utility District
Sewer Source: Knox-Chapman Utility District
WATERSHED: Stock Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **GC (General Commercial), HP (Hillside Protection) / CB(k) (Business and Manufacturing)**

▶ **PROPOSED PLAN DESIGNATION/ZONING:** **MDR (Medium Density Residential) / PR (Planned Residential)**

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

▶ **DENSITY PROPOSED:** **7 du/ac**

EXTENSION OF PLAN DESIGNATION/ZONING: Yes, the MDR land use class is adjacent to the north and the rear of this parcel (not included in this request) is zoned PR with up to 3 du/ac.

HISTORY OF ZONING REQUESTS: In 2005, this site was rezoned from A (Agricultural) to PR (Planned Residential) up to 3 du/ac (9-B-05-RZ). In 2006, the site was rezoned from PR (Planned Residential) up to 3 du/ac to CB (Business & Manufacturing) with one condition (11-M-06-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Agricultural/forestry/vacant - LDR (Low Density Residential) - A (Agricultural), RB (General Residential)

South: Agricultural/forestry/vacant - LDR (Low Density Residential) - A (Agricultural), PR with up to 3 du/ac

East: Agricultural/forestry/vacant, rural residential, single family residential - LDR (Low Density Residential), MDR (Medium Density Residential) - PR (Planned Residential) up to 18 du/ac, A (Agricultural)

West: Agricultural/forestry/vacant, transportation/communications/utilities - LDR (Low Density Residential) - A (Agricultural), PR (Planned Residential) up to 2 du/ac

NEIGHBORHOOD CONTEXT: This area is primarily agricultural with large lot single family residential and is near a commercial node.

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to MDR (Medium Density Residential) and HP (Hillside Protection) because it is consistent with the development in the area.**

- ▶ **Approve the PR (Planned Residential) zone up to 7 du/ac because it is consistent with the surrounding area subject to 3 conditions.**

- 1) Maintain a tree buffer with 50-ft of depth along the Governor John Sevier Highway frontage, except for allowing approved access to Governor John Sevier Highway, as recommended by the Governor John Sevier Scenic Highway Corridor Study. High visibility tree protection fencing shall be installed before clearing and grading activities begin and maintained until site and building construction are complete.
- 2) No clearing or grading of the site shall be permitted until a Concept Plan is approved by the Planning Commission.
- 3) Provide a vegetated buffer consisting of a "Type B" landscape screen of 20-ft in depth adjacent to the PR and A zoned parcels of the property.

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The property adjacent to the east received a sector plan amendment to MDR and was rezoned to PR at 18 du/ac in 2022.
2. The property is within .5 mile of a large commercial development that has been building out since 2007.

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

1. This section of John Sevier Hwy has undergone road improvements including the addition of a center turn lane in 2009.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There doesn't appear to be an obvious or significant error or omission in the plan because the property has been zoned PR at 3 du/ac prior to this request to rezone to PR (Planned Residential) at 7 du/ac, however, this area also meets the location criteria for MDR (Medium Density Residential) land use classification.

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

1. PR up to 18 du/ac is adjacent to this property. This property is along W Governor John Sevier Hwy, which is a major arterial and within .5 miles of a KAT bus stop.

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 COUNTY GENERALLY:

1. As mentioned previously, the parcel to the west was rezoned in 2022 to the PR zone with 18 du/ac.
2. The requested PR (Planned Residential) zoning is a minor extension of PR from the east and west sides of property, with higher density on the property to the west than what is being requested.

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

1. The regulations established in this zone are intended to provide optional methods of land development which

encourage more imaginative solutions to environmental design problems.

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. PR will require Planning Commission review of site plans prior to any development of the property. During this review, specific issues related to traffic, drainage, access, topography, lot layout and other development concerns can be addressed.
2. Any residential development that generates 750 daily trips may be required to submit a transportation impact study with the subsequent use on review application.
3. This section of Governor John Sevier Highway (State Route 168) is designated a Scenic Highway by the State of Tennessee and new buildings within 1,000-ft of Tennessee Scenic Highways have a building height limitation of 35' above the level of the highway (TCA § 54- 27-114).

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 recommended amendment for the South County Sector Plan to MDR (Medium Density Residential) makes the proposed rezoning consistent with the the General Plan and all other adopted plans.

ESTIMATED TRAFFIC IMPACT: 754 (average daily vehicle trips)

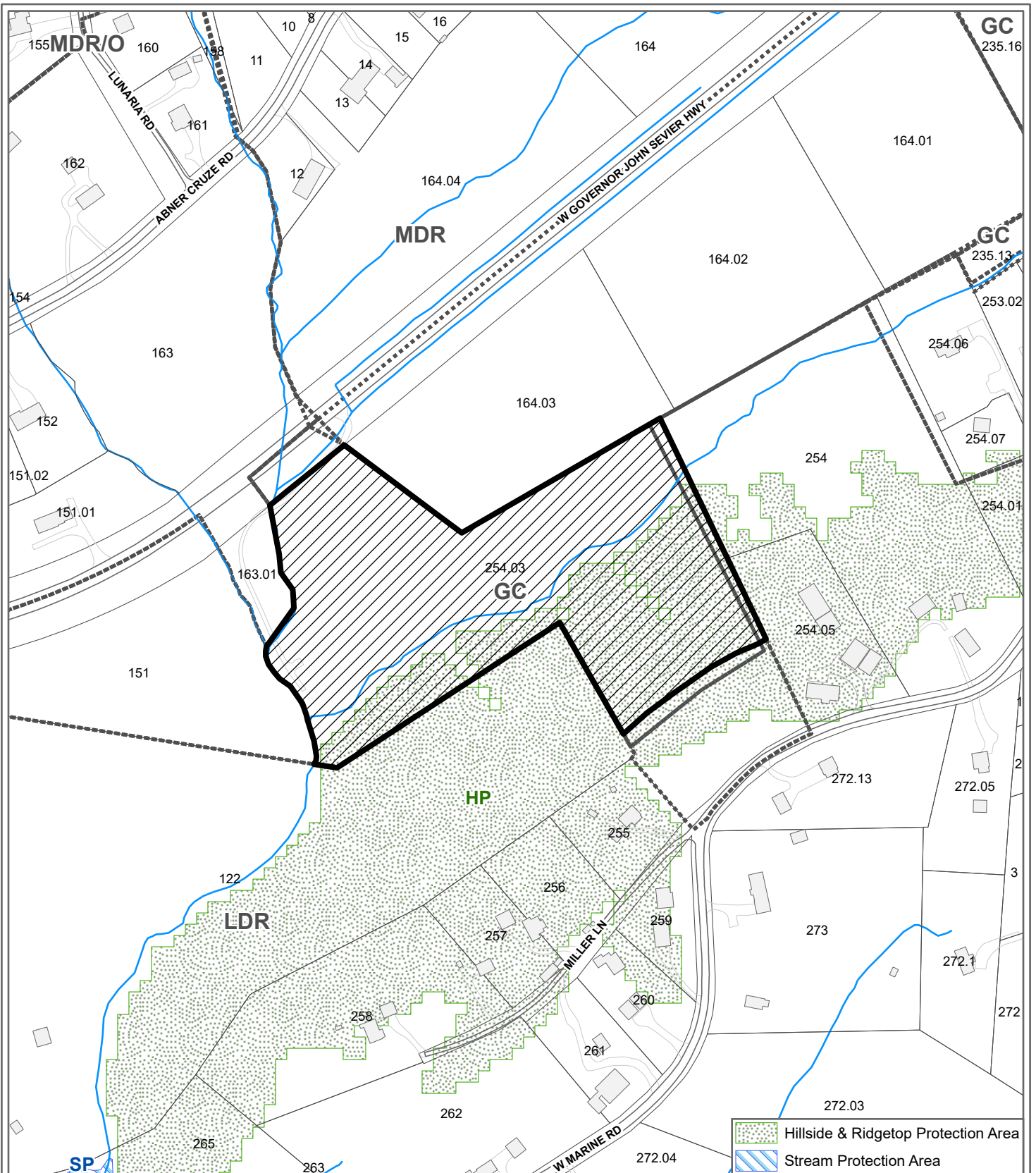
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 7 (public school children, grades K-12)

Schools affected by this proposal: Bonny Kate Elementary, South Doyle Middle, and South Doyle 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 Knox County Commission for action on 4/24/2023. 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.



**3-A-23-SP / 3-M-23-RZ
SOUTH COUNTY SECTOR PLAN AMENDMENT**

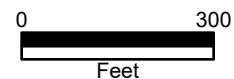
From: GC (General Commercial), HP (Hillside Protection)
MDR (Medium Density Residential), HP (Hillside Protection)
To:



Petitioner: Travis Yates

Map No: 137

Jurisdiction: County



Original Print Date: 2/14/2023

Revised:

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

*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, Travis Yates 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 Medium Density Residential is 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 March 9, 2023 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 #3-A-23-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. 3-M-23-RZ_3-A-23-SP Contextual Images



Exhibit B. 3-M-23-RZ_3-A-23-SP Contextual Images

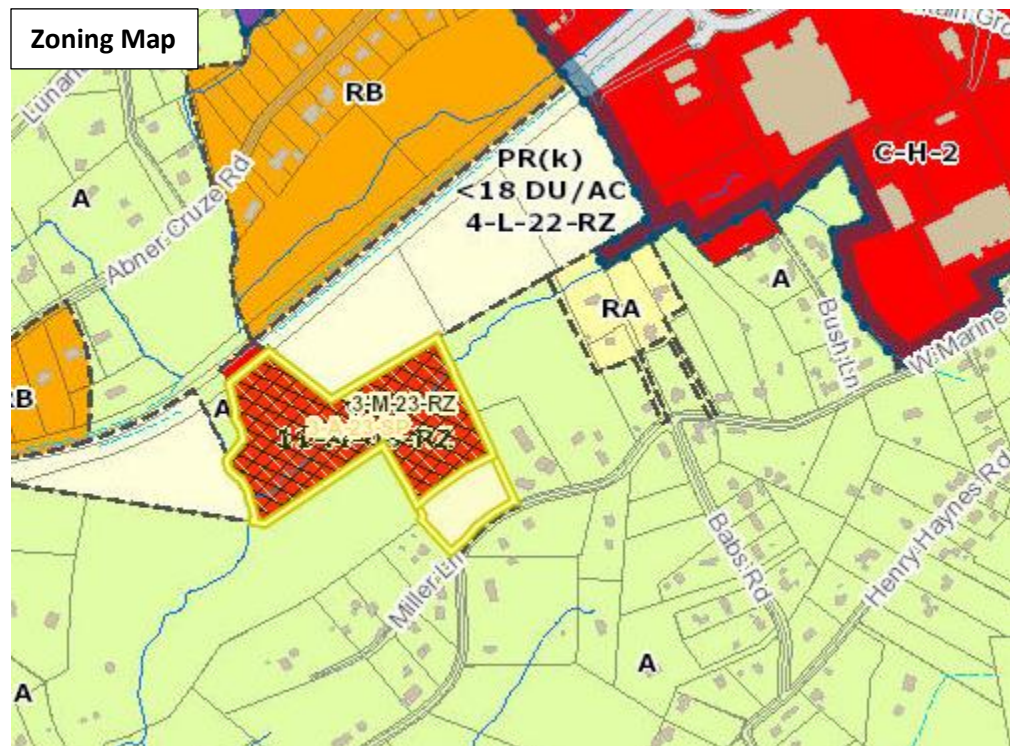


Exhibit B. 3-M-23-RZ_3-A-23-SP Contextual Images

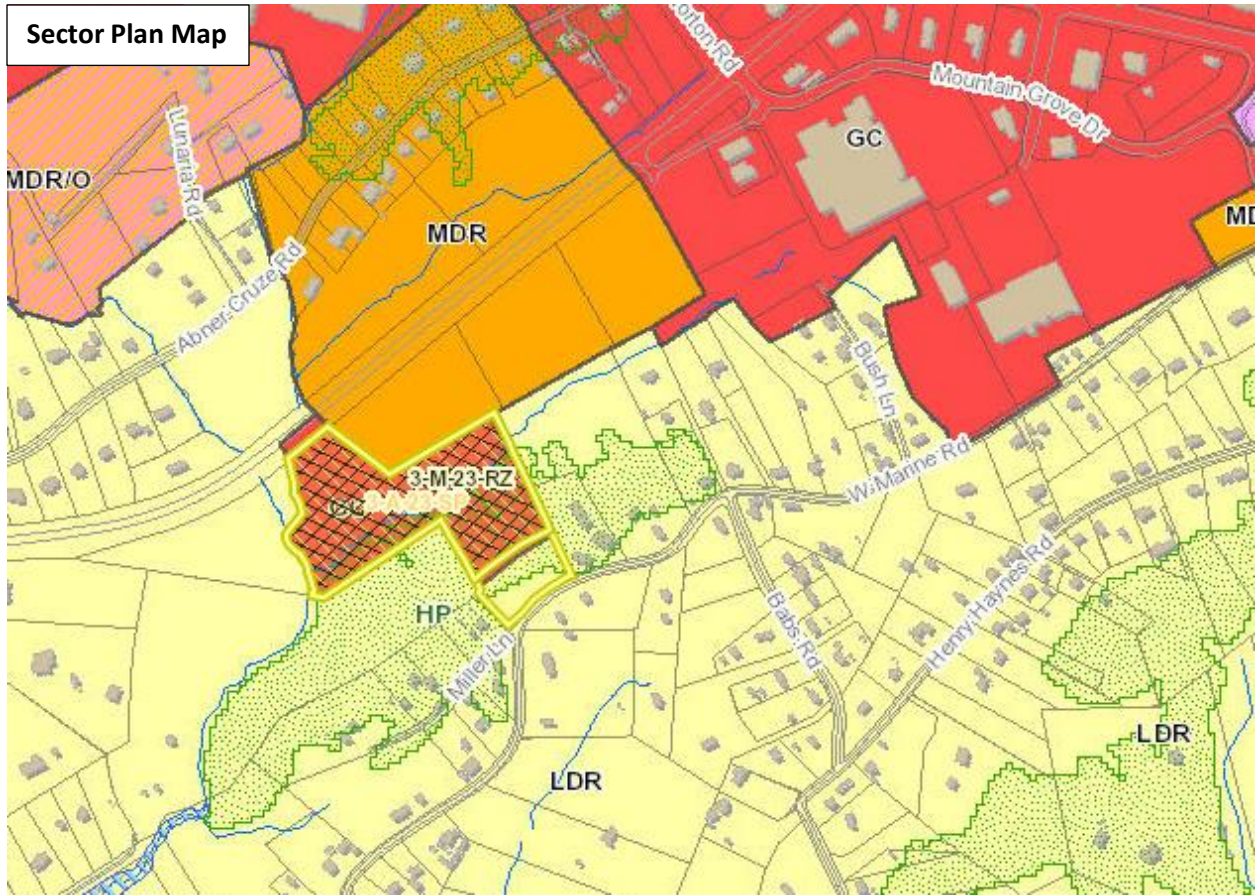
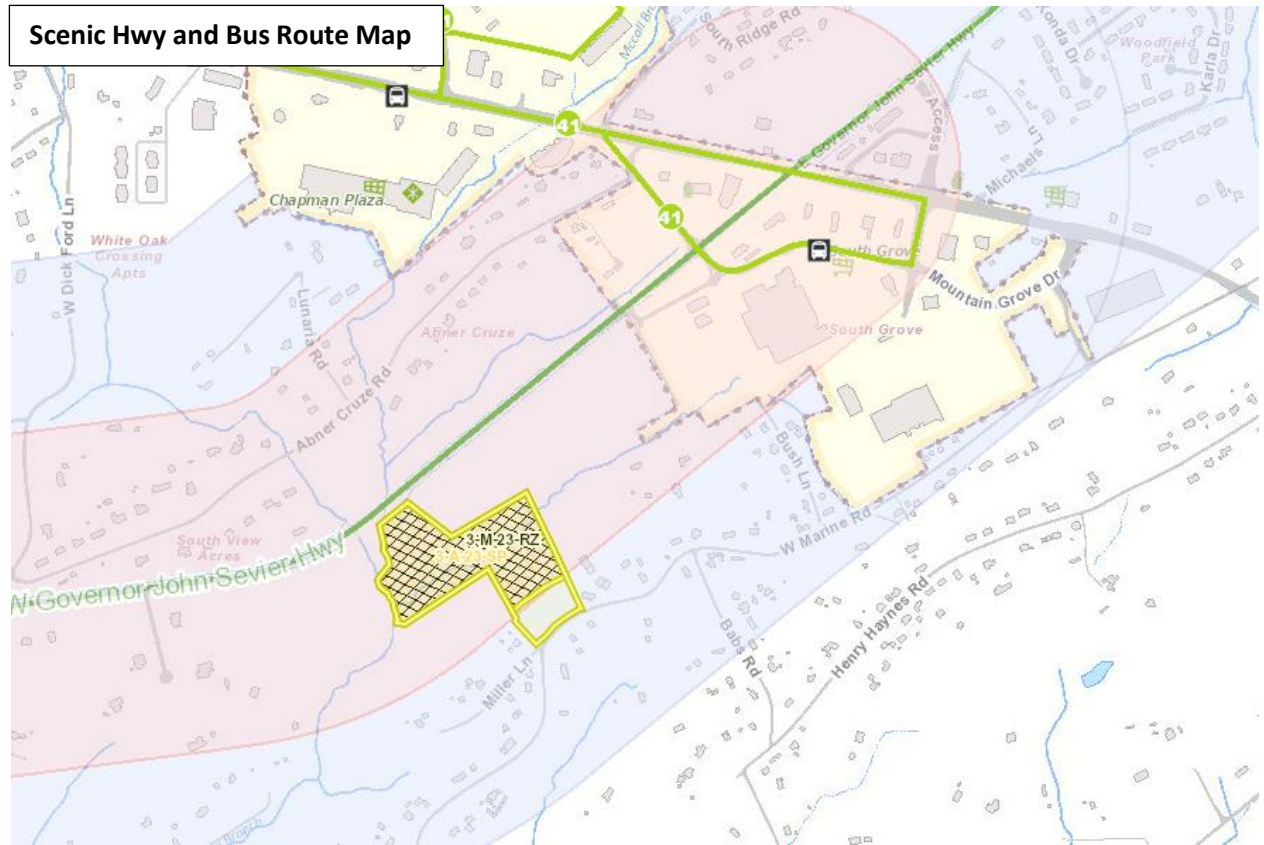


Exhibit B. 3-M-23-RZ_3-A-23-SP Contextual Images





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

Travis Yates

Applicant Name

Affiliation

1/24/2023

3/9/2023

3-M-23-RZ / 3-A-23-SP

Date Filed

Meeting Date (if applicable)

File Number(s)

CORRESPONDENCE

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

Travis Yates SOCAJR, Inc

Name / Company

1244 S. 4th Street Louisville KY 40203

Address

502-640-4159 / tyates@beaconproperty.com

Phone / Email

CURRENT PROPERTY INFO

Eric Nelson

865-755-2746 / enelson@blueri

Owner Name (if different)

Owner Address

Owner Phone / Email

400 W GOVERNOR JOHN SEVIER HWY / (Part of)

Property Address

137 254.03 (part of)

11 acres

Parcel ID

Part of Parcel (Y/N)?

Tract Size

Knox-Chapman Utility District

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of W Governor John Sevier Hwy, east of South Point Rd, west of Mountain Grove Dr

General Location

City Commission District 9 CB(k) (Business and Manufacturing)

Single Family Residential,
Agriculture/Forestry/Vacant Land, Rural
Residential

Count District

Zoning District

Existing Land Use

South County

LDR (Low Density Residential), GC (General Commercial),

Planned Growth Area

Planning Sector

Sector Plan Land Use Classification

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 PR (Planned Residential)	Pending Plat File Number
Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment MDR (Medium Density Residential)	
Proposed Plan Designation(s)	

up to 7 du/ac

Proposed Density (units/acre) Previous Zoning Requests

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	Total
\$2,050.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature: Travis Yates Date: 1/24/2023
Please Print

Phone / Email: _____
Property Owner Signature: Eric Nelson Date: 1/24/2023
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

Travis Yates

Applicant Name

Affiliation

Date Filed

Meeting Date (if applicable)

File Number(s)

3-M-23-RZ_3-A-23-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

Travis Yates

SOCAYR, Inc.

Name

Company

1244 S. 4th St.

Louisville

KY

40203

Address

City

State

ZIP

502.640.4159

tyates@beaconproperty.com

Phone

Email

CURRENT PROPERTY INFO

Rocky Hill Land Partners

1619 Schaeffer Rd Suite 100

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

400 W Gov John Sevier Hwy

137 25403 (A portion of)

Property Address

Parcel ID

Knoxville Utilities Board

Knoxville Utilities Board

N

Sewer Provider

Water Provider

Septic (Y/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

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

Planned Residential

Proposed Zoning

Plan Amendment Change

Medium Density Residential

Proposed Plan Designation(s)

7

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify) **11 acres**

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

Fee 2

Fee 3

AUTHORIZATION



Travis Yates

1/23/2023

Applicant Signature

Please Print

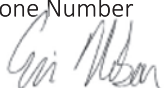
Date

502.640.4159

tyates@beaconproperty.com

Phone Number

Email



enelson@blueridgefoods.net

1/23/2023

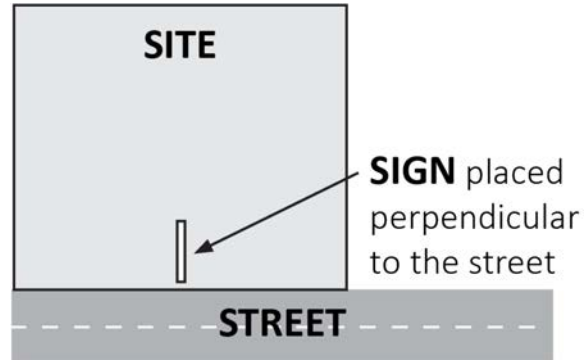
Property Owner Signature

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:

_____ 2/24/2023 _____ and _____ 3/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Travis Yates

Date: 1/24/23

File Number: 3-M-23-RZ_3-A-23-SP_

- Sign posted by Staff
- Sign posted by Applicant