



# PLAN AMENDMENT REPORT

▶ **FILE #:** 2-D-24-SP

**AGENDA ITEM #:** 25

**AGENDA DATE:** 2/8/2024

▶ **APPLICANT:** DANIEL LEVY  
**OWNER(S):** Jack P Jr & Dorothy R Crabtree

**TAX ID NUMBER:** 72 450 01 [View map on KGIS](#)

**JURISDICTION:** Commission District 9

**STREET ADDRESS:** 0 ROSCOE LN

▶ **LOCATION:** South side of Roscoe Ln, east side of E. Governor John Sevier Hwy

▶ **APPX. SIZE OF TRACT:** 4.88 acres

**SECTOR PLAN:** East County

**GROWTH POLICY PLAN:** Urban Growth Area (Outside City Limits)

**ACCESSIBILITY:** Access is via Roscoe Lane, a local street with 25 ft of pavement width within an 47-ft right-of-way.

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

Sewer Source: Knoxville Utilities Board

**WATERSHED:** Holston-French Broad

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / RB (General Residential)

▶ **PROPOSED PLAN DESIGNATION:** MDR (Medium Density Residential)

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

**EXTENSION OF PLAN DESIGNATION:** No, this is not an extension.

**HISTORY OF REQUESTS:** None noted

**SURROUNDING LAND USE AND PLAN DESIGNATION:**  
North: I-40 and Roscoe Lane Rights-of-way  
South: Wholesale - PC (Planned Commercial)  
East: Single family residential - RB (General Residential)  
West: Rural residential - RB (General Residential)

**NEIGHBORHOOD CONTEXT** I-40 is directly to the north, which separates this property from the residential uses on the other side. South of I-40, the area is a mix of undeveloped land and large lots with detached single family houses. A large warehouse facility abuts this property to the south.

### STAFF RECOMMENDATION:

▶ **Approve the MDR (Medium Density Residential) land use classification because it is consistent with the intent and location criteria of the classification.**

**COMMENTS:**

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

CHANGES OF CONDITIONS WARRANTING AN AMENDMENT OF THE LAND USE PLAN:

1. The property to the south had a plan amendment to the GC (General Commercial) land use class and was rezoned to the PC (Planned Commercial) zone (Case numbers 5-F-15-RZ / 5-B-15-S). The development was approved as a use on review in 2018 (Case 7-Q-18-UR). This is the most prominent development in the area.

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

1. While there have not been significant changes to infrastructure, existing facilities support the use.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no apparent errors or omissions in the East County Sector Plan with regards to the requested LDR classification here. However, it is currently zoned RB, which allows a density of up to 12 du/ac by right and up to 24 du/ac as a use on review. Given the density allowed in this zone, the MDR land use is appropriate to consider in this location.

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

1. The warehouse facility to the south is a more intense use, so MDR land use is more appropriate as a transition land use class than LDR, as LDR would likely result in single family homes.
2. The subject property is somewhat isolated from residential uses with E Governor John Sevier Highway and the Holston River to the west, I-40 to the north, and the warehouse development to the south.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

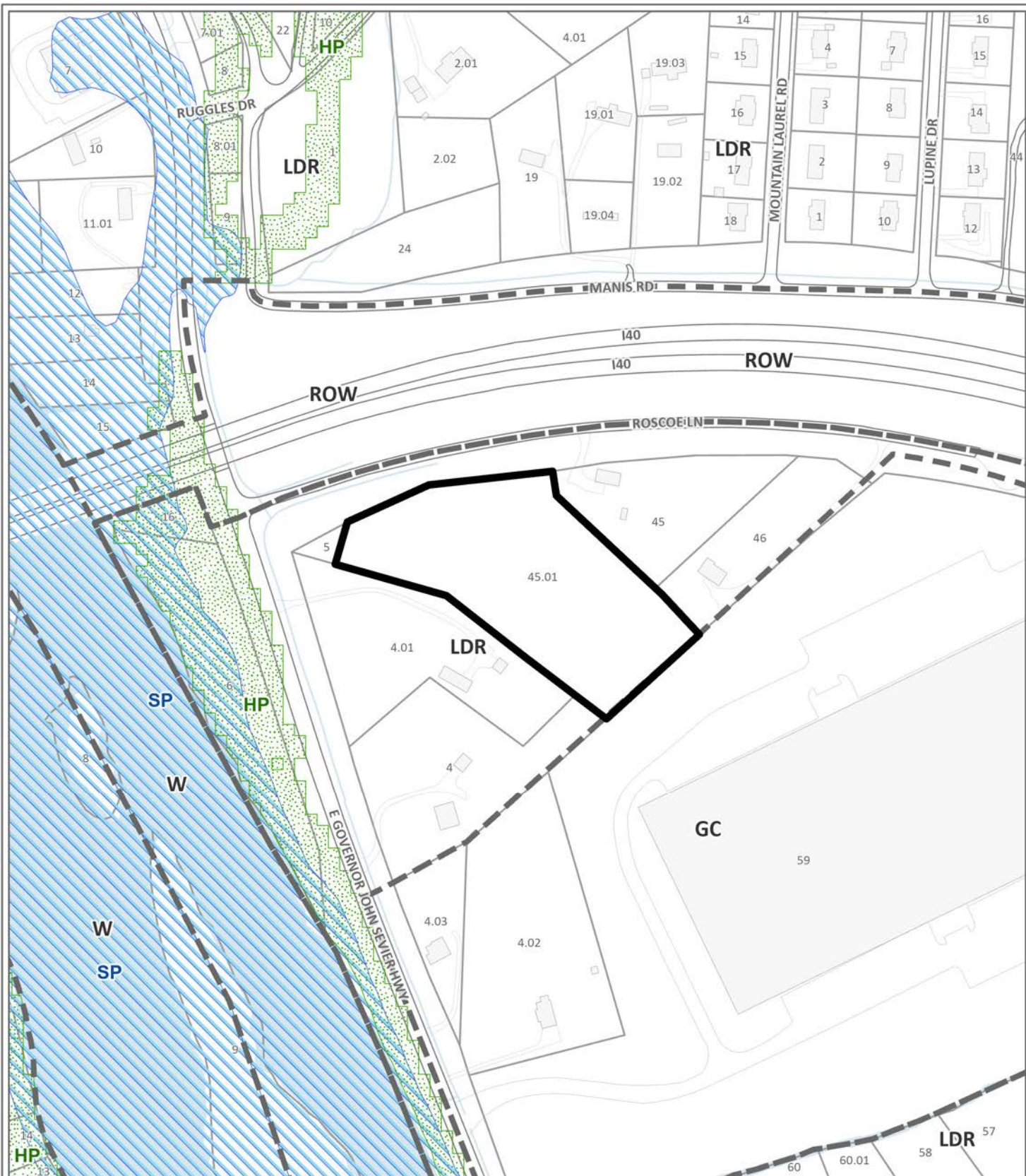
- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 3/25/2024. 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.



**2-D-24-SP  
EAST COUNTY SECTOR PLAN MAP**

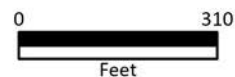
**Petitioner:** Daniel Levy



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

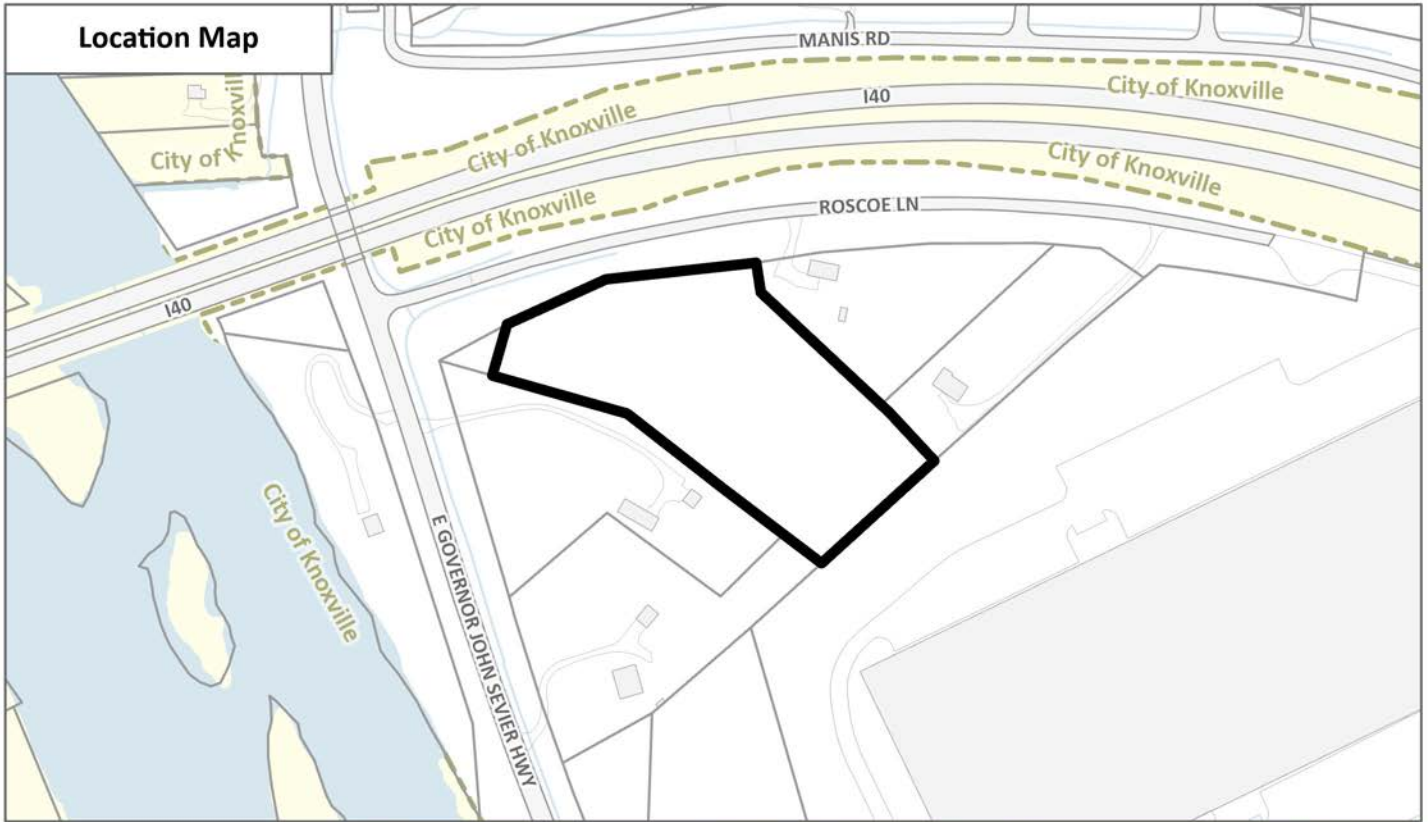
**Map No:** 72  
**Jurisdiction:** County

**Original Print Date:** 1/18/2024  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



# Exhibit A. Contextual Images

Location Map



Aerial Map

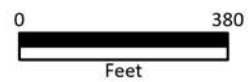


CONTEXTUAL MAPS 1

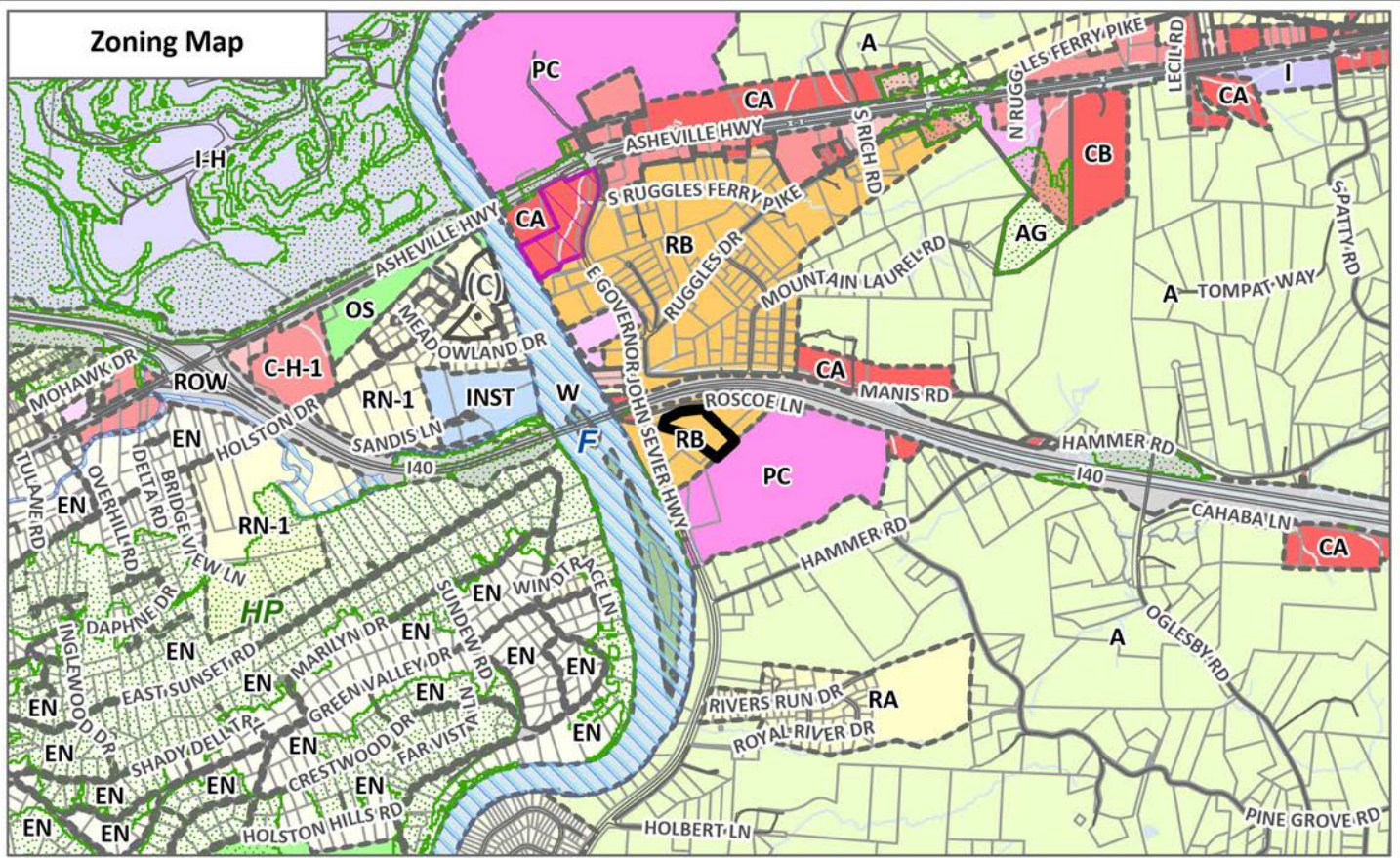
2-D-24-SP



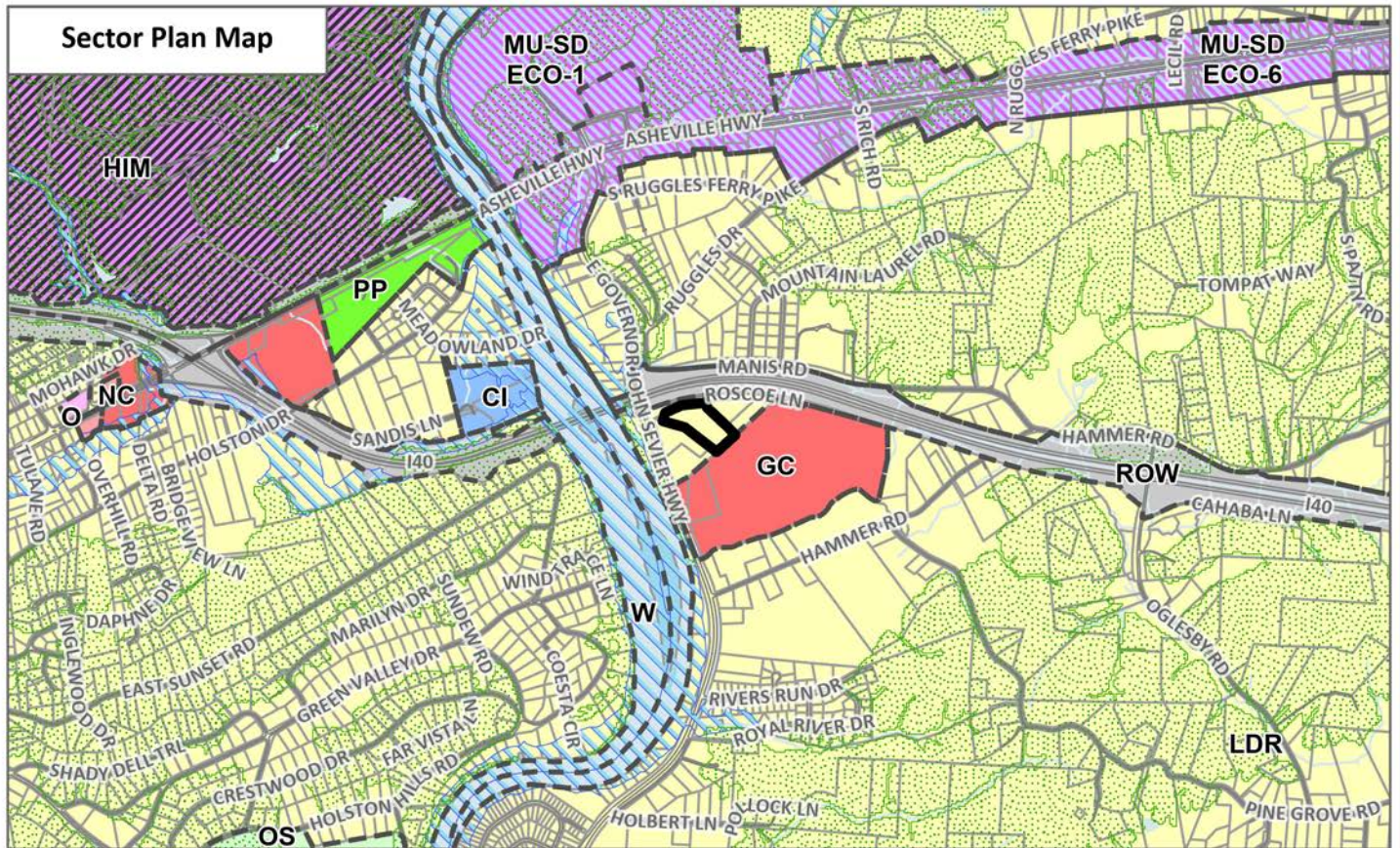
Case boundary



**Zoning Map**



**Sector Plan Map**



**CONTEXTUAL MAPS 2**

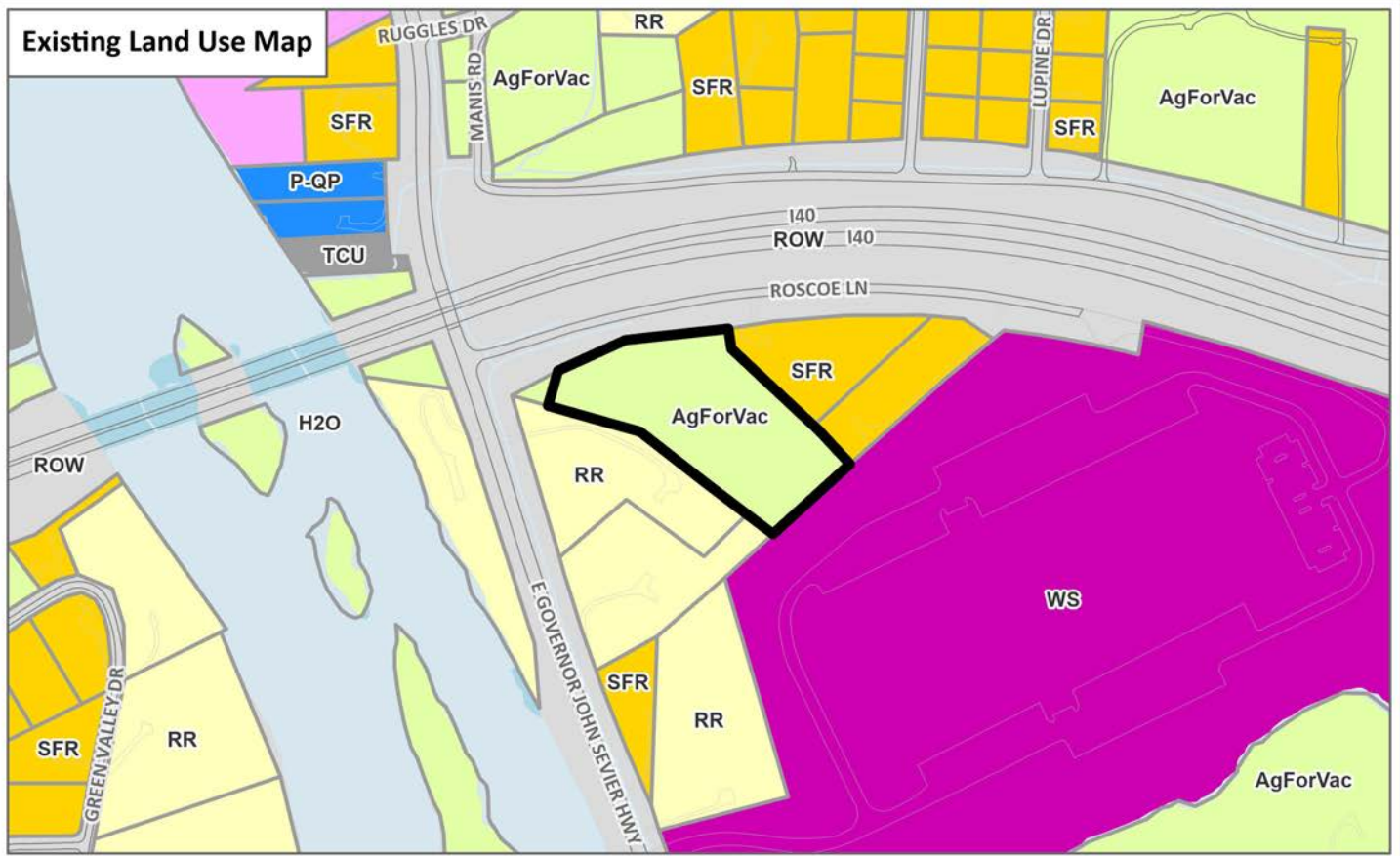
2-D-24-SP



Case boundary



Existing Land Use Map

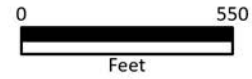


CONTEXTUAL MAPS 3

2-D-24-SP



Case boundary



*KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE EAST 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 East 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, Daniel Levy has submitted an application for an amendment to the East County Sector Plan for property described in the application; and*

*WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from LDR (Low Density Residential) to MDR (Medium Density Residential) which 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 February 8, 2024, 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 East County Sector Plan with its accompanying staff report and map, file #2-D-24-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*



# 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

**Daniel Levy**

Applicant Name

Affiliation

**12/27/2023**

Date Filed

**2/8/2024**

Meeting Date (if applicable)

**2-D-24-SP**

File Number(s)

## CORRESPONDENCE

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

**Daniel Levy DKLevy PLLC**

Name / Company

**3523 Maloney Rd. Rd. Knoxville TN 37920**

Address

**865-474-9264 / daniel@dklevy.com**

Phone / Email

## CURRENT PROPERTY INFO

**Jack P Jr & Dorothy R Crabtree**

Owner Name (if different)

**3723 Sutherland Ave Knoxville TN 37919**

Owner Address

Owner Phone / Email

**0 ROSCOE LN**

Property Address

**72 450 01**

Parcel ID

Part of Parcel (Y/N)?

**4.88 acres**

Tract Size

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**Southeast side of Roscoe Lane, East of E. Governor John Sevier Hwy**

General Location

City

**Commission District 9**

**RB (General Residential)**

**Agriculture/Forestry/Vacant Land**

Count

District

Zoning District

Existing Land Use

**East County**

Planning Sector

**LDR (Low Density Residential)**

Sector Plan Land Use Classification

**Urban Growth Area (Outside City Limit**

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

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

**\$650.00**

Fee 2

Fee 3

Total

## AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	<b>Daniel Levy</b> Please Print	<b>12/27/2023</b> Date
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Phone / Email

Property Owner Signature	<b>Jack P Jr &amp; Dorothy R Crabtree</b> Please Print	<b>12/27/2023</b> Date
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# 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

Daniel Levy

DKLEVY pllc / Architect

Applicant Name

Affiliation

12/27/2023

Feb 8th 2024

Date Filed

Meeting Date (if applicable)

File Number(s)

2-D-24-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

Daniel Levy

DKLEVY pllc

Name

Company

3523 Maloney Road

Knoxville

TN

37920

Address

City

State

ZIP

865-474-9264

Daniel@DKLEVY.com

Phone

Email

## CURRENT PROPERTY INFO

Jack P Jr & Dorothy R Crabtree

3723 Sutherland Ave, Knoxville, TN, 37919

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Roscoe Lane, Knoxville, TN, 37914

072 04501

Property Address

Parcel ID

KUB

KUB

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

May 1, 2023

**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

Unit / Phase Number  Combine Parcels  Divide Parcel Total Number of Lots Created

Other (specify)

Attachments / Additional Requirements

**ZONING REQUEST**

Pending Plat File Number

Zoning Change

Proposed Zoning

Plan Amendment Change

MDR  
Proposed Plan Designation(s)

~~16 Acres Proposed~~

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify)

**STAFF USE ONLY**

**PLAT TYPE**

- Staff Review
- Planning Commission

Fee 1

Total

0603

\$650.00

**ATTACHMENTS**

- Property Owners / Option Holders
- Variance Request

Fee 2

**ADDITIONAL REQUIREMENTS**

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

Fee 3

**AUTHORIZATION**

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent



Applicant Signature

Daniel Levy  
Please Print

12/27/23  
Date

865-474-9269  
Phone Number

Daniel@DRLEUY.COM  
Email

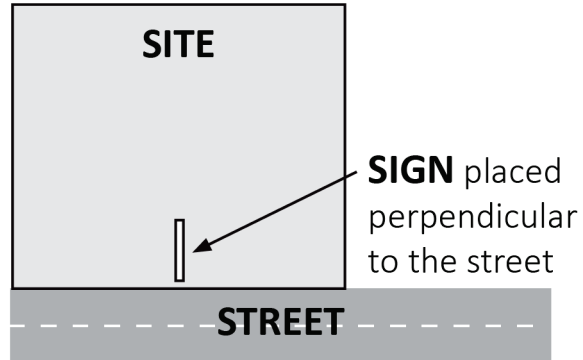


Property Owner Signature

Dorothy R. Crabtree  
Please Print

12-27-2023, SG  
12-27-23  
Date Paid

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:*

\_\_\_\_\_ 01/26/2023 \_\_\_\_\_ and \_\_\_\_\_ 02/09/2024 \_\_\_\_\_  
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Daniel Levy

Date: 12/28/2023

File Number: 2-D-24-SP



Sign posted by Staff



Sign posted by Applicant