

REZONING REPORT

► **FILE #:** 7-A-24-RZ

AGENDA ITEM #: 10

AGENDA DATE: 7/11/2024

► **APPLICANT:** MAGNOLIA CAPITAL GROUP LLC

OWNER(S): Jackie Grubbs

TAX ID NUMBER: 125 00508

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 0 E GOVERNOR JOHN SEVIER HWY

► **LOCATION:** East side of Nicholas Rd and, south side of E Governor John Sevier Hwy

► **APPX. SIZE OF TRACT:** 7.25 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E Governor John Sevier Hwy a major arterial street with 45-ft pavement width within a 123-ft right-of-way. Access is also via Nichols Rd a local street with 18-ft right-of-way within a 65-ft right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox Chapman Sewer

WATERSHED: Burnett Creek

► **PRESENT ZONING:** PR (Planned Residential) up to 3 du/ac

► **ZONING REQUESTED:** PR (Planned Residential)

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

► **DENSITY PROPOSED:** up to 7 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: In 2005, this property was rezoned from A (Agricultural) to PR up to 3 du/ac (4-F-05-RZ). In 2000, a request to rezone the property from A to CB (Business and Manufacturing) was denied (2-N-00-RZ).

SURROUNDING LAND USE AND ZONING: North: Single family residential - RA (Low Density Residential)
South: Single family residential, rural residential - A (Agricultural)
East: Agriculture/forestry/vacant land - A (Agricultural)
West: Single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area is largely rural with commercial development along John Sevier Hwy to the 0.15 west miles and single family subdivisions developing along the major corridors with New Hopewell Elementary School 0.5 miles to the east of this property.

STAFF RECOMMENDATION:

► **Approve the PR (Planned Residential) zone with up to 7 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development, subject to 2 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) Provide a vegetated buffer consisting of a "Type B" landscape screen of 12-ft in depth adjacent to the A zoned parcels of the property to buffer the adjacent large-lot, single family homes from this higher density development.

COMMENTS:

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. Since 1994, there have been some A to PR rezonings at densities ranging from up to 1-12 du/ac in the area, with the higher density of 12 du/ac on subdivisions directly off of John Sevier Hwy in the Planned Growth area and lesser densities on subdivisions in the Rural Area in the Growth Plan. The general residential trend along John Sevier Hwy consists of small and medium-sized lots with single family detached residential houses and large agricultural tracts with one subdivision with attached dwellings at the intersection of John Sevier Hwy and Burnett Creek Rd.
2. This property is 0.5 miles from New Hopewell Elementary School and 1.5 miles from the large commercial development at Chapman Hwy and John Sevier Hwy.

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

1. The PR zone is intended to provide flexibility for different types of residential development. Houses, duplexes and multi-dwelling structures and developments are permitted in the PR zone along with some nonresidential uses. At the requested density of 7 du/ac, this property could have up to 51 dwellings.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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 zoning requires that development plans be submitted for Planning Commission review. At that time, issues such as access, surrounding character, and community input may be provided regarding the proposed development plan.
2. John Sevier Hwy is a major arterial street providing major movement an area. The property also has frontage on Nichols St, which provides access to Kimberlin Heights where New Hopewell Elementary is located. The subject property's location would not require traffic through side streets for access, and its proximity to a school make it a good location for increased density beyond the existing 3 du/ac.
3. This section of Governor John Sevier Highway (State Route 168) is designated a Scenic Highway by the State of Tennessee, so new buildings within 1,000-ft of Tennessee Scenic Highways have a building height limitation of 35 ft 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 PR zone at 7 du/ac is consistent with the Suburban Residential place type, which allows consideration of up to 12 du/ac in the County's Planned Growth Area. Additionally, the 35 ft height limit as mandated by the state is consistent with the 1-2 story building form attributes prescribed for the Suburban Residential place type.
2. This property abuts the single family homes to the south. At the proposed density of 7 du/ac, this property will likely be duplexes, multiplexes, or townhomes that have the scale of a single family home. Conditioning the 12 ft landscape buffer to adjacent properties is consistent with the Knox County Comprehensive Implementation Policy 2 ensure that development is sensitive to existing community character. The landscape buffer would create a transition between the housing types. Additionally, this property is along a major arterial, which supports Policy 6.3, to identify areas for multifamily development that have the appropriate supportive infrastructure.
3. The PR zone is listed as partially related in the SR place type per Appendix H (Place Type and Zoning Correspondence Matrix) of the Knox County Comprehensive Plan. Partially related zoning districts may be appropriate but must meet one of three criteria listed in Appendix H. The proposed PR zoning with the recommended conditions and required development plan review by the Planning Commission is compatible with the current zoning of adjacent sites.

ESTIMATED TRAFFIC IMPACT: 543 (average daily vehicle trips)

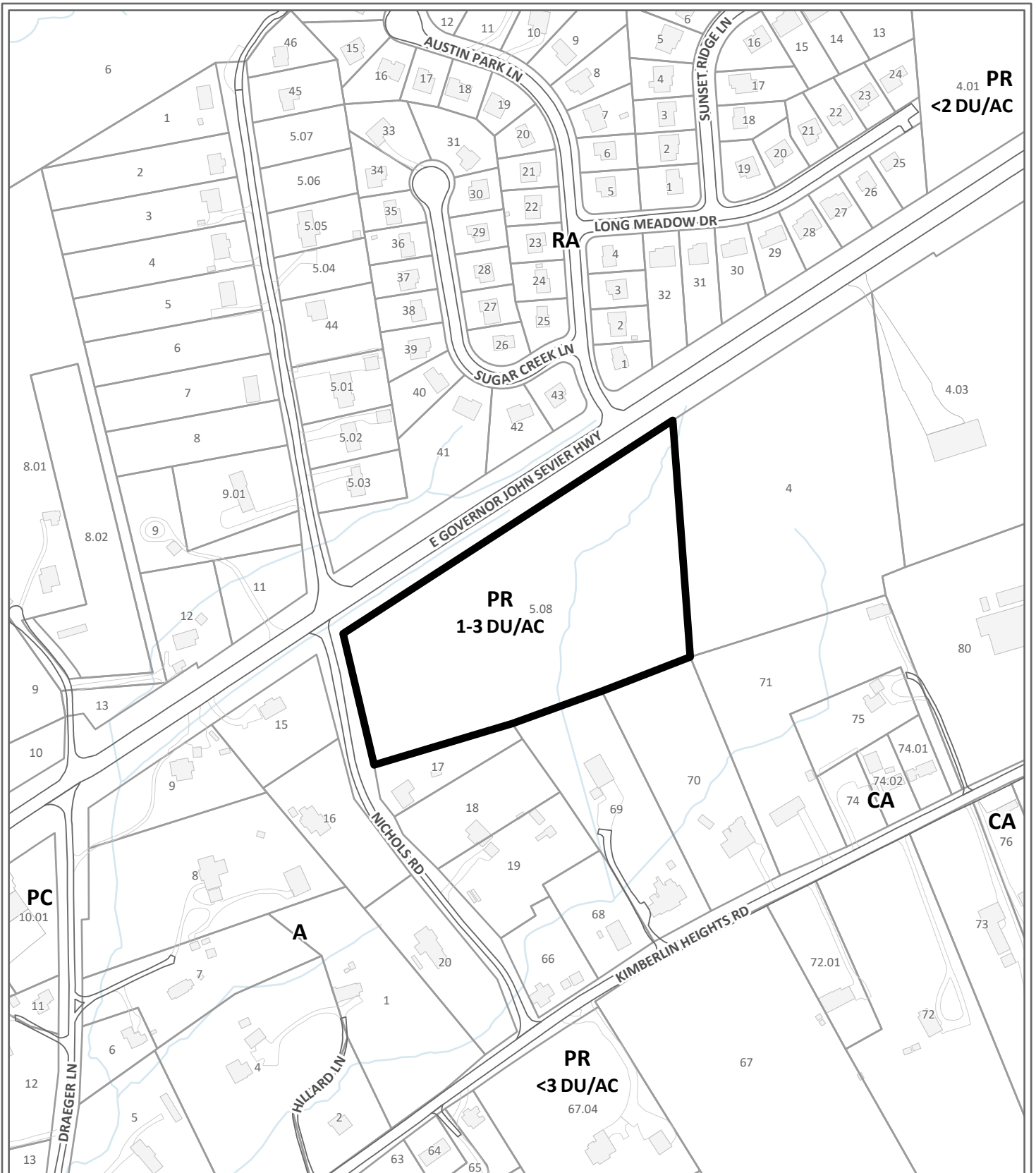
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 11 (public school children, grades K-12)

Schools affected by this proposal: New Hopewell 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 8/19/2024. 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.



REZONING

7-A-24-RZ

Petitioner: Magnolia Capital Group LLC



From: PR (Planned Residential)

To: PR (Planned Residential) up to 7 du/ac

Original Print Date: 6/3/2024

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

Map No: 125

Jurisdiction: County

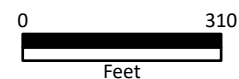
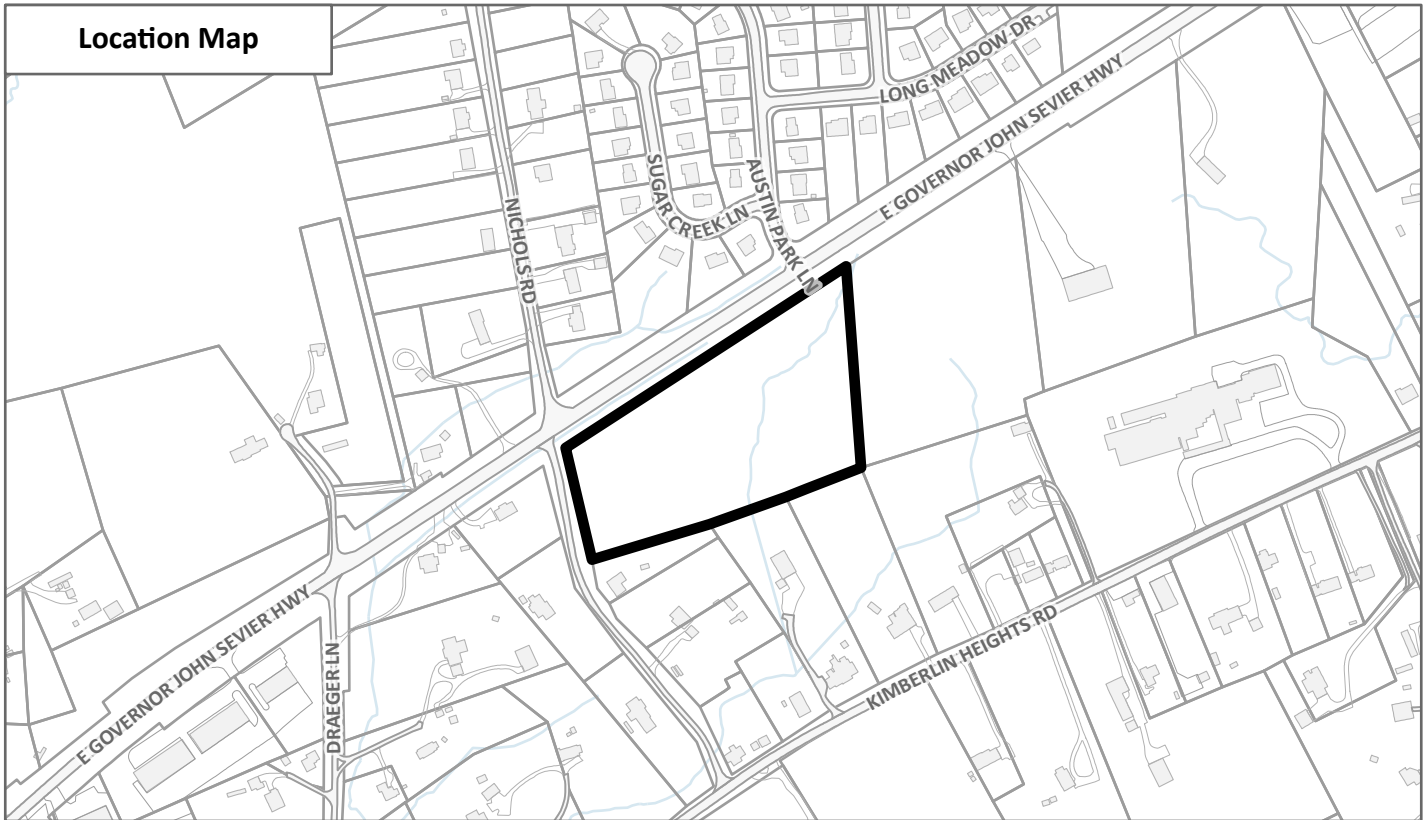
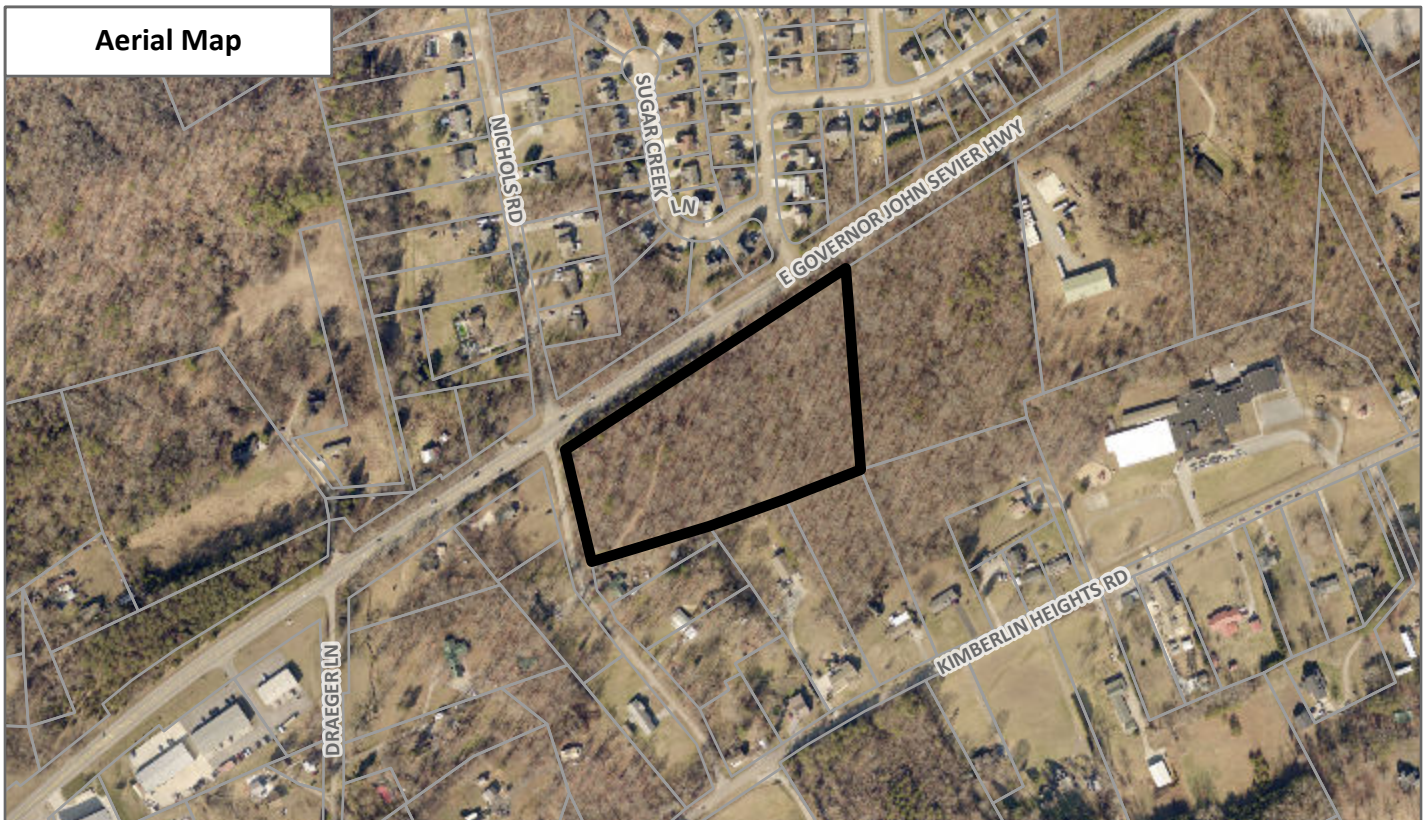


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

7-A-24-RZ

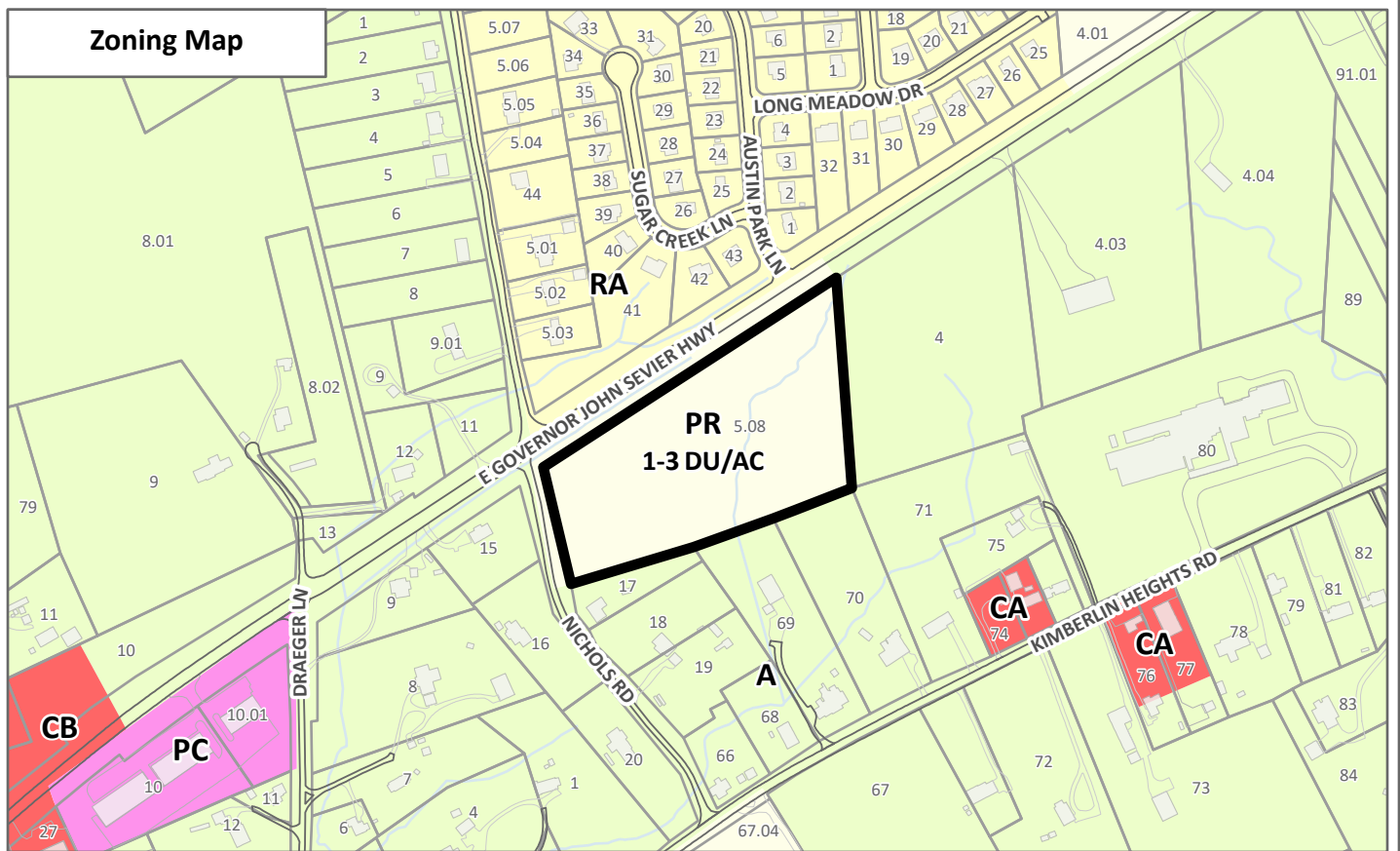


Case boundary

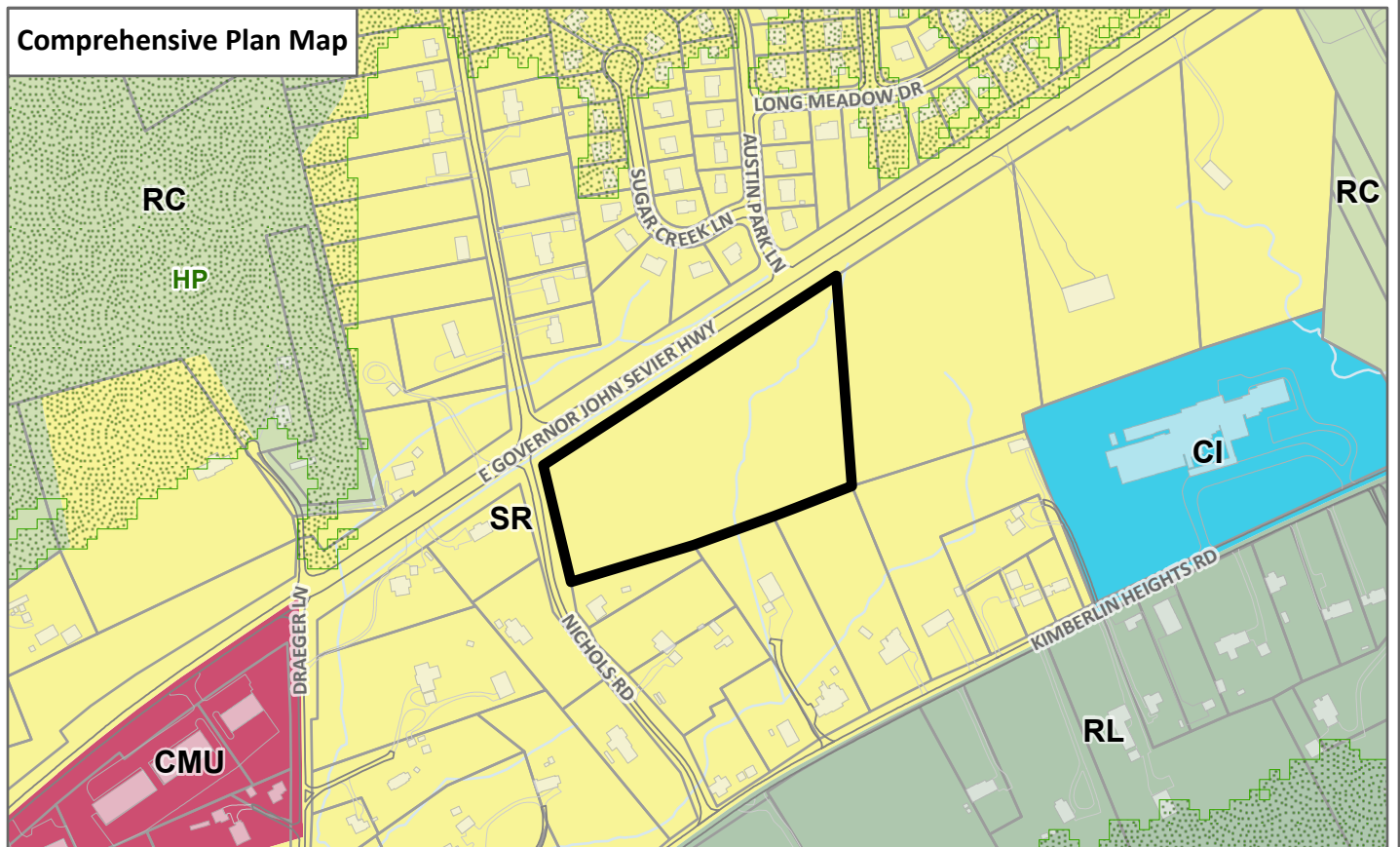
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Feet



Zoning Map



Comprehensive Plan Map

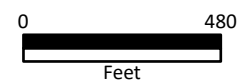


CONTEXTUAL MAPS 2

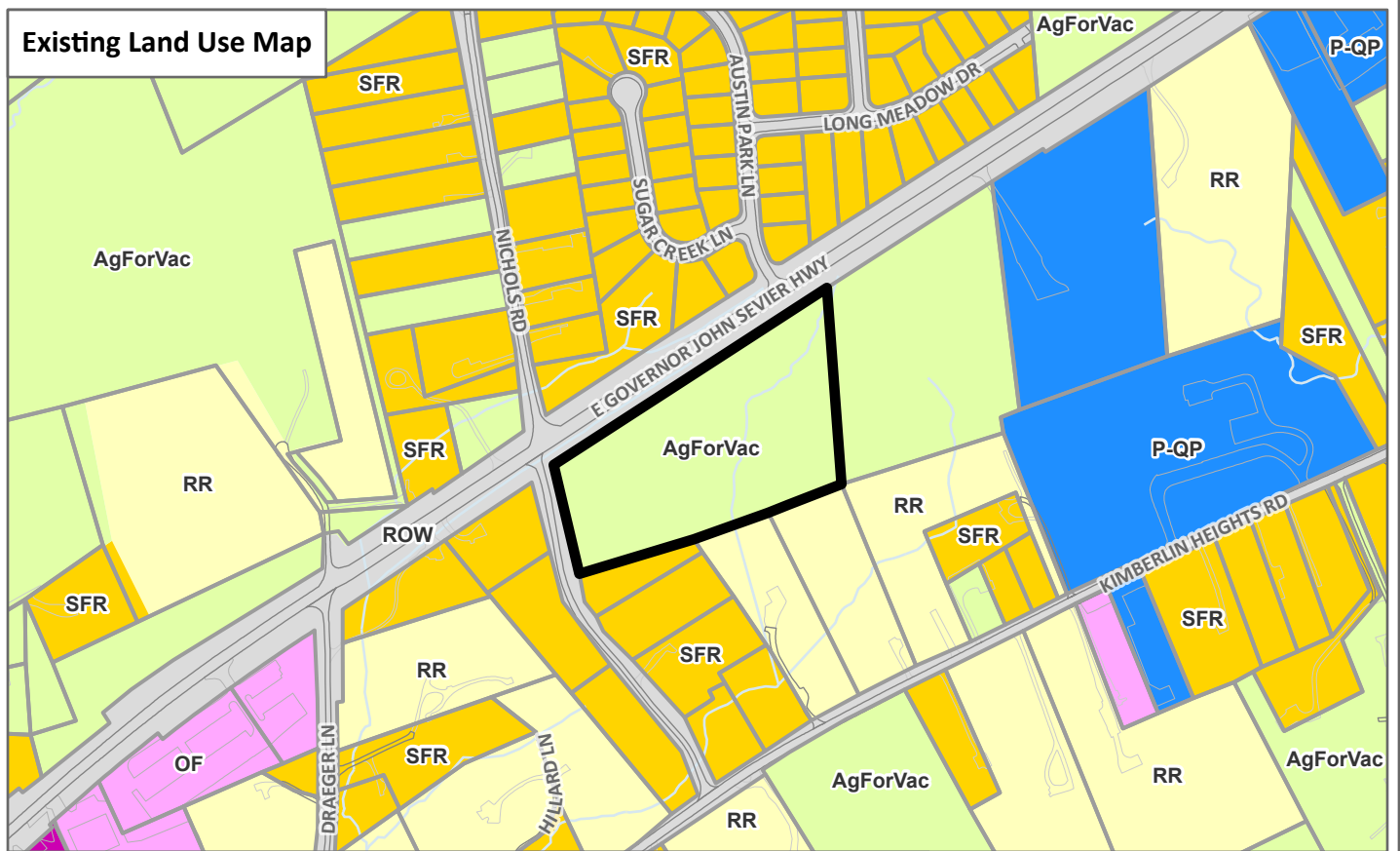
7-A-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

7-A-24-RZ



Case boundary





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Rezoning
☐ Plan Amendment
☐ Sector Plan
☐ City OYP / County Comp Plan

Magnolia Capital Group LLC

Applicant Name

Affiliation

5/2/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

7-A-24-RZ

File Number(s)

CORRESPONDENCE

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

Magnolia Capital Group LLC

Name / Company

2030 Main St NW Unit 406 Atlanta GA 30318

Address

865-951-3727 / team@magnoliacapitalgroup.com

Phone / Email

CURRENT PROPERTY INFO

Jackie Grubbs

Owner Name (if different)

0 E Governor John Sevier Hwy Knoxville TN 37920

Owner Address

Owner Phone / Email

0 E GOVERNOR JOHN SEVIER HWY

Property Address

125 00508

Parcel ID

7.25 acres

Tract Size

Knox Chapman Sewer

Sewer Provider

Knox-Chapman Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Nicholas Rd and E Governor John Sevier Hwy

General Location

☐ City Commission District 9 PR (Planned Residential) up to 3 du/ac

☒ County District Zoning District

Agriculture/Forestry/Vacant Land

Existing Land Use

South County SR (Suburban Residential)

Planning Sector Land Use (City)/Place Type (County)

Planned Growth Area

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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **PR (Planned Residential)**
Proposed Zoning

Pending Plat File Number

- ☐ Plan Amendment
Proposed Plan Designation(s)

up to 7 du/ac

Proposed Density (units/acre) Previous Rezoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

\$1,012.50

Total

Fee 2

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.

Magnolia Capital Group LLC

5/2/2024

Applicant Signature

Please Print

Date

Phone / Email

Jackie Grubbs

5/2/2024

Property Owner Signature

Please Print

Date

1) Download and fill out this form for your convenience.
2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org



Development Request

Reset Form

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

MAGNOLIA CAPITAL GROUP LLC

Applicant Name

Affiliation

4/25/24

Date Filed

July 11, 2024

~~JUNE 13, 2024~~

Meeting Date (if applicable)

File Number(s)

7-A-24-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

MAGNOLIA CAPITAL GROUP LLC

Name

Company

2030 Main ST NW Unit 406 Atlanta Ga 30318

Address

City

State

ZIP

865-951-3727

Phone

Email

team@magnoliacapitalgroup.co

CURRENT PROPERTY INFO

JACKIE L. GRUBBS

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

DE GOV. JOHN SEVIER HWY

Property Address

Parcel ID

12500508

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

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 medium density special use 7 units
 Proposed Zoning Planned Residential up to 7 du/ac

☐ Plan Amendment Change _____

Proposed Plan Designation(s) _____

Pending Plat File Number

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

☐ 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

Chirag K Taylor

Chirag K Taylor

04/25/24

Applicant Signature

Please Print

Date

Phone Number

Jack Grubbs

04/25/24

Email

Jack grubbs

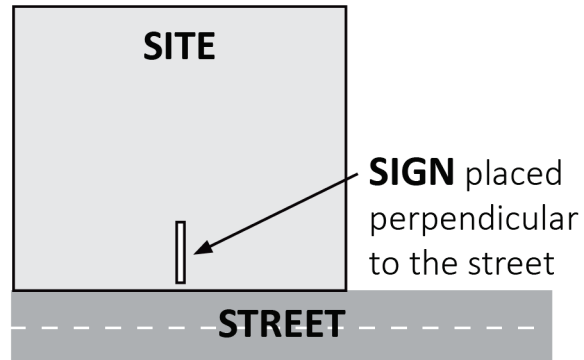
05/02/2024, SG

Property Owner Signature

Please Print

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:

_____ **06/28/2024** _____ and _____ **07/12/2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Magnolia Capital Group LLC

Date: 05/03/2024

File Number: 7-A-24-RZ



Sign posted by Staff



Sign posted by Applicant