



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 11-N-24-RZ
11-B-24-PA

AGENDA ITEM #: 48
AGENDA DATE: 11/14/2024

► **APPLICANT:** AHB ENTERPRISES, INC./HUNTER BREWSTER (OWNER)
OWNER(S): Hunter Brewster AHB Enterprises, Inc.

TAX ID NUMBER: 147 105, 10501 [View map on KGIS](#)

JURISDICTION: Commission District 9

STREET ADDRESS: 3000 CRENSHAW RD (6708 OTTINGER DR)

► **LOCATION:** Southeast side of Crenshaw Rd, northeast side of Ottinger Dr, south side of W Governor John Sevier Hwy

► **TRACT INFORMATION:** 3.56 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Crenshaw Road, an unstriped local road with a pavement width of 21-23 ft within a 63 ft right-of-way. Access is also via Ottinger Drive, an unstriped local road with a pavement width of 17 ft within a 35 ft right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District
Sewer Source: Knox-Chapman Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Knob Creek

► **PRESENT PLAN DESIGNATION/ZONING:** SR (Suburban Residential), HP (Hillside Protection) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** CC (Corridor Commercial), HP (Hillside Protection) / CH (Highway Commercial)

► **EXISTING LAND USE:** Rural Residential, Single Family Residential

► **EXTENSION OF PLAN DESIGNATION/ZONING:** No, this is not an extension

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Single family residential, multifamily residential, office - RL (Rural Living), HP (Hillside Protection) - A (Agricultural), OB (Office, Medical, and Related Services)

ZONING South: Single family residential - SR (Suburban Residential), HP (Hillside Protection) - A (Agricultural)

East: Agriculture/forestry/vacant land - SR (Suburban Residential), HP (Hillside Protection) - A (Agricultural)

West: Multifamily residential, agriculture/forestry/vacant land - SR (Suburban Residential), HP (Hillside Protection) - A (Agricultural)

NEIGHBORHOOD CONTEXT: The subject property is at the intersection of Crenshaw Road and W Governor John Sevier Highway, a quarter-mile east of a commercial node at the intersection of W Governor John Sevier Highway and Maryville Pike. The area surrounding the subject property is characterized by single family homes on large lots over an acre in size.

STAFF RECOMMENDATION:

- **Deny the CC (Corridor Commercial) place type because it is inconsistent with surrounding development and infrastructure conditions.**

- **Deny the CH (Highway Commercial) zone because it is incompatible with surrounding development and transportation infrastructure.**

COMMENTS:

PURSUANT TO THE COMPREHENSIVE PLAN, CHAPTER 3 IMPLEMENTATION, A PLAN AMENDMENT MAY BE APPROPRIATE IF THERE IS AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN, OR IF TWO OR MORE OF THE OTHER CRITERIA APPLY.

OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The SR (Suburban Residential) place type designation for the subject property in the Knox County Comprehensive Plan is not the result of an error or omission. Until it was recently converted into an unpermitted RV park, this property had several single-family detached residences on it, and it is surrounded by homes on large lots. The property is part of a broader area of the SR land use classification south of W Governor John Sevier Highway.

IF THERE ARE NO ERRORS OR OMISSIONS, TWO OF THE FOLLOWING CRITERIA MUST BE MET:

CHANGES OF CONDITIONS (SUCH AS SURROUNDING LAND USES, ZONING, UNCONTROLLED NATURAL FORCES/DISASTERS, ETC.):

1. There have been no changes in surrounding conditions to support a spot designation of the requested CC (Corridor Commercial) place type. There is an established CMU (Corridor Mixed-Use) and RCC (Rural Crossroads Commercial) node to the west at the intersection of W Governor John Sevier Highway and Maryville Pike, which still has vacant or underutilized property. These conditions do not support a disconnected and additional commercial place type in the region.

INTRODUCTION OF SIGNIFICANT NEW UTILITIES OR LOCAL/STATE/FEDERAL ROAD PROJECTS THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. There have been no recent capital improvements to this area to support a plan amendment to the CC place type. The subject property's current access to Crenshaw Road where it intersects with W Governor John Sevier Highway is unsafe and is not built to current transportation engineering standards.

NEW DATA REGARDING TRENDS OR PROJECTIONS, POPULATION, HOUSING CONDITIONS, OR TRAFFIC GROWTH THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN:

1. There are no new data or trends in development and/or population that warrant the CC place type at this location.

THE PROPOSED CHANGES SUPPORT THE POLICIES AND ACTIONS, GOALS, OBJECTIVES, AND CRITERIA OF THE PLAN:

1. A plan amendment to the CC designation on the subject property conflicts with the Comprehensive Plan. Expanding commercial land use in a residential area near vacant commercial place types is inconsistent with Implementation Policy 3 to incentivize and encourage infill and redevelopment of underutilized commercial land.

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. The requested CH (Highway Commercial) zone is not supported by changing conditions in the area. The subject property is surrounded by long-established residential and agricultural property. It is also near but disconnected from an underdeveloped commercial node to the west.

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

1. The CH zone is intended to provide areas in which the principal use of land is devoted to commercial establishments which cater specifically to the needs of the highway user or tourist. The intent here is to reserve lands which because of their particular location and natural features are adapted for such uses, and to encourage the development of these locations with such uses and in such a manner as to minimize traffic hazards and interference with other uses in the vicinity.

2. The subject property is not adjacent to any commercial development. Its access to W Governor John Sevier Highway from Crenshaw Drive is not designed for a safe increase in traffic stemming from commercial activity.

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. CH zoning at this location could result in adverse impacts to traffic safety. East-bound traffic from the highway turning right onto Crenshaw Drive must make a sharp turn that could result in vehicles entering the opposite lane. The subject property's driveway onto Crenshaw Drive is also at an angle where sight distance in both directions may be limited.

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

1. The requested CH zone is inconsistent with the SR (Suburban Residential) place type for this property in the Knox County Comprehensive Plan, and a plan amendment is not recommended.

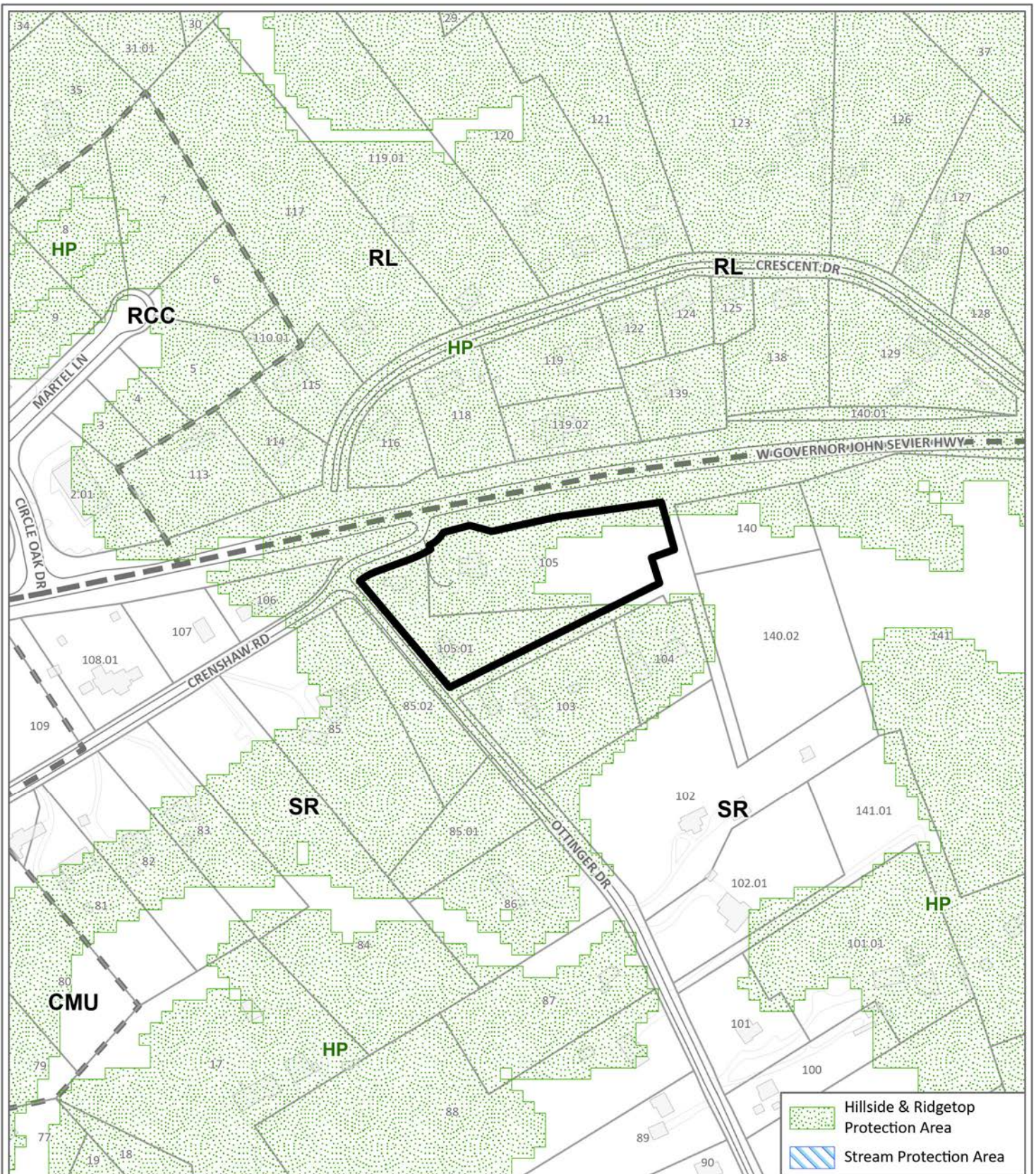
2. A commercial rezoning here also conflicts with Implementation Policies in the Comprehensive Plan, including Policy 9 to coordinate infrastructure improvements with development. No capital improvements are currently planned to occur in this area to support a more intensive and auto-centric rezoning.

3. In the recent adoption of the Comprehensive Plan, commercial place types were intentionally set. The nearby node to the west at the intersection of W Governor John Sevier Highway and Maryville Pike, a major and minor arterial respectively, was placed in recognition of the road classifications, the existing commercial zoning at this location, and to serve the nearby communities. Further encroachment of commercial place types and zoning was not desired by the community and was not established along this length of W Governor John Sevier Highway.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 12/9/2024. 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.



**11-B-24-PA
COMPREHENSIVE LAND USE PLAN MAP**



From: SR (Suburban Residential), HP (Hillside Protection)
To: CC (Corridor Commercial), HP (Hillside Protection)

Original Print Date: 10/9/2024

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

Petitioner: AHB Enterprises, Inc./Hunter Brewster

Map No: 147

Jurisdiction: County



REZONING

11-N-24-RZ

Petitioner: AHB Enterprises, Inc./Hunter Brewster



From: A (Agricultural)

To: CH (Highway Commercial)

Original Print Date: 10/9/2024

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

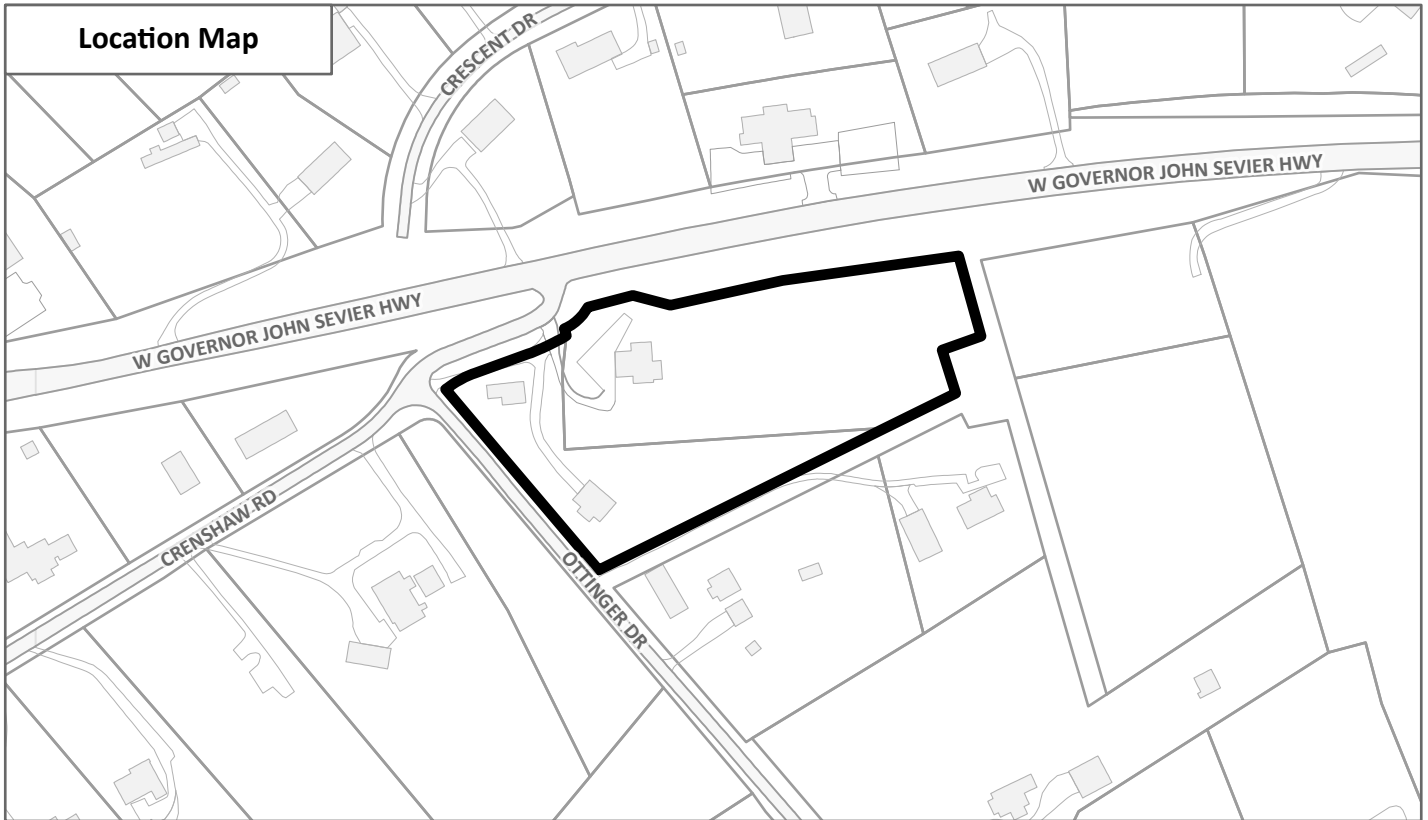
Map No: 147

Jurisdiction: County



Exhibit A. Contextual Images

Location Map



Aerial Map

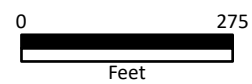


CONTEXTUAL MAPS 1

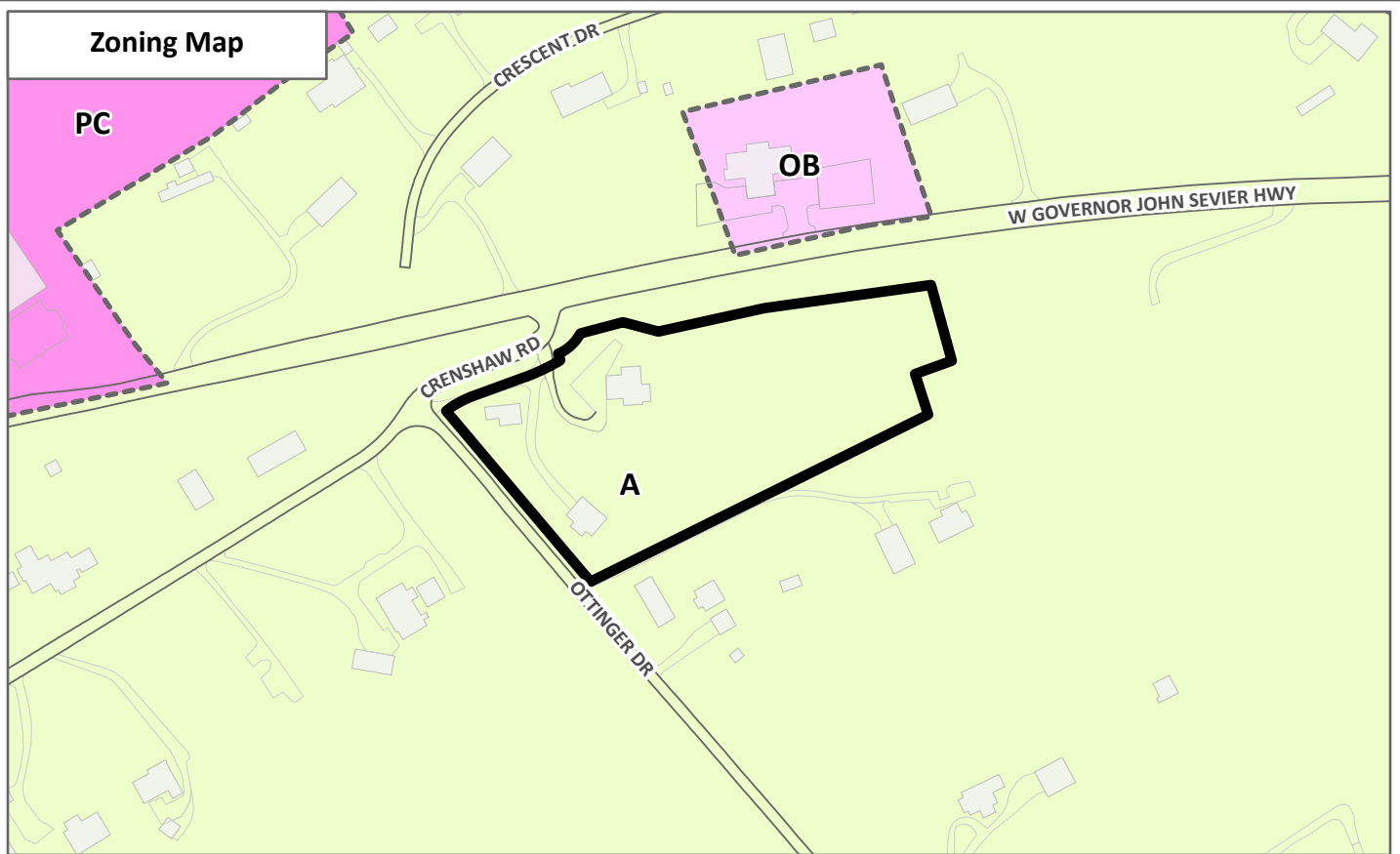
11-B-24-PA / 11-N-24-RZ



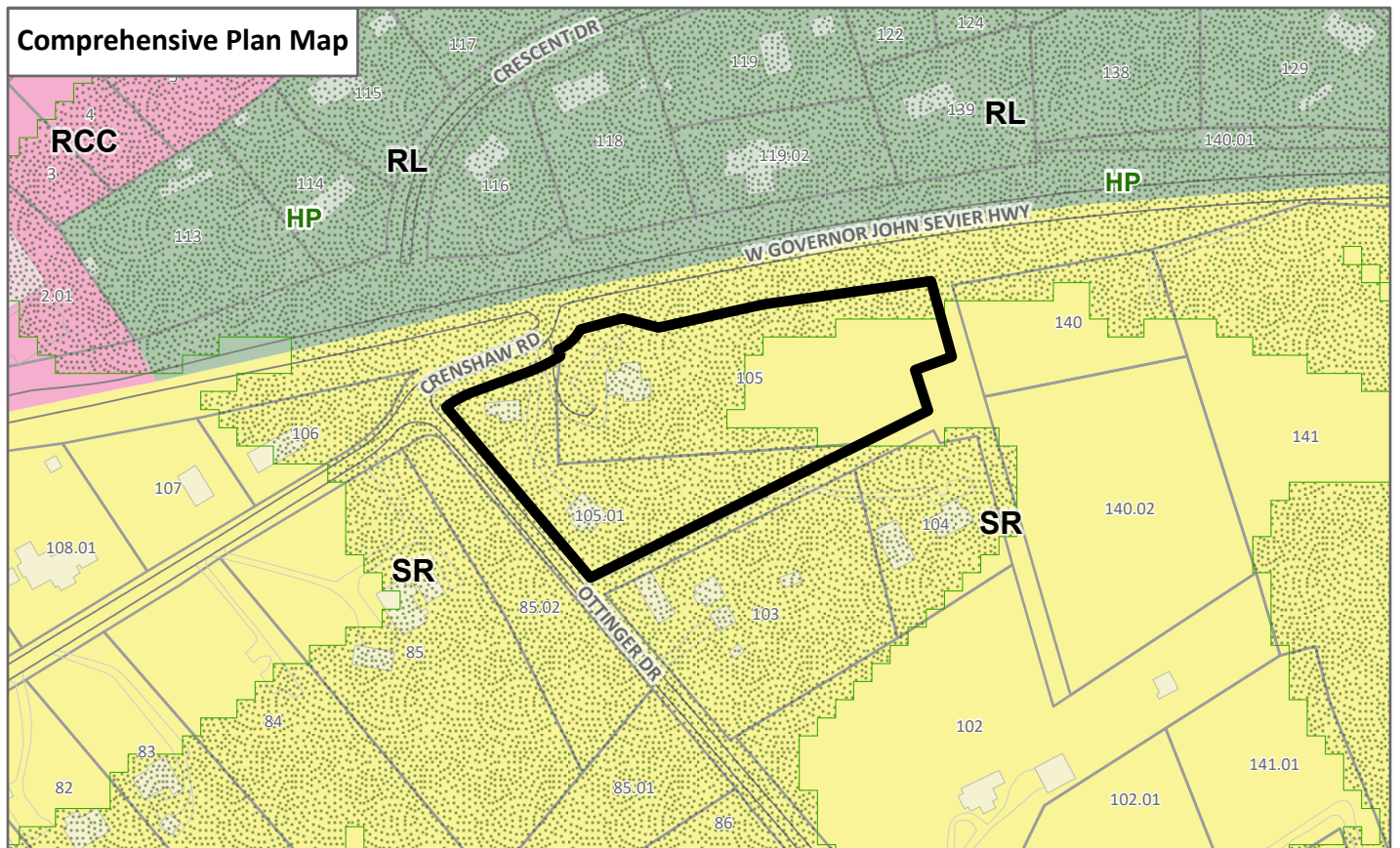
Case boundary



Zoning Map



Comprehensive Plan Map

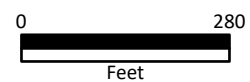


CONTEXTUAL MAPS 2

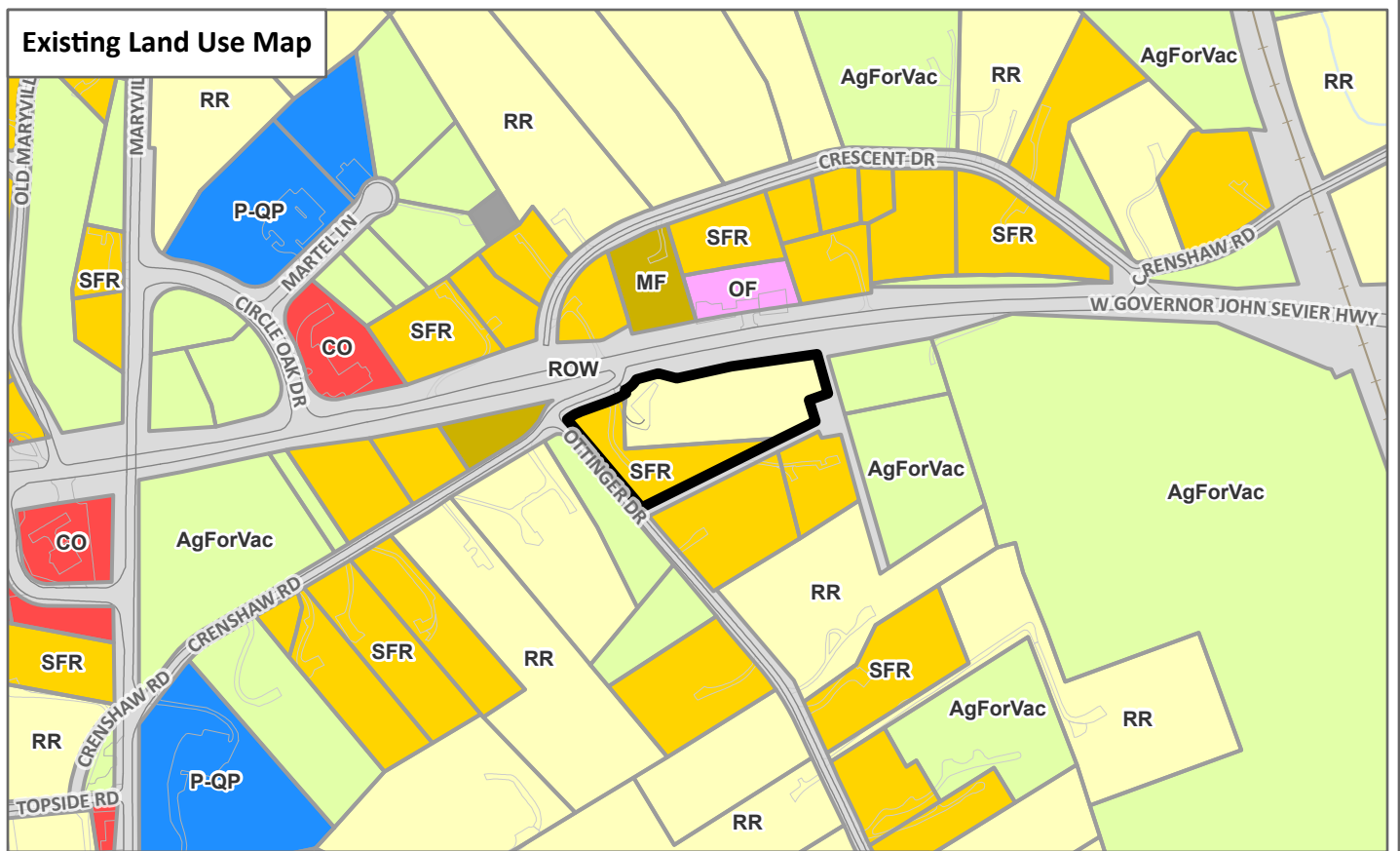
11-B-24-PA / 11-N-24-RZ



Case boundary



Existing Land Use Map

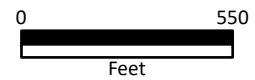


CONTEXTUAL MAPS 3

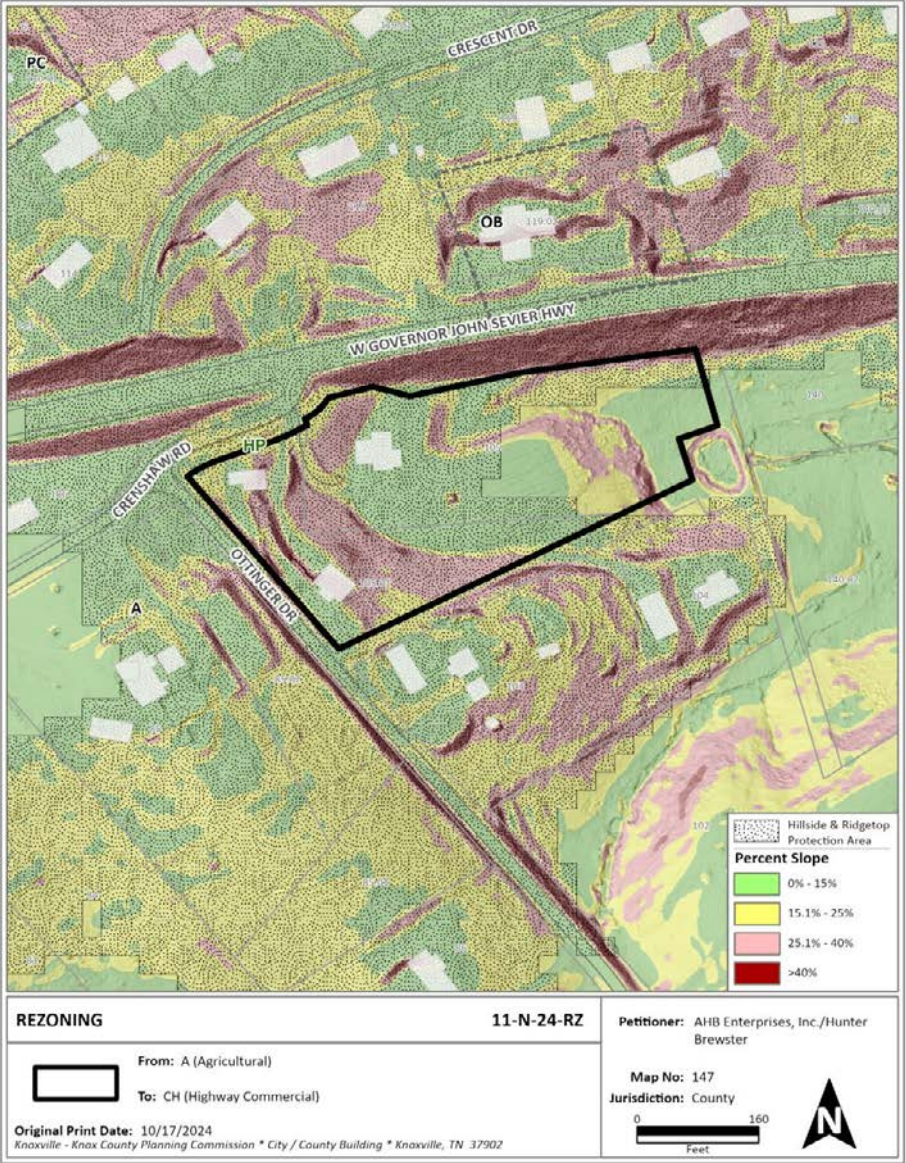
11-B-24-PA / 11-N-24-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	3.6		
Non-Hillside	0.9	N/A	
0-15% Slope	1.2	100%	1.2
15-25% Slope	0.7	50%	0.3
25-40% Slope	0.8	20%	0.2
Greater than 40% Slope	0.1	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	2.7	Recommended disturbance budget within HP Area (acres)	1.7
		Percent of HP Area	61.1%





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

AHB Enterprises, Inc./Hunter Brewster

Owner

Applicant Name

Affiliation

9/30/2024

11/14/2024

11-N-24-RZ / 11-B-24-PA

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.

Benjamin C. Mullins Frantz, McConnell and Seymour, LLP

Name / Company

550 W. Main St. St. Suite 500 Knoxville TN 37902

Address

865-546-9321 / bmullins@fmsllp.com

Phone / Email

CURRENT PROPERTY INFO

Hunter Brewster AHB Enterprises, Inc.

3000 Crenshaw Rd Knoxville TN

865-363-8631 / AEHBrewster@

Owner Name (if different)

Owner Address

Owner Phone / Email

3000 CRENSHAW RD / 6708 OTTINGER DR

Property Address

147 105, 10501

3.56 acres

Parcel ID

Part of Parcel (Y/N)?

Tract Size

Knox-Chapman Utility District

Knox-Chapman Utility District

No

Sewer Provider

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

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 **CH (Highway Commercial)**
Proposed Zoning
- ☒ Plan Amendment **CC (Corridor Commercial)**
Proposed Plan Designation(s)

Pending Plat File Number

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

\$1,650.00

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.

AHB Enterprises, Inc./Hunter Brewster

9/30/2024

Applicant Signature

Please Print

Date

Phone / Email

Hunter Brewster AHB Enterprises, Inc.

9/30/2024

Property Owner Signature

Please Print

Date

onvenience.
2) Sign the application digitally (or print, sign, and can).

Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☐ SP ☒ PA
☒ Rezoning

AHB Enterprises, Inc./Hunter Brewster

Owner

Applicant Name

Affiliation

September 30, 2024

November 14, 2024

Date Filed

Meeting Date (if applicable)

File Number(s)

11-N-24-RZ
11-B-24-PA

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

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street, Suite 500

Knoxville

TN

37902

Address

City

State

ZIP

865-546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

3000 Crenshaw Rd.

865-363-8631

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

3000 Crenshaw Rd and 6708 Ottinger Dr.

147 105 and 147 10501

Property Address

Parcel ID

Knox-Chapman Utility District

Knox Chapman Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

View Form

JULY 2024

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

CH Highway Commercial

Proposed Zoning _____

- ☒ Plan Amendment Change

Corridor Commercial

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
☐ Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

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

Fee 1		Total
0803	\$1,000.00	
Fee 2		
0608	\$650.00	\$1,650.00
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. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.

Applicant Signature _____

865-363-8631

Phone Number _____

Print Name / Affiliation _____

AEBrewster@gmail.com

Email _____

Date _____

9-30-24

Property Owner Signature _____

Please Print _____

09/30/2024, SG

Date Paid _____



Knox County Comprehensive Plan Amendment Request

All requests to amend the Knox County Comprehensive Land Use and Transportation Plan must include justification for the changes as part of the application process.

The applicant must provide justification per Implementation Action IM.6, demonstrating:

Either

- ☐ There is an obvious or significant error or omission in the Plan

OR

2 or more of the following criteria apply

- ☒ **Conditions Have Changed** Changes of conditions, such as surrounding land uses, zoning, uncontrolled natural forces/disasters, etc.
- ☐ **New Utilities / Projects** Introduction of significant new utilities or local/state/federal road projects that were not anticipated in the Plan and make development more feasible
- ☐ **New Data** New data regarding trends or projections, population, housing conditions, or traffic growth that warrant reconsideration of the original Plan
- ☒ **Proposed Changes Support Plan** The proposed changes support the Policies and Actions, goals, objectives, and criteria of the Plan

PLEASE EXPLAIN

Significant influx of transient workers for significant natural gas pipeline expansion project require temporary housing opportunities and RV parking locations that current supply will not meet. East Tennessee Natural Gas, LLC (ETNG) is proposing to build 122.2 miles of natural gas pipeline to transport gas to the Tennessee Valley Authority's (TVA) Kingston Fossil Plant and this development will accommodate transient workers to locate their transient housing onsite with no additional infrastructure development.

The Proposed Changes also support the following Policies and Actions, goals, objectives, and criteria of the Plan:

- * The proposed amendment meets this location criteria for corridor commercial because it is situated along a major transportation corridor which is appropriate for a mix of commercial development.
- * Corridor Commercial is established ~1 mile to the east.
- * Policy 5: incentivizes transient mobile housing along a major corridor with multiple amenities within close proximity.
- * Policy 6: Provides attainable housing to temporary Knox County residents working on major infrastructure project.
- * Policy 9: The amendment is necessary to provide affordable housing options for workers on major infrastructure improvement project.
- * Policy 14. Absent affordable options for transient workers to locate transient mobile housing, the workers would be traveling from outside of the county and state for work thereby reducing network efficiency and increasing traffic congestion.

Handwritten signature of Hunter Brewster in blue ink.

Property Owner Signature

AHB Enterprises/Hunter Brewster

Print Name

9-30-2024

Date

11-N-24-RZ & 11-B-24-PA

By signing above, you certify that criteria for a Plan Amendment have been met and that any information to justify such action is specified above.

FILE NUMBER



Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

November 1, 2024

November 2, 2024

November 15, 2024

Date to be Posted

Date to be Removed

**Have you engaged the
surrounding property owners
to discuss your request?**

☒ Yes ☐ No

☐ No, but I plan to prior to the
Planning Commission meeting

A handwritten signature in blue ink, appearing to read 'Hunter Brewster'.

Applicant Signature

AHB Enterprises/Hunter Brewster

Applicant Name

9-30-2024

Date

11-N-24-RZ & 11-B-24-PA

FILE NUMBER