



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 11-S-24-RZ
11-E-24-PA

AGENDA ITEM #: 52
AGENDA DATE: 11/14/2024

► **APPLICANT:** SANDRA LLC (OWNER)
OWNER(S): Sandra Kopacz Sandra LLC

TAX ID NUMBER: 138 10501 [View map on KGIS](#)

JURISDICTION: Commission District 9

STREET ADDRESS: 8710 CHAPMAN HWY

► **LOCATION:** East of Chapman Hwy, south and east of Whites School Rd

► **TRACT INFORMATION:** 6.32 acres.

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via a private driveway with an approximate pavement width of 10 ft within the access strip of the abutting parcel parcel to the south (parcel 138 105). This shared driveway is accessed off of Chapman Highway, a major arterial street with a continuous center turn lane within a 120 to 160-ft right-of-way.

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

FIRE DISTRICT: Seymour Volunteer Fire Department

WATERSHED: Hinds Creek

► **PRESENT PLAN DESIGNATION/ZONING:** TN (Traditional Neighborhood), HP (Hillside Protection) / RA (Low Density Residential), A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** CMU (Corridor Mixed-use), HP (Hillside Protection) / CA (General Business)

► **EXISTING LAND USE:** Rural Residential

EXTENSION OF PLAN DESIGNATION/ZONING: No, this is not an extension of the plan designation or zone.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Agriculture/forestry/vacant land - TN (Traditional Neighborhood), HP (Hillside Protection) - PR(k) (Planned Residential) up to 3 du/ac with conditions

ZONING South: Rural residential - TN (Traditional Neighborhood), HP (Hillside Protection) - A (Agricultural), RA (Low Density Residential)

East: Agriculture/forestry/vacant land - TN (Traditional Neighborhood), HP (Hillside Protection) - PR(k) (Planned Residential) up to 3 du/ac with conditions

West: Agriculture/forestry/vacant land - TN (Traditional Neighborhood), HP (Hillside Protection) - PR(k) (Planned Residential) up to 3 du/ac with conditions

NEIGHBORHOOD CONTEXT: This area along Chapman Highway is on the north side of Bays Mountain Road from Seymour (Sevier County) and contains a small commercial strip center, golf driving range, and cemetery. The property surrounding this parcel contains baseball fields that are being redeveloped for other uses. Residential uses are primarily located on side streets, away from Chapman Highway.

STAFF RECOMMENDATION:

- **Deny the CMU (Corridor Mixed-Use) place type because it is incompatible with surrounding land use and inconsistent with Comprehensive Plan policies.**

- **Deny the CA (General Business) zone because it is incompatible with the intent of the zone and adjacent land uses.**

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 subject property is in the middle of a broader area of the TN (Traditional Neighborhood) place type designation, and it is set back almost a quarter-mile driving distance from Chapman Highway. The existing land use on the property is a single-family house, and it is only accessible via a long, narrow unstriped driveway that leads through and behind another single-family property. This context is consistent with the residential intent of the TN place type, and is not the result of an error in the plan.
2. The requested CMU (Corridor Mixed-Use) place type was recently approved nearby to the southeast along the Chapman Highway corridor but is not connected to the subject property (7-I-24-PA). That plan amendment request was for a larger section of that parcel, which extended past the subject property, but the CMU place type was only approved a certain distance away from Chapman Highway to keep the commercial land use and zoning concentrated along the street and not encroach into a residential area. The CMU place type is intended to be located along major corridors, not on residential properties set far back from a corridor with access challenges.

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. Approximately 100 acres surrounding the subject property was recently rezoned from A (Agricultural) and RA (Low Density Residential) to PR (Planned Residential) with a density of 3 du/ac (1-K-24-RZ). This zoning change lays the groundwork for a future unified residential development around the subject property.
2. At the same time, a portion of the surrounding property southeast along Chapman Highway, which is not connected to the subject parcel, was rezoned to CA (General Business) in the same placement as the aforementioned CMU place type, on the condition that development plans be reviewed by the Planning Commission to ensure they are consistent with the mixed-use intent of the amended CMU place type (1-L-24-RZ/7-I-24-PA). This rezoning consisted of 19 acres and followed another recent case across Chapman Highway, where 15 acres along the corridor were approved to be rezoned from RA to CA (1-M-24-RZ). Neither of these large properties have been developed yet, so there is ample underutilized commercial property already existing in a more appropriate location along this major arterial street.
3. These changes to surrounding zoning and future land use do not support the requested spot plan amendment to the CMU place type.

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 changes to infrastructure or roads pertaining directly to this property, which has sub-standard driveway access from Chapman Highway and no sanitary sewer service.

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

1. There is no new data regarding development trends or population projections that warrant the requested land use amendment.

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

1. The proposed CMU place type at this location conflicts with Implementation Policy 9 in the Comprehensive Plan to coordinate infrastructure improvements with development. The subject property is not in a location or with adequate access for a more intensive and commercial place type.

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 request for the CA (General Business) zone is not supported by changing conditions in the area. A recent rezoning of approximately 100 acres surrounding the property to the PR (Planned Residential) zone with a density of 3 du/ac indicate that adjacent future land use will most likely be single-family residential, which does not support a center spot of more intensive commercial development.

2. A recent CA rezoning along Chapman Highway nearby to the southeast is in a location where it is easily accessible from the major arterial street. By contrast, the subject property is set far back from the corridor and only accessible by a narrow private driveway in need of repaving. The driveway goes through and behind a single-family residential property. There are no changing conditions in active development or future land use that warrant the requested rezoning at this location.

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

1. The CA zone is intended for retail businesses and services. Residential uses are also permitted, including multifamily development.

2. The property's access and surrounding residential and open space conditions are not consistent with more intensive commercial or residential 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. The CA zone could have a negative impact on the residential lot through which the subject property is accessed, by bringing public, commercial traffic through private property.

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:

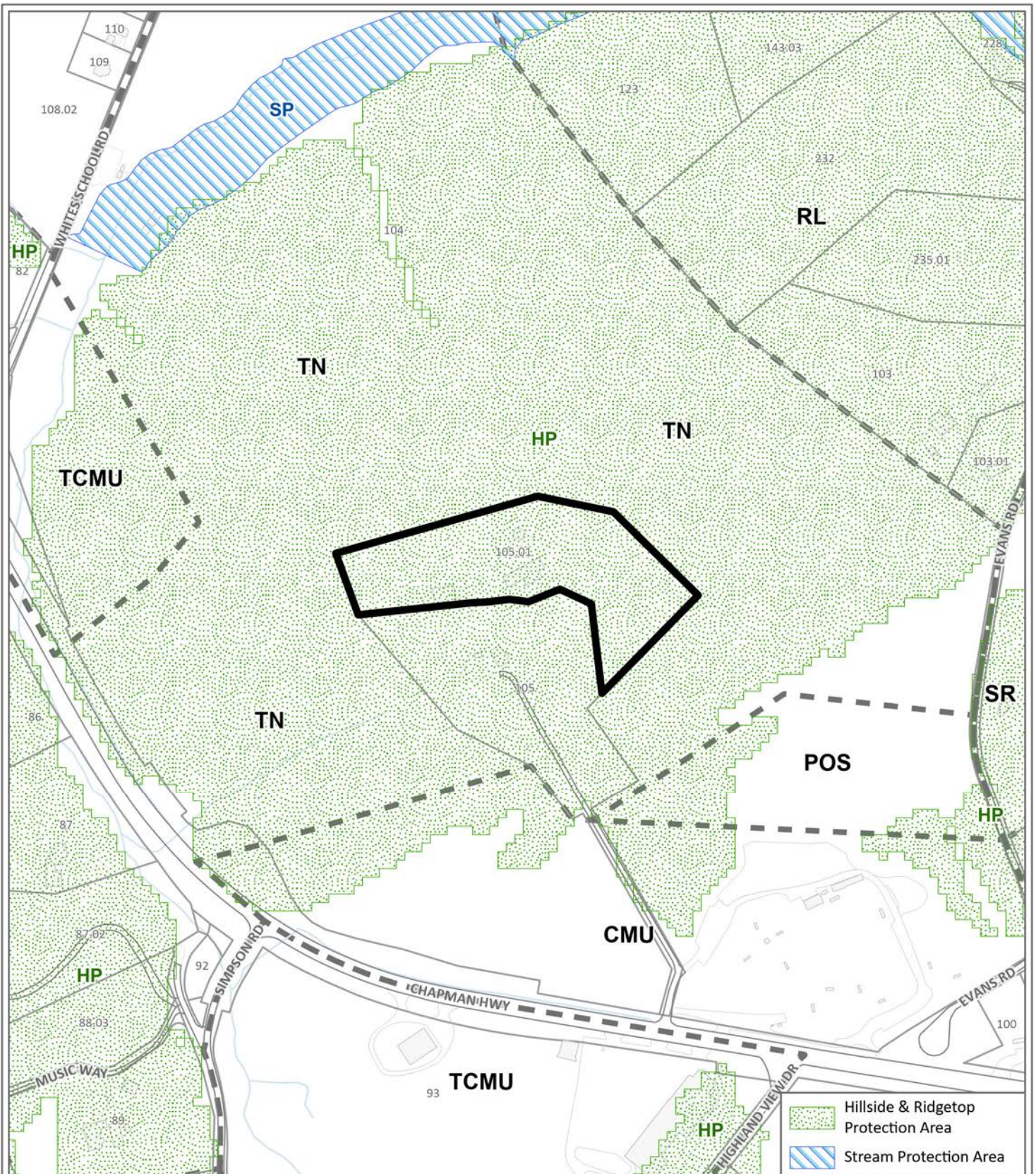
1. The CA zone is inconsistent with the property's TN (Traditional Neighborhood) place type, which is intended primarily for residential development.

2. A rezoning to CA is in conflict with the Comprehensive Plan's Implementation Policy 2 to ensure that development is consistent with existing community character when considering its potential impact on the residential property through which it is accessed.

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-E-24-PA
COMPREHENSIVE LAND USE PLAN MAP**

Petitioner: Sandra LLC



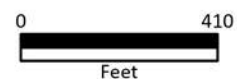
From: TN (Traditional Neighborhood), HP (Hillside Protection)
To: CMU (Corridor Mixed-use), HP (Hillside Protection)

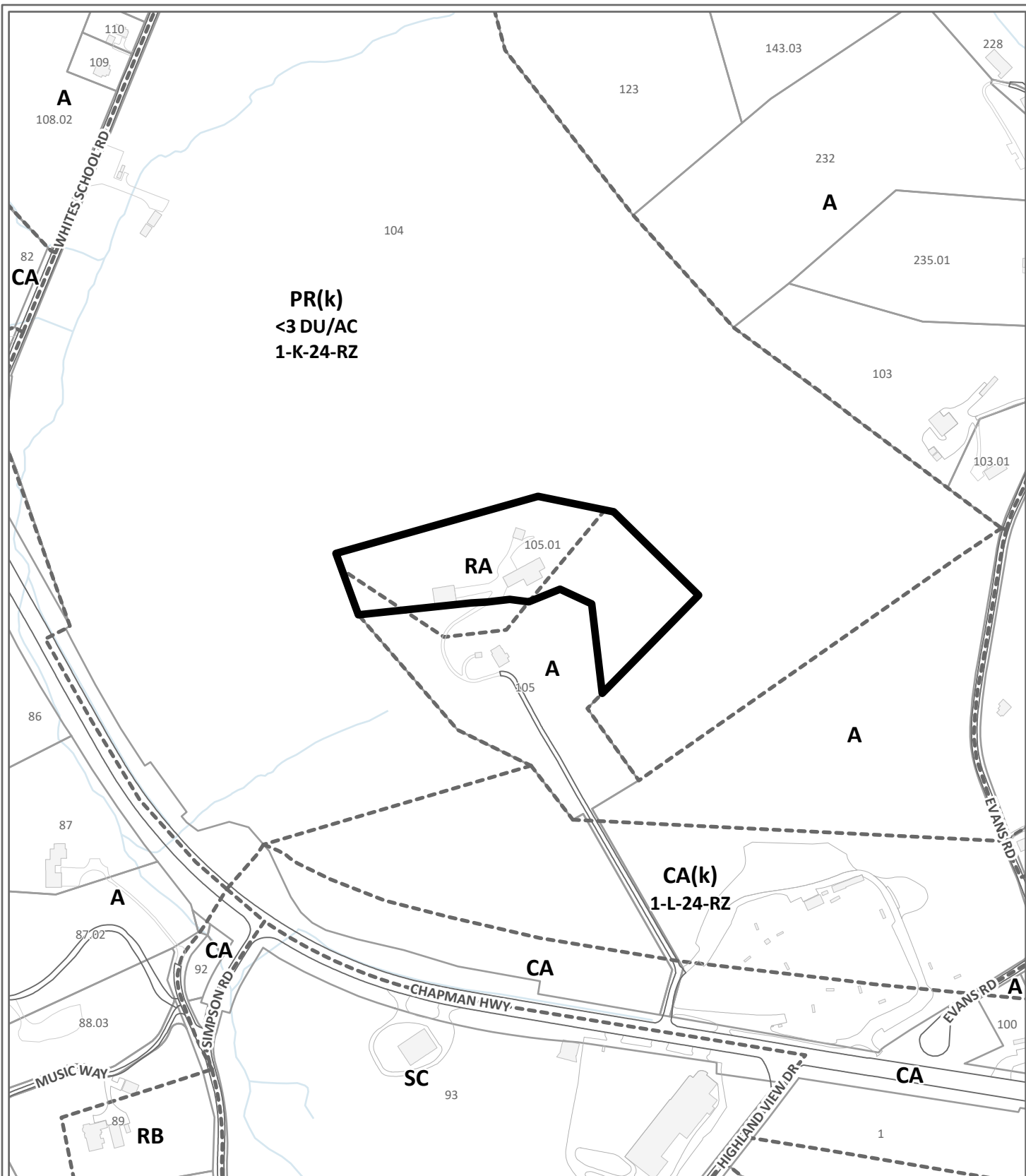
Map No: 138

Jurisdiction: County

Original Print Date: 10/9/2024

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





REZONING

11-S-24-RZ



From: RA (Low Density Residential), A (Agricultural)

To: CA (General Business)

Original Print Date: 10/9/2024

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

Petitioner: Sandra LLC

Map No: 138

Jurisdiction: County

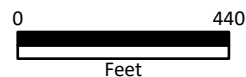
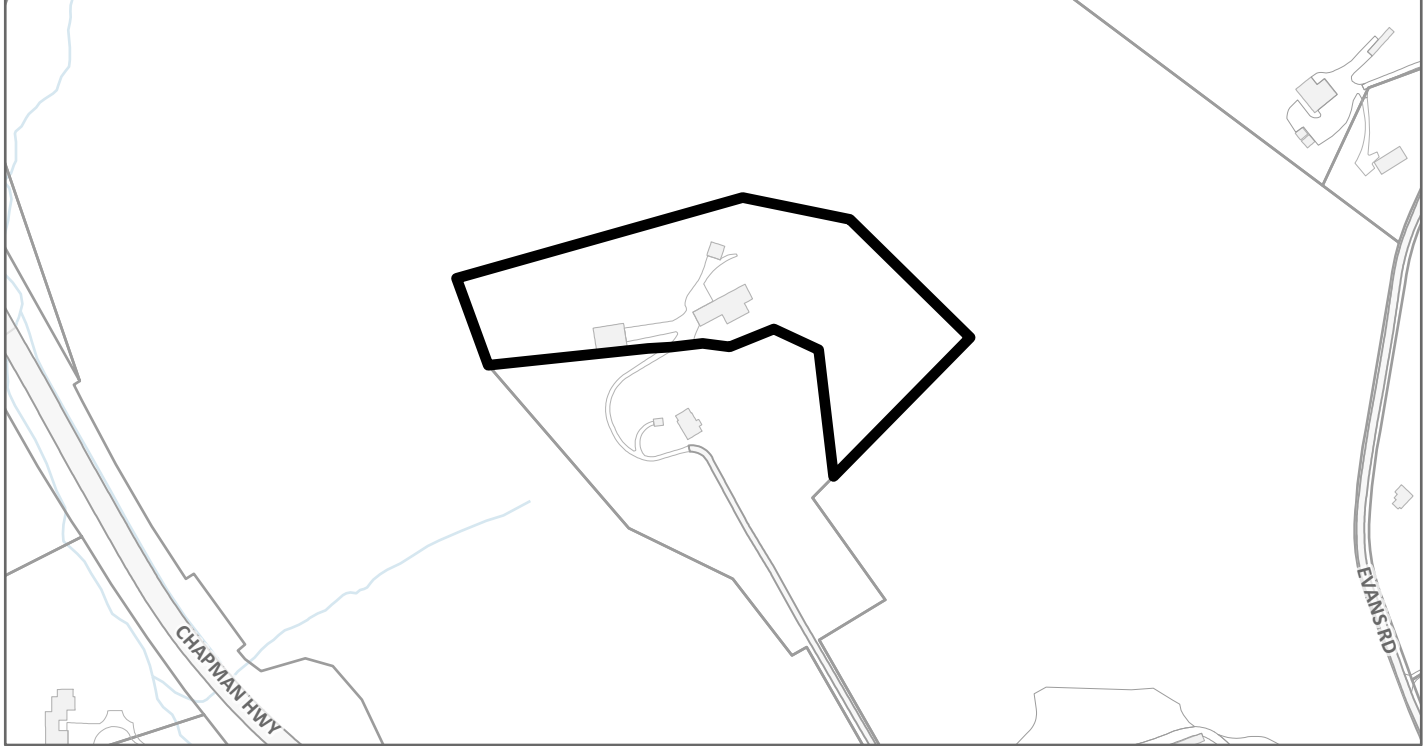


Exhibit A. Contextual Images

Location Map



Aerial Map

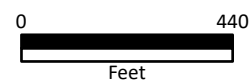


CONTEXTUAL MAPS 1

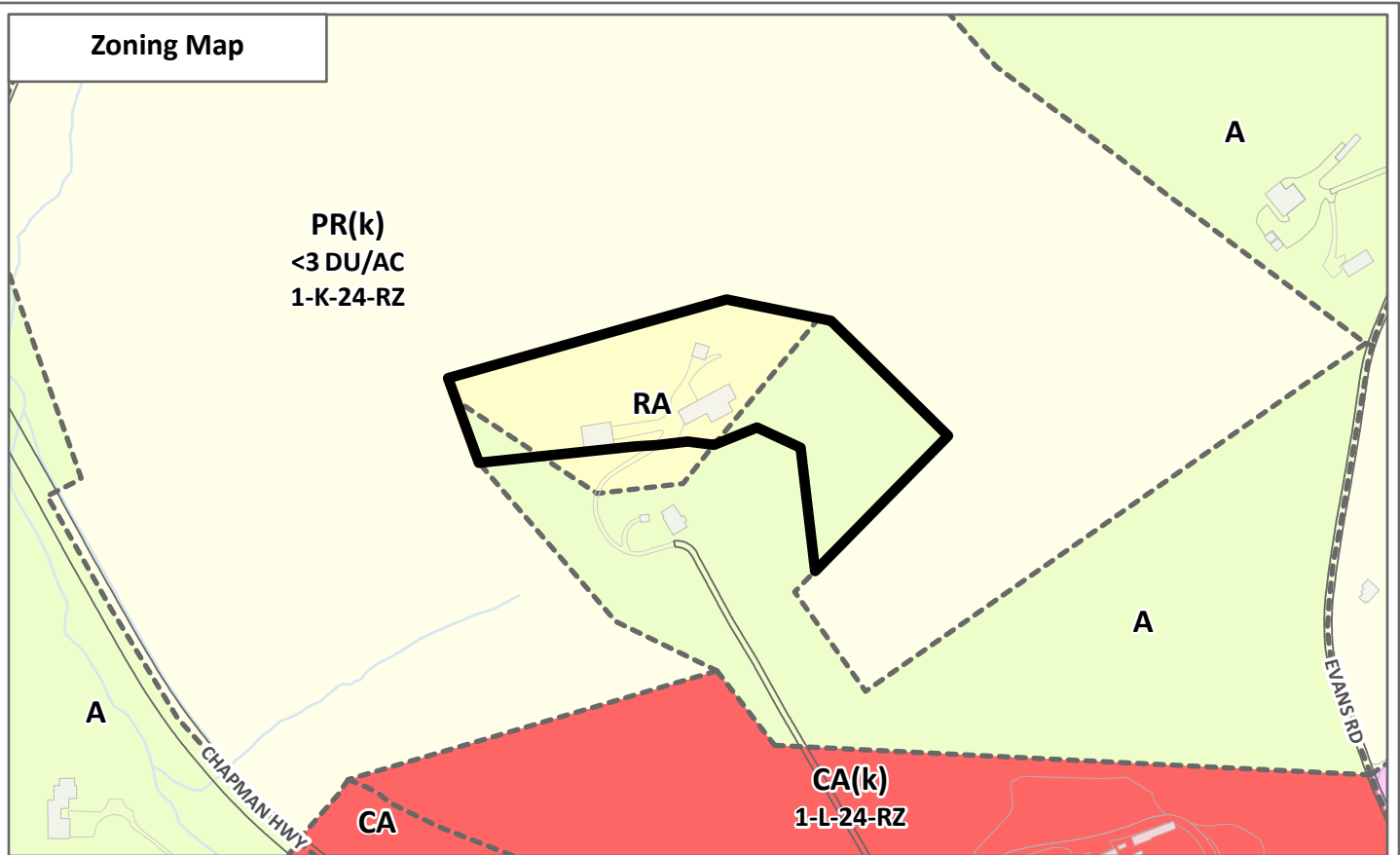
11-E-24-PA / 11-S-24-RZ



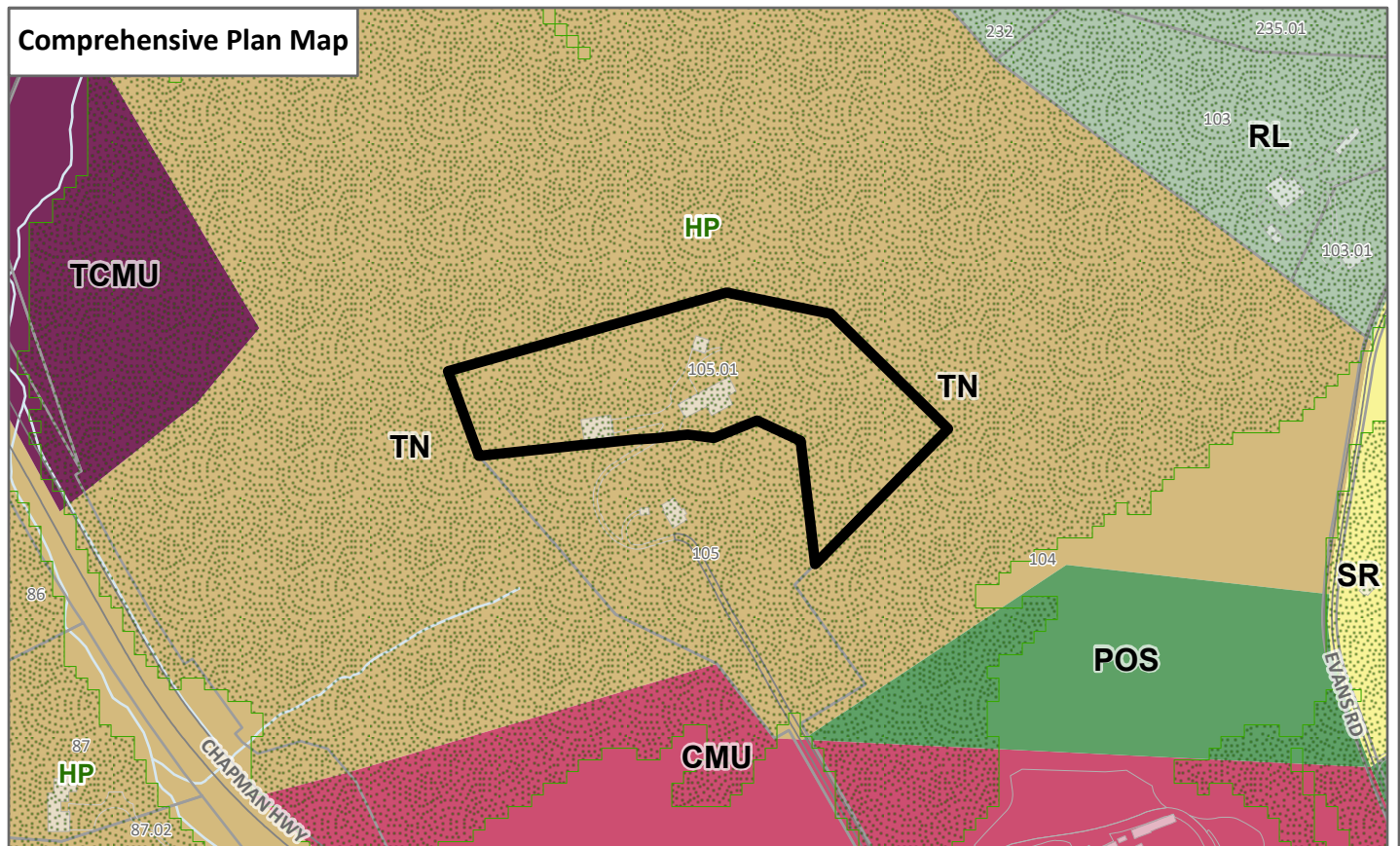
Case boundary



Zoning Map



Comprehensive Plan Map

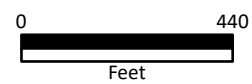


CONTEXTUAL MAPS 2

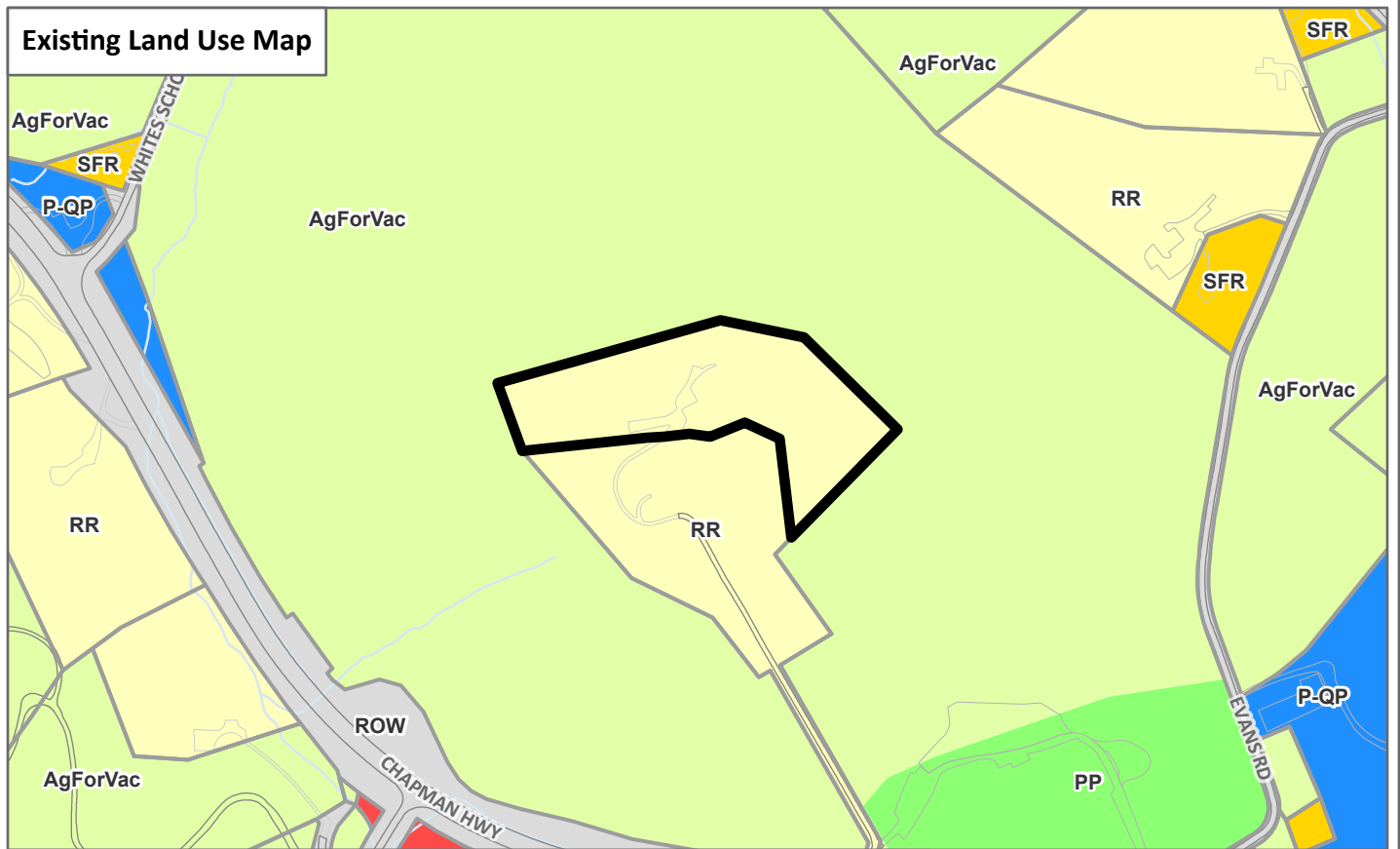
11-E-24-PA / 11-S-24-RZ



Case boundary



Existing Land Use Map

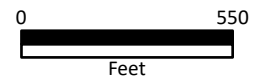


CONTEXTUAL MAPS 3

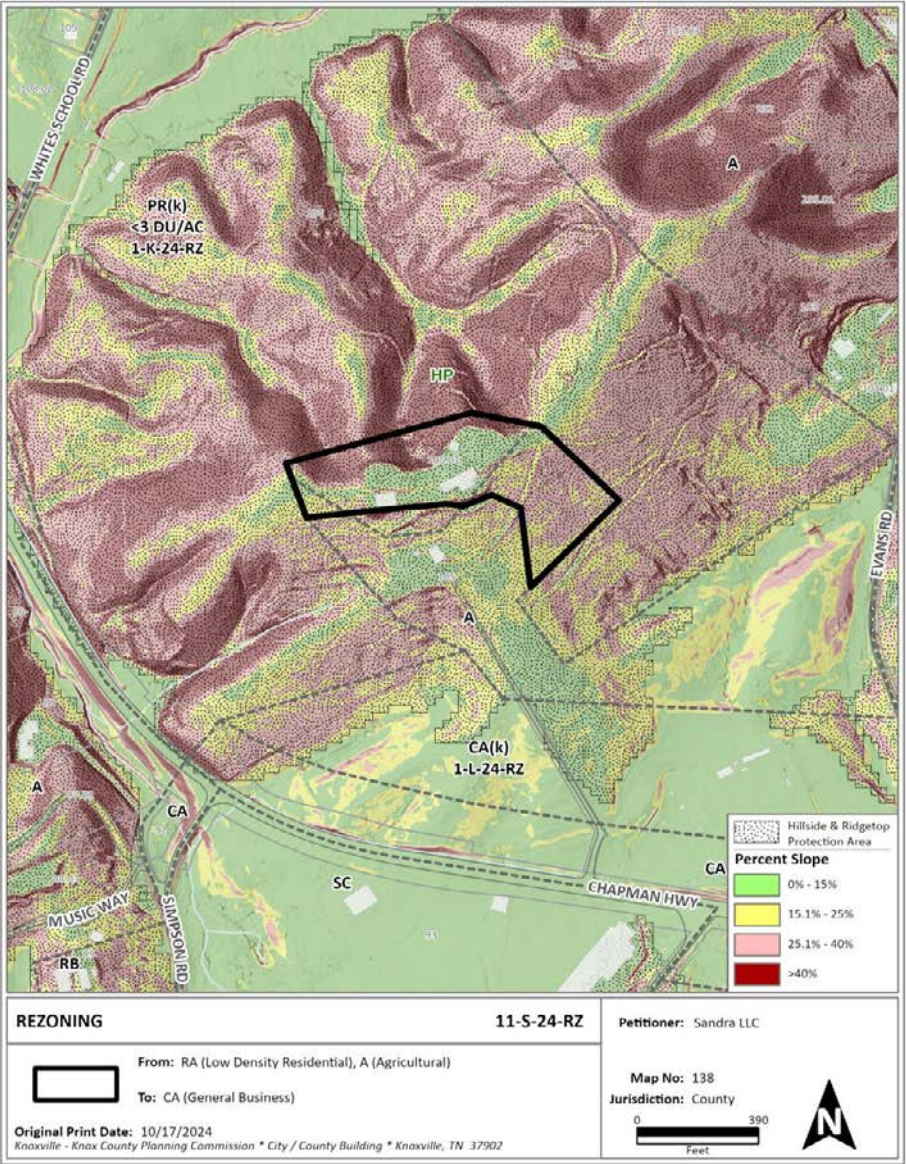
11-E-24-PA / 11-S-24-RZ



Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	6.3		
Non-Hillside	0.0	N/A	
0-15% Slope	1.6	100%	1.6
15-25% Slope	1.3	50%	0.7
25-40% Slope	1.9	20%	0.4
Greater than 40% Slope	1.4	10%	0.1
Ridgetops			
Hillside Protection (HP) Area	6.3	Recommended disturbance budget within HP Area (acres)	2.8
		Percent of HP Area	44.6%





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

Sandra LLC

Applicant Name

Owner

Affiliation

10/1/2024

Date Filed

11/14/2024

Meeting Date (if applicable)

11-S-24-RZ / 11-E-24-PA

File Number(s)

CORRESPONDENCE

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

Sandra Kopacz Sandra LLC

Name / Company

8710 Chapman Hwy Knoxville TN 37920

Address

708-856-5557 / m.goldberg000@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Sandra Kopacz Sandra LLC

Owner Name (if different)

8710 Chapman Hwy Knoxville TN 37920

Owner Address

708-856-5557 / m.goldberg000

Owner Phone / Email

8710 CHAPMAN HWY

Property Address

138 10501

Parcel ID

6.32 acres

Tract Size

Part of Parcel (Y/N)?

Knox-Chapman Utility District

Sewer Provider

Knox-Chapman Utility District

Water Provider

No

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

<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	CA (General Business) Proposed Zoning	Pending Plat File Number
<input checked="" type="checkbox"/> Plan Amendment	CMU (Corridor Mixed-Use), HP (Hillside Protection) Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Rezoning Requests		
Additional Information		

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1 \$2,482.00	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request (Comprehensive Plan)	Fee 2	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> Use on Review / Special Use (Concept Plan) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (Hillside Protection)	Fee 3	

AUTHORIZATION

<input type="checkbox"/> 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.		
Sandra LLC		10/1/2024
Applicant Signature	Please Print	Date
Phone / Email		
Sandra Kopacz Sandra LLC		10/1/2024
Property Owner Signature	Please Print	Date



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

SANDRA LLC

Applicant Name

Affiliation

10/01/24

Date Filed

11/14/2024

Meeting Date (if applicable)

File Number(s)

11-S-24-RZ
11-E-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

SANDRA KOPACZ

Name

SANDRA LLC

Company

8710 CHAPMAN HWY

Address

KNOXVILLE

City

TN

State

37920

ZIP

708-856-5557

Phone

M. GOLDBERG100@GMAIL.COM

Email

CURRENT PROPERTY INFO

SANDRA LLC

Property Owner Name (if different)

8710 CHAPMAN HWY

Property Owner Address

708-856-5557

Property Owner Phone

8710 CHAPMAN HWY

Property Address

00 10 138 501. 0000

Parcel ID

Sewer Provider

KNOX - CHAPMAN

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.**

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

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number

Total Number of Lots Created

☐ Other (specify) _____

☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

☒ Zoning Change **CA (GENERAL BUSINESS)**
Proposed Zoning

☒ Plan Amendment Change **CMU (CORRIDOR MIXED-USE), HP**
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
0609	\$850.0	
Fee 2		
0804	\$1,632.00	
Fee 3		\$2,482.00

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.

Sandra Kopace
Applicant Signature

SANDRA KOPACE / CHIEF MANAGER
Print Name / Affiliation

10/01/24
Date

708-856-5557
Phone Number

M. GOLDBERG @ GMAIL.COM
Email

Sandra Kopace
Property Owner Signature

Sandra Kopace
Please Print

10/01/24
Date Paid

10/01/2024, SG

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

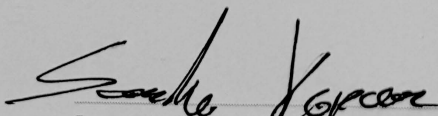
PLEASE EXPLAIN

SANDRA LLC IS REQUESTING A LAND USE AMENDMENT OF CMU FOR THE SUBJECT PROPERTY. THERE HAS BEEN A CHANGE OF CONDITIONS IN THE AREA INCLUDING RECENT REZONINGS AND PLAN AMENDMENTS!

SANDRA LLC IS SURROUNDED BY RECENT REZONINGS AND 2 PLAN AMENDMENTS.

(7-1-24-PA, 1-H-24-SP, 1-K-24-RZ, 7-H-24-RZ, 1-G-24-SP, 1-N-24-RZ, 1-M-24-RZ, 11-F-21-RZ, 11-B-21-SP, 1-L-24-RZ)

DUE TO ONE OF THE ABOVE MENTIONED PLAN AMENDMENTS AND REZONINGS, ACCESS TO SANDRA LLC PROPERTY IS NOW THROUGH A COMMERCIAL ZONE.


Property Owner Signature

Sandra Koppa
Print Name

10/01/24
Date

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.

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

☒ Yes ☐ No

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

** EXCEPT FOR ONE NEIGHBOR
DUE TO SAFETY CONCERNS **

Date to be Posted

Date to be Removed

Sandra Kojac
Applicant Signature

S. KOJAC / SANDRA LLC
Applicant Name

10/03/24
Date

FILE NUMBER