

# REZONING REPORT

▶ **FILE #:** 2-F-19-RZ

**AGENDA ITEM #:** 29

**AGENDA DATE:** 2/14/2019

▶ **APPLICANT:** CHAD SMOCK  
OWNER(S): Deanna Boatman

TAX ID NUMBER: 107 G C 012 [View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 1526 Coleman Rd

▶ **LOCATION:** East side of Coleman Rd., south of Lonas Dr.

▶ **APPX. SIZE OF TRACT:** 0.7 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Coleman Road, a major collector, with a pavement width of 23' feet within a right-of-way width of 40' feet.

UTILITIES: Water Source: Knoxville Utilities Board  
Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT ZONING:** R-1 (Low Density Residential)

▶ **ZONING REQUESTED:** O-3 (Office Park)

▶ **EXISTING LAND USE:** Single Family Residential

▶ **PROPOSED USE:** Business office

EXTENSION OF ZONE: Yes, 0-3 zoning is adjacent to the south and north of the parcel.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Offices and single family residential - O-3 (Office Park) & R-1 (Low Density Residential)

South: Offices - O-3 (Office Park)

East: Multifamily residential - O-3 (Office Park) & R-2 (General Residential)

West: Multifamily residential - RP-1 (Planned Residential)

NEIGHBORHOOD CONTEXT: The area is comprised of a mix of multifamily and single family residential and office uses.

## STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE O-3 (Office Park) district zoning.**

Staff recommends O-3 (Office Park) zoning consistent with the Office designation on the One-Year Plan and Northwest City Sector Plan.

## COMMENTS:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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 recommended zoning is appropriate for the subject area, is compatible with the surrounding development and zoning, and is consistent with the policies of the Northwest City Sector Plan and One Year Plan designations for Office.
2. This site is located within the Knoxville city limits of the Knoxville-Knox County-Farragut Growth Policy Plan map.

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

1. This request for O-3 zoning is an extension of the existing O-3 zoning to the south and north of the site.
2. The O-3 zone is intended to provide for orderly development of office parks so that structures, access road improvements, utility distribution, landscaping, pedestrian circulation, waste disposal and related elements are complementary and allow orderly sequential development through initial coordination of utilities and other services. The purpose of these regulations is to create a district which is compatible with surrounding residential areas and services as a transitional area from residential to other less compatible land uses.

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. Staff's recommended O-3 zoning is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. The proposal will have no impact on schools.
3. The requested O-3 zoning at this location does not adversely affect the surrounding area or any other part of the city or county.

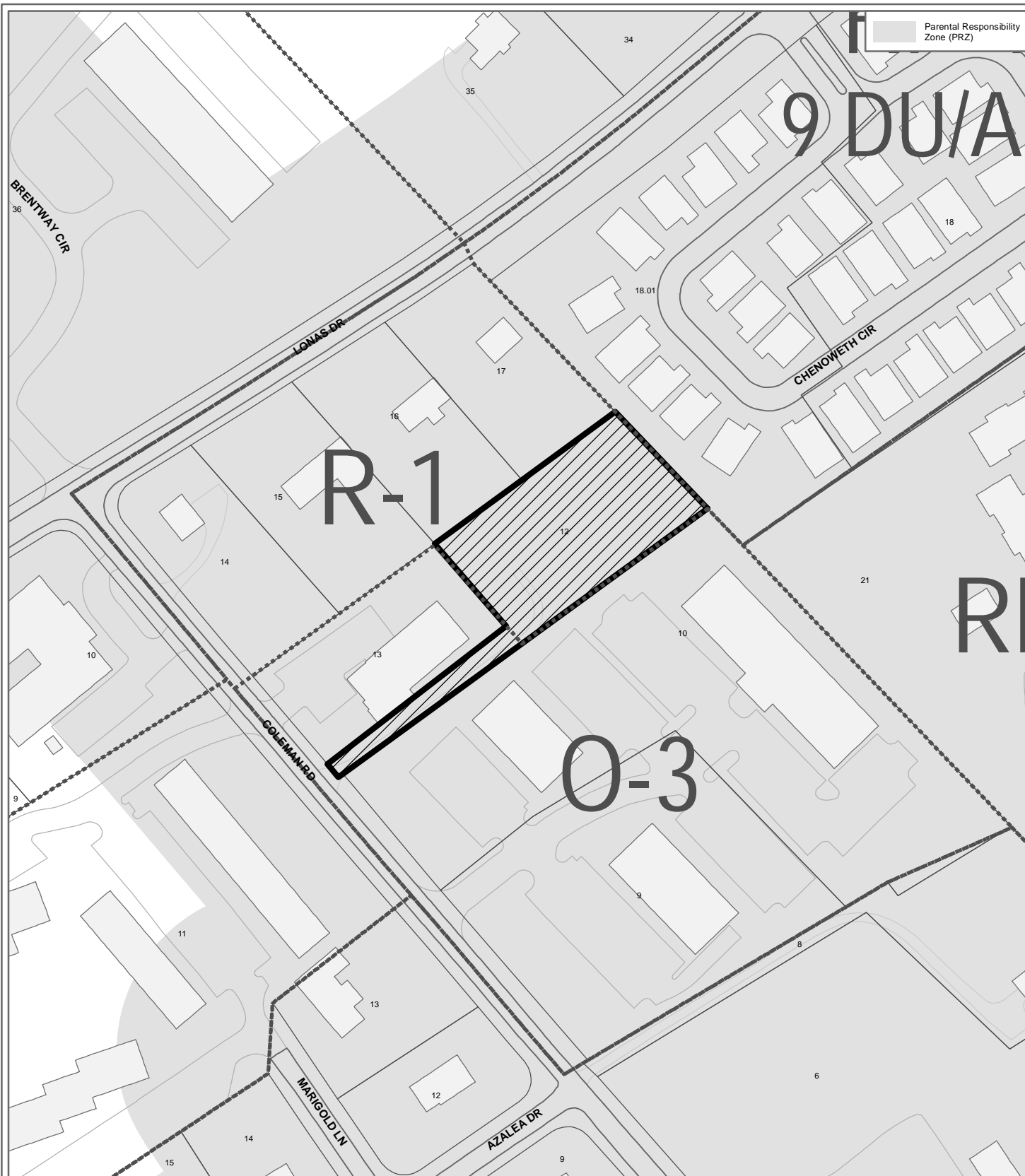
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The recommended O-3 zoning is consistent with sector plan and one year plan amendment for the site.
2. The recommended zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

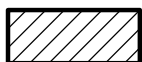
If approved, this item will be forwarded to Knoxville City Council for action on 3/12/2019 and 3/26/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**2-F-19-RZ  
REZONING**

From: R-1 (Low Density Residential)

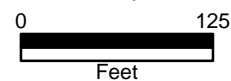
To: O-3 (Office Park)



Petitioner: Smock, Chad

Map No: 107

Jurisdiction: City



**REZONING**       **PLAN AMENDMENT**

Name of Applicant: Chad B. Smock

Date Filed: 12/28/2018      Meeting Date: 2/14/2019

Application Accepted by: M. Payne

Fee Amount: 1000.00      File Number: Rezoning R-F-19-RZ

Fee Amount: #      File Number: Plan Amendment #

**PROPERTY INFORMATION**

Address: 1526 Coleman Road

General Location: about 330 feet SE of Coleman -  
Longas Drive intersection

Parcel ID Number(s): 1076C012

Tract Size: 0.7 acres

Existing Land Use: Vacant

Planning Sector: Northwest city

Growth Policy Plan: existing city limits

Census Tract: 38.01

Traffic Zone: 156

Jurisdiction:  City Council 2nd District  
 County Commission \_\_\_\_\_ District

**Requested Change**

**REZONING**

FROM: R-1

TO: O-3

**PLAN AMENDMENT**

One Year Plan     \_\_\_\_\_ Sector Plan

FROM: \_\_\_\_\_

TO: N/A

**PROPOSED USE OF PROPERTY**

business office

Density Proposed \_\_\_\_\_ Units/Acre

Previous Rezoning Requests: None Known

**PROPERTY OWNER**     **OPTION HOLDER**

PLEASE PRINT  
Name: Chad B. Smock

Company: \_\_\_\_\_

Address: 333 Troy Circle Suite A

City: Knoxville    State: TN    Zip: 37919

Telephone: 865 474 6200

Fax: \_\_\_\_\_

E-mail: CSmock@ets-tn.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
Name: Chad B. Smock

Company: \_\_\_\_\_

Address: 333 Troy Circle Suite A

City: Knoxville    State: TN    Zip: 37919

Telephone: 865 474 6200

Fax: \_\_\_\_\_

E-mail: CSmock@ets-tn.com

**APPLICATION AUTHORIZATION**

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Chad B. Smock

PLEASE PRINT  
Name: SAME AS ABOVE

Company: \_\_\_\_\_

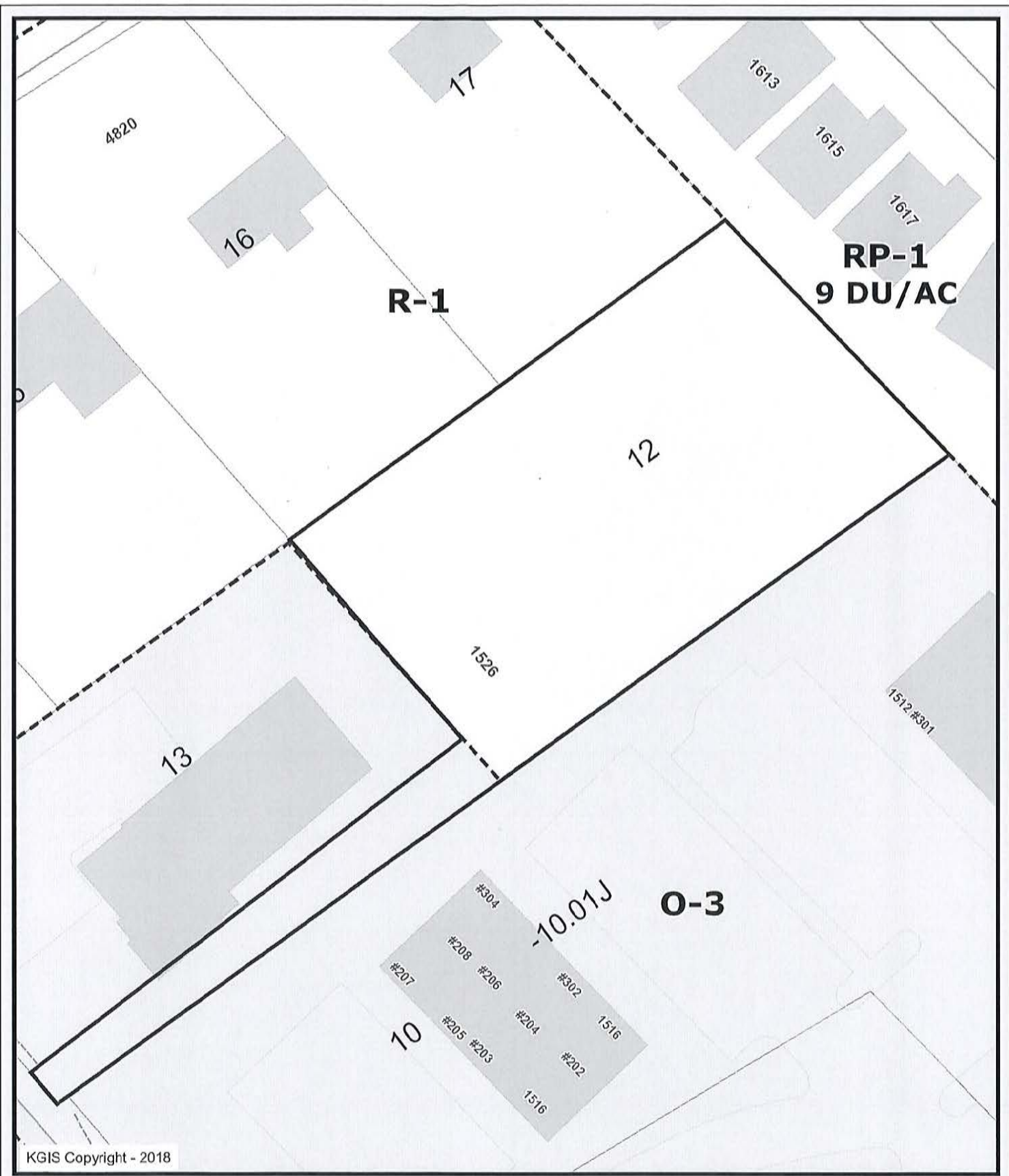
Address: \_\_\_\_\_

City: \_\_\_\_\_    State: \_\_\_\_\_    Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_





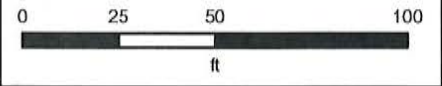
KGIS Copyright - 2018

### Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 12/28/2018 at 1:07:22 PM



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**1526 Coleman Road**  
**Parcel 107GC012**

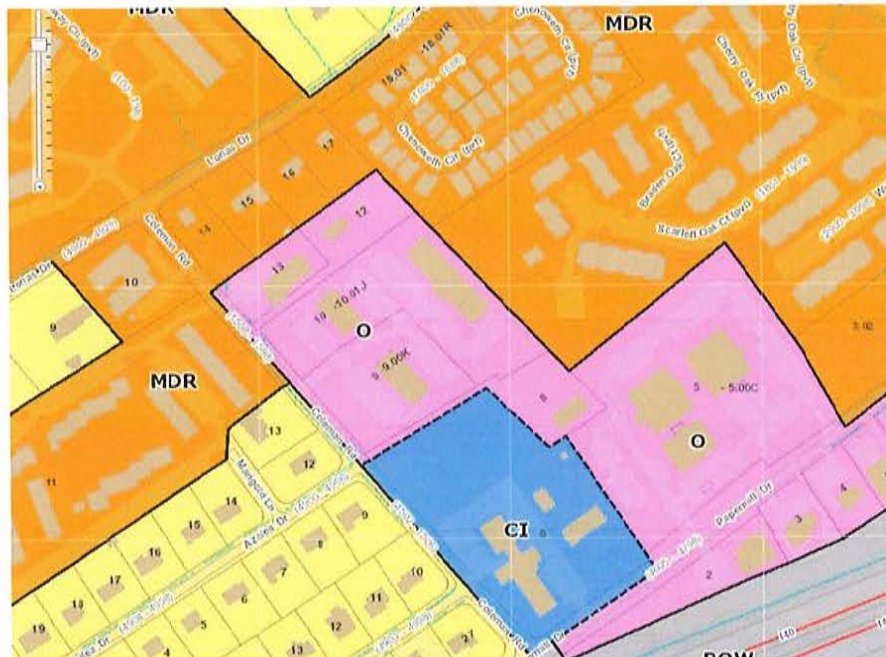


Image showing 1526 Coleman tract on KGIS One Year Plan map



Image showing 1526 Coleman tract on KGIS Sector Plan map

# GENERAL WARRANTY DEED

**THIS INDENTURE**, made this 30<sup>th</sup> day of April, 2012, by and between **Kimberly Ann Russell** of Knox County, Tennessee, (First Party), who resides at 330 Forestal Drive, Knoxville, Tennessee 37918, and **Deanna Lynn Boatman** of Knox County, Tennessee (Second Party), who resides at 6508 Hunters Glen Drive, Knoxville, Tennessee 37921:

**WITNESSETH:** That said First Party, for and in consideration of the sum of ONE AND 00/100 DOLLARS (\$ 1.00) and other good and valuable consideration, to me in hand paid by Second Party, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and does hereby grant, bargain, sell and convey unto said Second Party all of her undivided one-half ownership interest the following described premises, to-wit:

Situated in District No. Five (5) of Knox County, Tennessee, within the 48th Ward of the City of Knoxville, and being designated as Lot 3 of the Oscar Coleman property, containing 0.65 acre, as shown by map of record in Map Book 28, page 132, in the Register's Office for Knox County, Tennessee, and being more fully described as follows:

BEGINNING at an iron pin in the northeastern line of Coleman Road, corner to property of the Second Parties, and said iron pin being located 343 feet, more or less, south of the center line of Lonas Road as measured along the northeastern line of Coleman Road, thence from said beginning point North 55 deg. 56 min. East, 220.5 feet to an iron pin; thence North 40 deg. 23 min. West, 109 feet to an iron pin; thence North 55 deg. 22 min. East, 205.5 feet to an iron pin; thence South 41 deg. 53 min. East, 122.5 feet to an iron pin, corner to Lot 4; thence with the line of Lot 4, South 55 deg. 56 min. West, 431 feet to an iron pin in the northeastern line of Coleman Road; thence with the northeastern line of Coleman Road North 37 deg. 50 min. West, 12.5 feet to an iron pin, the place of BEGINNING; according to the survey of G. T. Trotter, Jr., Surveyor, Knoxville, Tennessee, dated April 11, 1970.

There is also, granted herein the right to use the driveway as established in the deed from Oscar Coleman and wife, Neva Coleman to the First Parties herein, dated April 23, 1970.

Being the same property conveyed to Harold J. Russell and wife Hazel Marie Russell from J.C. Coleman and wife, Juanita Coleman by Deed dated April 24, 1970 and of record in the Register of Deeds for Knox County, Tennessee under instrument no. 197005080005445 and in Book 1428, page 525.

For further reference, see Deed Book 1211, page 350 in the Register of Deeds office for Knox County, Tennessee.

*BEING the same property located by the Knox County Property Assessor by Parcel 107GC-012*

For further description and reference of the derivation of First Party's interest in this property and in the title thereto, please see the AFFIDAVIT OF TODD HOLLIBUSH TO ESTABLISH HEIRSHIP dated April 27, 2012 and of record in the Register of Deeds Office for Knox County, Tennessee under instrument no. 201204270060445;

With the hereditaments and appurtenances thereto, hereby releasing all claim to homestead and dower therein; **TO HAVE AND TO HOLD** the said premises to the said Second Party, her heirs and assigns, forever;

And the said First Party, for herself and for her heirs, assigns, executors, and administrators, does hereby covenant with Second Party, her heirs, assigns, executors, and administrators, that she is lawfully seized in fee-simple of the premises above conveyed, and she has full power, authority, and right to convey the same; that said premises are free from all encumbrances, except those set forth in the description above;

And that she will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons and/or entities whomever or whatsoever.

COUNTERSIGNED  
KNOX COUNTY PROPERTY ASSESSOR

MAY 01 2012

BY: PHIL BALLARD

Knox County Page: 1 of 2  
REC'D FOR REC 05/01/2012 12:51:11PM  
RECORD FEE: \$13.00  
M. TAX: \$0.00 T. TAX: \$74.00  
201205010061110



(CORRECTION DEED)

This Instrument Prepared for Recording by W. R. BLACKSTOCK Attorney  
JOHNSTON, SHANKS & BLACKSTOCK, ATTORNEYS AT LAW  
315 Church Avenue, SW Knoxville, Tennessee 37902

INSTRUMENT No. 10930

WARRANTY DEED

THIS INDENTURE, made this 23rd day of April, A. D., 1970,  
between

OSCAR COLEMAN and wife, NEVA COLEMAN,

of Knox County, Tennessee, First Parties, and

J. C. COLEMAN and wife, JUANITA COLEMAN,

of Knox County, Tennessee, Second Parties,

WITNESSETH: that said First Parties, for and in consideration of the sum of  
ONE AND NO/100ths----- Dollars (\$ 1.00 )  
and other good and valuable considerations  
to us in hand paid by Second Parties, the receipt of which is hereby acknowledged,

REGISTER'S OFFICE, KNOX COUNTY, TENNESSEE  
State Tax  Recorded At 5:30 O'Clock P. M.  
In Note Book No. 63 On the 2 Day May 1970  
Recording fee:  
*Edward C. Hill*  
Register

have granted, bargained, sold and conveyed, and do hereby grant, bargain, sell and convey unto the said Second Parties the following described premises, to wit: Situated in District No. Five (5) of Knox County, Tennessee, within the 48th Ward of the City of Knoxville, and being designated as Lot 3 of the Oscar Coleman Property, containing 0.65 acre, as shown by map of record in Map Book 28, page 132, in the Register's Office for Knox County, Tennessee, and being more fully described as follows:

BEGINNING at an iron pin in the northeastern line of Coleman Road, corner to property of the Second Parties, and said iron pin being located 343 feet, more or less, south of the center line of Lonas Road as measured along the northeastern line of Coleman Road; thence from said beginning point North 55 deg. 56 min. East, 220.5 feet to an iron pin; thence North 40 deg. 23 min. West, 109 feet to an iron pin; thence North 55 deg. 22 min. East, 205.5 feet to an iron pin; thence South 41 deg. 53 min. East, 122.5 feet to an iron pin, corner to Lot 4; thence with the line of Lot 4, South 55 deg. 56 min. West, 431 feet to an iron pin in the northeastern line of Coleman Road; thence with the northeastern line of Coleman Road North 37 deg. 50 min. West, 12.5 feet to an iron pin, the place of BEGINNING; according to the survey of G. T. Trotter, Jr., Surveyor, Knoxville, Tennessee, dated April 11, 1970.

BEING the same property conveyed by the First Parties herein to the Second Parties herein by deed dated March, 1962, and of record in Deed Book 1211, page 350, in the Register's Office for Knox County, Tennessee.

THIS conveyance is made for the purpose of correcting the description in Deed Book 1211, page 350, and for the further purpose of granting to the Second Parties herein the right to use 12.5 feet of Lot 4, as shown in Map Book 28, page 133, in the Register's Office for Knox County, Tennessee, in order to establish a Joint Driveway between the properties of the First and Second Parties herein.

THIS conveyance is subject to sanitary sewer easement as shown on the survey of G. T. Trotter, Jr., surveyor.

COUNTERSIGNED

MAY 8 1970  
EDWARD G. HILL  
KNOX COUNTY  
CLERK, REGISTRAR

BOOK 1428 PAGE 527



Instr: 197005080005446  
Pages: 1 of 2  
Cross Ref: 1428/527  
Back File Automation



**easement stake**

**Easement limits**

**Property frontage**



Property Limits

Easement

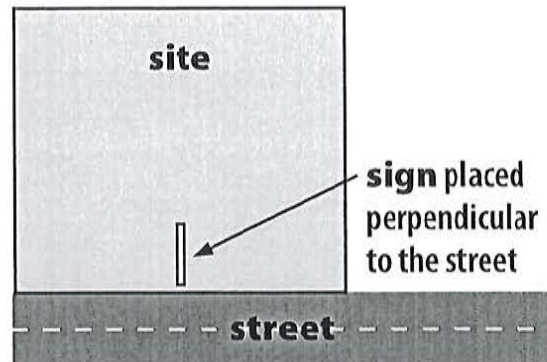
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC 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 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

1/31/19 and 2/15/19  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Chad B. Smock

Printed Name: Chad B. Smock

Phone: 865 388 9433 Email: csmock@ets-tn.com

Date: 12/23/18

MPC File Number: 2-F-19-R7