

# REZONING REPORT

▶ **FILE #:** 6-B-19-RZ

**AGENDA ITEM #:** 22

**AGENDA DATE:** 6/13/2019

▶ **APPLICANT:** TERRY L. HICKS

OWNER(S): Terry L. Hicks

TAX ID NUMBER: 60 13112 & 13103

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 6501 Rutledge Pike

▶ **LOCATION:** North side of Rutledge Pike, west of Rosewood Road

▶ **APPX. SIZE OF TRACT:** 14.74 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Rutledge Pike, a major arterial, 4-lane median seperated roadway with a right of way width of 112' feet.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Woods Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** CB (Business and Manufacturing)

▶ **EXISTING LAND USE:** Residential & Vacant

▶ **PROPOSED USE:** Any use allowed in the CB zone

EXTENSION OF ZONE: Yes, CB is adjacent on the west side of the property.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Single family residential & Agriculture/forestry/vacant - A (Agriculture)

South: Agriculture/forestry/vacant - A-1 (Agriculture) & A (Agriculture)

East: Commercial - CA (General Business)

West: Commercial & Agriculture/forestry/vacant - CB (Business & Manufacturing)

NEIGHBORHOOD CONTEXT: The area is mix of commercial, office and residential uses with some remaining larger vacant lots along the Rutledge Pike corridor.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that County Commission APPROVE CB (Business & Manufacturing) zoning limited to the area as shown in Exhibit A.**

Staff recommends approval of the requested CB zoning, limited to the area shown in Exhibit A, which is an extension of the existing commercial zoning pattern along this section of Rutledge Pike. This area allows for commercial development opportunities of the site, while providing a buffer for the adjacent residential uses and limiting commercial development to a depth on the parcel that protects a portion of the Hillside and Ridgetop Protection Area from new commercial development.

**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 property is located within the Urban Growth Boundary of the Growth Policy Plan.

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

1. The proposed amendment to CB zoning provides for a wide range of business and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic and to have adverse effects on surrounding properties. Hence, they are not properly associated with, nor compatible with residential or institutional uses or with other uses that require an environment free of noise, odors and congestion. Uses permitted in the CB, Business and Manufacturing Zone are intensive users of roads, sewers and other public facilities.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL AND DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. CB zoning is compatible with the existing GC sector plan designation.
2. This rezoning to CB (Business & Manufacturing) is anticipated to not adversely affect, nor have any direct or indirect adverse effects.

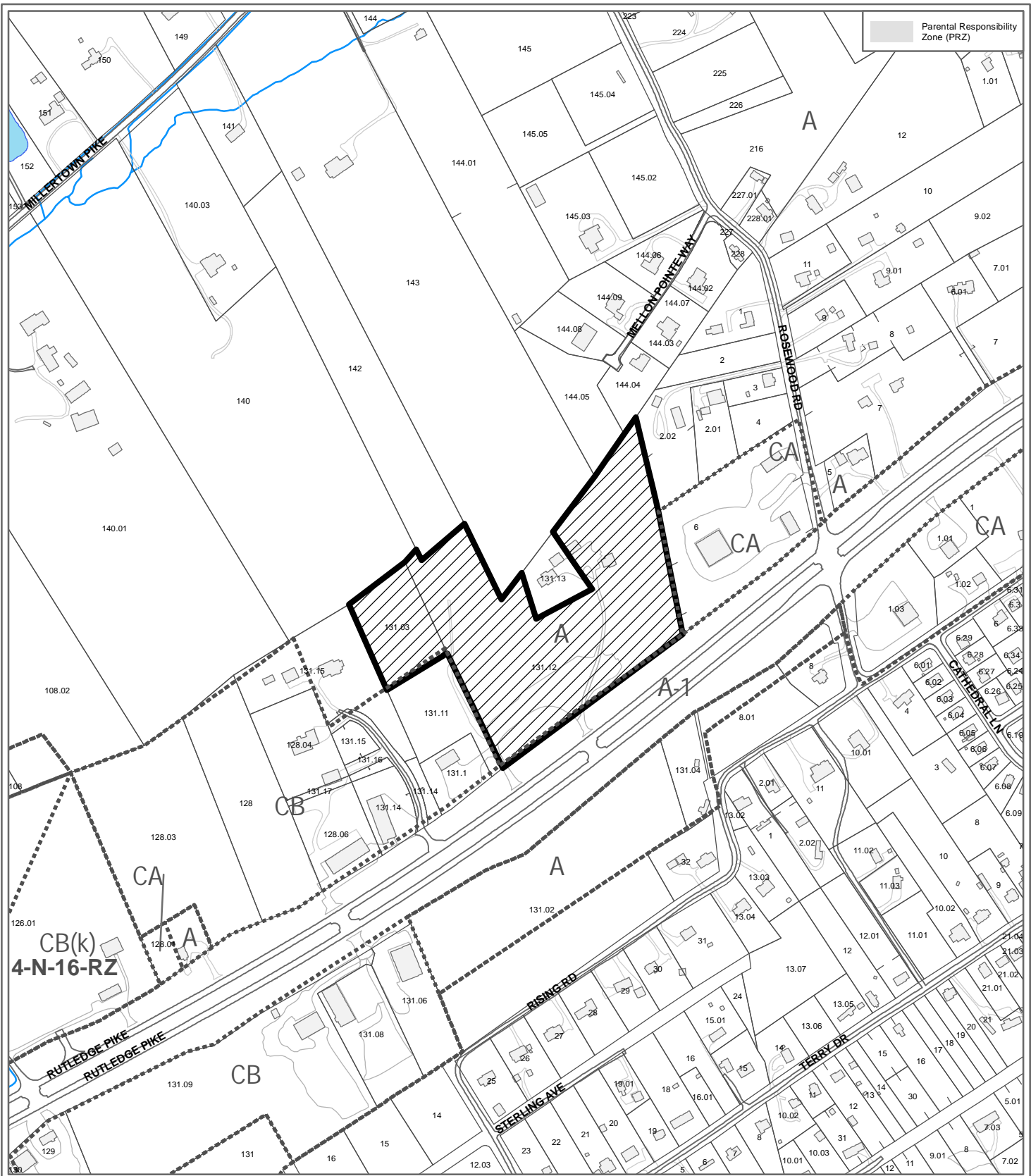
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The request is consistent with and not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 7/22/2019. 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.



**6-B-19-RZ  
REZONING**

From: A (Agricultural)  
To: CB (Business and Manufacturing)

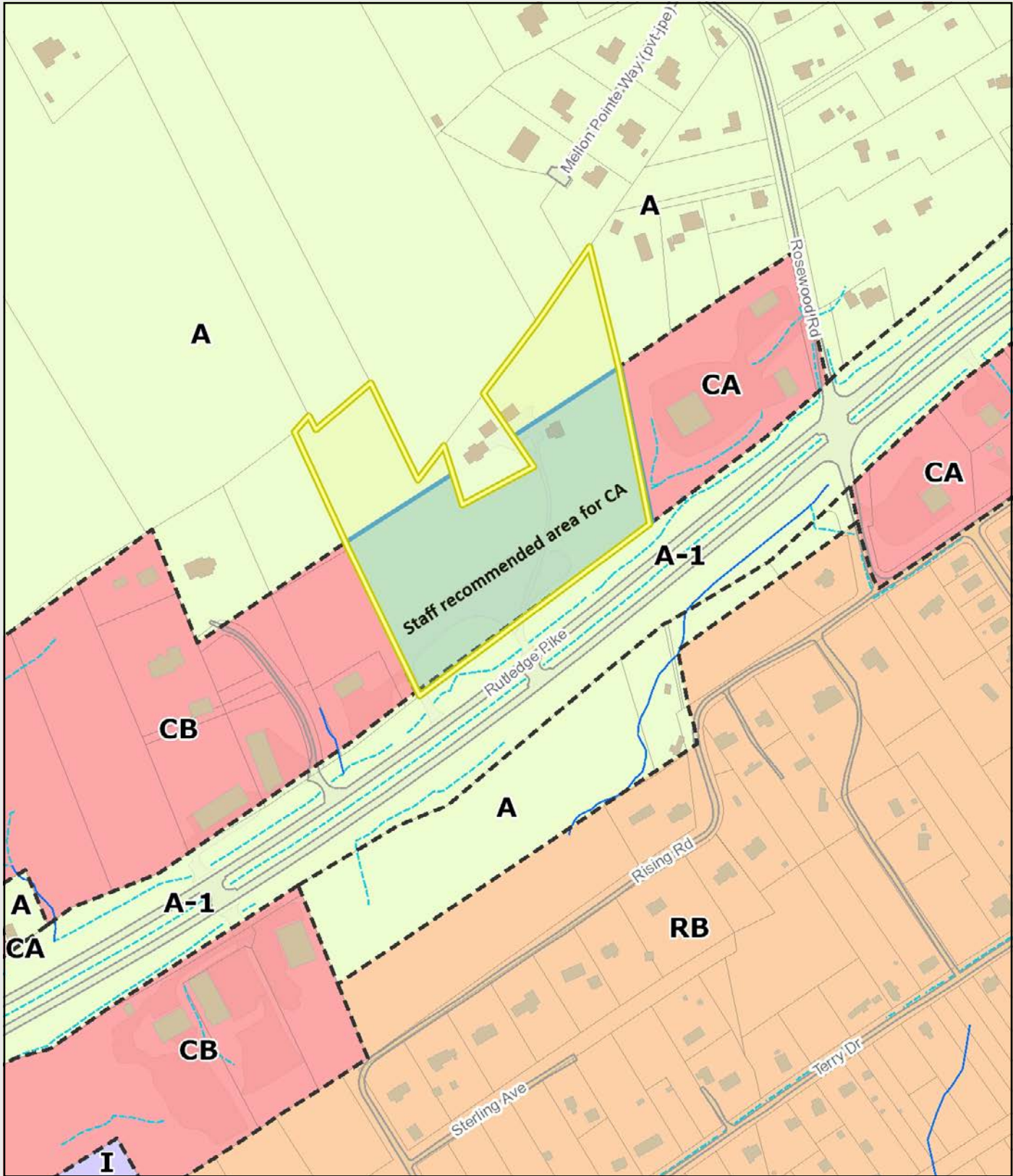


Petitioner: Hicks, Terry L.

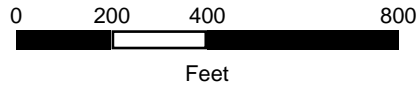
Map No: 60  
Jurisdiction: County



Original Print Date: 5/16/2019  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**Exhibit A: Staff recommended area for CA**  
 Size: Approximately 9 acres



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**REZONING**       **PLAN AMENDMENT**

Name of Applicant: Terry L. Hicks

Date Filed: 4-11-19 Meeting Date: 6-13-19

Application Accepted by: Sherry Michienzi

Fee Amount: \$2474.00 File Number: Rezoning 6-B-19-12

Fee Amount: \_\_\_\_\_ File Number: Plan Amendment \_\_\_\_\_



**PROPERTY INFORMATION**

Address: 6501 & 6417 Rutledge Pk.  
 General Location: N/S Rutledge Pk, west of Rosewood Rd.

Parcel ID Number(s): 060 13112 & 060 13103

Tract Size: 14.74 acres

Existing Land Use: Rural residential, & vacant

Planning Sector: General Commercial

Growth Policy Plan: Northeast County Urban Growth

Census Tract: 52.02

Traffic Zone: 134

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 8 District

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

PLEASE PRINT  
 Name: Terry L. & Linda Hicks

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

Address: 6501 Rutledge Pike  
 City: Knoxville State: TN Zip: 37924

Telephone: 865-546-2352  
 Fax: 865-388-1542

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

**Requested Change**

**REZONING**

FROM: A

TO: CB

**PLAN AMENDMENT**

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

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

TO: \_\_\_\_\_

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
 Name: Terry L. & Linda Hicks

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

Address: 6501 Rutledge Pike  
 City: Knoxville State: TN Zip: 37924

Telephone: 865-546-2352  
 Fax: 865-388-1542

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

**PROPOSED USE OF PROPERTY**

Any use allowed in CB zone

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

Previous Rezoning Requests: \_\_\_\_\_

**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: Linda Sue Hicks

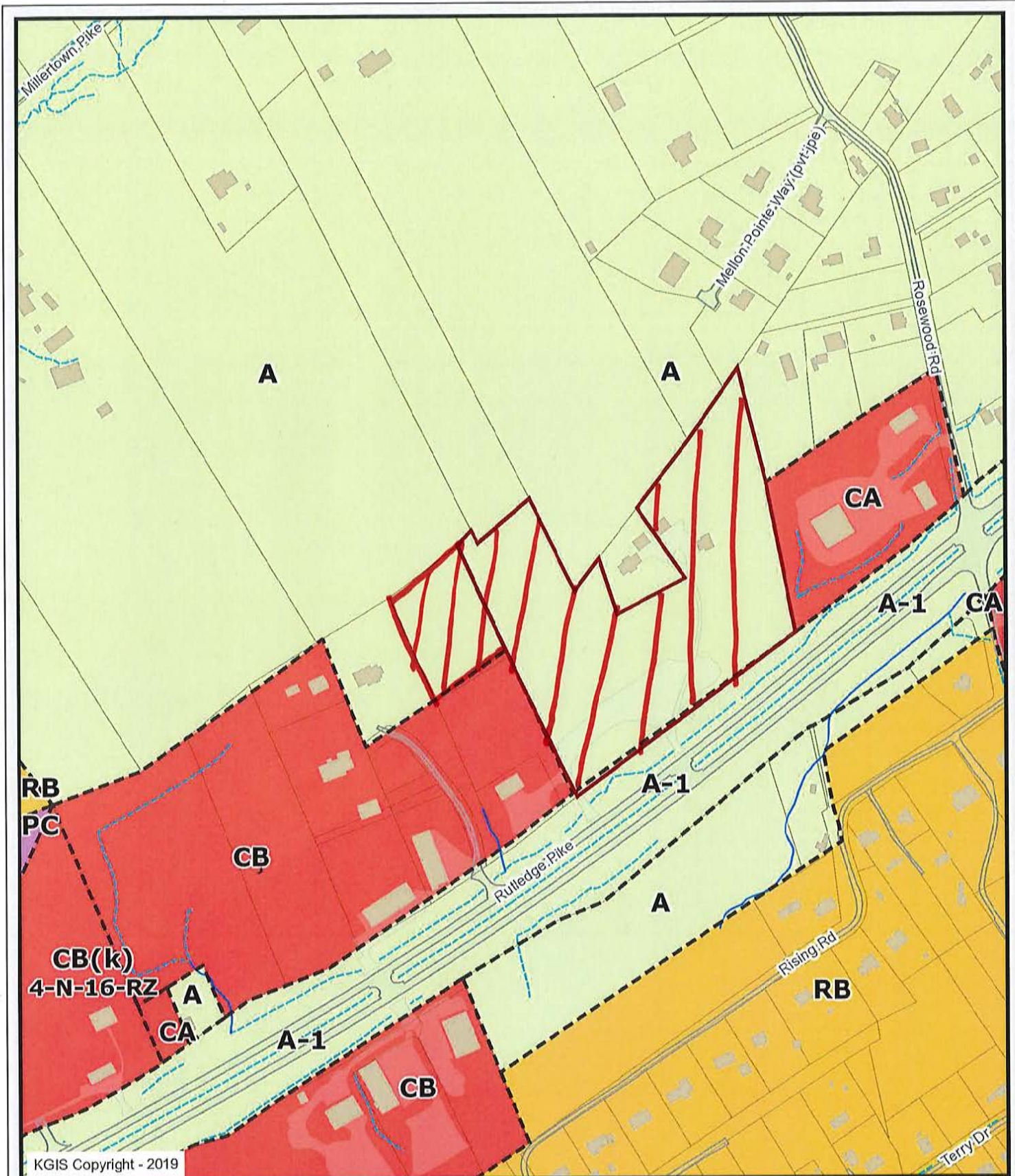
PLEASE PRINT  
 Name: Linda Sue Hicks

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

Address: 6501 Rutledge Pike  
 City: Knoxville State: TN Zip: 37924

Telephone: 865-546-2354  
 E-mail: 865-388-1542



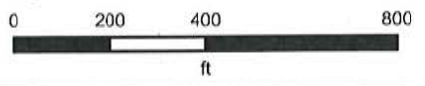


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### Letter Portrait

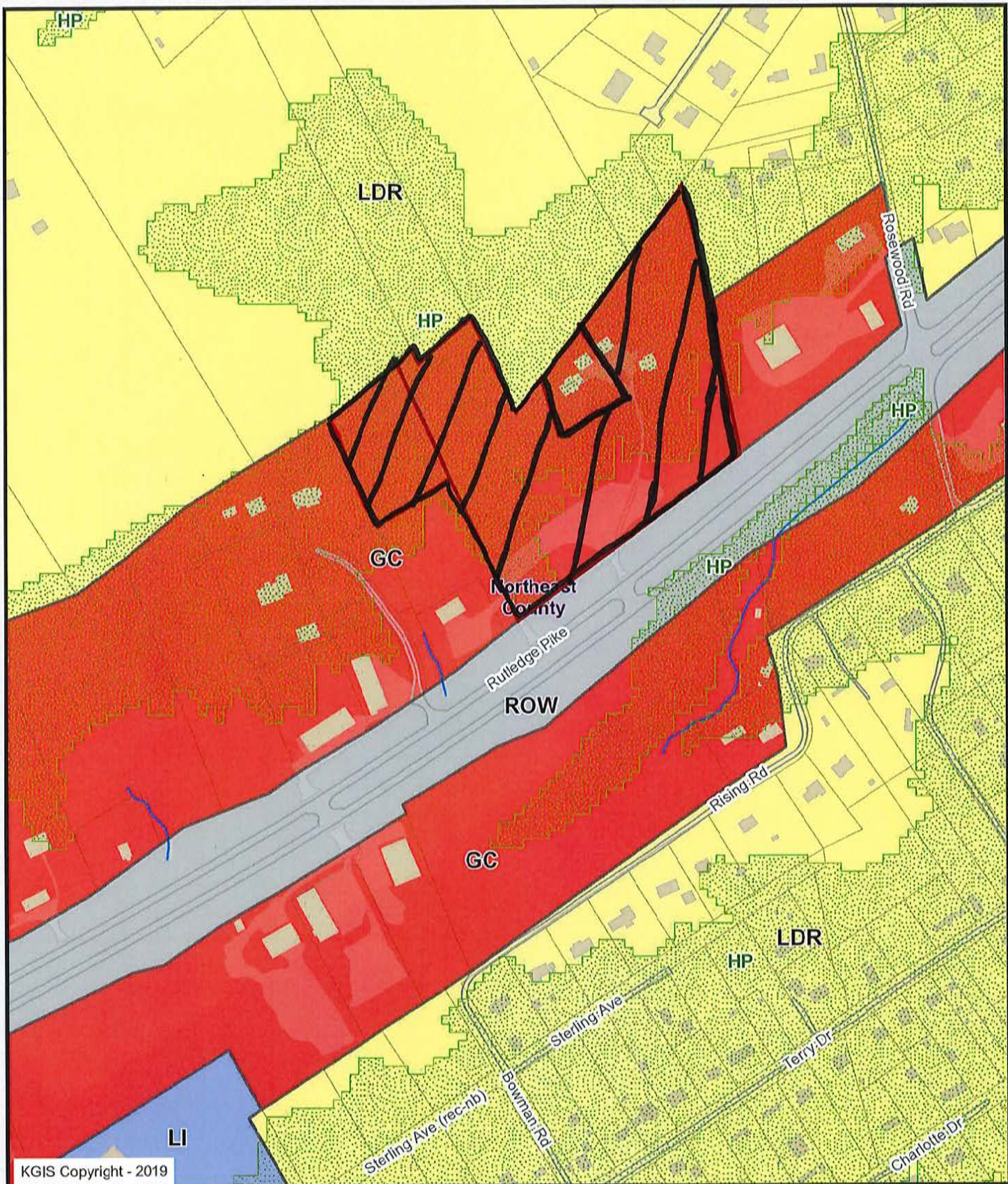


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## Letter Portrait

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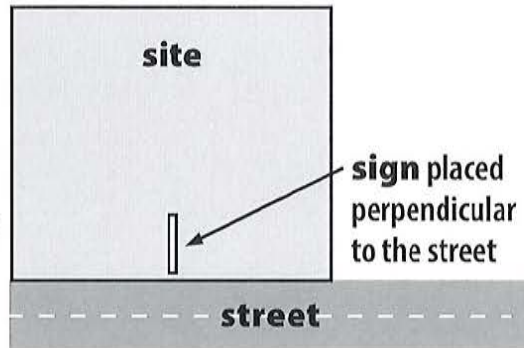
## REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. 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 15 days before 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 15 days before the next Planning Commission 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:

5/29/2019 and 6/14/2019  
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Terry L. Hicks

Printed Name: Terry L. Hicks

Phone: 388-2352 Email: \_\_\_\_\_

Date: 4-11-19

File Number: 10-B-19-RZ