

REZONING REPORT

► **FILE #:** 9-D-19-RZ (REVISED) **AGENDA ITEM #:** 17

POSTPONEMENT(S): 09/12/2019 **AGENDA DATE:** 10/10/2019

► **APPLICANT:** BENJAMIN MULLINS / SUNBELT RENTALS, INC.

OWNER(S): West Hills, LLC

TAX ID NUMBER: 119 03810, 03814, AND 03817

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 8819 Kingston Pike and 0 Kingston Pike

► **LOCATION:** Three adjacent parcels on the north side of Kingston Pike southwest of its intersection with West Kings Way

► **APPX. SIZE OF TRACT:** 2.87 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Kingston Pike is a major arterial with a 57-foot pavement width and a 104-foot right-of-way width.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Ten Mile Creek

► **PRESENT ZONING:** C-4 (Highway and Arterial Commercial)

► **ZONING REQUESTED:** PC-2 (Retail and Distribution Park)

► **EXISTING LAND USE:** Commercial; vacant car lot

► **PROPOSED USE:** Construction equipment retail and rental

DENSITY PROPOSED: n/a

EXTENSION OF ZONE: No

HISTORY OF ZONING: This property was assigned C-4 zoning when annexed in May, 1993.

SURROUNDING LAND USE AND ZONING: North: Agricultural/Forestry/Vacant - C-4 (Highway and Arterial Commercial District)

South: Commercial - C-4 (Highway and Arterial Commercial District)

East: Commercial - PC-2 (Retail and Distribution Park District)

West: Agricultural/Forestry/Vacant and Commercial - C-4 (Highway and Arterial Commercial District)

NEIGHBORHOOD CONTEXT: This property is on a heavily commercialized section of Kingston Pike near its intersection with N. Peters Road. Nearby developments include Baron's Place Shopping Center, Funmakers Playground Equipment sales, vehicle sales, vehicle service, and Granite Depot. An RA / R-1A development (Exclusive Residential / Low Density Exclusive Residential) exists approximately 1/10 of a mile to the northeast on Kingston Pike.

STAFF RECOMMENDATION:

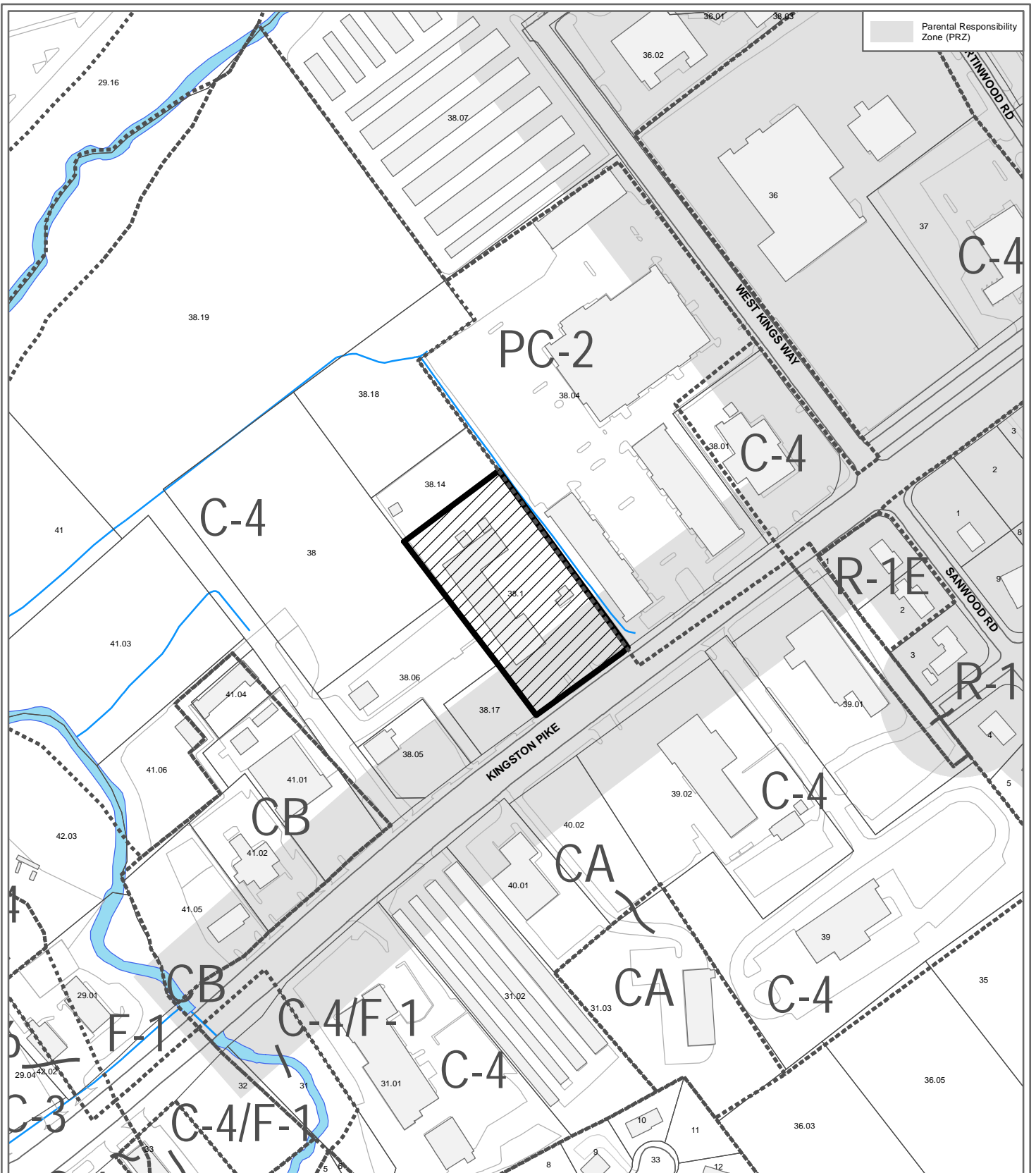
► **Withdraw this request.**

Staff recommends withdrawal of this application per the applicant's request. The applicant formally requested this withdrawal via email on 9/25/2019.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/5/2019 and 11/19/2019. 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.



**9-D-19-RZ
REZONING**

From: C-4 (Highway and Arterial Commercial)

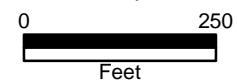
To: PC-2 (Retail and Distribution Park)



Petitioner: Mullins / Sunbelt Rentals, Inc., Benjamin

Map No: 119

Jurisdiction: City



Original Print Date: 8/19/2019 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

9/26/2019



9-D-19-RZ-WD-10-10-19

Knoxville-Knox County Planning Mail - Fwd: Sunbelt Rentals 9-D-19-RZ

Sherry Michienzi <sherry.michienzi@knoxplanning.org>

Fwd: Sunbelt Rentals 9-D-19-RZ

1 message

Michelle Portier <michelle.portier@knoxplanning.org>
To: Sherry Michienzi <sherry.michienzi@knoxplanning.org>



Thu, Sep 26, 2019 at 9:06 AM

----- Forwarded message -----

From: **Benjamin C. Mullins** <bnullins@fmsllp.com>
Date: Wed, Sep 25, 2019 at 12:05 PM
Subject: RE: Sunbelt Rentals 9-D-19-RZ
To: Michelle Portier <michelle.portier@knoxplanning.org>
Cc: Jake Stout <jstout@sunbeltrentals.com>, Diego Arcila Palacio <diego.arcila@sunbeltrentals.com>

Michelle,

Yes we would like to withdraw our application for the PC zoning. Do you need something more formal than this e-mail?

Thank you for working with us on this issue.

Ben

From: Michelle Portier <michelle.portier@knoxplanning.org>
Sent: Wednesday, September 25, 2019 11:59 AM
To: Benjamin C. Mullins <bnullins@fmsllp.com>
Subject: Re: Sunbelt Rentals 9-D-19-RZ

Ben,

Just checking in. If you all plan to withdraw your request for Sunbelt Rentals, you would need to do so on or before October 7 for it to be added to the Withdraw List to be voted on by the Commission. Otherwise it would still be part of the agenda, and someone would need to make the request at that item's regularly scheduled time on the agenda.

Thanks!

Michelle

On Wed, Sep 18, 2019 at 1:35 PM Benjamin C. Mullins <bnullins@fmsllp.com> wrote:

Michelle,



DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

July 24, 2019
Date Filed

September 12, 2019
Meeting Date

9-D-19-RZ-revised
File Number(s)



APPLICATION CORRESPONDENCE

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

- ☐ Owner ☒ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Benjamin C. Mullins on behalf of
Name

Sunbelt Rentals, Inc.
Company

550 West Main Street, Suite 500
Address

Knoxville
City

TN
State

37902
Zip

865-546-9321
Phone

bmullins@fmsllp.com
Email

CURRENT PROPERTY INFO

West Hills, LLC

8819 Kingston Pike, Knoxville, TN 37923

Owner Name (if different)

Owner Address

Owner Phone

① 8819 Kingston Pike, Knoxville, TN 37923

② 8 Kingston Pike Bcm
③ 8 Kingston Pike Bcm

119 03810
Parcel ID

② 1/3 acres
119 03817
119 03814

1/5 acres

Property Address

N/S Kingston Pike Southwest of its intersection with West Kings Way
General Location

+/- 2.02 acres
Tract Size

2.82 acres
apprx total

C-4

Vacant: Former Car Sales Lot

Zoning District

Existing Land Use

Southwest County

MU-SD

NA

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

District 2

Jurisdiction (specify district above) ☒ City Council ☐ County Commission

REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify): _____

☐ Other (specify): _____

SUBDIVISION

☐ Proposed Subdivision Name _____ Unit / Phase Number _____

☐ Concept Plans in Planned District or Zone

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created: _____

☐ Other (specify): _____

☐ Attachments / Additional Requirements

ZONING

Construction Equipment retail/rental

NA

☐ Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____

☒ Zoning Change ☐ Plan Amendment Change

PC-2

Proposed Zoning _____ Proposed Plan Designation(s) _____

☐ Other (specify): _____

STAFF USE ONLY

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only)

☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

FEE 1:

TOTAL:

FEE 2:

600.00

FEE 3:

600.00

AUTHORIZATION

Staff Signature

Marc Payne
Please Print

7/24/19
Date

Applicant Signature

Benjamin C. Mullins
Please Print

7-24-19
Date

9-9-19
Revision



KGIS Copyright - 2019

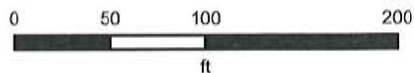
8819 Kingston Pike

Knoxville - Knox County - KUB Geographic Information System

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Printed: 7/25/2019 at 9:21:45 AM



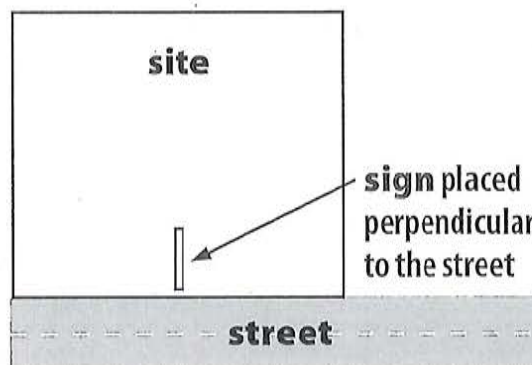
REQUIRED SIGN POSTING AGREEMENT

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:

8/29/19 and 9/13/19
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: _____

Printed Name: _____

Phone: _____

Email: _____

Date: _____

MPC File Number: _____