

REZONING REPORT

► **FILE #:** 7-B-21-RZ

AGENDA ITEM #: 13

AGENDA DATE: 7/8/2021

► **APPLICANT:** LIN FENG WU

OWNER(S): Lin Feng Wu

TAX ID NUMBER: 143 B G 006

[View map on KGIS](#)

JURISDICTION: County Commission District 5

STREET ADDRESS: 0 Parkgate Ln.

► **LOCATION:** Northeast side of Parkgate Ln., west of Canton Hollow Rd.

► **APPX. SIZE OF TRACT:** 0.5

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Parkgate Lane is a local road with a 25-ft pavement width inside a 50-ft right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Turkey Creek

► **PRESENT ZONING:** PC (Planned Commercial)

► **ZONING REQUESTED:** OB (Office, Medical, and Related Services)

► **EXISTING LAND USE:** Agriculture/forestry/vacant

► EXTENSION OF ZONE: Yes, OB zoning is adjacent to the west

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Commercial - CA (General Business)

South: Single family residential - RAE (Exclusive Residential)

East: Private recreation - PC (Planned Commercial)

West: Agriculture/forestry/vacant - OB (Office, Medical and Related Services)

NEIGHBORHOOD CONTEXT: This lot is at the end of a residential street. Kingston Pike is to the north and Canton Hollow Road is to the east. Commercial lots face Kingston Pike and abut this lot to the south, and there is a Gold's Gym to the west.

STAFF RECOMMENDATION:

► **Approve OB (Office, Medical, and Related Services) zoning since it is a minor extension of the OB zone and is compatible with the sector plan's Office land use designation.**

COMMENTS:

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. Neighboring properties were rezoned from RAE (Exclusive Residential), A (Agricultural), and PC (Planned Commercial) to CA (General Business) and OB (Office, Medical and Related Services) with a sector plan amendment to the C (Commercial) designation in 2007 (Cases 6-Y-07-RZ and 6-E-07-SP). Note that the GC land use classification was not available at the time of that sector plan amendment.

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

1. The proposed amendment to OB (Office, Medical, and Related Services District) zoning is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas.

2. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses. The OB zone allows the same uses as the RB zone; therefore, the OB zone allows multifamily developments in addition to various office uses. Multifamily with a density of up to 12 du/ac would be permitted by right and would not have to come before the Planning Commission. Density of 12-24 du/ac would require use on review approval by the Planning Commission.

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. This property backs up to auto-oriented uses to the north and a strip center with a Gold's Gym to the east. However, this parcel is part of the single family development to the east and south. Properties to the west that are zoned OB are vacant and properties to the south feature single-family residential homes.

2. Staff has concerns about the access to the site. There is currently a closed right-of-way (Summertime Road) that provides access from Kingston Pike to the strip center with the gym. An access easement is platted along the path of the closed right-of-way that allows access from Kingston Pike to the OB zoned properties along Parkgate Lane. However, since the access route cuts through a strip center parking lot, it will not provide a clear means of access for drivers to these properties. Staff is concerned about traffic to these properties travelling through the single family residential neighborhood. While a rezoning cannot have conditions applied, staff strongly encourages the applicant to work on a plan that provides a clear means of access outside of the residential neighborhood during the permitting process with Knox County.

3. OB is generally less intense than PC (Planned Commercial) zoning, which allows general office and commercial uses in addition to light distribution centers.

4. Office uses allowed in the OB zone would provide a transition from the commercial uses to the north and east to the residential uses to the south. Multifamily development, if that is the intent, should be kept to a low density that is compatible with the single family neighborhood in which this and the neighboring OB properties are located. This cannot be conditioned, but staff strongly encourages a compatible development in terms of size and density.

5. If multifamily is to be developed, staff encourages the applicant to cluster the dwelling units toward the rear of the property and installing a landscaping buffer along the rear property line to buffer apartment residents from commercial property, and a landscaping buffer along Parkgate Lane to buffer single family properties from the parking lots and taller buildings of a multifamily development.

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 proposed amendment is consistent with and not in conflict with any adopted plan.

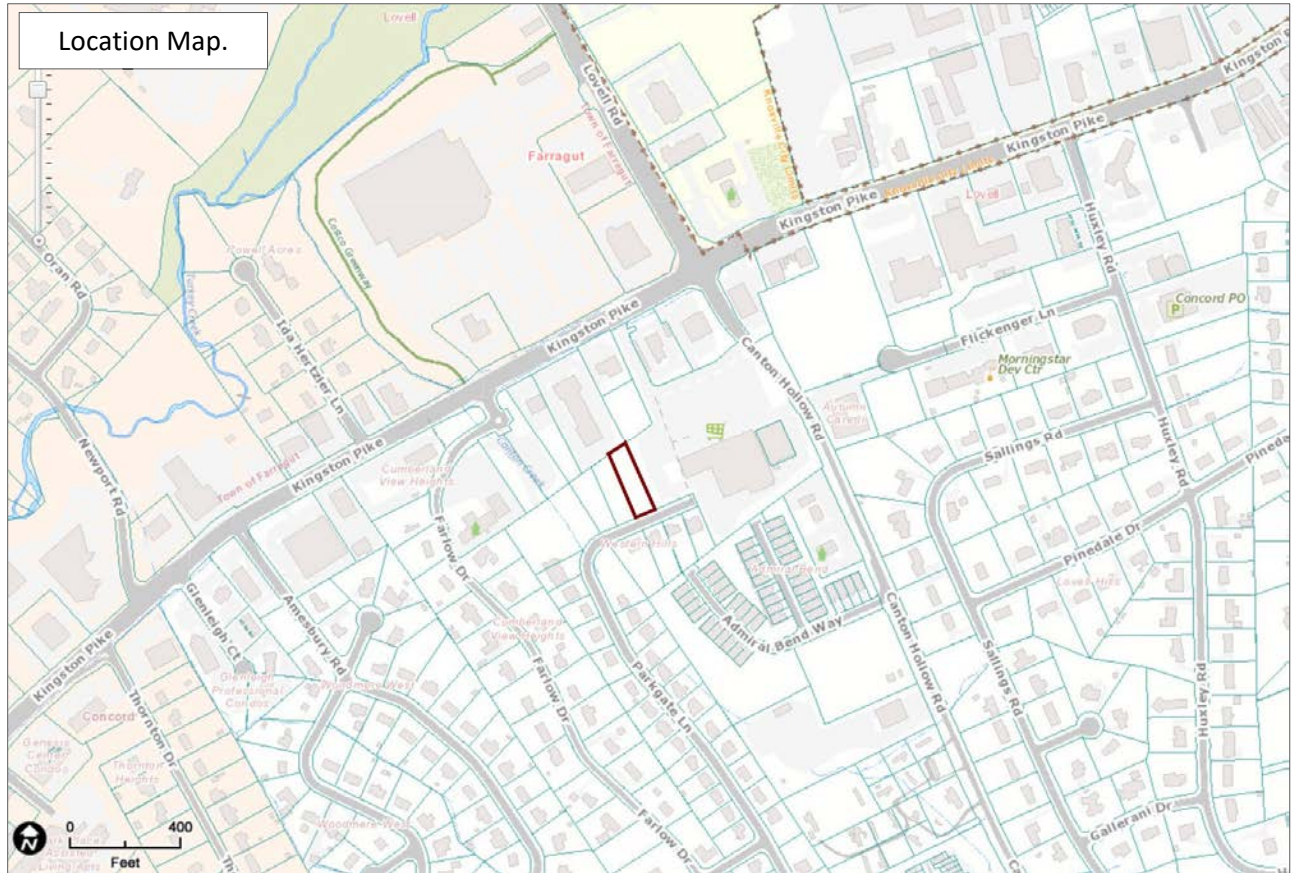
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/23/2021. 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.

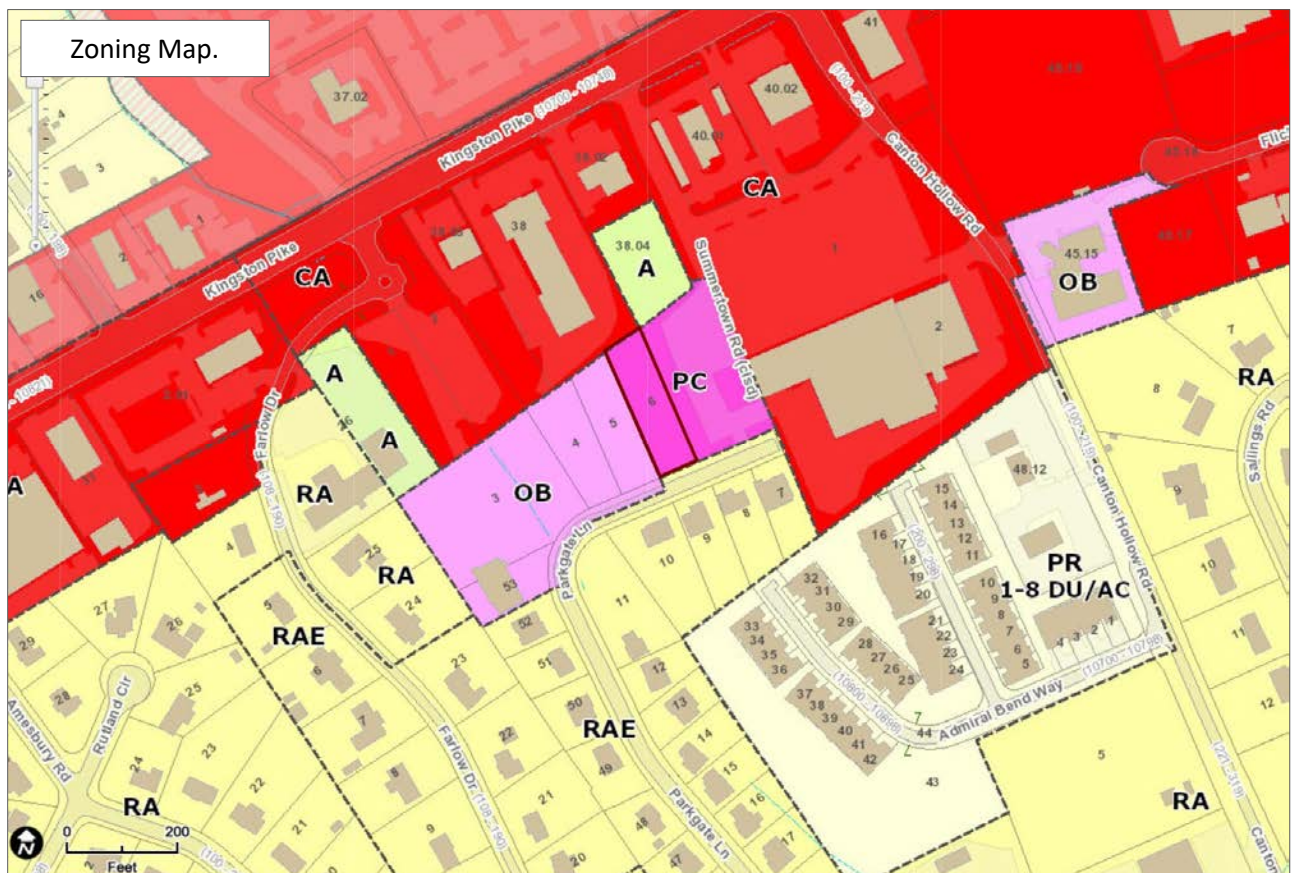
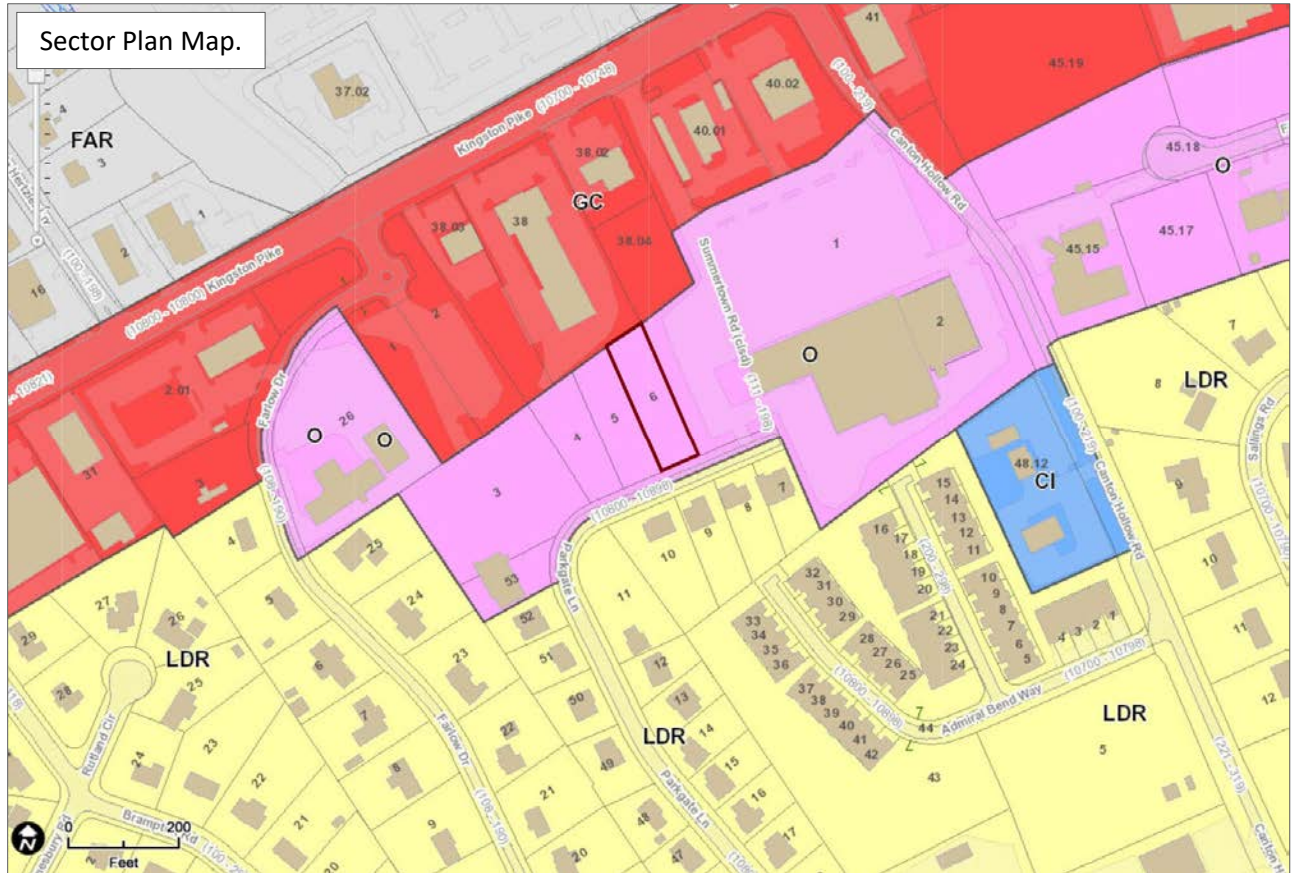
7-B-21-RZ

EXHIBIT A. Contextual Images



7-B-21-RZ

EXHIBIT A. Contextual Images



ZONING SHOWN ON OFFICIAL MAP CA & PC

DATE 4-18-08 BY Emily Dells

THIS IS TO CERTIFY THAT ALL PROPERTY TAXES AND ASSESSMENTS DUE ON THIS PROPERTY HAVE BEEN PAID.

CITY TAX CLERK

Fiona Sosa

4-18-08

KNOX COUNTY TRUSTEE

THIS IS TO CERTIFY THAT THE SUBDIVISION SHOWN HEREON IS APPROVED SUBJECT TO THE INSTALLATION OF SANITARY SEWERS AND TREATMENT FACILITIES AND THAT SUCH INSTALLATION SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.

DATE 4-18-08 BY Ronnie Nease (w)
KNOX COUNTY HEALTH DEPARTMENT

CERTIFICATE OF APPROVAL FOR RECORDING

THIS IS TO CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON AND THE COMPOSITE DESIGN PLAN 1 HAVE BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF KNOXVILLE AND KNOX COUNTY AND WITH THE EXISTING OFFICIAL PLANS, WITH THE EXCEPTION OF ANY VARIANCES AND STIPULATIONS NOTED ON THIS PLAT AND IN THE MINUTES OF THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION, THE 10 DAY OF April, 2008, AND THAT THE RECORD PLAT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE KNOX COUNTY REGISTER OF DEEDS.

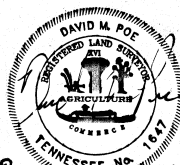
SIGNED John R. Whitehead DATE 4-23-08
SECRETARY

SUBDIVISION NAME AND STREET NAMES CONTAINED HEREIN REVIEWED AND APPROVED.

DATE April 18, 2008

BY Sherry Witt
KNOX COUNTY METROPOLITAN PLANNING COMMISSION

SHERRY WITT
REGISTER OF DEEDS
KNOX COUNTY



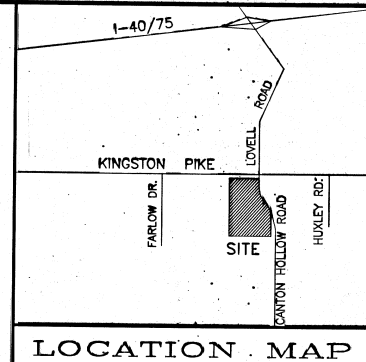
CERTIFICATION OF FINAL PLAT - CONSTRUCTION COMPLETE

I HEREBY CERTIFY THAT I AM A SURVEYOR, LICENSED TO DO SURVEYING UNDER THE LAWS OF THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THIS PLAN AND ACCOMPANYING DRAWINGS, DOCUMENTS, AND STATEMENTS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOXVILLE/KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS HAS BEEN ITEMIZED, DESCRIBED, AND JUSTIFIED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION, OR FOR VARIANCES FOR WHICH APPLICATION HAS BEEN FILED. THE INDICATED MONUMENTS WERE IN PLACE ON THE 23rd DAY OF February, 2008.

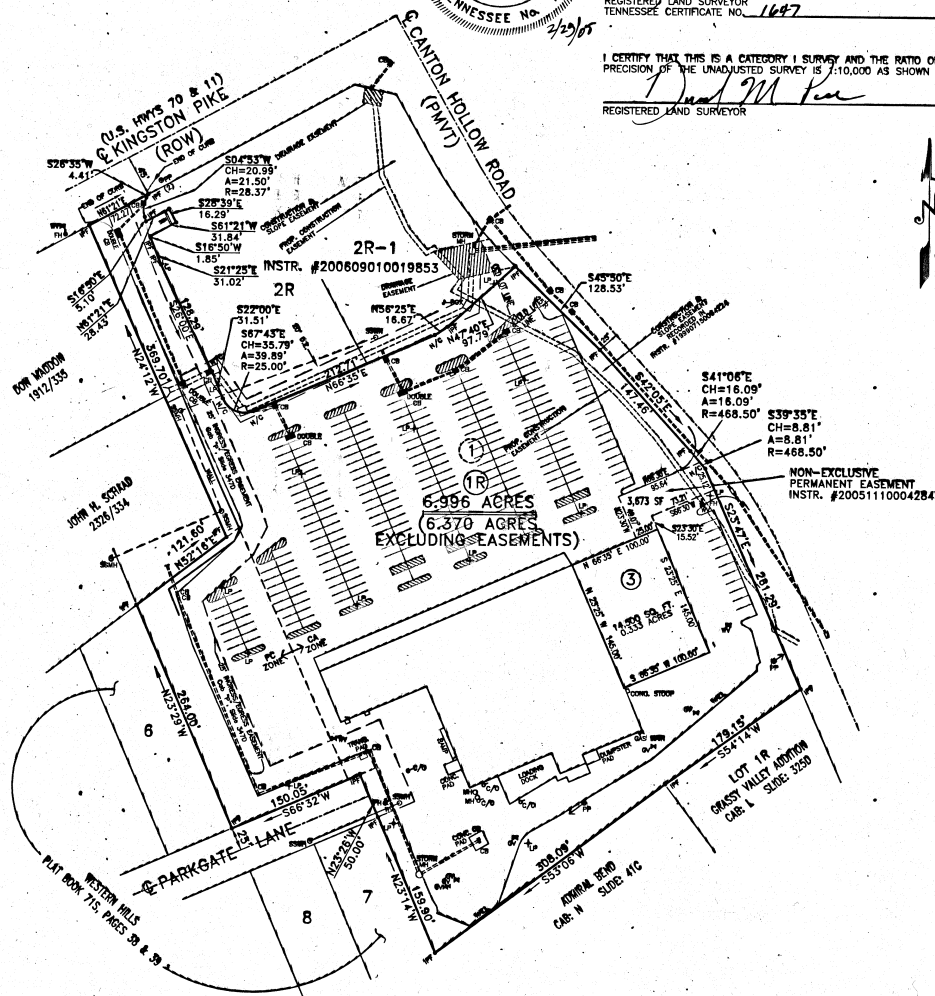
REGISTERED LAND SURVEYOR
TENNESSEE CERTIFICATE NO. 1647

I CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON.

REGISTERED LAND SURVEYOR



- NOTES:
- IRON PINS SET AT ALL CORNERS WITH IRON PINS FOUND (DPT) SHOWN ON PLAT. ALL OTHERS SET BY BHN&P UNLESS OTHERWISE NOTED.
 - UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS OF 10' INSIDE ALL EXTERIOR LOT LINES AND ALONG ALL ROADS, 5' UTILITY, DRAINAGE, AND CONSTRUCTION EASEMENTS ALONG BOTH SIDES OF ALL INTERIOR LOT LINES, PLUS OTHER EASEMENTS SHOWN, EXCEPT AS MODIFIED BY THE SUBDIVISION VARIANCES, UTILITY AND DRAINAGE EASEMENTS TO BE CENTERED ABOUT DRAINAGE STRUCTURE AS INSTALLED.
 - SANITARY SEWER EASEMENT OF 15' 7.5' EACH SIDE OF SEWER AS INSTALLED (WHERE APPLICABLE).
 - THIS PROPERTY IS ZONED CA & PC.
 - THIS PROPERTY CONTAINS 7.329 ACRES AND IS SUBDIVIDED INTO 2 LOTS.
 - THE FOLLOWING VARIANCES WERE APPROVED BY MPC AT THEIR APRIL 8, 1999 MEETING:
 - REDUCE RIGHT-OF-WAY ON KINGSTON PIKE FROM 50' TO 45' FROM CENTERLINE
 - REDUCE RIGHT-OF-WAY FROM 30' TO 25' FROM CENTERLINE ALONG A SECTION OF CANTON HOLLOW ROAD
 - REDUCE RIGHT-OF-WAY INTERSECTION RADIUS FROM 75' TO A CUT CORNER
 - VARIANCES APPROVED BY MPC AT THEIR APRIL 10, 2008 MEETING ARE AS FOLLOWS:
 - REDUCE THE REQUIRED DRAINAGE & UTILITY EASEMENT FROM 10' TO 0' ALONG ALL LINES OF LOT 1R.
 - REDUCE THE REQUIRED DRAINAGE & UTILITY EASEMENT FROM 5' TO 0' ALONG THE COMMON LOT LINES OF LOT 1R AND LOT 3.
 - REDUCE THE REQUIRED DRAINAGE & UTILITY EASEMENT FROM 10' TO 0' AT THE EXISTING WALL ON THE SOUTHWEST SIDE OF LOT 1R.
 - VARIANCES APPROVED BY BZA AT THEIR JULY-28, 2004 MEETING ARE AS FOLLOWS:
 - FRONT SETBACK ON LOT 1R FROM 20' TO 0'
 - FRONT SETBACK ON LOT 3 FROM 20' TO 0'
 - LEFT AND RIGHT SETBACK FOR A TWO STORY BUILDING ON LOT 3 FROM 7' TO 0'
 - REAR SETBACK FOR A TWO STORY STRUCTURE ON LOT 3 FROM 20' TO 0'
 - PREVIOUS PLAT RECORDED AS INSTR# 200004170025029.
 - PROPERTY RESTRICTIONS INCLUDING CROSS-PARKING AGREEMENTS ARE ESTABLISHED AND RECORDED IN INSTR. #199906090203431.



COUNTERSIGNED

APR 23 2008

JOHN R. WHITEHEAD
KNOX COUNTY
PROPERTY ASSESSOR

CERTIFICATE OF OWNERSHIP AND GENERAL DEDICATION

I, Michael F. Schaad, Trustee, THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN HEREIN, HEREBY ADOPT AS MY PLAN OF SUBDIVISION AND DEDICATE THE STREETS AS SHOWN TO THE PUBLIC USE FOREVER AND HEREBY CERTIFY THAT I AM THE OWNER IN FEE SIMPLE OF THE PROPERTY, AND AS PROPERTY OWNER HAVE AN UNRESTRICTED RIGHT TO DEDICATE RIGHT-OF-WAY AND/OR GRANT EASEMENT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL RESTRICTIVE COVENANTS, IF ANY, WHICH APPLY TO THE LOTS ARE EITHER SHOWN ON THE PLAN OR ARE REFERRED TO THEREON, WITH COPIES OF THE REFERRED TO COVENANTS FILED WITH THE KNOX COUNTY REGISTER OF DEEDS.

OWNER:

MICHAEL E. SCHAAD, TRUSTEE
P.O. BOX 51058
KNOXVILLE, TENNESSEE 37950-1058
PHONE: (865) 637-2674

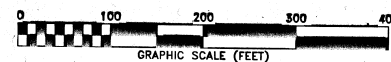


FINAL PLAT FOR
RESUBDIVISION OF LOT 1

SCHAAD PROPERTIES-
CANTON HOLLOW RD.

CLT MAP 131; PARCEL 40
DISTRICT 6, KNOX COUNTY, TN.

SCALE: 1"=100' FEBRUARY 29, 2008



BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS & LAND SURVEYORS
4334 PAPERMILL DRIVE
KNOXVILLE, TENNESSEE 37909
PHONE (865) 588-6472
FAX (865) 588-6473

4-SQ-08-F

REFERENCE DEEDS: 2262/1067

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23246-FP-1R



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

Lin Feng Wu

Applicant Name

Owner

Affiliation

5-17-21

Date Filed

July 8, 2021

Meeting Date (if applicable)

File Number(s)

7-B-21-RZ

CORRESPONDENCE

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

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

Lin Feng Wu

Name

Company

10808 Parkgate Lane

Address

Knoxville

City

TN

State

37934

ZIP

646-258-7380

Phone

anson1220@126.com

Email

CURRENT PROPERTY INFO

Lin Feng Wu (New Owner)

Owner Name (if different)

Owner Address

Owner Phone

0 Parkgate Ln.

Property Address

143 BG 006

Parcel ID

First Utility District

Sewer Provider

First Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

NELS Parkgate Ln, west of Canton Hollow Rd

General Location

Tract Size

approx 50 acres

☐ City ☒ County 5th

District

PC

Zoning District

Ag For Vac

Existing Land Use

Southwest County

Planning Sector

O

Sector Plan Land Use Classification

Planned Growth

Growth Policy Plan Designation

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

Proposed Zoning OB

☐ Plan Amendment Change

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

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat)

☐ Use on Review / Special Use (Concept Plan)

☐ Traffic Impact Study

☐ COA Checklist (Hillside Protection)

Fee 1

0326 | 1000.00

Fee 2

Fee 3

Total

\$1000.00

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Applicant Signature

Please Print

Date

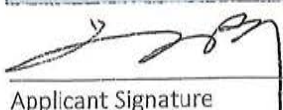
Phone Number

Email

Date

Staff Signature

Please Print



Lin Feng

5/17/2021

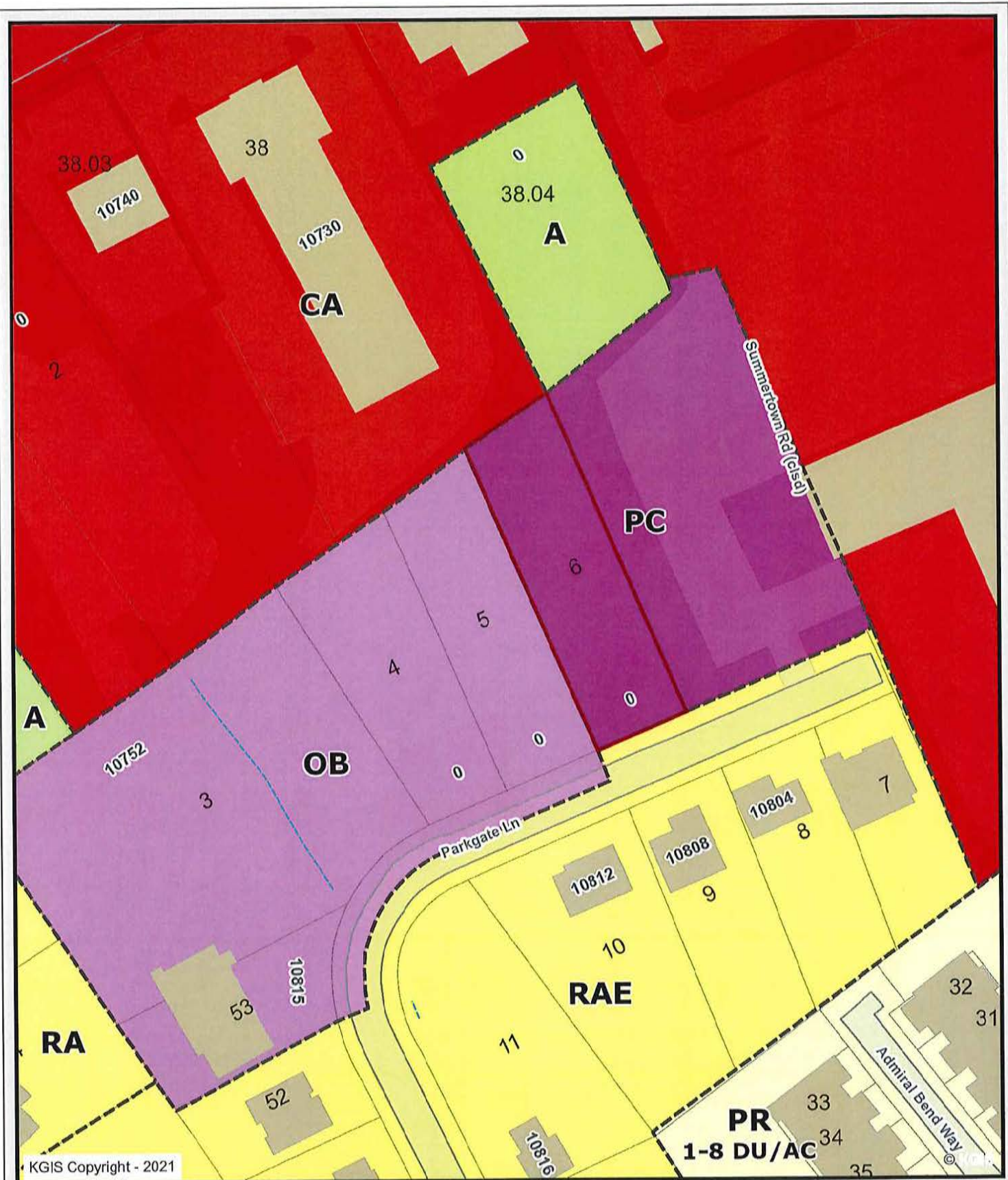
646-258-7380

Anson 1220 @ 126.com



Sherry Muchenzi

5/17/2021

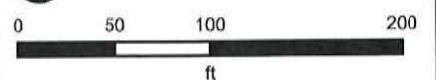


Letter Portrait

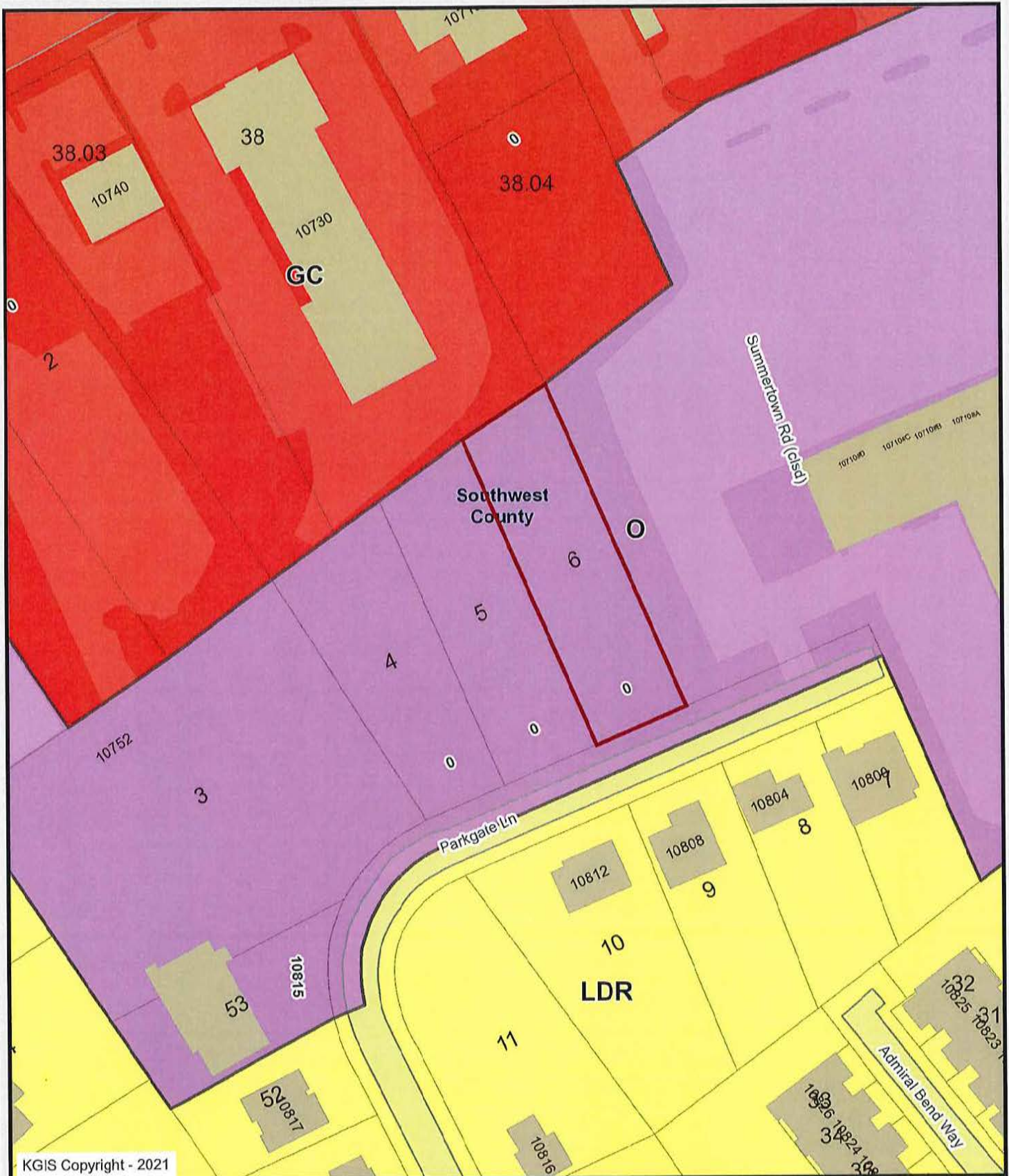
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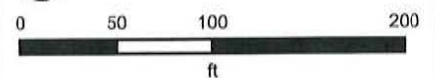
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Letter Portrait

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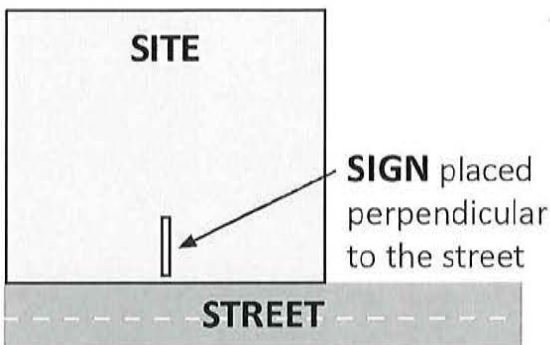


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, 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.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

June 23 (Wed) and July 9th (Fri)
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: [Signature]

Date: 5/17/2021

File Number: 7-B-21-RZ

☐ Sign posted by Staff
☒ Sign posted by Applicant