



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 8-L-22-RZ **AGENDA ITEM #:** 20
8-F-22-SP **AGENDA DATE:** 8/11/2022

► **APPLICANT:** ISAAC PANNELL
OWNER(S): Eric & Taylor Turner Four Paws Inc

TAX ID NUMBER: 122 L A 003,002,001 [View map on KGIS](#)
JURISDICTION: Commission District 9
STREET ADDRESS: 1501 MARYVILLE PIKE (1481, 1461 MARYVILLE PIKE)
► **LOCATION:** North side of Maryville Pike
► **TRACT INFORMATION:** 5.75 acres.
SECTOR PLAN: South County
GROWTH POLICY PLAN: Urban Growth Boundary
ACCESSIBILITY: Access is via Maryville Pike, a minor arterial with a pavement width of 40-ft within a right-of-way width of 70-ft.
UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board
WATERSHED: Goose Creek

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential), HP (Hillside Protection) / RA (Low Density Residential)
► **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial), HP (Hillside Protection) / CB (Commercial)
► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land
►
EXTENSION OF PLAN DESIGNATION/ZONING: Yes.
HISTORY OF ZONING REQUESTS: None noted.
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Agriculture/forestry/vacant - LDR (Low Density Residential) - RA (Low Density Residential)
South: Agriculture/forestry/vacant - GC (General Commercial) - CB (Business and Manufacturing)
East: Agriculture/forestry/vacant - LDR (Low Density Residential) - RA (Low Density Residential)
West: Rural residential - LDR (Low Density Residential) - RA (Low Density Residential)
NEIGHBORHOOD CONTEXT: This is a primarily forested area with steep slopes and some single family residential homes.

STAFF RECOMMENDATION:

- ▶ **Deny the sector plan amendment to GC (General Commercial) because it is inconsistent with character of this area.**
- ▶ **Deny the CB (Business and Manufacturing) zone because it is not compatible with the surrounding low density residential uses.**

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Though a GC land use designation along Maryville Pike has persisted for many years, as well as commercial zoning, this area has not been developed as such and several tracts of vacant existing commercially zoned properties remain.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. There have been no new roads or utilities introduced into this area that would make an expansion of the GC designation along this section of Maryville Pike more feasible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. No obvious or significant errors or omissions are identifiable in this area.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. There continue to be existing, vacant commercially zoned and designated properties along this section of Maryville Pike. There does not appear to be a trend of increasing commercial development in this area that would warrant expanding the GC land use classification.

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. There have been no changing conditions in the area to support CB (Business and Manufacturing) zoning on the subject property. This area is primarily single family residential, forested properties with significant topographic constraints.

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

1. CB zoning is intended 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 ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. CB zoning is not an appropriate district in this low density residential area. Existing vacant commercially zoned properties are nearby and have remained undeveloped for many years.
2. Expanding CB zoning in this area would limit the development and/or expansion of existing residential uses in this area.

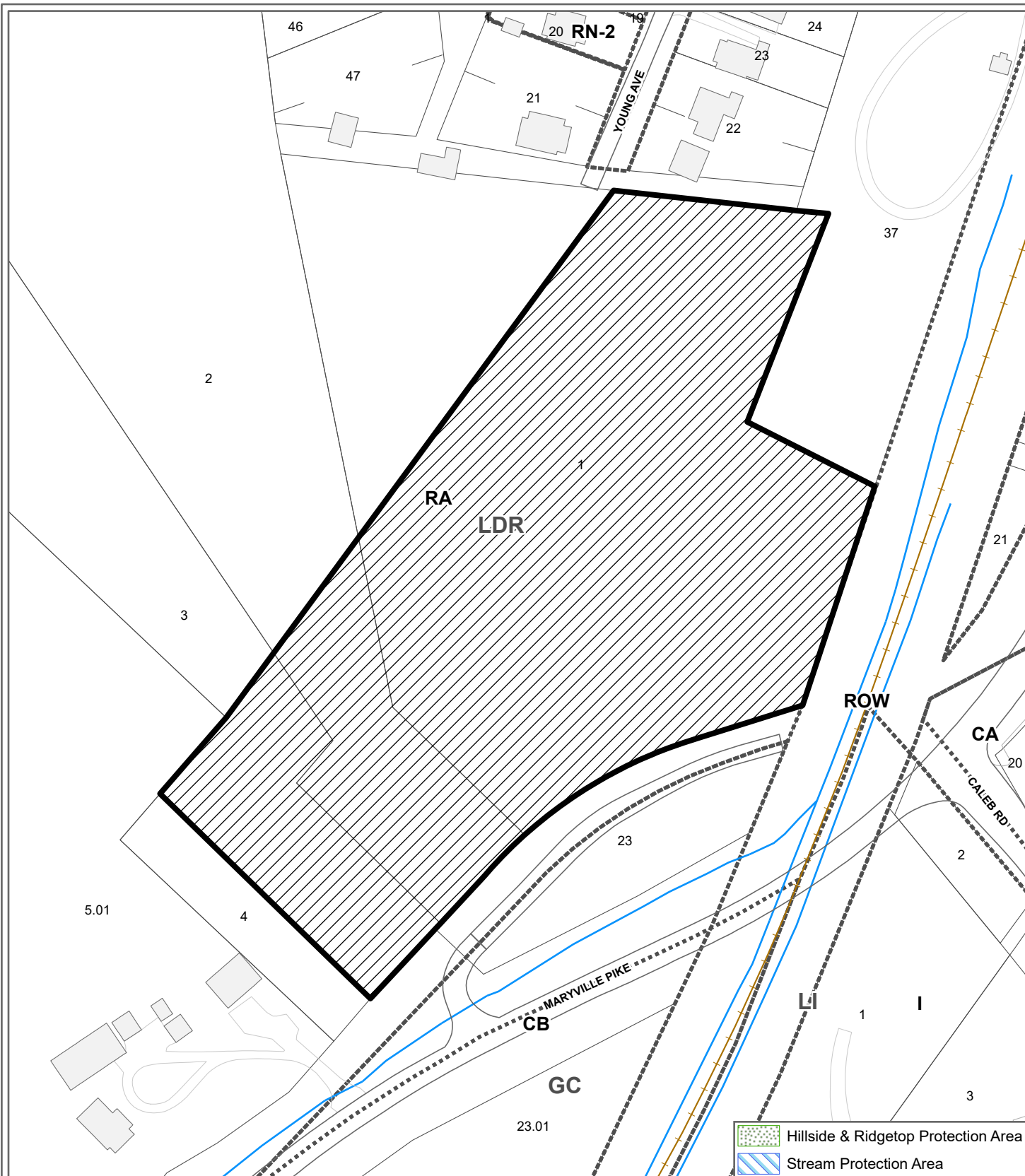
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed zoning is not consistent or compatible with the proposed land use plan of LDR for this area.

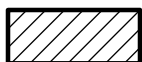
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/26/2022. 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.



**8-F-22-SP / 8-L-22-RZ
SOUTH COUNTY SECTOR PLAN AMENDMENT**

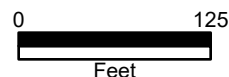


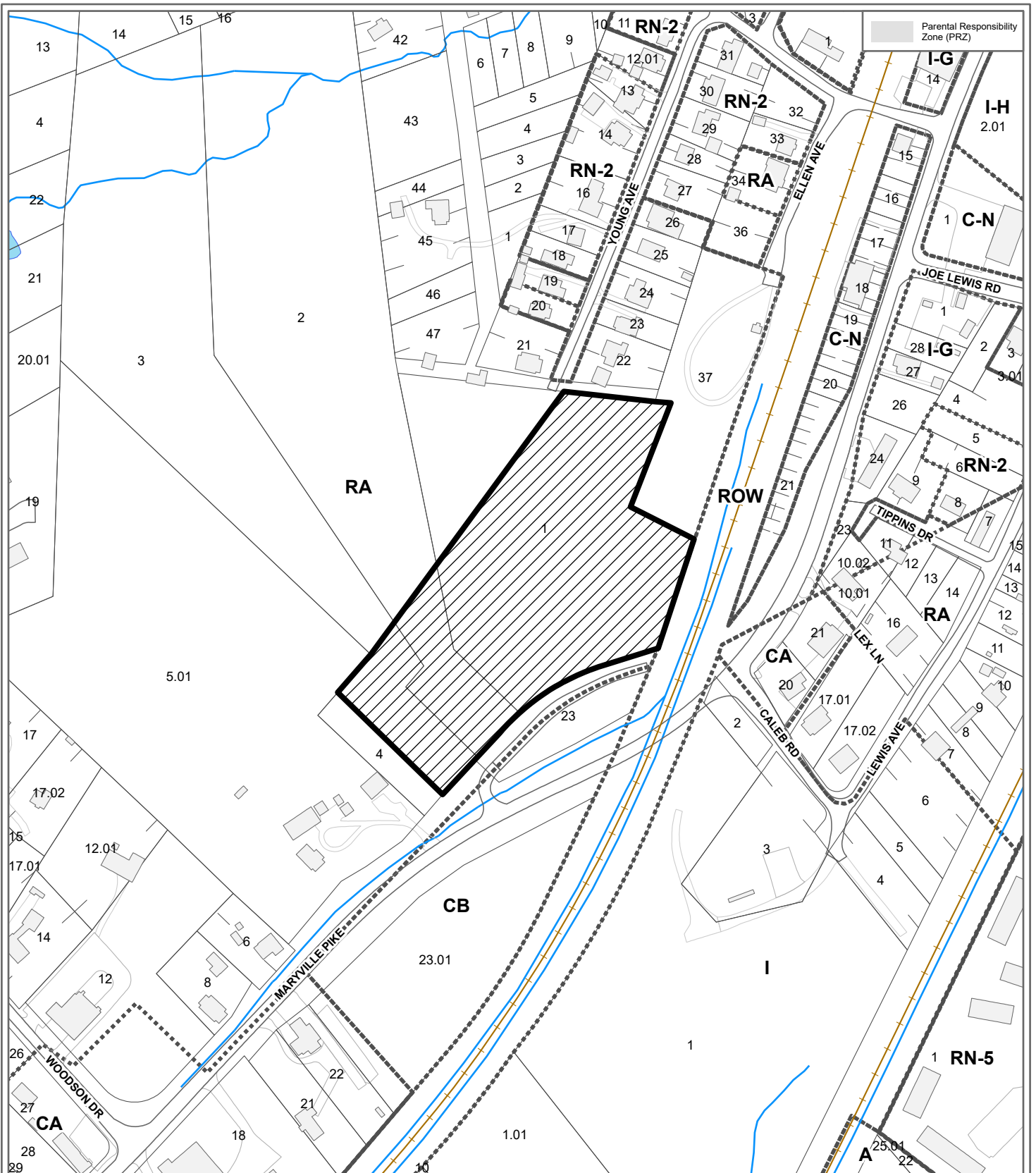
From: LDR (Low Density Residential), HP (Hillside and Ridgetop Protection)
To: GC (General Commercial);HP (Hillside/Ridge Top Protection Areas)

Original Print Date: 7/21/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Isaac Pannell

Map No: 122
Jurisdiction: County

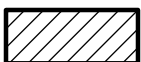




8-L-22-RZ REZONING

From: RA (Low Density Residential)

To: CB (Commercial)



Original Print Date: 7/21/2022
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Isaac Pannell

Map No: 122

Jurisdiction: County

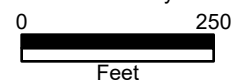


Exhibit A. 8-F-22-SP_8-L-22-RZ Contextual Images

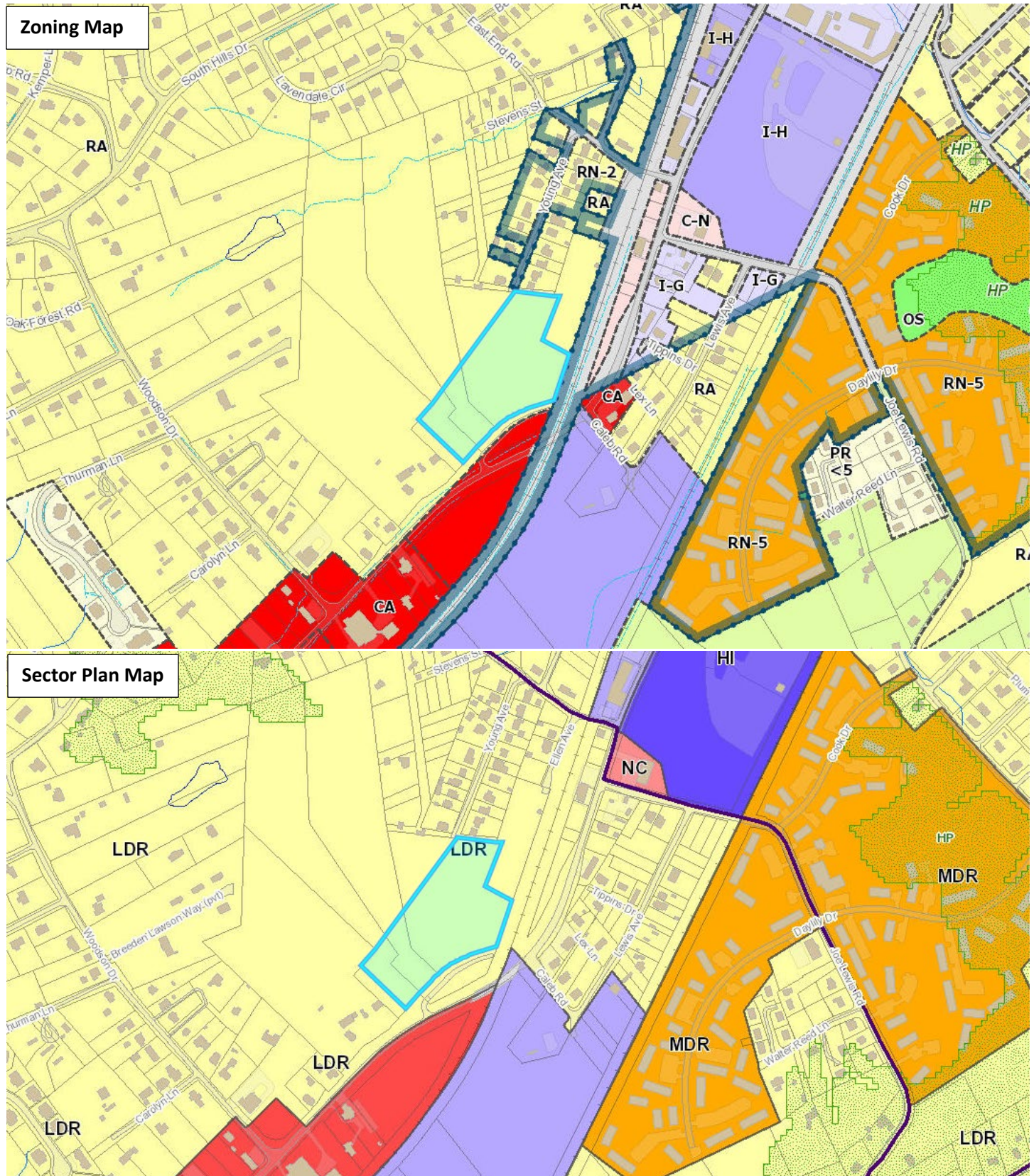
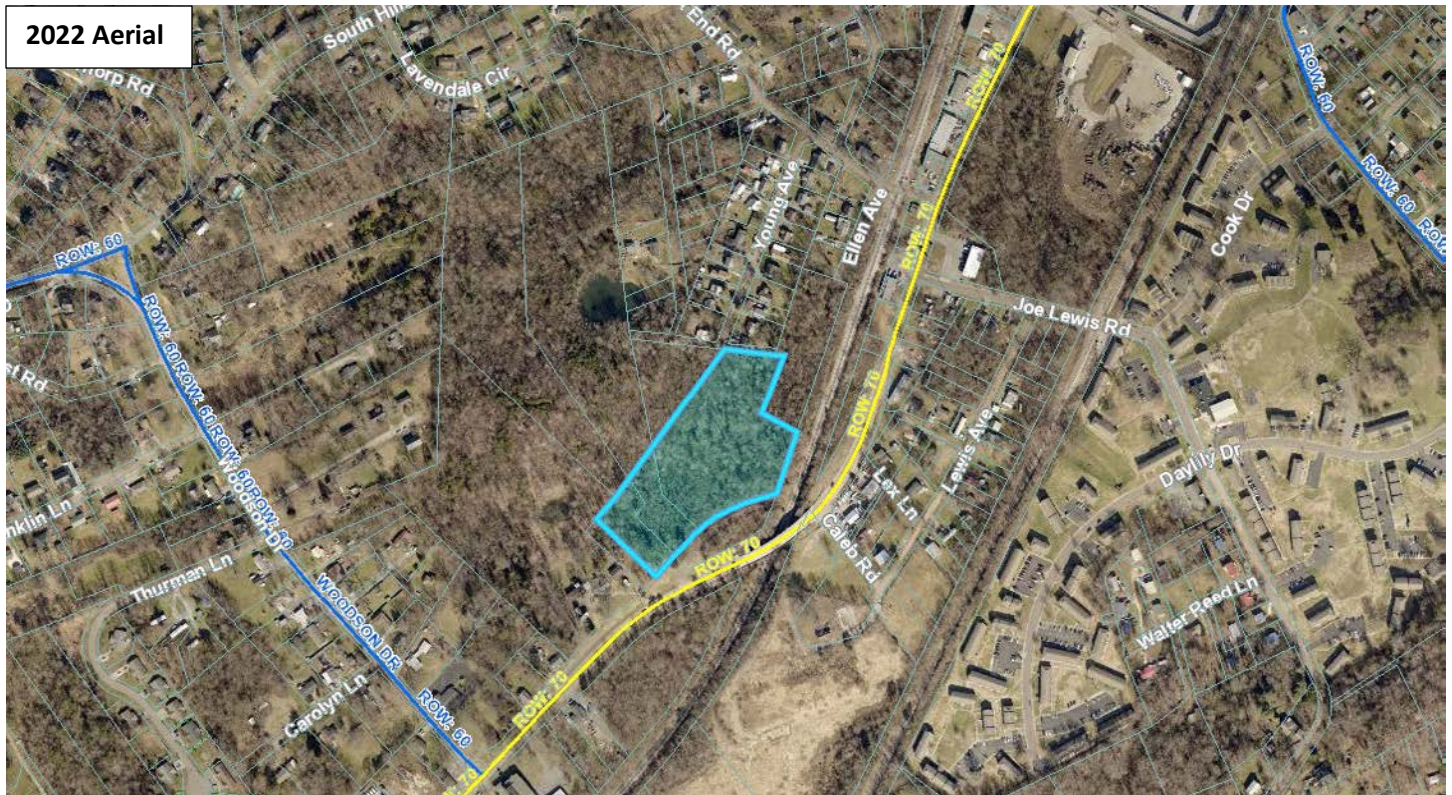


Exhibit A. 8-F-22-SP_8-L-22-RZ Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ Sector Plan
☐ One Year Plan
☐ Rezoning

Isaac Pannell

Applicant Name

6/27/2022

Date Filed

8/11/2022

Planning Commission
Meeting (if applicable)

9/26/2022 (Knox County Commission)

Legislative Meeting (if applicable)

8-F-22-SP / 8-L-22-RZ

File Number(s)

CORRESPONDENCE

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

Isaac Pannell Pannell Construction

Name / Company

5212 Villa Rd Knoxville TN 37918

Address

865-712-4680 / pannellconstruction@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Eric & Taylor Turner Four Paws Inc

Owner Name (if different)

360 Teresa Ann Dr Seymour TN 37865

Owner Address

865-712-4680

Owner Phone / Email

1501 MARYVILLE PIKE / 1481, 1461 MARYVILLE PIKE

Property Address

122 L A 003,002,001

Parcel ID

5.75 acres

Tract Size

Part of Parcel (Y/N)?

KUB SEWER

Sewer Provider

KUB WATER

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Maryville Pike

General Location

☐ City

Commission District 9

RA (Low Density Residential)

Agriculture/Forestry/Vacant Land

☒ County District

Zoning District

Existing Land Use

South County

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

Urban Growth Boundary

Growth Policy Plan Designation

DEVELOPMENT REQUEST

☐ Development Plan ☐ Planned Development ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

☐ Attachments / Additional Requirements**ZONING REQUEST**

☐ Zoning Change **CB (Business and Manufacturing)**
Proposed Zoning

Pending Plat File Number

Proposed Density (units/acre) Previous Zoning Requests

☒ Plan Amendment Change **GC (General Commercial);HP (Hillside Protection)**
Proposed Plan Designation(s)

Additional Information

STAFF USE ONLY**PLAT TYPE**

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ COA Checklist (Hillside Protection)
☐ Design Plan Certification (Final Plat)
☐ Site Plan (Development Request)
☐ Traffic Impact Study
☐ Use on Review / Special Use (Concept Plan)

Fee 1

\$2,460.00

Total

Fee 2

Fee 3

AUTHORIZATION

By signing below, I certify that I am the property owner, applicant, or owner's authorized representative.

Isaac Pannell Pannell Construction, 5212 Villa Rd Knoxville TN 37918**6/27/2022**

Application Authorized By

Affiliation

Date

865-712-4680 / pannellconstruction@gmail.com

Phone / Email

Cameron Taylor

Staff Signature

Please Print

Date Paid



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

Isaac Pannell

Applicant Name

Affiliation

6/27/22

8/11/2022

Date Filed

Meeting Date (if applicable)

File Number(s)

See Digital Application.

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

Isaac Pannell

Pannell Construction

Name

Company

5212 Villa Road

Knoxville

TN

37918

Address

City

State

ZIP

8657195024

pannellconstructiontn@gmail.com

Phone

Email

CURRENT PROPERTY INFO

Eric and Taylor Turner

4201 Martin Mill Pike 37920

8657124680

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1501, 1481, 1461 Maryville Pike

122LA003,122LA002,122LA001

Property Address

Parcel ID

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

~~XXX~~

6.6 ac

General Location

Tract Size

See Digital Application.

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

November 22, 2021

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

CB (~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~)

Proposed Zoning

☐ Plan Amendment Change

GC

Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

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

Total

Fee 2

See Digital Applications.

Fee 3

AUTHORIZATION



Applicant Signature

Isaac Pannell

Please Print

06/27/22

Date

8657195024

Phone Number

pannellconstructiontn@gmail.com

Email

Eric Turner

Please Print

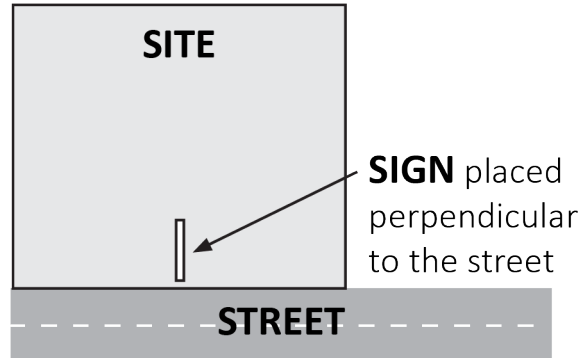
06-27-22

Date



Property Owner Signature

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:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

☐

Sign posted by Staff

☐

Sign posted by Applicant