



# PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 12-D-22-RZ  
12-A-22-SP

**AGENDA ITEM #:** 20  
**AGENDA DATE:** 12/8/2022

► **APPLICANT:** KENNETH W. CANTRELL  
**OWNER(S):** Kenneth Cantrell

**TAX ID NUMBER:** 39 201 [View map on KGIS](#)

**JURISDICTION:** Commission District 8

**STREET ADDRESS:** 0 TAZEWELL PIKE

► **LOCATION:** West of Tazewell Pike, south of Atkins Road

► **TRACT INFORMATION:** 5.24 acres.

**SECTOR PLAN:** Northeast County

**GROWTH POLICY PLAN:** Rural Area

**ACCESSIBILITY:** Access is via Tazewell Pike, a minor arterial with a pavement width of 25-ft within a right-of-way width of 88-ft.

**UTILITIES:** Water Source: Northeast Knox Utility District

Sewer Source:

**WATERSHED:** Beaver Creek

► **PRESENT PLAN DESIGNATION/ZONING:** AG (Agricultural), SP (Stream Protection) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial), SP (Stream Protection) / CN (Neighborhood Commercial)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

► **EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** None noted

**SURROUNDING LAND USE, PLAN DESIGNATION,** North: Agriculture/forestry/vacant - AG (Agriculture), SP (Stream Protection) - A (Agricultural)

**ZONING** South: Agriculture/forestry/vacant - AG (Agriculture), HP (Hillside Protection) - A (Agricultural)

East: Agriculture/forestry/vacant - AG (Agriculture) - A (Agricultural)

West: Rural residential AG (Agriculture), SP (Stream Protection) - A (Agricultural)

**NEIGHBORHOOD CONTEXT:** This is a rural area with primarily agricultural land and some single family residential houses.

**STAFF RECOMMENDATION:**

- ▶ **Deny the sector plan amendment to NC (Neighborhood Commercial) because it not consistent with the location criteria and is within a rural area.**
  
- ▶ **Deny the CN (Neighborhood Commercial) zone because it is not consistent with the surrounding development.**

**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. There have been no changes in this area warranting amendment of the land use plan. This area has remained rural and agricultural in character for the last few decades.

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

1. There have been no improvements to infrastructure in this area that would make additional commercial land use activity more feasible in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There Northeast County Sector Plan did not acknowledge the existing commercial zoning to the west of this location along Tazewell Pike. There continue to be vacant commercial zoned properties in that area as well.

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

1. This area has remained largely rural and agricultural and there have not been any trends in this area to warrant reconsideration of NC at this location.

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. This area has not changed in the last few decades and has remained largely rural and agricultural in character.
2. Existing commercially zoned properties to the west on Tazewell Pike have remained vacant.

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

1. The CN (Neighborhood Commercial) zone provides the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. This is not an established neighborhood. It is a rural, agricultural area.
2. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. The subject property is not located at an intersection, nor close to a neighborhood.

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. The surrounding rural, agricultural and large lot residential areas may be adversely affected by the introduction of uses permitted in the NC zone district for this approximate 5 acre area.

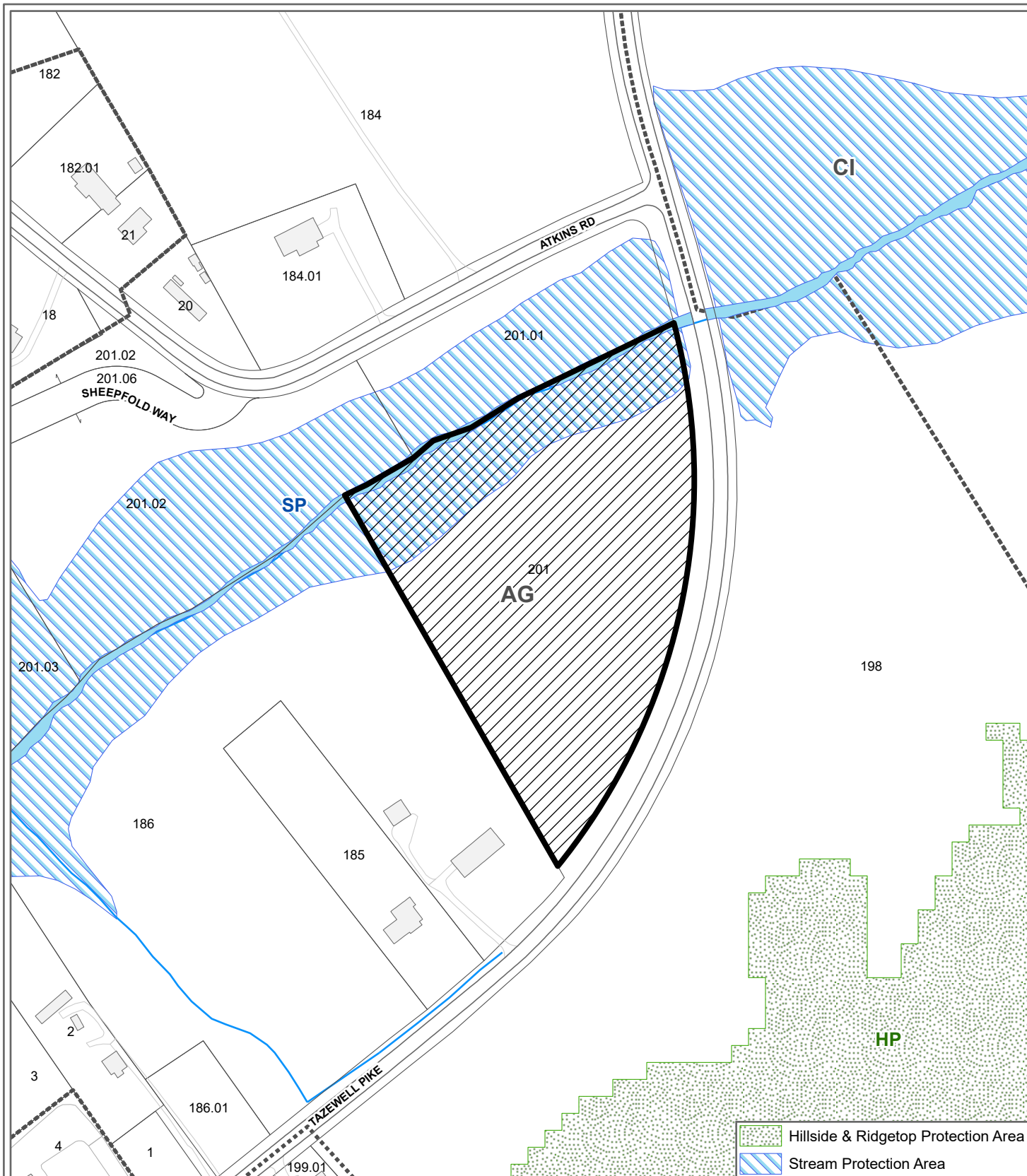
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed amendment is not consistent with the sector plan.
2. The proposed amendment is also in conflict with the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

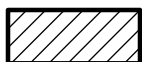
If approved, this item will be forwarded to Knox County Commission for action on 1/23/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**12-A-22-SP / 12-D-22-RZ  
NORTHEAST COUNTY SECTOR PLAN AMENDMENT**

From: AG (Agricultural), SP (Stream Protection)

To: NC (Neighborhood Commercial), SP (Stream Protection)

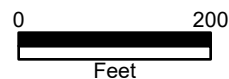


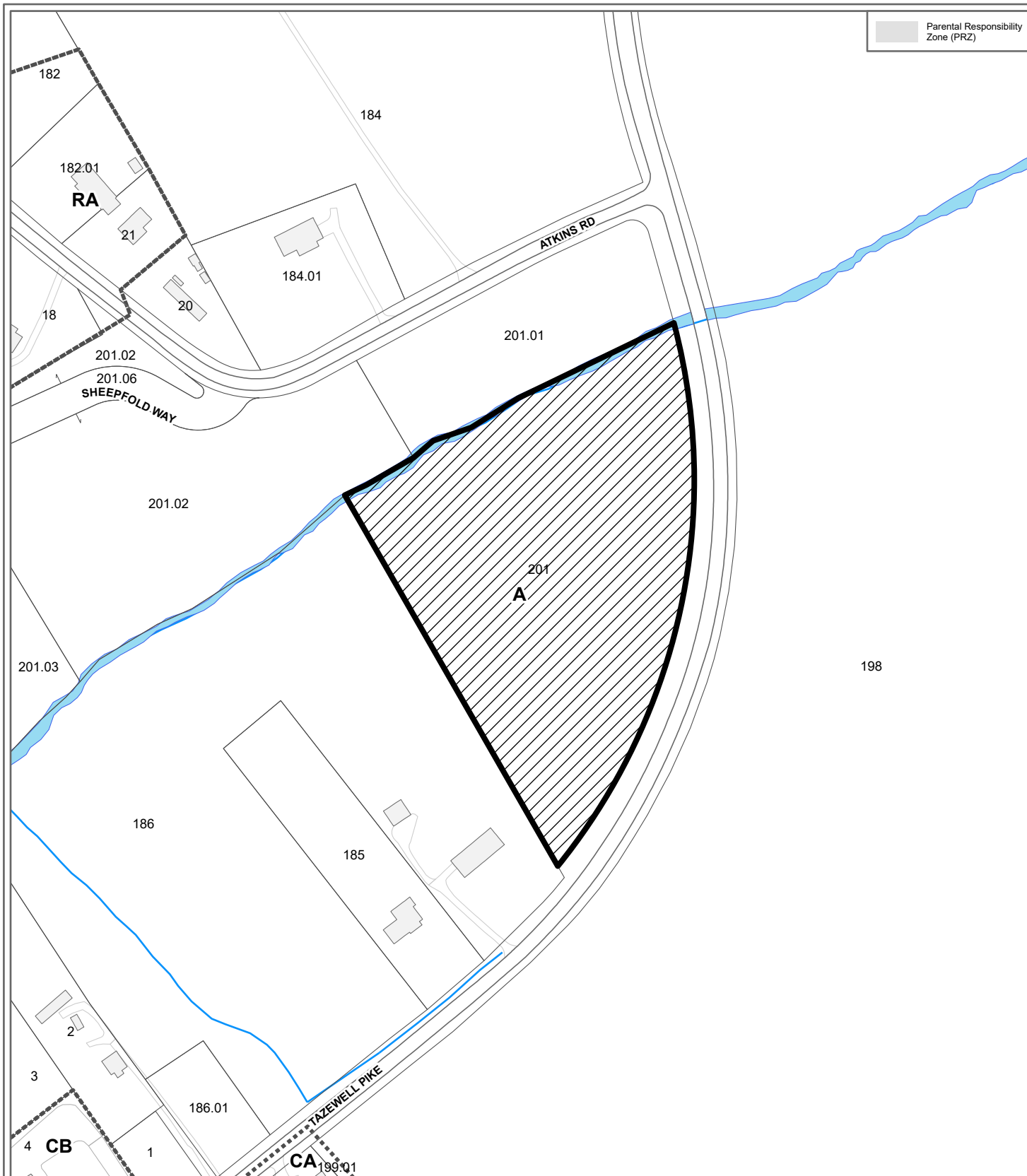
Original Print Date: 11/15/2022      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Kenneth W. Cantrell

Map No: 39

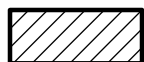
Jurisdiction: County





# **12-D-22-RZ REZONING**

Petitioner: Kenneth W. Cantrell



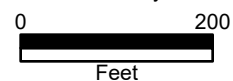
From: A (Agricultural)

To: CN (Neighborhood Commercial)

Original Print Date: 11/15/2022  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

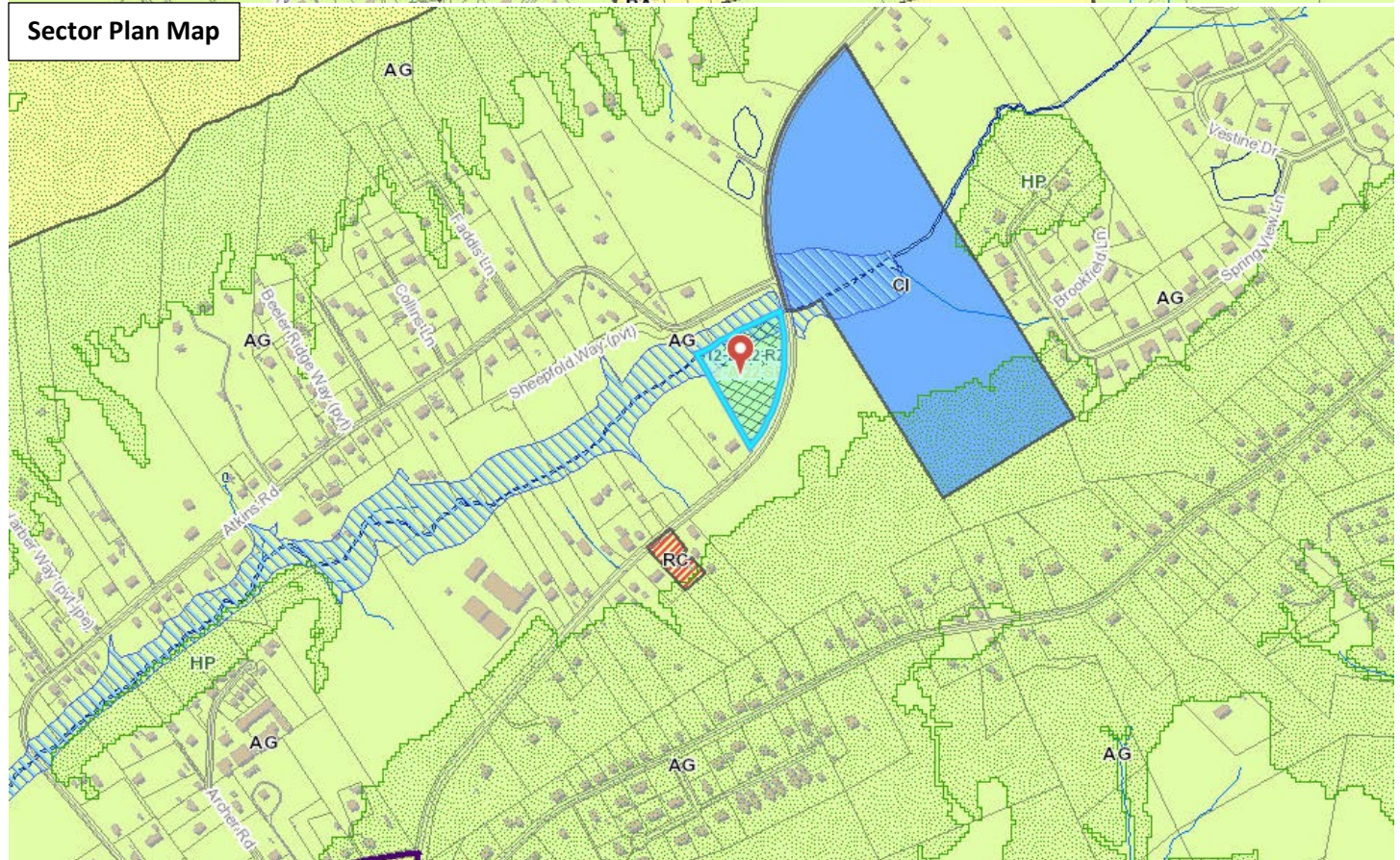
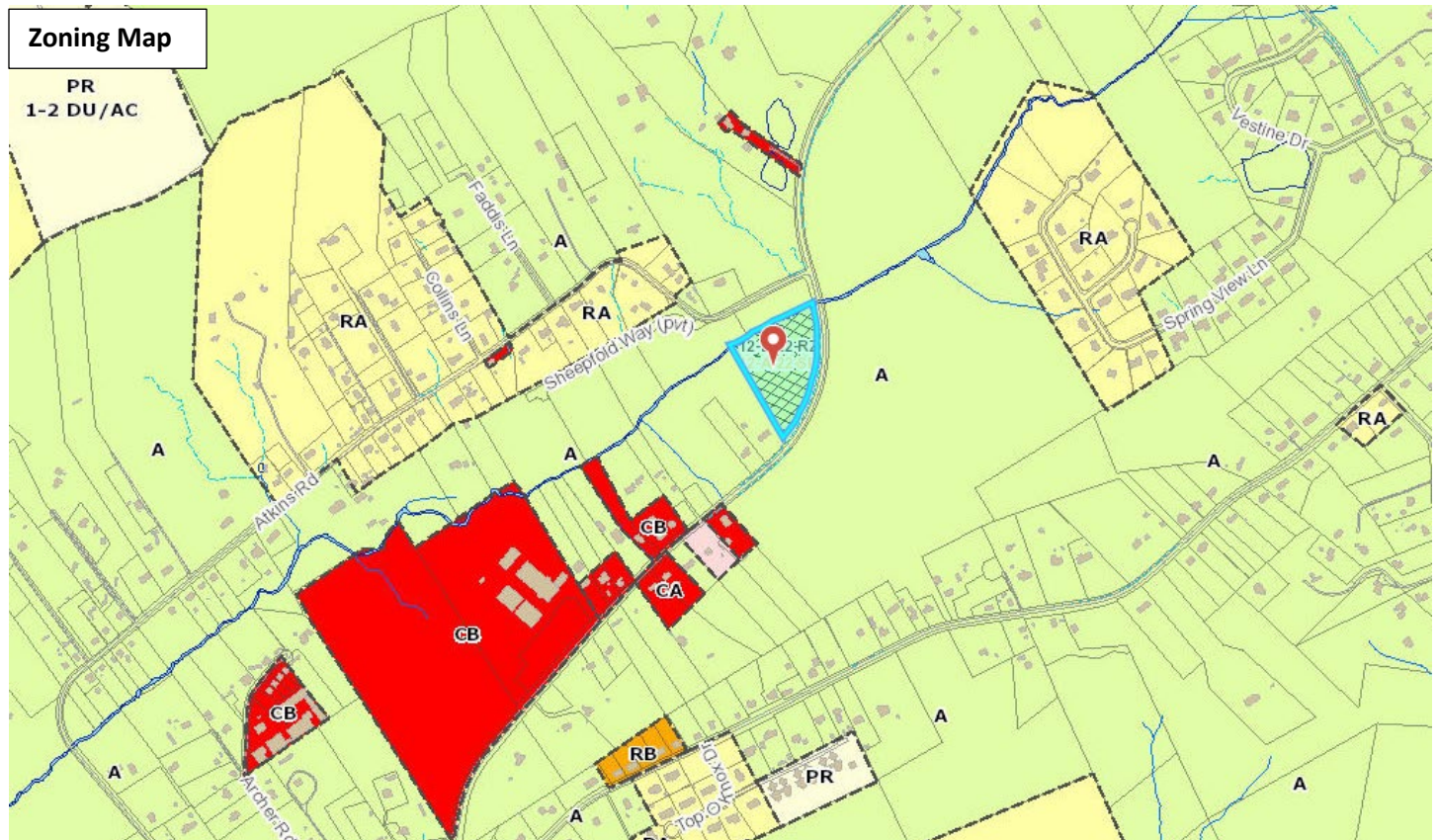
Revised:

Map No: 39  
 Jurisdiction: County





## Exhibit A. 12-D-22-RZ / 12-A-22-SP Contextual Images





## Exhibit A. 12-D-22-RZ / 12-A-22-SP 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

**Kenneth W. Cantrell**

Applicant Name

Affiliation

**10/18/2022**

Date Filed

**12/8/2022**

Meeting Date (if applicable)

**12-A-22-SP / 12-D-22-RZ**

File Number(s)

## CORRESPONDENCE

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

**Kenneth Cantrell**

Name / Company

**6639 Tazewell Park Knoxville TN 37918**

Address

**865-567-3591 / kwfarm@yahoo.com**

Phone / Email

## CURRENT PROPERTY INFO

**Kenneth Cantrell**

Owner Name (if different)

**6639 Tazewell Park Knoxville TN 37918**

Owner Address

**865-567-3591 / kwfarm@yahoo**

Owner Phone / Email

**0 TAZEWell PIKE**

Property Address

**39 201**

Parcel ID

**5.24 acres**

Tract Size

Part of Parcel (Y/N)?

**Northeast Knox Utility District**

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**W of Tazewell Pk, south of Atkins Rd**

General Location

☐ City

**Commission District 8**

**A (Agricultural)**

**Agriculture/Forestry/Vacant Land**

☒ Count

District

Zoning District

Existing Land Use

**Northeast County**

**AG (Agricultural), SP (Stream Protection)**

**Rural Area**

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation



## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan	<input type="checkbox"/> Planned Development	<input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA	<input type="checkbox"/> Residential	<input type="checkbox"/> Non-residential	
Home Occupation (specify) _____			
Other (specify) _____			

## SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	<b>CN (Neighborhood Commercial)</b>	Pending Plat File Number
	Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment	<b>NC (Neighborhood Commercial), SP (Stream Protection)</b>	
	Proposed Plan Designation(s)	
Proposed Density (units/acre)    Previous Zoning Requests		
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	Total
<b>\$1,875.00</b>	
Fee 2	
Fee 3	

## AUTHORIZATION

<b>Kenneth W. Cantrell</b>	<b>10/18/2022</b>
Applicant Signature	Date
Please Print	
Phone / Email	
<b>Kenneth Cantrell</b>	<b>10/18/2022</b>
Property Owner Signature	Date
Please Print	

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



# 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

Kenneth W. Cantrell

Applicant Name

Owner

Affiliation

10/14/2022

Date Filed

10/24/2022

Meeting Date (if applicable)

File Number(s)

12-D-22-RZ\_12-A-22-SP

## 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

Kenneth W. Cantrell

Name

Company

6639 Tazewell Pike

Address

Knoxville

City

TN

State

37918

ZIP

865-567-3591

Phone

kwfarm@yahoo.com

Email

## CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Tazewell Pike

Property Address

039-201

Parcel ID

Northeast Knox Utility

Water Provider

Y

Septic (Y/N)

Sewer Provider

## STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

August 29, 2022

**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   **Neighborhood Commercial**  
Proposed Zoning☐ 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**

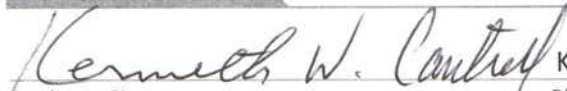
- ☐ Design Plan Certification (*Final Plat*)  
☐ Use on Review / Special Use (*Concept Plan*)  
☐ Traffic Impact Study  
☐ COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

Fee 3

**AUTHORIZATION**

Applicant Signature

Kenneth W. Cantrell

Please Print

10/14/2022

Date

865-567-3591

Phone Number

kwfarm@yahoo.com

Email



Property Owner Signature

Kenneth W. Cantrell

Please Print

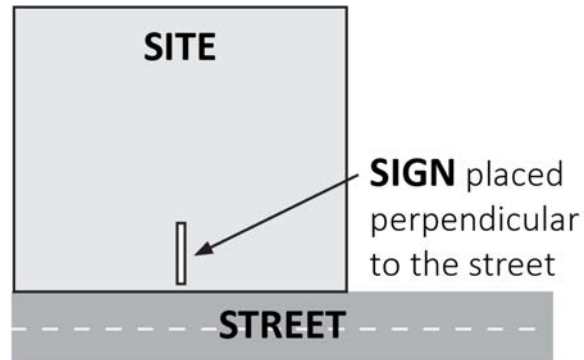
10/14/2022

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.



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:***

\_\_\_\_\_ 11/25/2022 \_\_\_\_\_ and \_\_\_\_\_ 12/9/2022 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Kenneth Cantrell

**Date:** 10/18/22

**File Number:** 12-D-22-RZ, 12-A-22-SP

☒

Sign posted by Staff

☐

Sign posted by Applicant