

REZONING REPORT

▶ **FILE #:** 1-H-22-RZ

AGENDA ITEM #: 17

AGENDA DATE: 1/13/2022

▶ **APPLICANT:** TAYLOR D. FORRESTER
OWNER(S): SCGIX-Harvest Towne, LLC

TAX ID NUMBER: 58 M A 01703 (PART OF) [View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 4824 Harvest Mill Way

▶ **LOCATION:** **East side of Harvest Mill Way, north side of Sanders Drive, east of N. Broadway**

▶ **APPX. SIZE OF TRACT:** 1.98 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN:

ACCESSIBILITY: Access is via Sanders Drive, a local street with a pavement width of 20-ft within a right-of-way of 47-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** O (Office)

▶ **ZONING REQUESTED:** C-G-2 (General Commercial) (only portion with GC sector & OYP designation)

▶ **EXISTING LAND USE:** Commercial



EXTENSION OF ZONE: Yes

HISTORY OF ZONING: 4-K-87-RZ: R-2 to O-1

SURROUNDING LAND USE AND ZONING: North: Commercial / C-G-2 (General Commercial)

South: Office / C-G-2 (General Commercial)

East: Multifamily / RN-3 (General Residential Neighborhood)

West: Commercial / C-G-2 (General Commercial)

NEIGHBORHOOD CONTEXT: This area is part of the commercial corridor along Broadway through Fountain City adjacent to an established residential neighborhood.

STAFF RECOMMENDATION:

▶ **Approve C-G-2 (General Commercial) zoning because it is consistent with the sector plan and the one year plan.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, 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 GENERALLY:

1. This property has been part of the Harvest Towne commercial shopping center since the property was developed in the mid-1990s.

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

1. The C-G General Commercial Zoning District is intended to provide for a heterogeneous mix of retail, personal service, office, and residential uses within and along Knoxville's commercial nodes and corridors. The C-G District is intended to promote mixed-use development in a pedestrian-oriented environment that recalls the City's traditional business districts, and offers flexibility in the creation of integrated commercial, office and residential spaces.

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

1. This proposed amendment is reflecting the recommendations of the North City Sector Plan and the One Year Plan, as well as recognizing the existing commercial uses occurring in the shopping center.
2. No adverse effects are expected to arise from recognizing the existing uses and recommendations of the land use plan for this area.

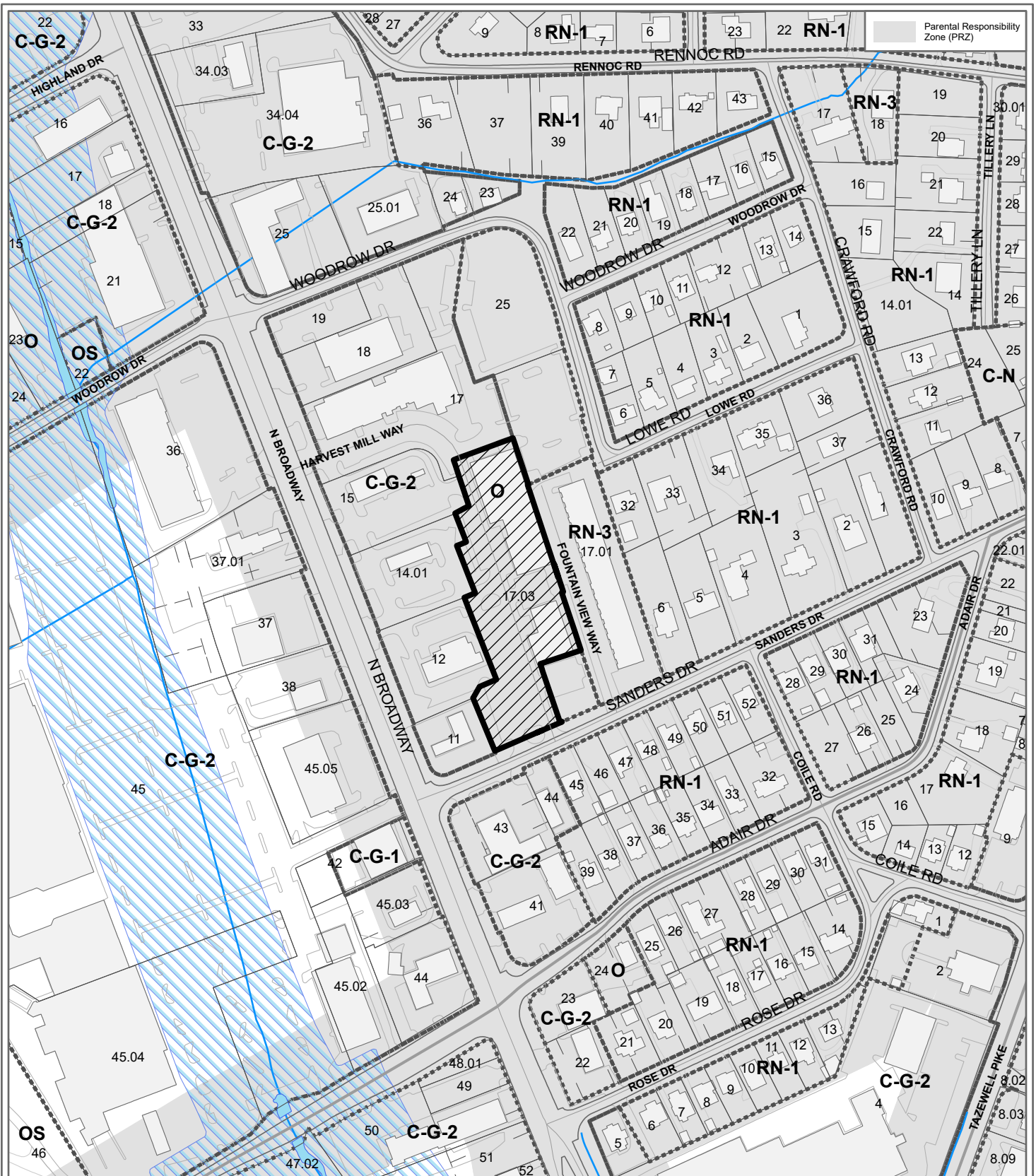
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed amendment is consistent with the North City Sector Plan and One Year Plan.
2. The proposed amendment is consistent with all other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

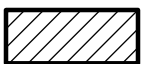
If approved, this item will be forwarded to Knoxville City Council for action on 2/8/2022 and 2/22/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**1-H-22-RZ
REZONING**

From: O (Office)

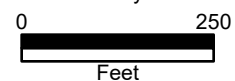
To: C-G-2 (General Commercial) (only portion with GC sector & OYP designation)



Petitioner: Forrester, Taylor D.

Map No: 58

Jurisdiction: City



Original Print Date: 12/3/2021

Revised:

Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit A. 1-H-22-RZ Contextual Images

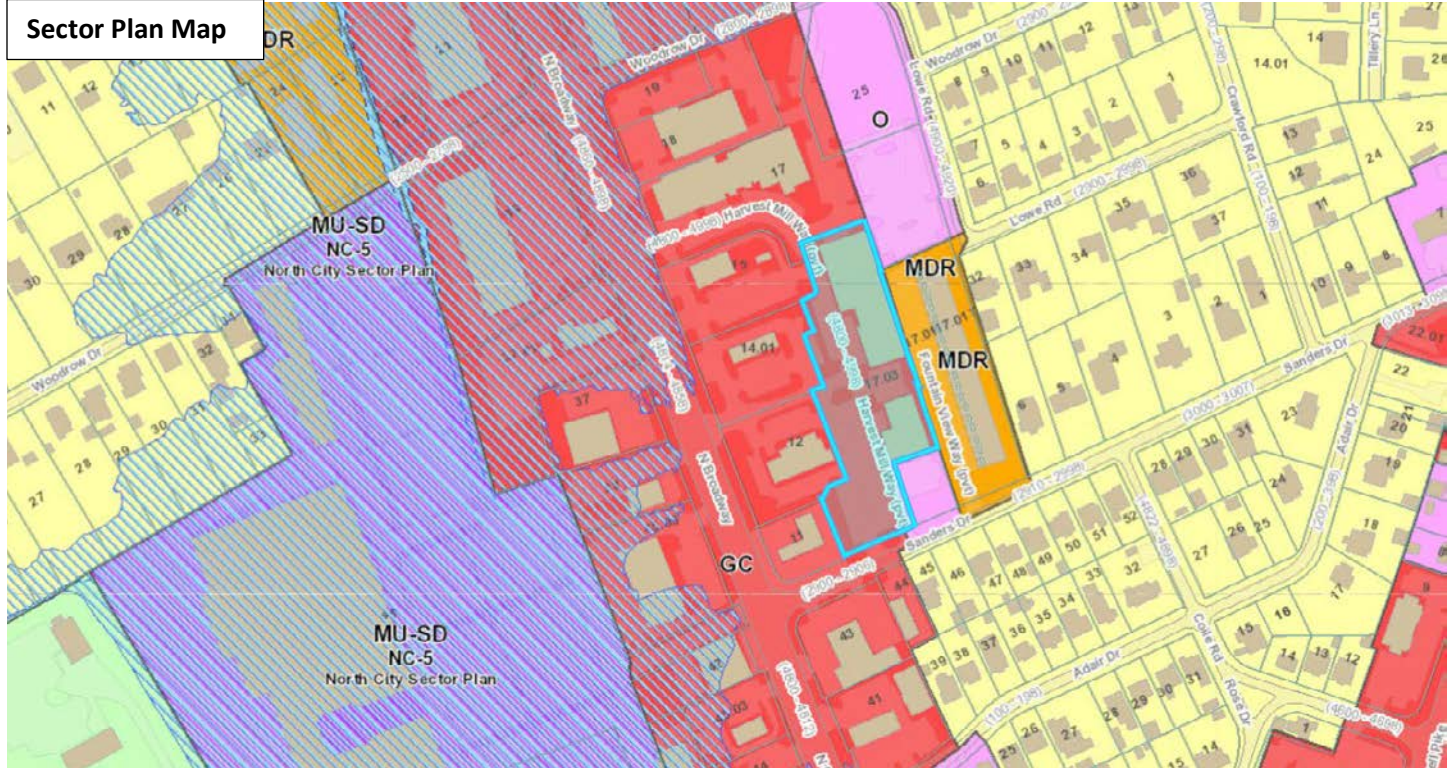
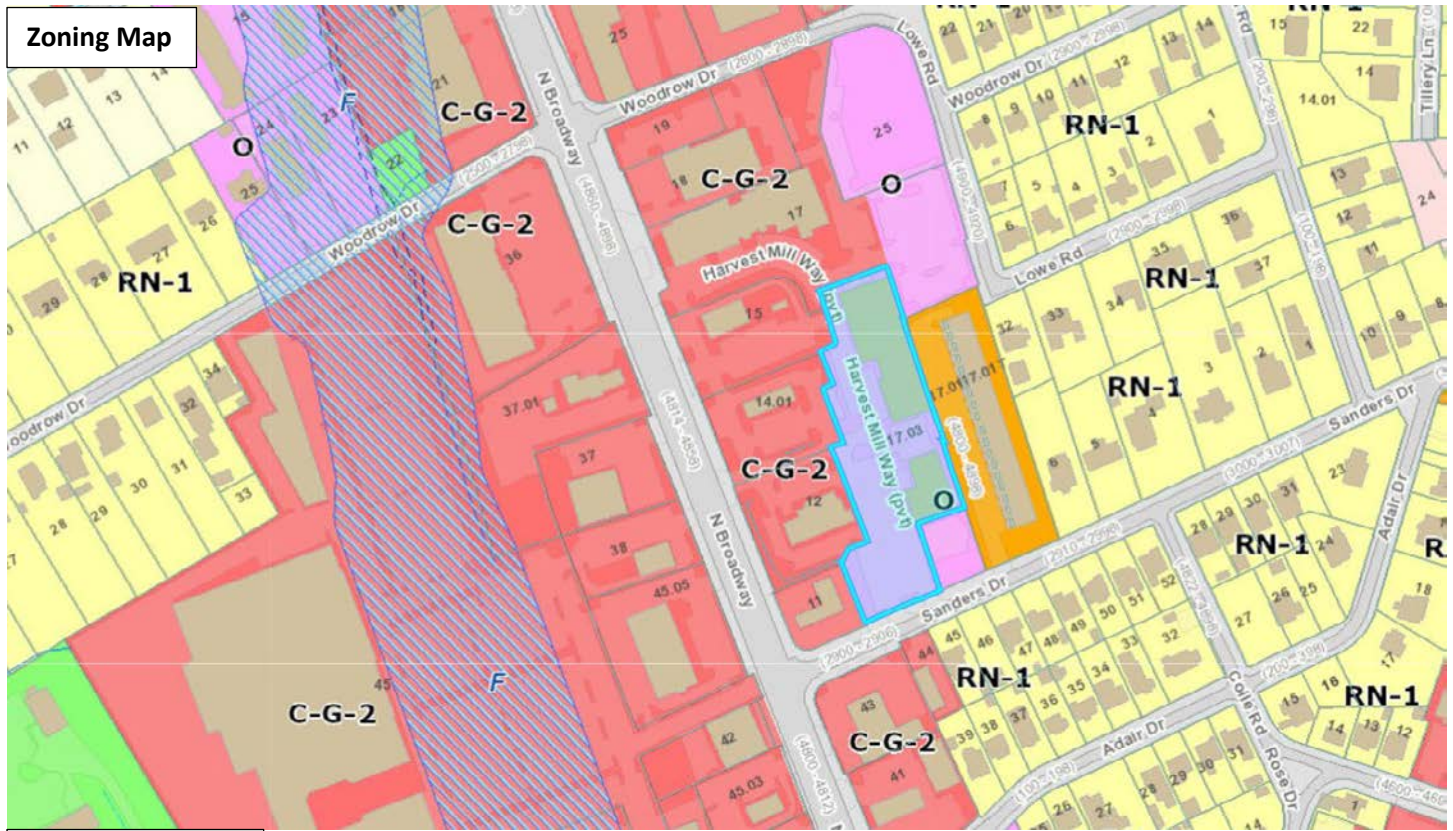


Exhibit A. 1-H-22-RZ Contextual Images

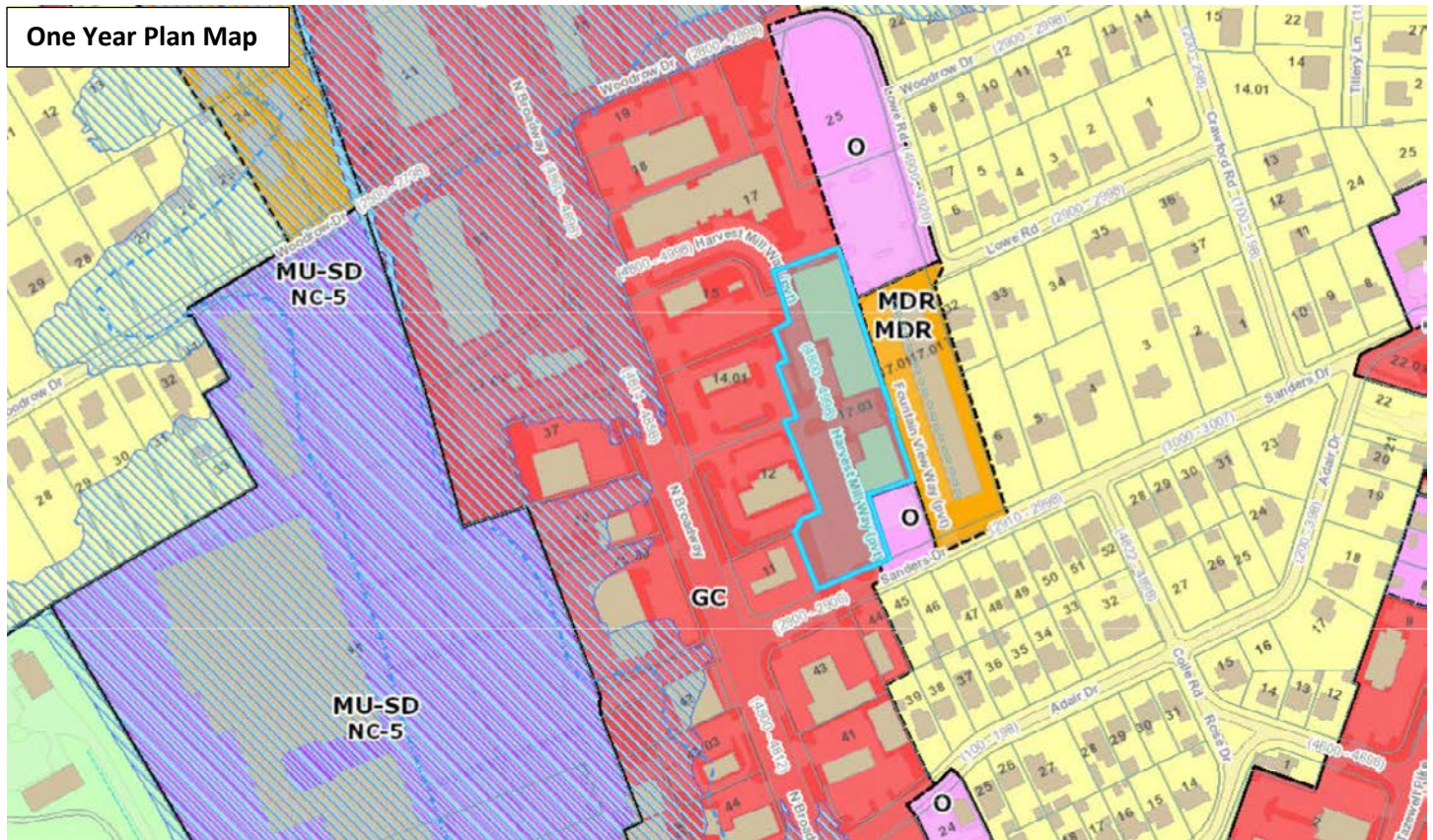


Exhibit A. 1-H-22-RZ Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - SP
 - OYP
- Rezoning

Taylor D. Forrester

Attorney

Applicant Name

Affiliation

11/18/2021

1/13/2022

File Number(s)

Date Filed

Meeting Date (if applicable)

1-H-22-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

Taylor D. Forrester

Long, Ragsdale & Waters, P.C.

Name

Company

1111 N. Northshore Drive, Suite S-700

Knoxville

TN

37919

Address

City

State

ZIP

865-584-4040

tforrester@lrwlaw.com

Phone

Email

CURRENT PROPERTY INFO

SCGIX-Harvest Towne, LLC

3 Lockwood Dr, 302B, Charleston, SC 29401

Owner Name (if different)

Owner Address

Owner Phone

4824 Harvest Mill Way

058MA01703 (part of)

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Harvest Mill Way, n/s of Sanders Dr., east of N. Broadway

1.98

General Location

Tract Size

City 4th

O

Retail Shopping Center

City County

District

Zoning District

Existing Land Use

North City

GC portion only

N/A (within City limits)

Planning Sector

Sector Plan Land Use Classification

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
 CG-2 (only the portion with GC sector & one yr plan designation)
 Proposed Zoning _____
 Plan Amendment Change
 Proposed Plan Designation(s) _____

Pending Plat File Number

Proposed Density (units/acre) _____
 Previous Rezoning Requests **4-K-87-RZ / 4-H-87-PA; 6-I-94-RZ**
 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)

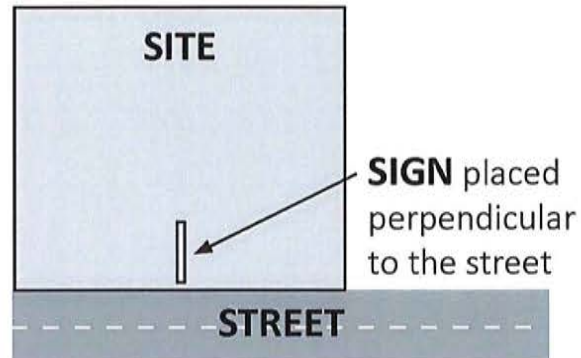
Fee 1		Total
0326	\$1,000.00	\$1,000.00
Fee 2		
Fee 3		

AUTHORIZATION

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

Taylor D. Forrester <small>Signature of Applicant</small> Applicant Signature	Taylor D. Forrester <small>Please Print</small> Please Print	11/18/2021 <small>Date</small> Date
865-584-4040 <small>Phone Number</small> Phone Number	tforrester@lrwlaw.com <small>Email</small> Email	
 Staff Signature	Sherry Michienzi Please Print	11/22/21 swm Date

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:

Dec 29th and Jan 14th
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Taylor Forrester
 Date: 11/18/2022
 File Number: 1-H-22-RZ

Sign posted by Staff
 Sign posted by Applicant