

# REZONING REPORT

▶ **FILE #:** 5-N-22-RZ

**AGENDA ITEM #:** 18

**AGENDA DATE:** 5/12/2022

▶ **APPLICANT:** MICHAEL BRINEGAR

OWNER(S): Harley E. Bittle III

TAX ID NUMBER: 103 11503

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 Gliding Hawk Ln.

▶ **LOCATION:** North side of Carmichael Road, east side of Valley Vista Road, east and south side of Gliding Hawk Lane

▶ **APPX. SIZE OF TRACT:** 5.14 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Gliding Hawk Lane, a local street, with a pavement width of 26-ft within a right-of-way width of 60-ft.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

▶ **PRESENT ZONING:** PC (Planned Commercial) / TO (Technology Overlay)

▶ **ZONING REQUESTED:** OB (Office, Medical, and Related Services) / TO (Technology Overlay)

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

▶  
EXTENSION OF ZONE: Yes, adjacent to OB/TO.

HISTORY OF ZONING: 6-D-13-RZ: A/TO to PC/TO, 4-P-16-RZ: PC/TO to OB/TO (Withdrawn)

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant, commercial / PC/TO (Planned Commercial/Technology Overlay)

South: Transportation/communications/utilities / OB/TO (Office, Medical and Related Services/Technology Overlay)

East: Commercial / A/TO (Agricultural/Technology Overlay)

West: Multifamily residential / OB/TO (Office, Medical and Related Services/Technology Overlay)

NEIGHBORHOOD CONTEXT: This area is a mix of multi-family residential, commercial and office uses within the Technology Corridor Overlay.

**STAFF RECOMMENDATION:**

▶ **Approve OB/TO (Office, Medical, and Related Services / Technology Overlay) zoning because it is consistent with the surrounding development.**

**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. This area is also across the street from Pellissippi State Community College and adjacent to commercial uses along Hardin Valley Road, providing options for destinations within a walkable distance.
2. This area within the Tennessee Technology Corridor area began transitioning to primarily multi-family residential dwellings beginning in 2009 in the areas zoned OB, which also permits RB (General Residential) uses.
3. Pedestrian connectivity to the adjacent commercial uses is recommended as a plan for the property is developed.

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

1. The OB zone 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. These areas should provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods. This location is adjacent to both existing multifamily residential, office and commercial uses.
2. The Tennessee Technology Corridor Development Authority (TTCDA) will review any non-residential and/or multi-family development in this area because of the TO (Technology Overlay) zoning, which provides for additional design guidelines related to building design, landscaping and other elements of a proposed development.

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 is within the Planned Growth Area. The surrounding development is residential in character with zoning that consists of A (Agricultural), PC (Planned Commercial), OB (Office, Medical and Related Services), and BP (Business and Technology Park) and TO (Technology Overlay) zoning. It is not anticipated that more OB/TO will cause any adverse effects to surrounding properties.
2. Pedestrian connectivity to the commercial area along Hardin Valley Road should be considered during use-on-review for this property. This property is also within the PRZ (Parental Responsibility Zone) for Hardin Valley schools.

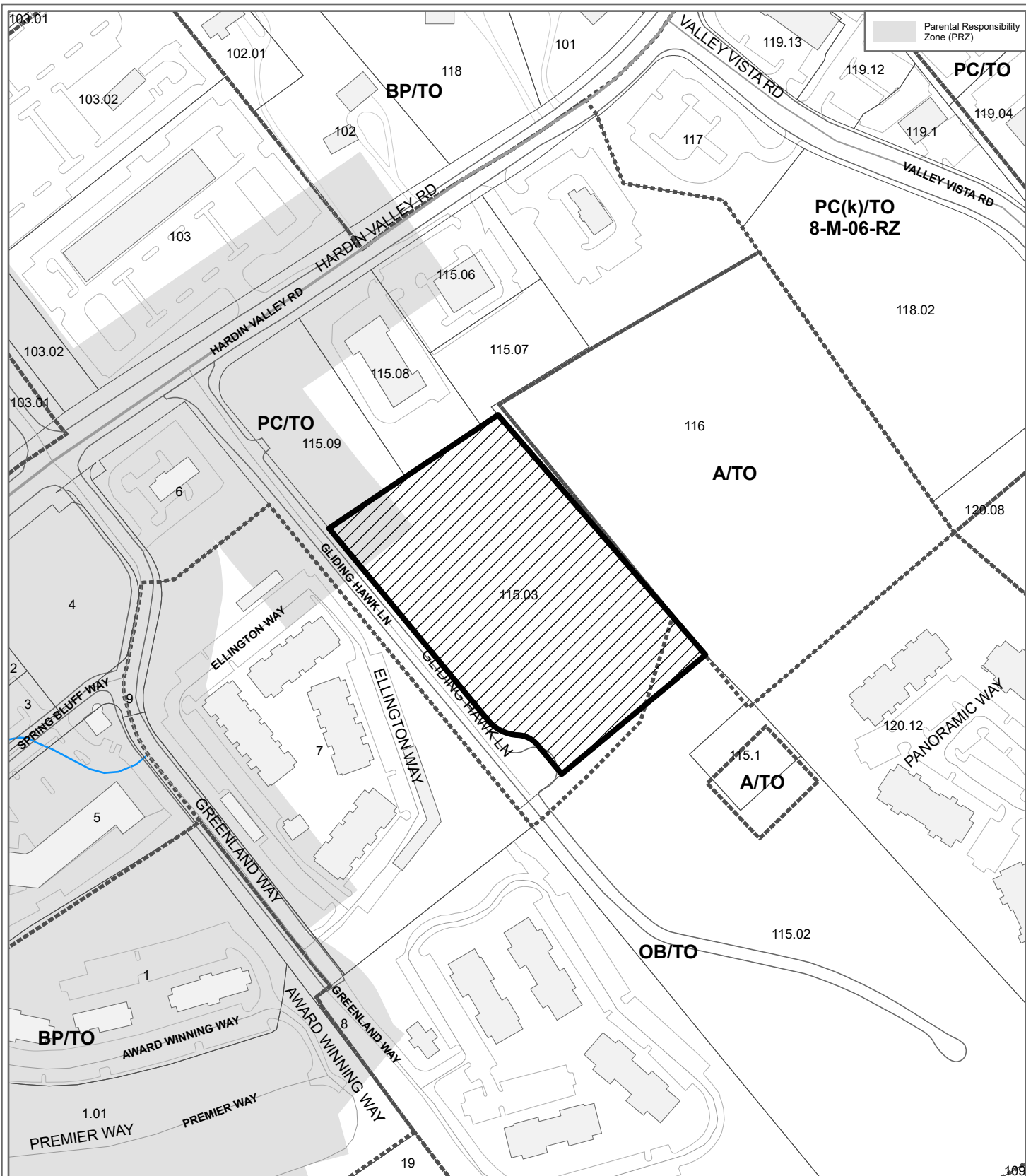
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The Northwest County Sector Plan's MU-SD NWCO-5 designation supports OB/TO for this area.
2. The proposed amendment is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

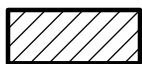
If approved, this item will be forwarded to Knox County Commission for action on 6/27/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**5-N-22-RZ  
REZONING**

From: PC (Planned Commercial) / TO (Technology Overlay)

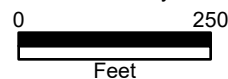
To: OB (Office, Medical, and Related Services) / TO (Technology Overlay)



Original Print Date: 4/18/2022      Revised:  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

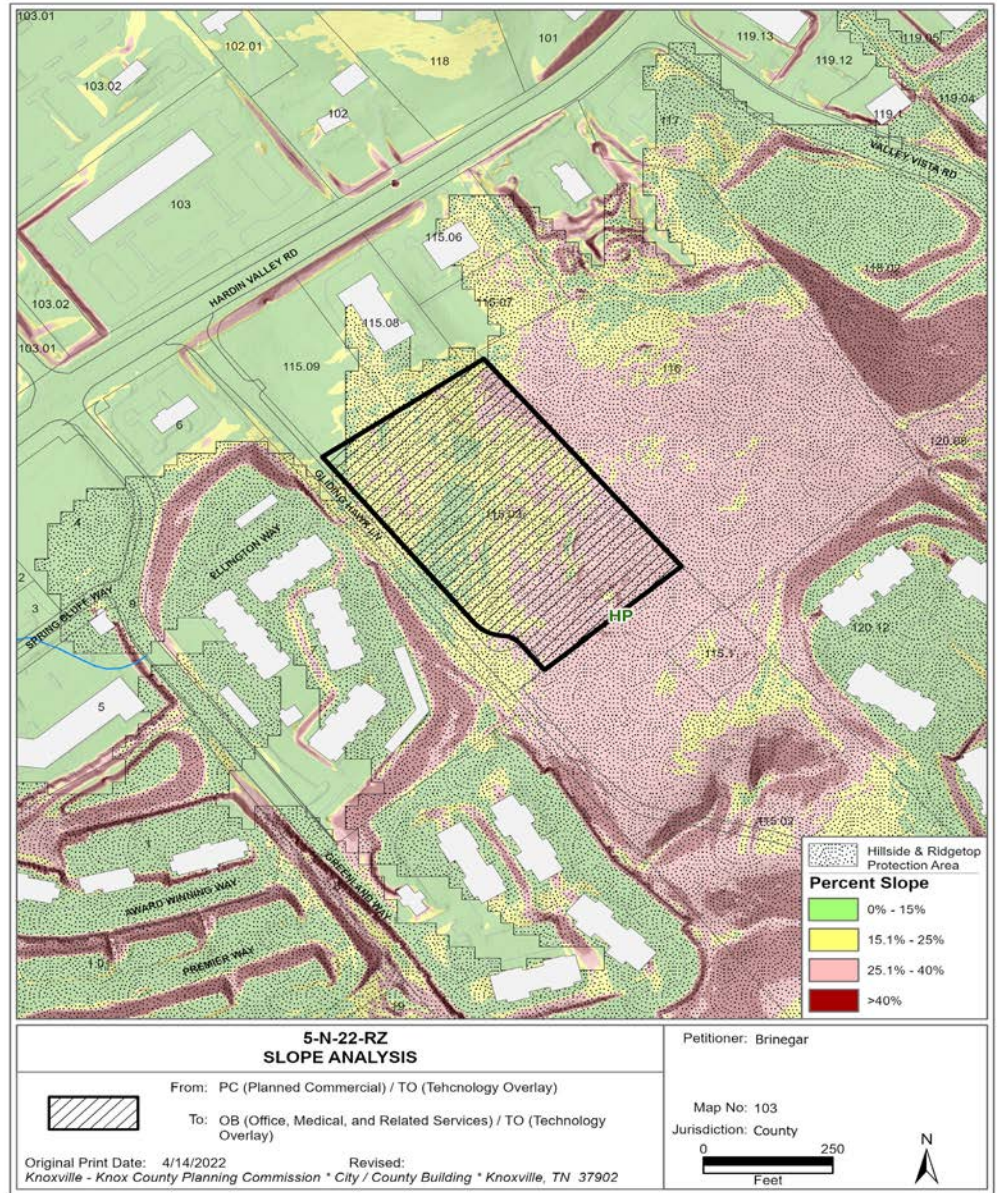
Petitioner: Brinegar, Michael

Map No: 103  
 Jurisdiction: County



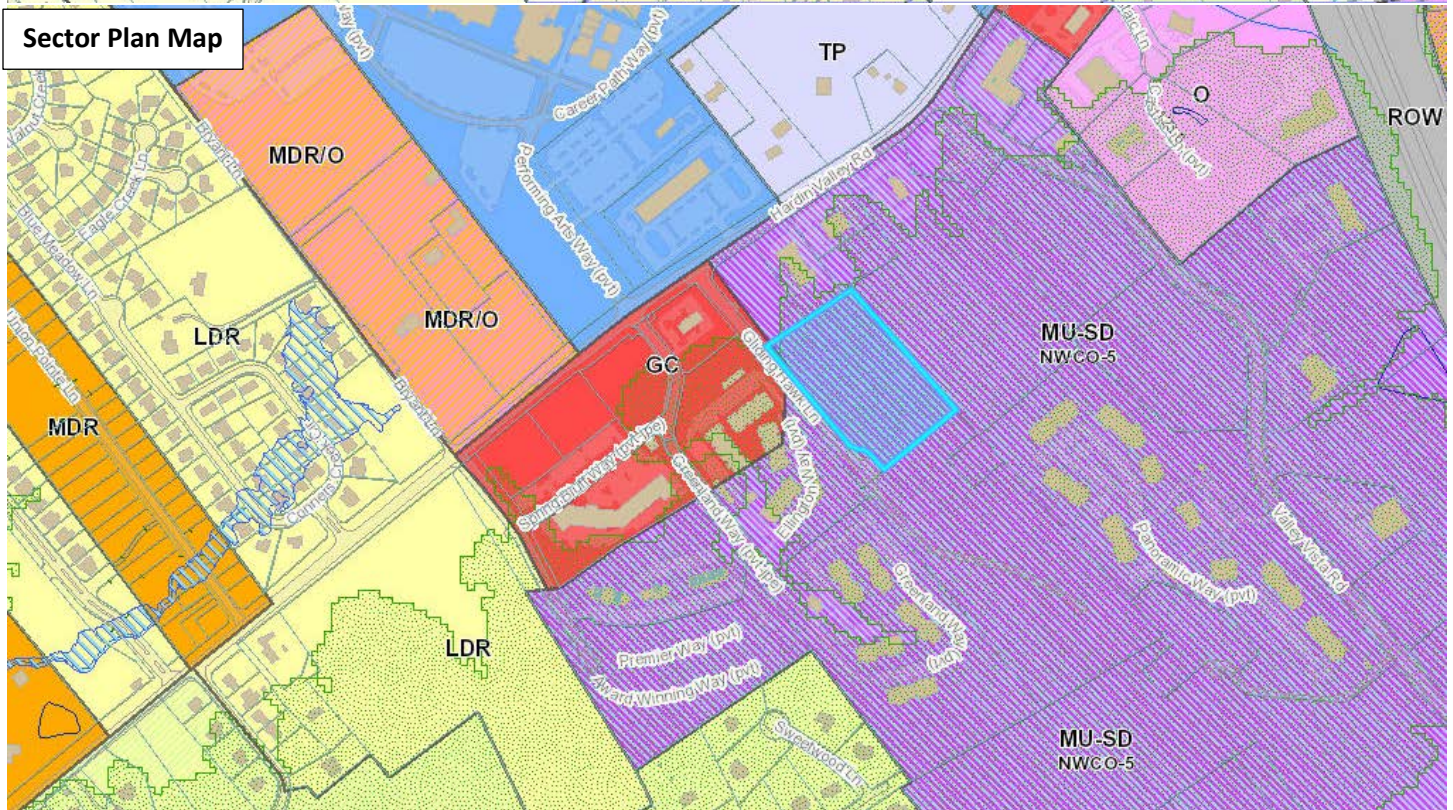
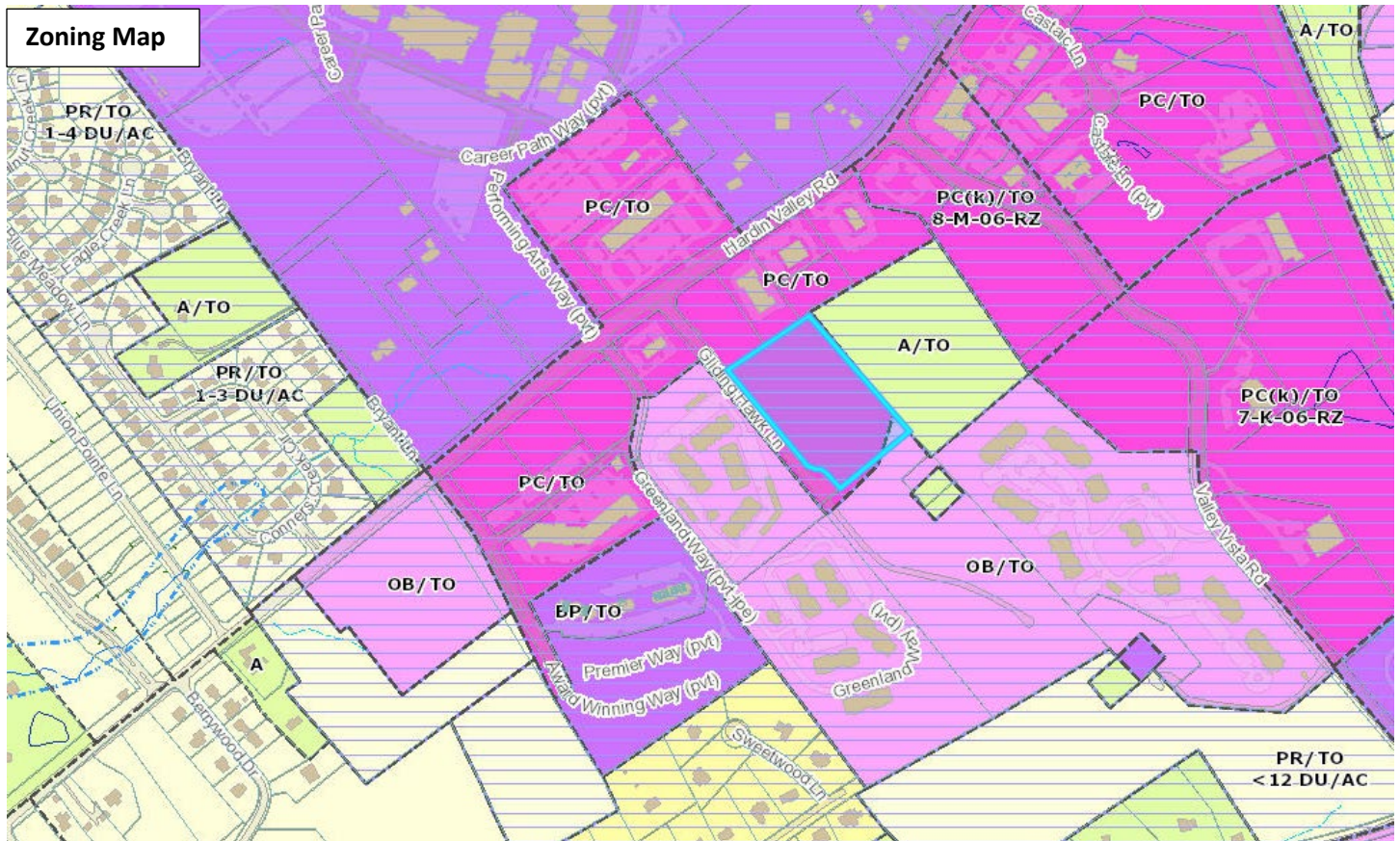
CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>5.14</b>		
Non-Hillside	0.03	N/A	
0-15% Slope	0.69	100%	0.7
15-25% Slope	2.40	50%	1.2
25-40% Slope	1.98	20%	0.4
Greater than 40% Slope	0.05	10%	0.0
Ridgetops			
<b>Hillside Protection (HP) Area</b>	<b>5.11</b>	Recommended disturbance budget within HP Area (acres)	<b>2.3</b>
		Percent of HP Area	<b>0.4</b>

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	0.03	5.00	0.2
0-15% Slope	0.69	5.00	3.5
15-25% Slope	2.40	2.00	4.8
25-40% Slope	1.98	0.50	1.0
Greater than 40% Slope	0.05	0.20	0.0
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	5.11		9.3
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	<b>5.14</b>	<b>1.83</b>	<b>9.4</b>
Proposed Density (Applicant)	n/a	n/a	n/a





# Exhibit A. 5-N-22-RZ Contextual Images





# Exhibit A. 5-N-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

Michael Brinegar

The Cornerstone Group

Applicant Name

Affiliation

3/28/2022

May 12, 2022

Date Filed

Meeting Date (if applicable)

5-N-22-RZ  
(5-B-22-TOR)

File Number(s)

### 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

Michael Brinegar

The Cornerstone Group

Name

Company

2601 S. Bayshore Dr, Suite 725

Coconut Grove

FL

33133

Address

City

State

ZIP

305-443-8288(o)/407-701-0517 (m) [mike.brinegar@cornerstoneGRP.com](mailto:mike.brinegar@cornerstoneGRP.com)

Phone

Email

### CURRENT PROPERTY INFO

Bittle, Harley E. III (103 11503)

10784 Hardin Valley Rd, Knoxville, TN 37932

865-670-7424

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Gliding Hawk Ln

103 11503

Property Address

Parcel ID

West Knox Utility District

West Knox Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

### STAFF USE ONLY

N/S of Carmichael Rd, E/S of Valley Vista Rd, E/S & S/S of Gliding Hawk Ln

~~25.45 (5.14+21.31)~~

5.14 ac

General Location

Tract Size

City  County 6 District

PC/TO

Zoning District

MU-SD, NWCO-5

Existing Land Use

Northwest County

Vacant land

Planned Growth Area

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

Related City Permit Number(s)

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

**SUBDIVISION REQUEST**

Proposed Subdivision Name \_\_\_\_\_

Related Rezoning File Number

Unit / Phase Number  
  Combine Parcels  
  Divide Parcel  
 Total Number of Lots Created

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

**ZONING REQUEST**

Zoning Change  
 OB/TO  
 Proposed Zoning

Pending Plat File Number

Plan Amendment Change  
 Proposed Plan Designation(s)

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
0327	\$1,514.00	\$1,514.00
Fee 2		
Fee 3		

**AUTHORIZATION**

Applicant Signature *MBrinegar*

Michael Brinegar

*3/30/22*

Please Print

Date

Phone Number *407-701-0517*

Email *mike.brinegar@cornerstonegrp.com*

Property Owner Signature *ER*

Harley E. Bittle III

*3/30/22*

Please Print

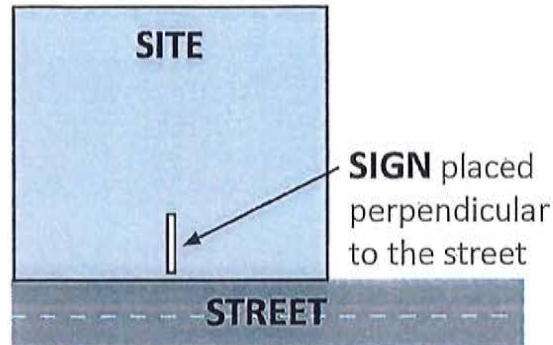
Date

Accepted by: MMP

*3/31/2022 swm*



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:*

April 27, 2022 and May 13, 2022  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Michael Brunigan

Date: 3/28/2022

File Number: 5-N-22-RZ  
(5-B-22-TOR)

Sign posted by Staff

Sign posted by Applicant