

REZONING REPORT

▶ **FILE #:** 11-C-22-RZ

AGENDA ITEM #: 18

AGENDA DATE: 11/10/2022

▶ **APPLICANT:** WG HOLDINGS TN, LLC

OWNER(S): WG Holdings TN, LLC

TAX ID NUMBER: 94 A J 014.01

[View map on KGIS](#)

JURISDICTION: City Council District 3

STREET ADDRESS: 0 TENNESSEE AVE

▶ **LOCATION:** **S of Western Ave, at the intersection of Tennessee Ave and Richmond Ave**

▶ **APPX. SIZE OF TRACT:** 3.32 acres

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Tennessee Ave, a local street with a pavement width of 18-ft within a 35-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

▶ **PRESENT ZONING:** **OP (Office Park), HP (Hillside Protection Overlay)**

▶ **ZONING REQUESTED:** **I-G (General Industrial), HP (Hillside Protection Overlay)**

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

▶
EXTENSION OF ZONE: Yes

HISTORY OF ZONING: 3-J-08-RZ: I-3 to O-2

SURROUNDING LAND USE AND ZONING: North: Wholesale, Commercial - I-G (General Industrial), I-H (Heavy Industrial)

South: Agriculture/forestry/vacant, single family residential - I-G (General Industrial), RN-2 (Single-Family Residential Neighborhood)

East: Single family residential, agriculture/forestry/vacant - RN-2 (Single-Family Residential Neighborhood)

West: Commercial, industrial - OP (Office Park), I-G (General Industrial)

NEIGHBORHOOD CONTEXT: This area is comprised of industrial and commercial properties adjacent to several residential properties.

STAFF RECOMMENDATION:

▶ **Approve I-G (General Industrial) zoning and HP (Hillside Protection Overlay) because it is consistent with the sector plan and changing conditions in the area.**

COMMENTS:

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

ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. In 2019, Western Avenue, a major arterial street curving around the subject property to the northeast, was substantially expanded to accommodate heavier traffic. This capital project made the surrounding area more conducive to the proposed I-G (General Industrial) zoning district by increasing traffic capacity.

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

1. The I-G district permits uses such as manufacturing, fabricating, processing, wholesale distributing and warehousing facilities that do not require frequent visits from customers or clients. The subject property's location next to other industrial and commercial properties with close access to a major arterial street are consistent with the intent of this zoning district.

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 City will require buffers along the property boundaries that abut a residential zone as part of the permitting process for development, which will provide protection to neighboring residences.

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:

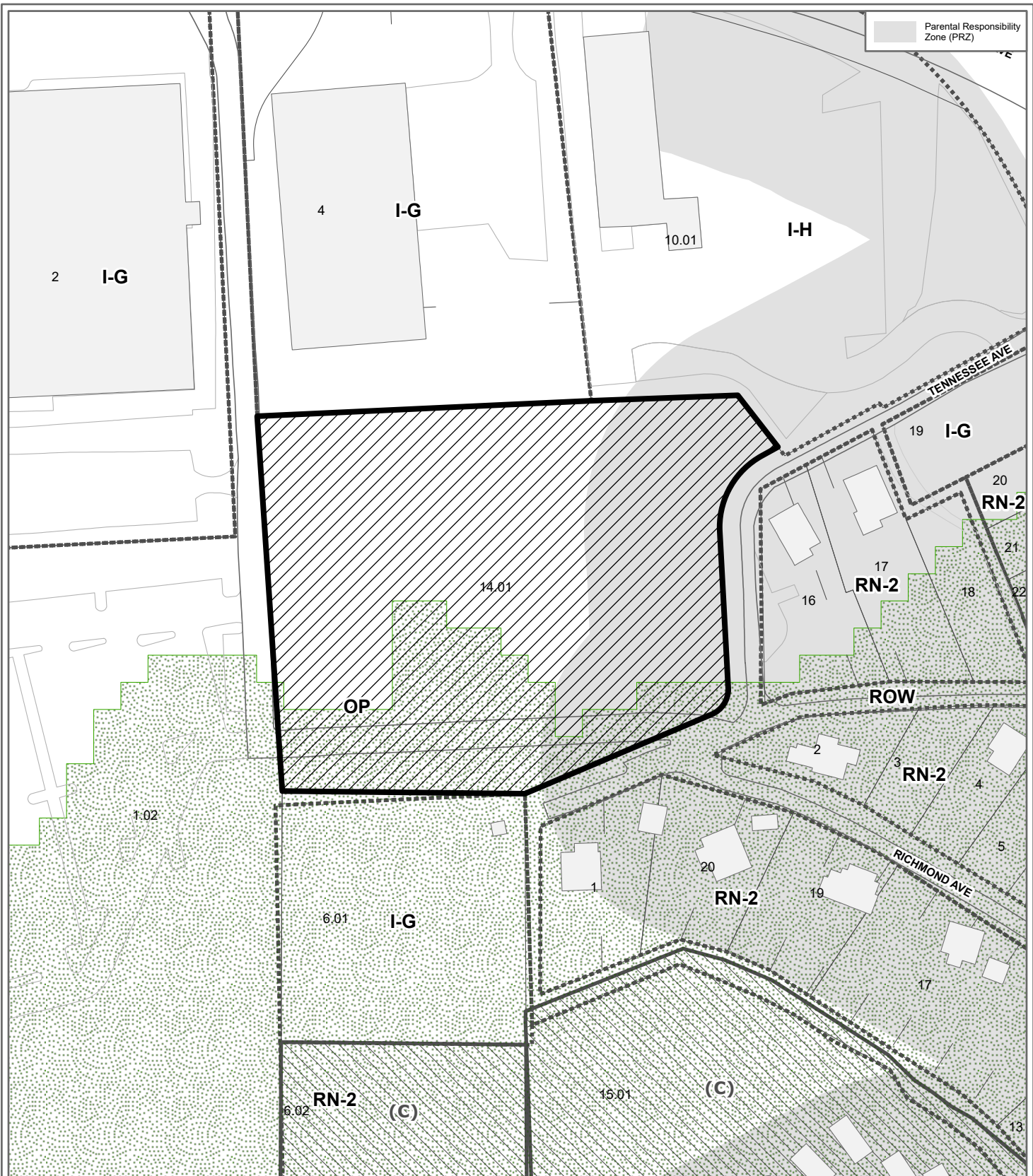
1. The Central City sector plan assigned a LI (Light Industrial) land use designation to the subject property, which lists the I-G district as a recommended zone.

2. The proposed zone is not in conflict with the General Plan, or any 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 12/13/2022 and 1/10/2023. 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.



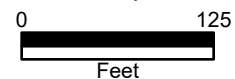
**11-C-22-RZ
REZONING**

From: OP (Office Park), HP (Hillside Protection Overlay)
To: I-G (General Industrial), HP (Hillside Protection Overlay)



Petitioner: WG Holdings TN, LLC

Map No: 94
Jurisdiction: City



Original Print Date: 10/17/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Exhibit B. 11-C-22-RZ Context Images

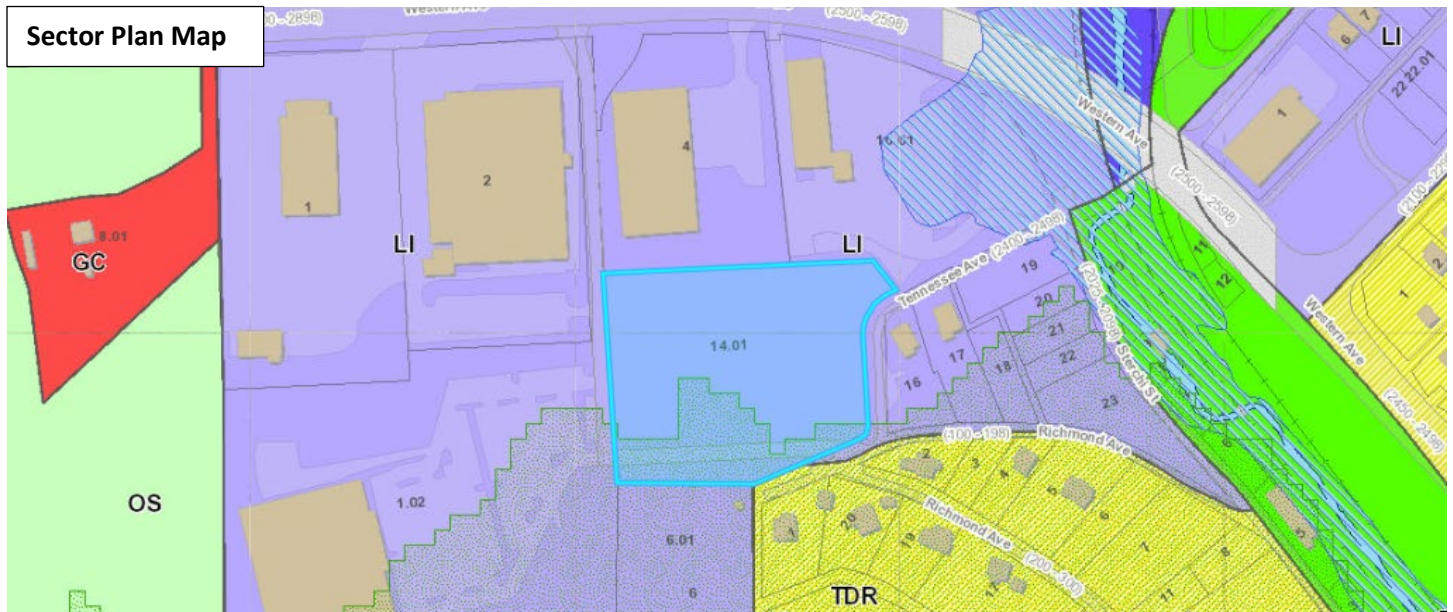
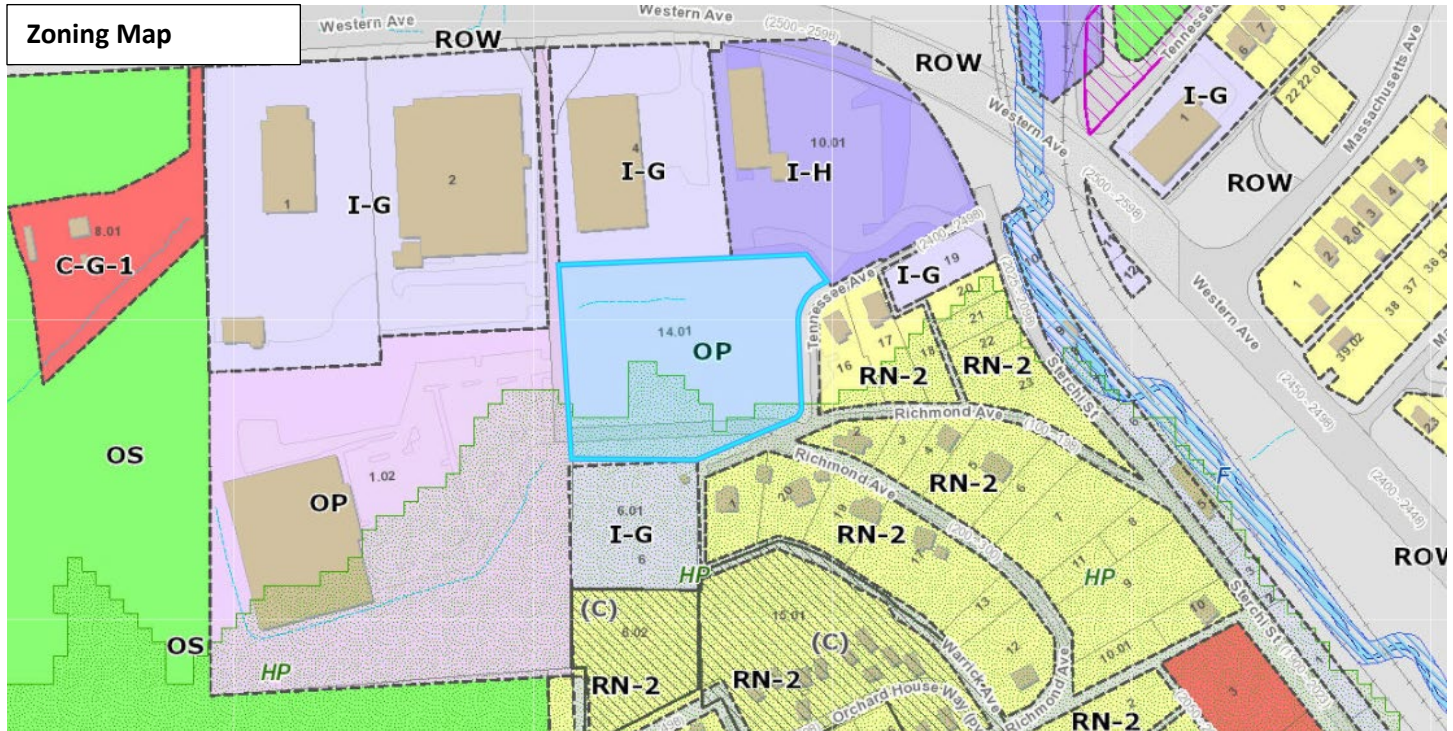


Exhibit B. 11-C-22-RZ Context Images

Existing Land Use Map



Aerial Map





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

WG Holdings TN, LLC

Applicant Name

Affiliation

9/22/2022

Date Filed

11/10/2022

Meeting Date (if applicable)

11-C-22-RZ

File Number(s)

CORRESPONDENCE

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

Benjamin C. Mullins Frantz, McConnell and Seymour, LLP

Name / Company

550 W. Main St. St. Suite 500 Knoxville TN 37922

Address

865-546-9321 / bmullins@fmsllp.com

Phone / Email

CURRENT PROPERTY INFO

Owner Name (if different)

Owner Address

Owner Phone / Email

0 TENNESSEE AVE

Property Address

94 A J 014.01

Parcel ID

Part of Parcel (Y/N)?

3.32 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

S of Western Ave, at the intersection of Tennessee Ave and Richmond Ave

General Location

City

Council District 3

OP (Office Park), HP (Hillside Protection Overlay)

Agriculture/Forestry/Vacant Land

Count

District

Zoning District

Existing Land Use

Central City

Planning Sector

LI (Light Industrial), HP (Hillside Protection)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Planned Development 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

Total Number of Lots Created

Additional Information _____

- Attachments / Additional Requirements

ZONING REQUEST

- Zoning Change **I-G (General Industrial), HP (Hillside Protection Overlay)**
Proposed Zoning

Pending Plat File Number

- Plan
Amendment Proposed Plan Designation(s)

3-J-08-RZ from I-3 to O-2

Proposed Density (units/acre) Previous Zoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

Fee 1

Total

\$1,000.00

ATTACHMENTS

- Property Owners / Option Holders Variance Request

Fee 2

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 3

AUTHORIZATION

WG Holdings TN, LLC

9/22/2022

Applicant Signature

Please Print

Date

Phone / Email

9/22/2022

Property Owner Signature

Please Print

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.



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

WG Holdings TN LLC

Owner

Applicant Name

Affiliation

September 22, 2022

November 10, 2022

File Number(s)

Date Filed

Meeting Date (if applicable)

11-C-22-RZ

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

Benjamin C. Mullins obo WG Holdings TN LLC

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street, Suite 500

Knoxville

TN

37922

Address

City

State

ZIP

865-546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

484 Norton Creek RD Gatlinburg TN

865-436-5477

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Tennessee Ave.

094AJ01401

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

West of Tennessee Ave. and Richmond Ave.

~3.38

General Location

Tract Size

3

OP/HP

Vacant

City County

District

Zoning District

Existing Land Use

Central City

LI (Light Industrial)/HP

NA (In City)

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Combine Parcels
 Divide Parcel

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Zoning Change

I-G (General Industrial) / HP

Pending Plat File Number

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

3-J-08-RZ from I-3 to O-2

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
0803 \$1,000.00	
Fee 2	
Fee 3	\$1,000.00

AUTHORIZATION

Mullins 9/22/22



Applicant Signature

WG Holdings TN LLC

9-22-22

Please Print

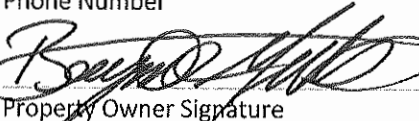
Date

865-546-9321

bmullins@fmsllp.com

Phone Number

Email



Property Owner Signature

WG Holdings TN LLC

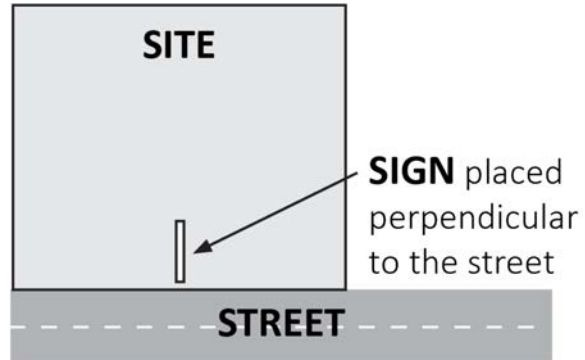
9-22-22

Please Print

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:

_____ 10/28/2022 _____ and _____ 11/11/2022 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: WG Holdings TN, LLC

Date: 9/22/22

File Number: 11-C-22-RZ

- Sign posted by Staff
 Sign posted by Applicant