

REZONING REPORT

▶ **FILE #:** 12-H-23-RZ

AGENDA ITEM #: 28

AGENDA DATE: 12/14/2023

▶ **APPLICANT:** TONIA BURRESS

OWNER(S): Tonia Burress

TAX ID NUMBER: 118 165, 168

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 10105 DUTCHTOWN RD (1009 MABRY HOOD RD)

▶ **LOCATION:** West of Mabry Hood Rd., north side of Dutchtown Rd.

▶ **APPX. SIZE OF TRACT:** 2.203 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Dutchtown Road, a minor arterial street with a 61-ft pavement width within a 126-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Turkey Creek

▶ **PRESENT ZONING:** BP (Business and Technology Park), TO (Technology Overlay)

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

▶ **EXISTING LAND USE:** Single Family Residential

▶ **EXTENSION OF ZONE:** No, this is not an extension of the OB zone.

HISTORY OF ZONING: The Technology Overlay was added in 1983 (12-CC-83-RZ).

SURROUNDING LAND USE AND ZONING: North: Single family residential - PR/TO (Planned Residential) up to 5 du/ac / (Technology Overlay) in the County

South: Agriculture/forestry/vacant - OP/TO-1 (Office Park) / (Technology Park Overlay) in the City

East: Single family residential, agriculture/forestry/vacant - BP/TO (Business and Technology Park) / (Technology Overlay) in the County

West: Rural residential, agriculture/forestry/vacant - BP/TO (Business and Technology Park) / (Technology Overlay) in the County

NEIGHBORHOOD CONTEXT: This area largely consists of single family subdivisions to the north and east. The parcels along Dutchtown Road to the west at the interchange of Pellissippi Parkway are mostly undeveloped. There is an office development to the south, though most of Mabry Hood Road to the south remains undeveloped.

STAFF RECOMMENDATION:

▶ **Approve the OB (Office, Medical, and Related Services) zone because it is consistent with the sector**

plan and surrounding development.

COMMENTS:

The request is to rezone two abutting properties (10105 Dutchtown Rd and 1009 Mabry Hood Rd) comprising 2.203 acres from BP (Business and Technology Park) to OB (Office, Medical, and Related Services).

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, ARTICLE 6.1.3: 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 COUNTY GENERALLY:

1. This area has seen a transition from commercial and industrial uses to office uses over the past 20 years. In 2002, the nearby properties at 10123 and 10119 Dutchtown Rd were rezoned from BP/TO to OB/TO. When the city implemented the new city-wide zoning code on January 1, 2020, the properties across the street on Dutchtown Road were redesignated from C-6/TO-1 (General Commercial Park) / (Technology Park Overlay) to OP/TO-1 (Office Park) / (Technology Park Overlay).

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

- 1. The OB (Office, Medical, and Related Services) 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. The intent is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.
- 2. This zone allows the same residential uses that are permitted in the RB zone, which includes houses, duplexes, multi-dwelling structures or developments and some nonresidential uses.
- 3. Properties in the TO zone also require TTCDA approval of rezoning requests. This request will be heard at the December 11, 2023 TTCDA meeting (Case 12-B-23-TOR).
- 4. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. Dutchtown Road and Mabry Hood Road are classified roads, so no traffic through residential streets is required to access the site. Dutchtown Road was widened from a 2-lane road to a 4-lane road with a turn lane and sidewalks in 2007.

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 OB zone is consistent with the Mixed-Use Special District NWCO-3, which recommends office and technology park uses in this area.
- 2. This property is in the Technology Overlay. All developments other than single family residences and duplexes require TTCDA (Tennessee Technology Corridor Development Authority) approval of site plans.
- 3. This property has single family residences abutting to the north. Office and medium density residential development are appropriate at this location and are consistent with General Plan policy 11.4, which calls for the creation of gradual zoning transition patterns by placing medium intensity zones and uses such as offices, condominiums, and community buildings in between single-family residential areas and higher intensity uses.

ESTIMATED TRAFFIC IMPACT: 214 (average daily vehicle trips)

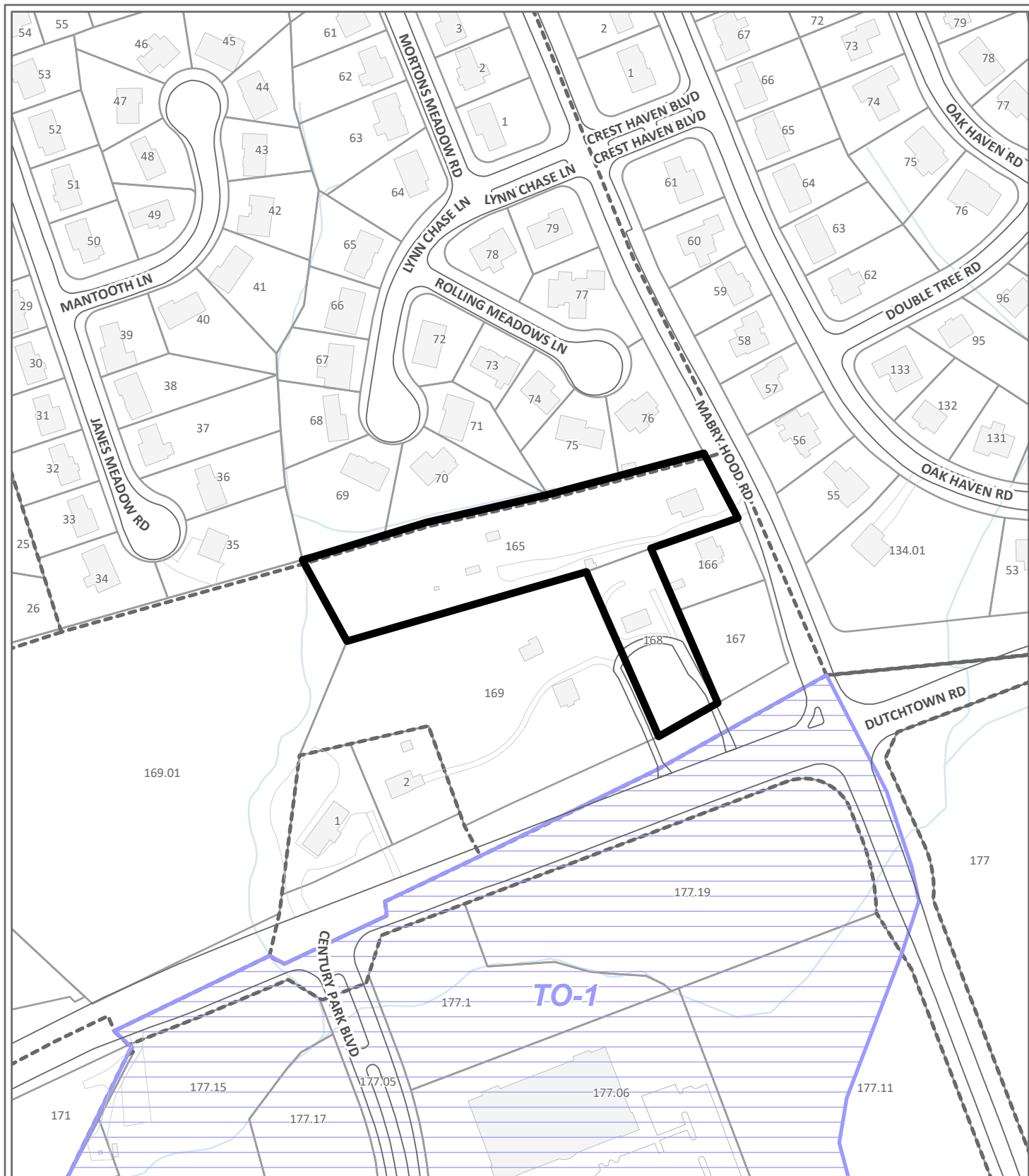
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 2 (public school children, grades K-12)

Schools affected by this proposal: Cedar Bluff Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 1/22/2024. 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.



REZONING

12-H-23-RZ

Petitioner: Tonia Burress



From: BP (Business and Technology Park), TO (Technology Overlay)

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

Map No: 118

Jurisdiction: County

Original Print Date: 11/6/2023

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

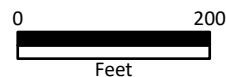
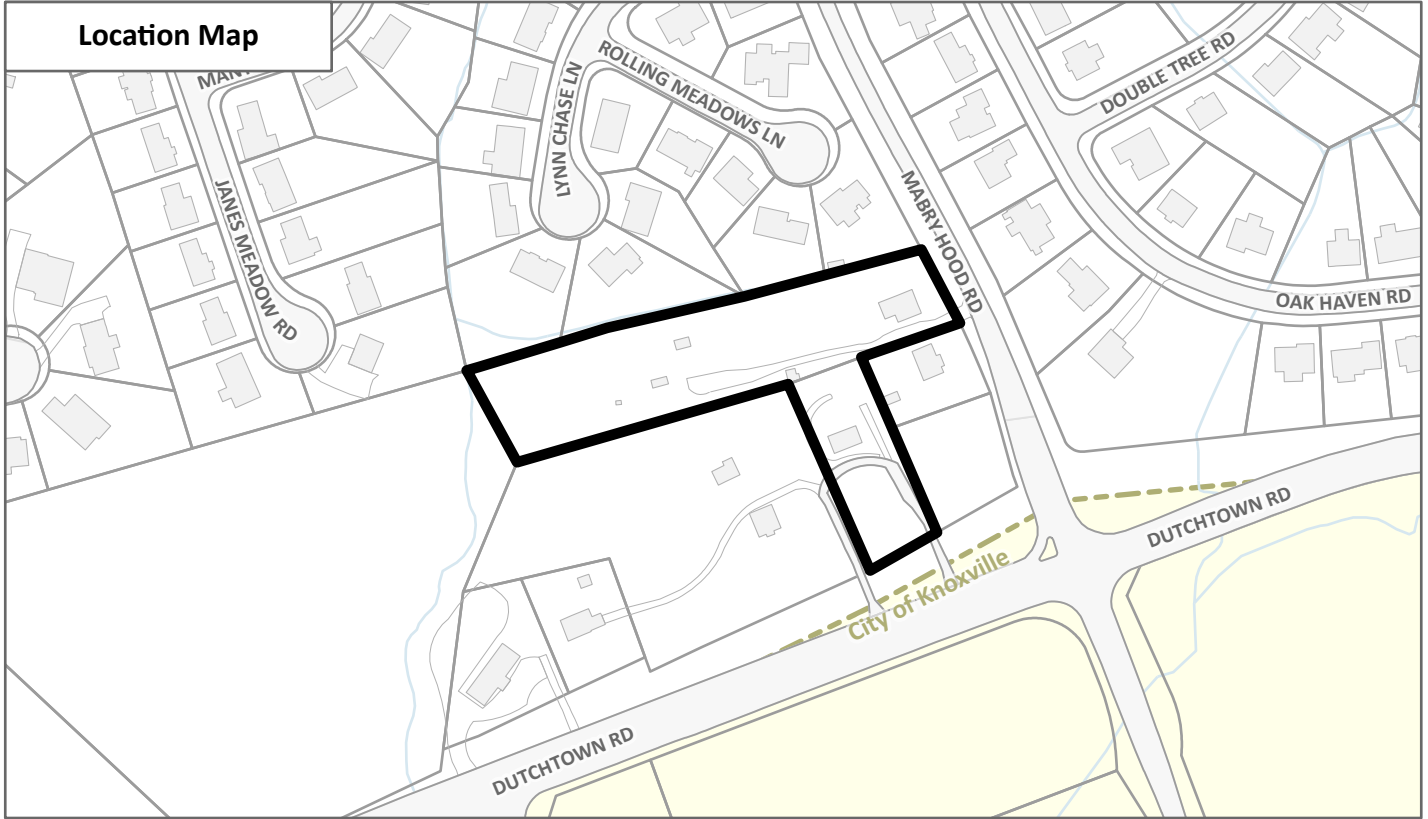


Exhibit A. Contextual Images

Location Map



Aerial Map

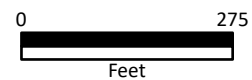


CONTEXTUAL MAPS 1

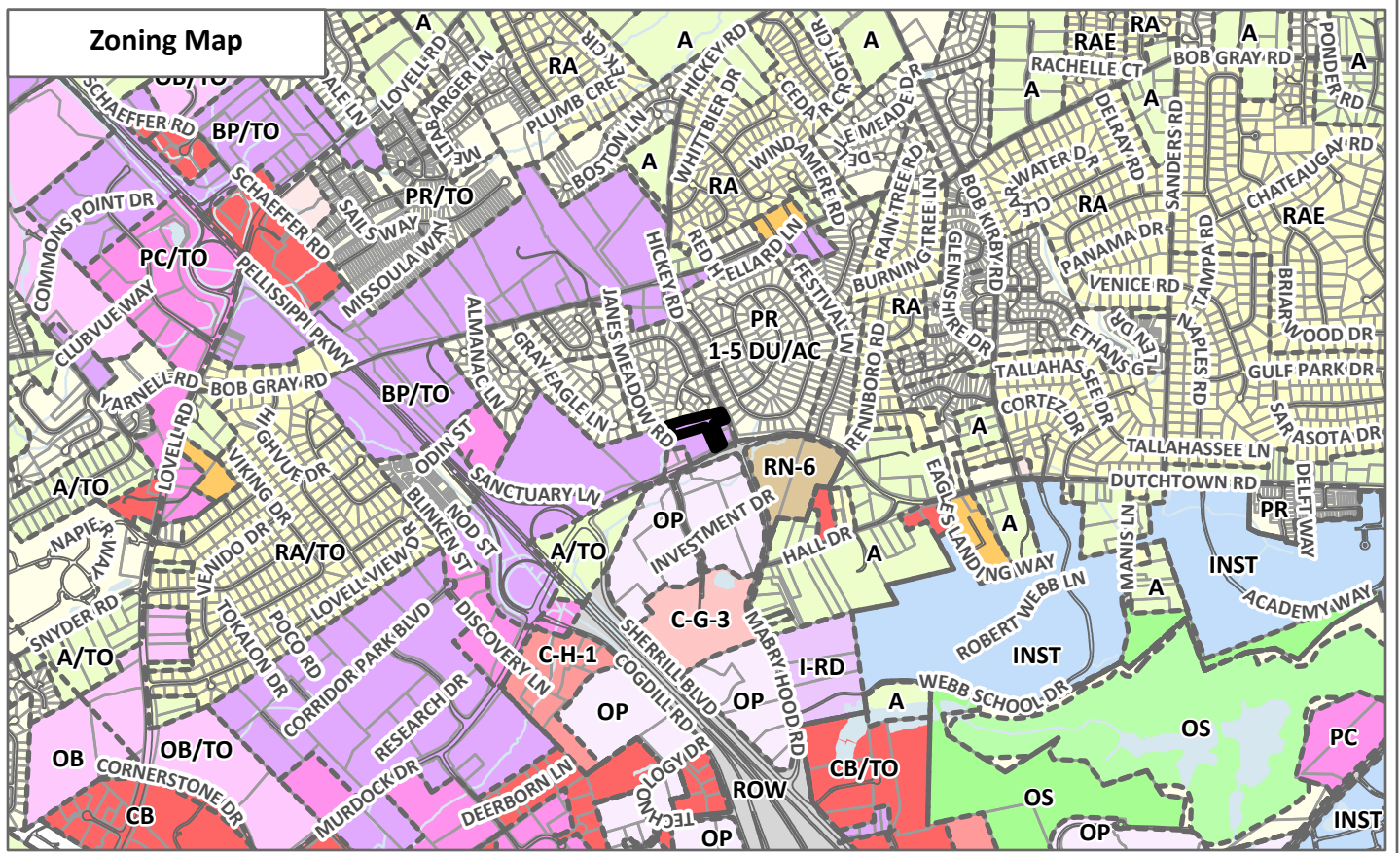
12-H-23-RZ



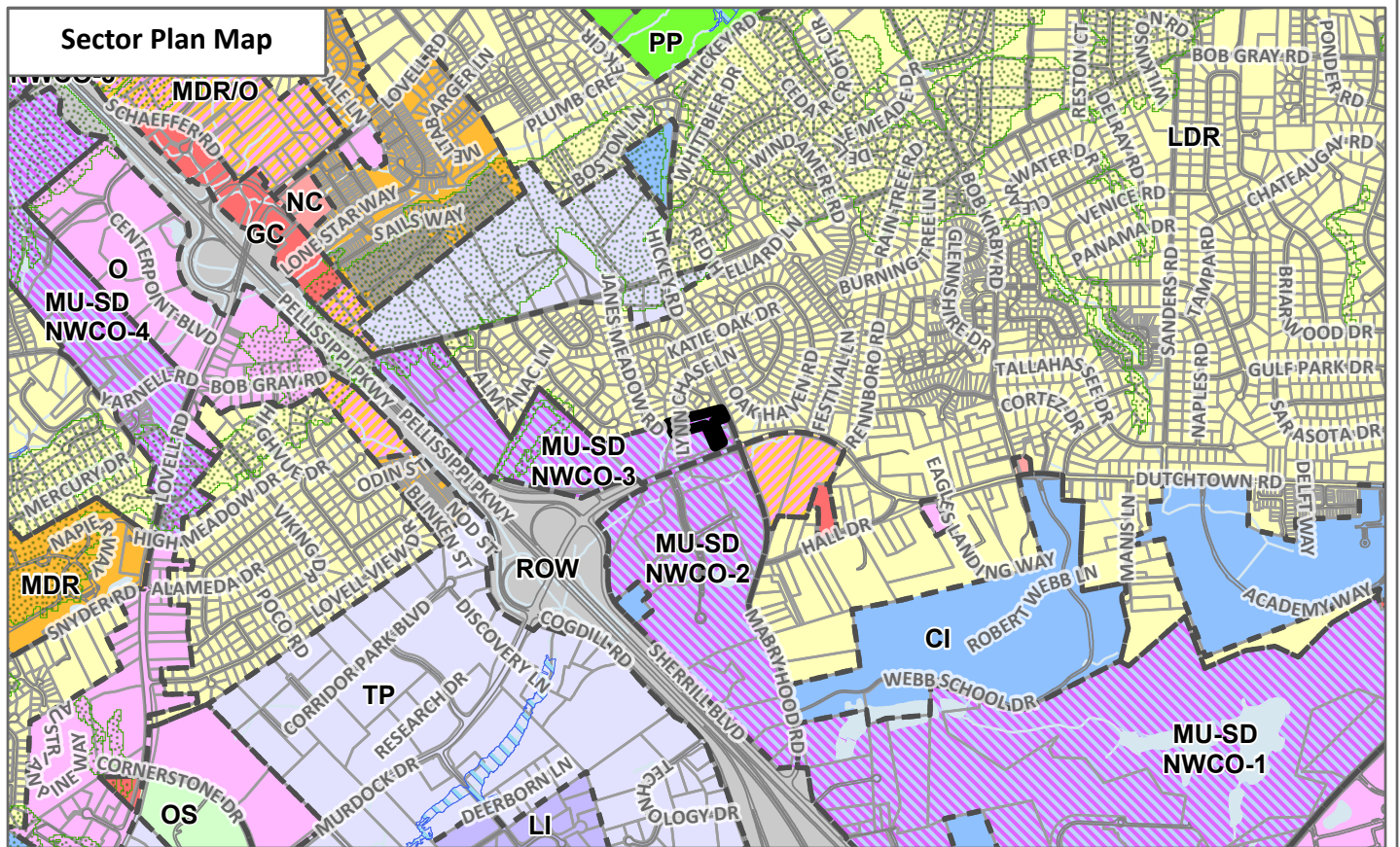
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

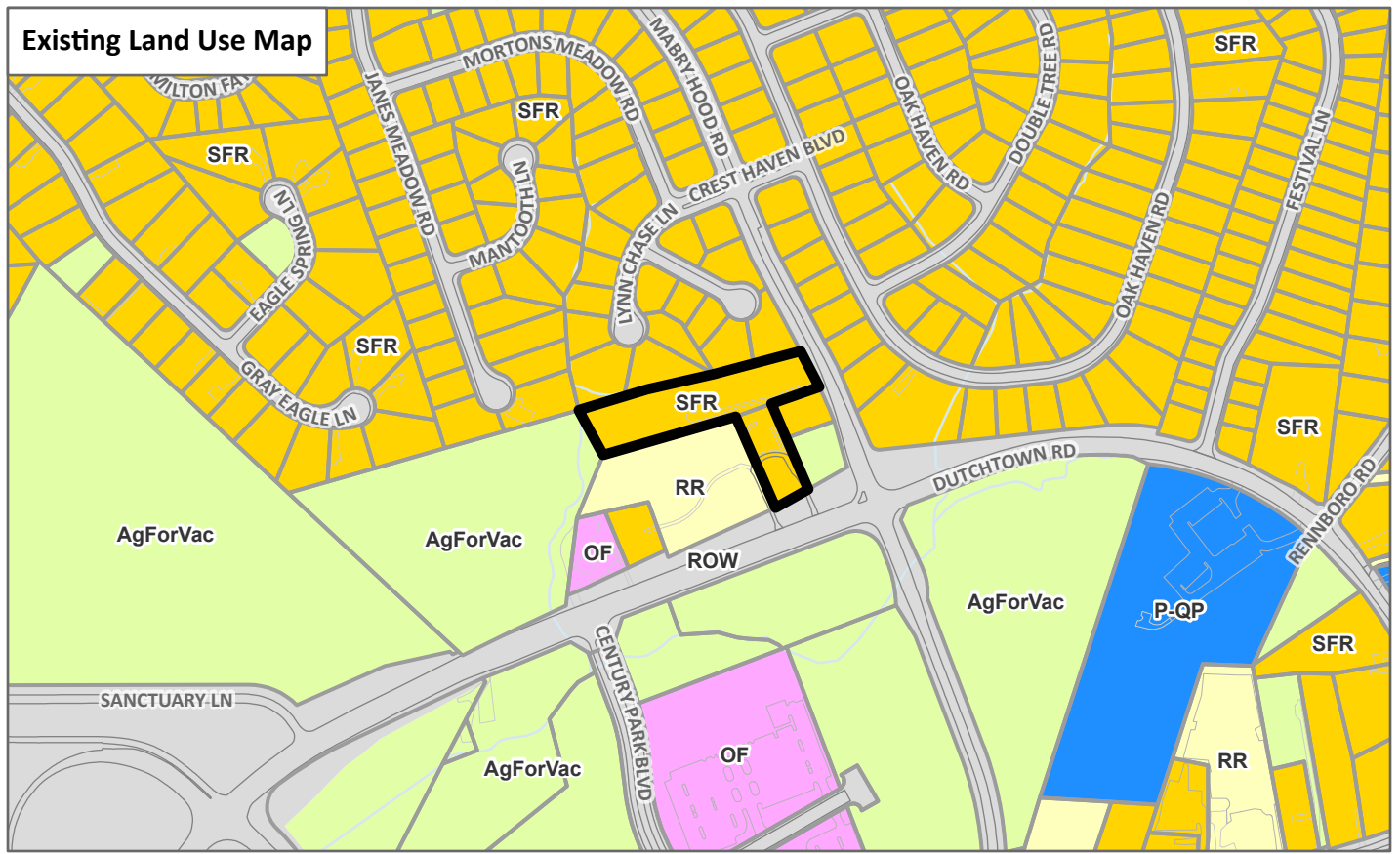
12-H-23-RZ



Case boundary



Existing Land Use Map

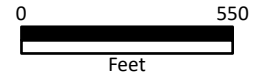


CONTEXTUAL MAPS 3

12-H-23-RZ



Case boundary





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

Tonia Burress

Applicant Name

Affiliation

10/31/2023

Date Filed

12/14/2023

Meeting Date (if applicable)

12-H-23-RZ

File Number(s)

CORRESPONDENCE

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

Tonia Burress

Name / Company

10105 Dutchtown Rd Knoxville TN 37932

Address

/ toniaburress@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Tonia Burress

Owner Name (if different)

10105 Dutchtown Rd Knoxville TN 37932

Owner Address

/ toniaburress@gmail.com

Owner Phone / Email

10105 DUTCHTOWN RD / 1009 MABRY HOOD RD

Property Address

118 165, 168

Parcel ID

2.203 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southwest of Mabry Hood Rd., North side of Dutchtown Rd.

General Location

City

Commission District 3

BP (Business and Technology Park), TO (Technology Overlay)

Single Family Residential

County

District

Zoning District

Existing Land Use

Northwest County

Planning Sector

MU-SD (Mixed Use Special District)

Sector Plan Land Use Classification

Planned Growth Area

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	
Additional Information	Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change OB (Office, Medical, and Related Services), TO (Technology Overlay)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	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
\$650.00	
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Tonia Burress Please Print	10/31/2023 Date
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Phone / Email

Property Owner Signature	Tonia Burress Please Print	10/31/2023 Date
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(1) Download and fill out this form at your convenience.
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



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

Tonia Burress

OWNER

Applicant Name

Affiliation

10/27/2023

File Number(s)

Date Filed

Meeting Date (if applicable)

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

TONIA BURRESS

Name

Company

10105 DUTCHTOWN ROAD

KNOXVILLE

TN

37932

Address

City

State

ZIP

865-804-2114

TONIABURRESS@GMAIL.COM

Phone

Email

CURRENT PROPERTY INFO

TONIA BURRESS

406 LOOKOUT DRIVE COLUMBIA TN : 865-804-2114

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

10105 DUTCHTOWN ROAD

~~118 165 168.00~~ 118 165 & 118 168

Property Address

Parcel ID

KUB

KUB

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

2.203 acres

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

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 **OB**
Proposed Zoning

Plan Amendment Change Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Rezoning Requests

Other (specify) _____

Pending Plat File Number
10-FF-23

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
0801	\$650.00	
Fee 2		\$650.00
Fee 3		

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

1) He/she/it is the owner of the property **AND 2)** The application and all associated materials are being submitted with his/her/its consent



Applicant Signature

Tonia Burress

Please Print

10/27/2023

Date

865-804-2114

Phone Number

TONIABURRESS@GMAIL.COM

Email



TONIA BURRESS

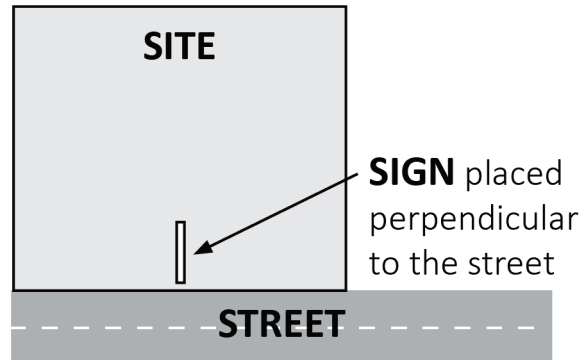
Please Print

10/27/2023

Date Paid

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:

_____ December 1, 2023 _____ and _____ December 15, 2023 _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Tonia Burress

Date: 10/31/2023

File Number: 12-H-23-RZ



Sign posted by Staff



Sign posted by Applicant