



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 2-D-23-RZ

AGENDA ITEM #: 18

2-B-23-SP

AGENDA DATE: 2/9/2023

► **APPLICANT:** ABIT USA, INC.

OWNER(S): Phillip & Karen Vanden

TAX ID NUMBER: 74 109 PART OF 110

[View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 9700 THORN GROVE PIKE (9710 THORN GROVE PIKE)

► **LOCATION:** South side of Thorn Grove Pk, southeast side of Rosebud Ln

► **TRACT INFORMATION:** 7.1 acres.

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Thorn Grove Pike, a minor arterial with a 22-ft pavement width within a 88-ft right-of-way. Access is also via Rosebud Lane a local road with 10-ft pavement width within a 25-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tuckahoe Creek

► **PRESENT PLAN DESIGNATION/ZONING:** GC (General Commercial), HP (Hillside Protection) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** BP-1 (Business Park Type 1) / EC (Employment Center)

► **EXISTING LAND USE:** Single family residential, rural residential

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Single family residential, agricultural/forestry/vacant, public/quasi public land - EC (Employment Center), A (Agricultural)

South: Agricultural/forestry/vacant - C-H-2 (Highway Commercial)

East: Agricultural/forestry/vacant, rural residential - C-H-2 (Highway Commercial), A (Agricultural), CA (General Business)

West: Single family residential, Rural residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is adjacent to the 345-acre Midway Business Park and abuts single family homes.

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to BP (Business Park) Type 1 and HP (Hillside Protection) because it is a minor extension at an existing business park.**

- ▶ **Approve the EC (Employment Center) zone because it is a minor extension of an existing business park and is consistent with the sector plan.**

COMMENTS:

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. Since a 2015 plan amendment/rezoning, the property on Midway Road at the I-40 interchange has allowed for the development of the Midway Business Park.

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

1. TVA has constructed an electric power switching station near the middle of the planned business park. Adjacent to TVA's switching yard, KUB constructed its East Knox Substation.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is no error or omission in the plan.

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

1. As noted, the Midway Business Park is adjacent to this property. This property is along Thorn Grove Pike, which is minor arterial.

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 COUNTY GENERALLY:

1. The requested EC (Employment Center) zoning is a minor extension of EC from the north side of property.

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

1. This zoning district is intended to encourage development of business parks and other employment centers that will contribute to the future economic well being of the county; to provide standards and procedures that will minimize any conflicts or adverse impacts of these developments with other properties, public roads or facilities; to provide a zoning district for use in areas meeting the locational standards for industrial parks and technology based development contained in the Knoxville-Knox County General Plan; and to provide a zoning district for business and technology park development that requires site plan review and complies with the requirements of the Farragut-Knoxville-Knox County Growth Policy Plan.
2. 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 COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. EC (Employment Center) is the most appropriate zoning district for development as it requires public review of a development plan prior to any construction. Development standards include landscaping and buffering.

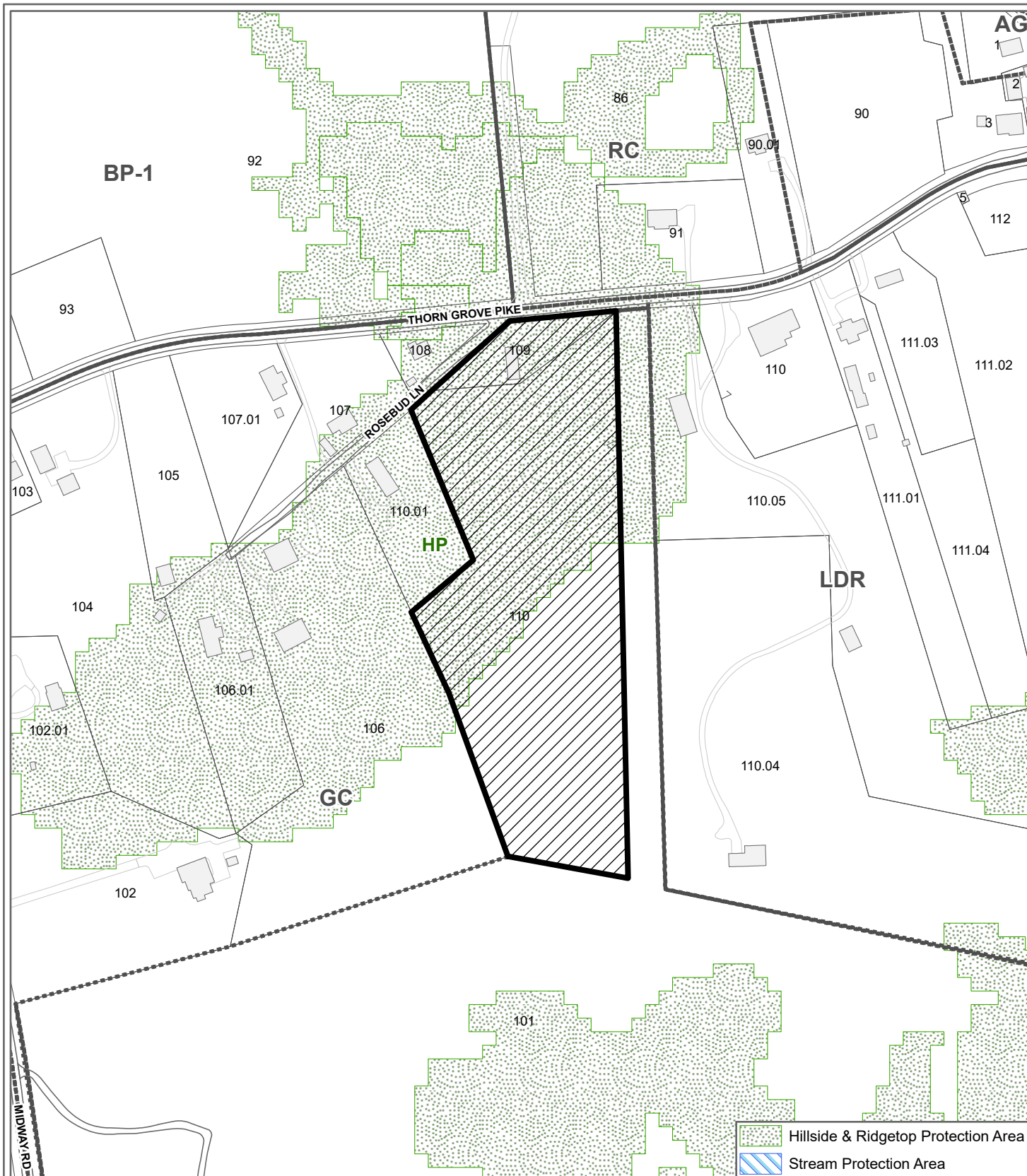
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The recommended amendment for the East County Sector Plan to EC (Employment Center) makes the proposed rezoning consistent with the land use plan and all other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

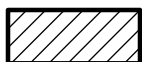
If approved, this item will be forwarded to Knox County Commission for action on 3/27/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**2-B-23-SP / 2-D-23-RZ
EAST COUNTY SECTOR PLAN AMENDMENT**

From: GC (General Commercial), HP (Hillside Protection)

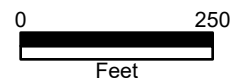
To: BP-1 (Business Park Type 1)



Petitioner: ABIT USA, Inc.

Map No: 74

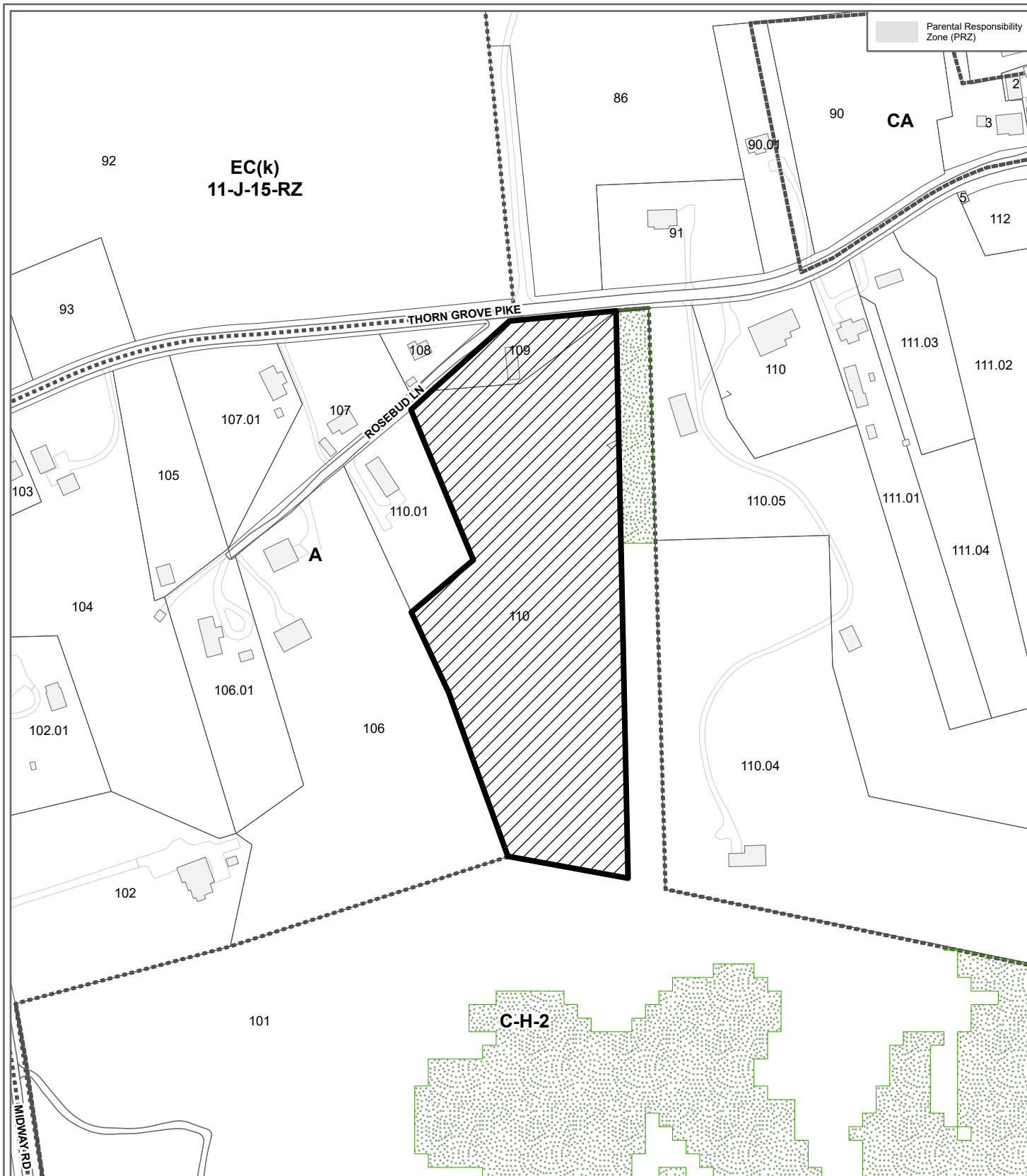
Jurisdiction: County



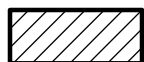
Original Print Date: 1/18/2023

Revised:

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



2-D-23-RZ REZONING



From: A (Agricultural)

To: EC (Employment Center)

Original Print Date: 1/18/2023 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: ABIT USA, Inc.

Map No: 74

Jurisdiction: County

0 250
Feet



*KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE EAST COUNTY SECTOR PLAN*

WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the East County Sector Plan consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Chad B. Tindell has submitted an application for an amendment to the East County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from General Commercial to Business Park Type 1 is consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing February 9, 2023 after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the East County Sector Plan with its accompanying staff report and map, file #2-B-23-SP

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

Exhibit B. 2-B-23-SP_2-D-23-RZ Contextual Images

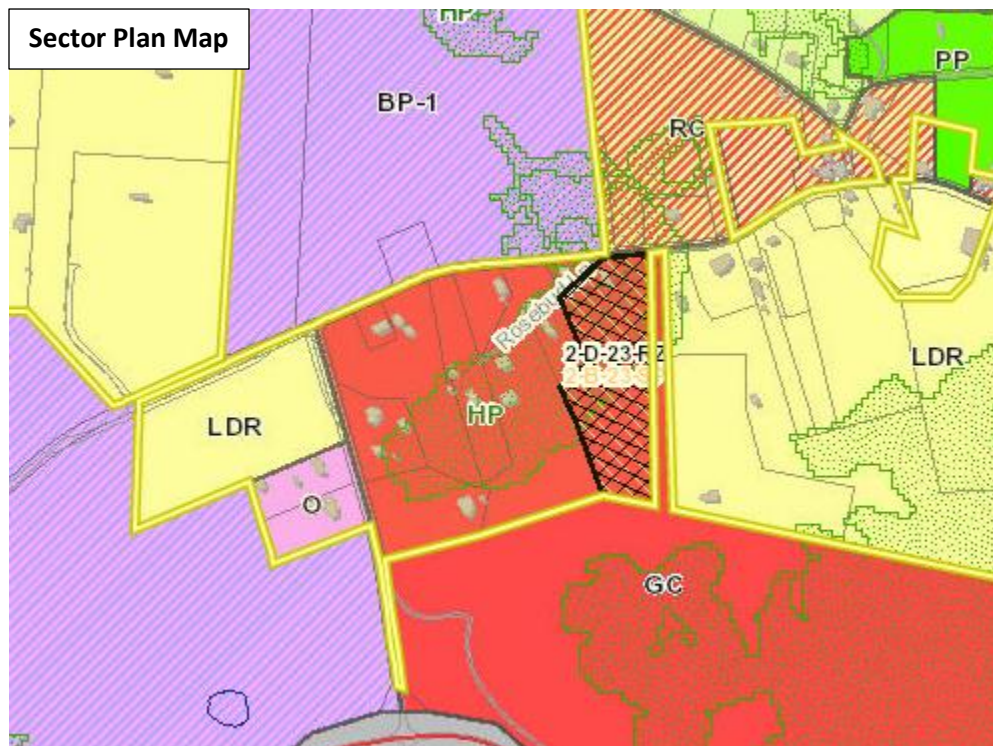
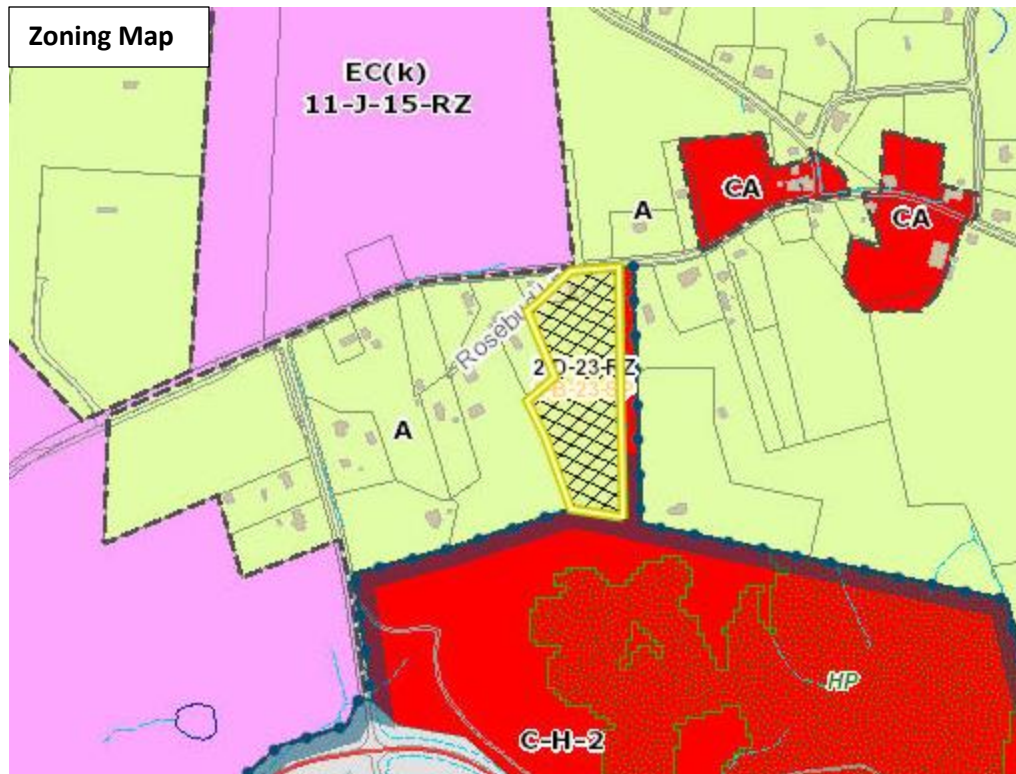
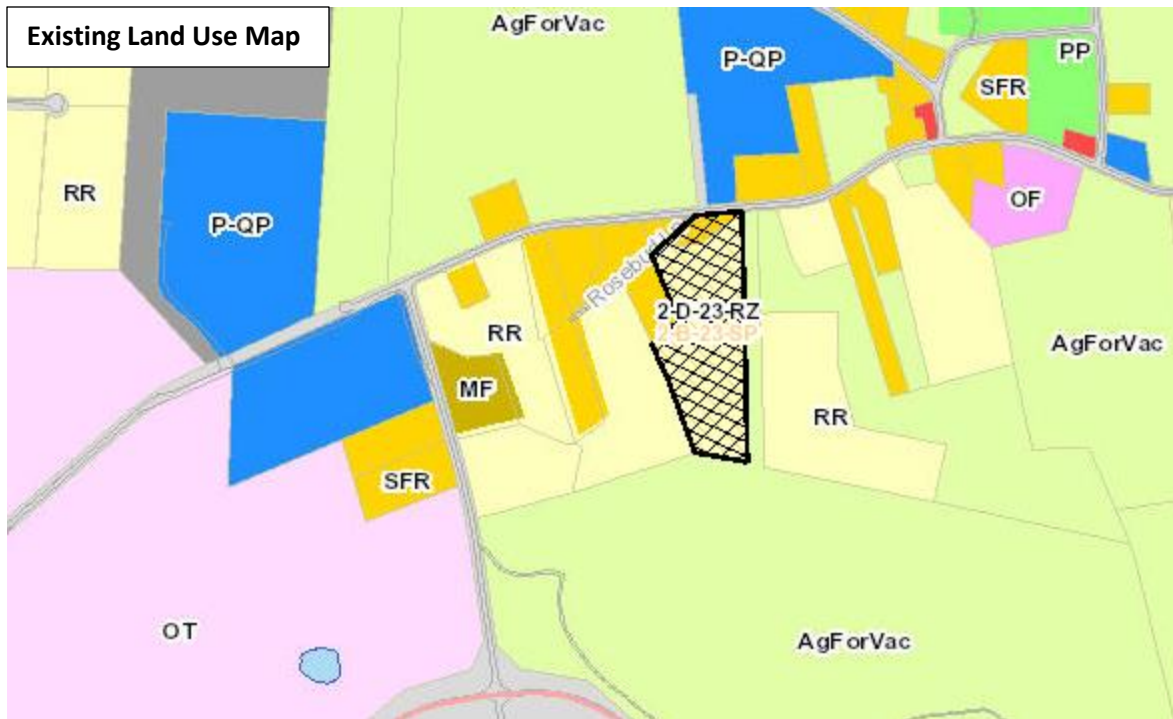


Exhibit B. 2-B-23-SP_2-D-23-RZ Contextual Images





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ Sector Plan
☐ One Year Plan
☒ Rezoning

ABIT USA, Inc.

Applicant Name

Affiliation

12/28/2022

Date Filed

2/9/2023

Meeting Date (if applicable)

2-B-23-SP / 2-D-23-RZ

File Number(s)

CORRESPONDENCE

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

Chad Tindell Lacy, Price & Wagner, P.C.

Name / Company

249 N Peters Rd Ste 101 Knoxville TN 37923

Address

865-246-0800 / ctindell@lpwpc.com

Phone / Email

CURRENT PROPERTY INFO

Phillip & Karen Vanden

Owner Name (if different)

9712 Thorn Grove Pike Strawberry Plns Strawberry

Owner Address

865-310-8109

Owner Phone / Email

9700 THORN GROVE PIKE / 9710 THORN GROVE PIKE

Property Address

74 109,part of 110. ()

Parcel ID

7.1 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Thorn Grove Pike, southeast side of Rosebud Ln

General Location

☐ City

Commission District 8

A (Agricultural)

Single Family Residential, Rural Residential

☒ Count

District

Zoning District

Existing Land Use

East County

Planning Sector

GC (General Commercial), HP (Hillside Protection)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☐ 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

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☒ Zoning Change **EC (Employment Center)**

Proposed Zoning

Pending Plat File Number

- ☒ Plan **BP-1 (Business Park Type 1)**

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

\$2,560.00

Total

Fee 2

Fee 3

AUTHORIZATION

ABIT USA, Inc.

12/28/2022

Applicant Signature

Please Print

Date

Phone / Email

Phillip & Karen Vanden

12/28/2022

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

ABIT USA, Inc., by Chad B. Tindell, Attorney

Buyer/Option Holder (contra

Applicant Name

Affiliation

12/27/2022

02/09/2023

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

Chad B. Tindell, Attorney for Buyer/Option Holder

Lacy, Price & Wagner, P.C.

Name

Company

249 N. Peters Rd., Suite 101

Knoxville

TN

37923

Address

City

State

ZIP

865-246-0800

ctindell@lpwpc.com

Phone

Email

CURRENT PROPERTY INFO

Phillip and Karen Vanden

9712 Thorn Grove Pike, Strawberry Plains, TN 865-310-8109

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

9700 and 9710 Thorn Grove Pike, Strawberry Plains, TN 37871

074 109 and 074 110 (part of)

Property Address

Parcel ID

KUB

Y

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Thorn Grove Pike, southeast side of Rosebud Ln

7.1 acres

General Location

Tract Size

☐ City ☒ County

8th

A (Agricultural)

Single family residential, Rural residential

District

Zoning District

Existing Land Use

East County

GC & HP

Planned Growth

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

EC

Proposed Zoning

☒ Plan Amendment Change

BP-1

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
804	\$1,710	
Fee 2		
604	\$850	
Fee 3		
		\$2,560

AUTHORIZATION

Applicant Signature

ABIT USA, Inc., by Chad B. Tindell, Attorney 12/27/2022

Please Print

Date

865-246-0800

ctindell@lpwpc.com

Phone Number

Email

Property Owner Signature

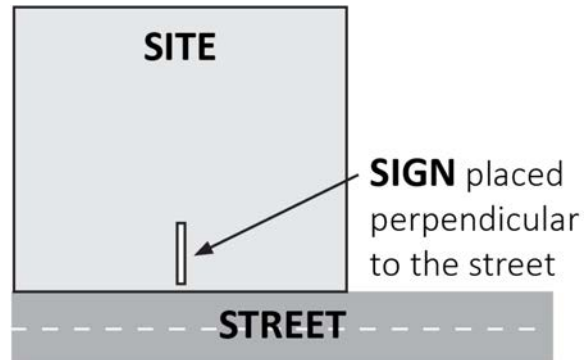
See signed purchase/option contract attacl 12/27/2022

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:

_____ 1/27/2023 _____ and _____ 2/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: ABIT USA, Inc

Date: 12/28/22

File Number: 2-D-23-RZ_2-B-23-SP_



Sign posted by Staff



Sign posted by Applicant