

### REZONING REPORT

► FILE #: 1-V-23-RZ AGENDA ITEM #: 29

AGENDA DATE: 1/12/2023

► APPLICANT: TAYLOR FORRESTER

OWNER(S): Jonathan Lyons 360 Surveying and Mapping

TAX ID NUMBER: 74 104 View map on KGIS

JURISDICTION: County Commission District 8
STREET ADDRESS: 9510 THORN GROVE PIKE

LOCATION: South of Thorn Grove Pike, East of Midway Rd

► APPX. SIZE OF TRACT: 5.37 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Thorn Grove Pike, a minor arterical with a 35-ft pavement

width within a 88-ft right-of-way. Access is also via Midway Rd, a minor

arterial with a 20-ft pavement width within a 70-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Tuckahoe Creek

PRESENT ZONING: A (Agricultural)

► ZONING REQUESTED: CA (General Business)

EXISTING LAND USE: Multifamily Residential, Rural Residential

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**EXTENSION OF ZONE:** 

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING:

North: Right-of-way, Agricultural/Forestry/Vacant - EC (Employment

Center)

South: Agricultural/Forestry/Vacant - A (Agricultural), C-H-2 (Highway

Commercial)

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

West: Single family residential, Multi family residential, Right-of-way - A

(Agricultural), EC (Employment Center)

NEIGHBORHOOD CONTEXT: This property is adjcaent to 345 acre Midway Business Park and abuts mutli

family and single family homes.

### **STAFF RECOMMENDATION:**

Approve the CA (General Business) zone because it is consistent with the sector plan, subject to 1 condition.

1. Provide the Type B landscape screening or a 12-ft wide undisturbed buffer along the property boundaries that are abutting residential properties.

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#### **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 COUNTY GENERALLY: A. The East County Sector Plan designates this property for GC (General Commercial) uses. The CA (General Business) zone is permissible in the GC (General Commercial) land use classification.

B. This property is across the street from the 345-acre Midway Business Park an area which is expected to be developed into commercial uses.

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

- 1. This zone is for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.
- 2. Rezonings 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. The area consists of single family, multi-family residential, and agricultural land uses. If approved as recommended by staff, a Type B landscape screen or a 12-ft wide undisturbed buffer will be required along the property boundaries that are abutting residential properties. This will help mitigate potential adverse impacts on these properties. Screening along the frontages of Thorn Grove Pike and Midway Rd is not required.

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. This rezoning is not 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 Knox County Commission for action on 2/21/2023. 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.

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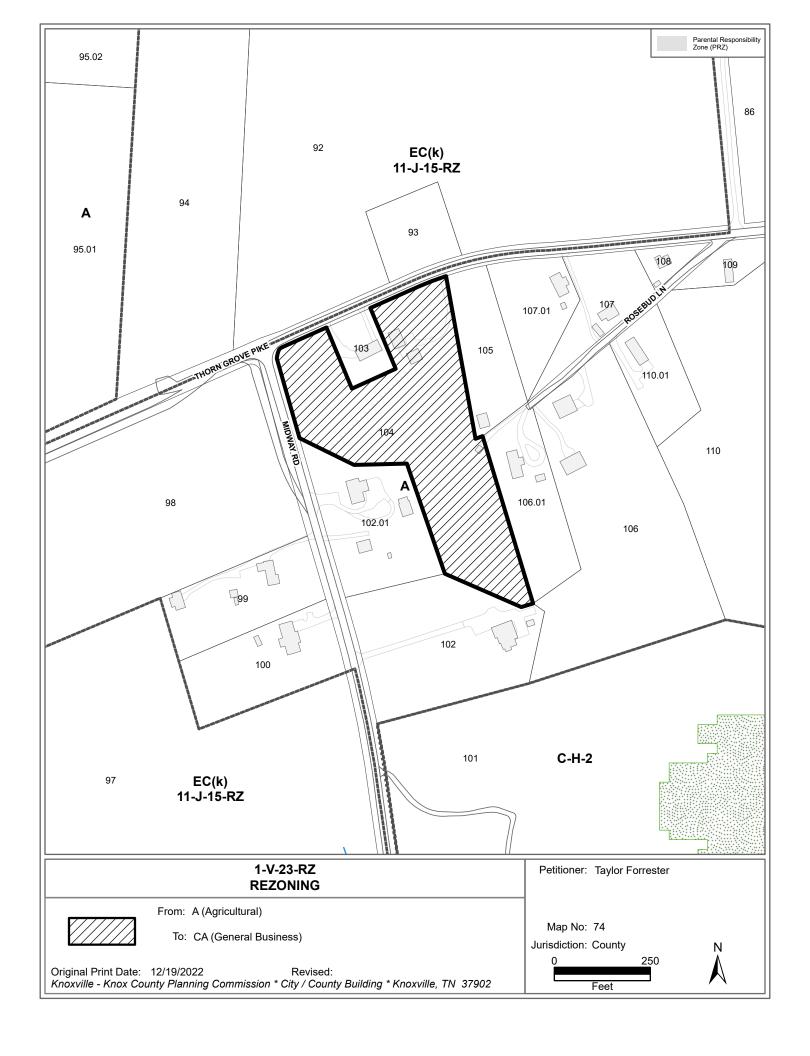
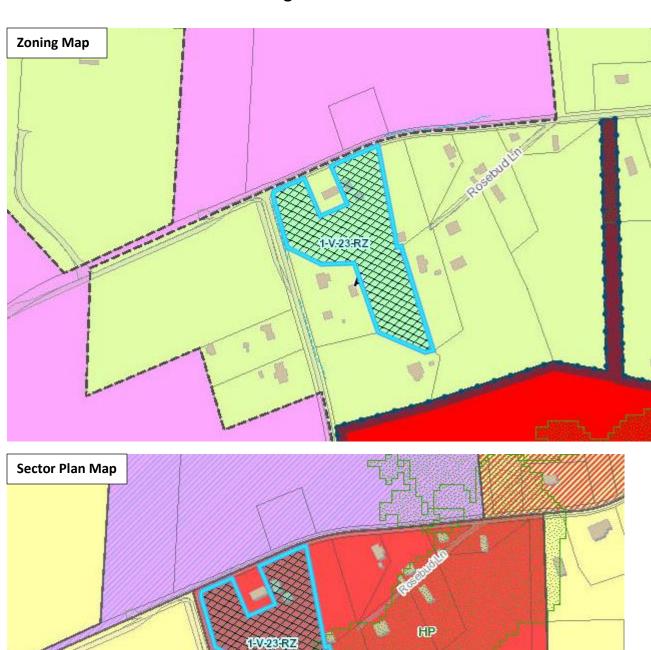


Exhibit A. 1-V-23-RZ Contextual Images

LDR



**Exhibit A. 1-V-23-RZ Contextual Images** 







## **Development Request**

		DEVELOPMENT	SUBDIVIS	ION	ZONING	
771.00	annin	☐ Development Plan ☐ Planned Development ☐ Use on Review / Special Us ☐ Hillside Protection COA	☐ Concept ☐ Final Pla e		☐ Plan Amendment ☐ Sector Plan ☐ One Year Plan ☑ Rezoning	
Taylor Fo	orrester					
Applicant	Name			Affiliation		
11/29/20	)22	1/12/2023	1-V-23-R	Z		
Date Filed	d	Meeting Date (if applicable)	File Num	ber(s)		
CORRE	SPONDENCE	All correspondence related to this application	n should be directed	to the approve	d contact listed below.	
Taylor D.		gsdale and Waters, PC				
	Northshore Dr. Dr. S	uite S-700 Knoxville TN 37919				
Address						
<b>865-584-</b> Phone / E	<b>4040 / tforrester@l</b> Email	rwlaw.com			_	
CURRE	ENT PROPERTY IN	NFO				
Jonathan	Lyons 360 Surveyir	ng and Map 209 Maryville Pk. Pk. Seymou	ır TN 37865	865-57	7-4611 / jll.360survey@g	
Owner Na	ame (if different)	Owner Address		Owner	Phone / Email	
9510 TH	ORN GROVE PIKE					
Property	Address					
74 104				5.37 ac	res	
Parcel ID		Part	of Parcel (Y/N)?	Tract Si	ze	
Knoxville	Utilities Board	Knoxville Utiliti	es Board			
Sewer Pro	ovider	Water Provider			Septic (Y/N)	
STAFF	USE ONLY					
South of	Thorn Grove Pike, E	ast of Midway Rd				
General L	Location					
City	Commission District	: 8 A (Agricultural)		Multifamily Re	sidential, Rural Residential	
<b>✓</b> Count	District	Zoning District		Existing Land	Jse	
East Cou	nty	GC (General Commercial), HP (Hillside Prot	ection) F	Planned Grow	th Area	
Planning Sector		Sector Plan Land Use Classification	(	Growth Policy Plan Designation		

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DEVELOPMEN'	T REQUEST						
☐ Development Plant		velopment	☐ Use on Revie	w / Special Use	dential	Related City	Permit Number(s)
Home Occupation (	(specify)						
Other (specify)							
SUBDIVSION R	EQUEST						
						Related Rezo	oning File Number
Proposed Subdivision	on Name						
Unit / Phase Number	<del></del> er		Tota	l Number of Lot	s Created		
Additional Informat	tion						
Attachments / A	dditional Requireme	nts					
ZONING REQU	EST						
✓ Zoning Change CA (General Business)  Proposed Zoning						Pending Plat File Number	
☐ Plan							
Amendment	Proposed Plan De	signation(s)					
Proposed Density (	units/acre) Previo	us Zoning Rec	quests				
Additional Informat	tion						
STAFF USE ON	LY						
PLAT TYPE					Fee 1		Total
☐ Staff Review	☐ Planning Com	mission			\$1,537.00		
ATTACHMENTS							
Property Owner		∐ Variand	ce Request		Fee 2		
ADDITIONAL RE  COA Checklist (H							
Davis Black Contification (Single Blat)				Fee 3			
Site Plan (Develo							
☐ Traffic Impact St	:udy ' Special Use (Concep	nt Plan)					
		rt i idiij					
AUTHORIZATIO	JN						
Applicant Signature		Taylor Forre					<b>11/29/2022</b> Date
Abhirant aignature		i icase FIIIIl	ι				Date
Phone / Email							
Jonathan Lyons 360 Surveying and Mapping				11/29/2022			
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.

1-V-23-RZ Printed 11/29/2022 2:00:25 PM



Development Request

DEVELOPMENT

Development Plan

Development Pl

Planning KNOXVILLE I KNOX COUNTY	<ul><li>☐ Development</li><li>☐ Planned Deve</li><li>☐ Use on Review</li><li>☐ Hillside Protect</li></ul>	lopment v / Special Use	⊔ Concep <sup>.</sup> □ Final Pla		☐ Plan Amendment☐ SP☐ OYP☐ Rezoning
Taylor D. Forrester				Attorn	ey
Applicant Name				Affiliatio	n
November 28, 2022	January 12	2, 2023	11110000000000000000000000000000000000		File Number(s)
Date Filed	Meeting Date	e (if applicable)			
CORRESPONDENCE A	l correspondence relate	d to this application sh	ould be directe	d to the app	roved contact listed below.
■ Applicant □ Property Owne	r 🔲 Option Holder	☐ Project Surveyor	☐ Engineer	☐ Archite	ect/Landscape Architect
Taylor D. Forrester					
Name	***************************************	Compar	У		
1111 N. Northshore Drive, S	uite S-700	Knoxvi	lle	TN	37919
Address		City		State	ZIP
965-584-4040	TForrester	@lrwlaw.com			
Phone	Email		THE THE PERSON NAMED IN TH		
CURRENT PROPERTY INFO				A SOMEWAY AND A STATE OF THE ST	
360 Surveying & Mapping LL	C 816	Gateway Ln, Seyr	mour, TN 378	365	865-577-4611
Property Owner Name (if different)	Prop	perty Owner Address			Property Owner Phone
9510 Thorn Grove Pike	074 104				
Property Address			Parcel ID		
KUB		KUB			N
Sewer Provider	Water Provider			The state of the s	Septic (Y/N
STAFF USE ONLY					
General Location				Tract Size	3
City County District	Zoning Distric	t	Existing Land	d Use	
Planning Sector	Sector Plan La	and Use Classification		Growth F	Policy Plan Designation

DEVELOPMENT REQUEST				
☐ Development Plan ☐ Use on Review / ☐ Residential ☐ Non-Residential	Related C	Related City Permit Number(s)		
Home Occupation (specify)	ephagon v 11 group 1 grant a series and a se	and a second	and the second second	
Other (specify)			The second secon	
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			Related R	ezoning File Number
Proposed Subdivision Name	MANUTE E COMMING COMMING CONTROL OF THE STATE OF THE STAT	The second secon	· · · · · · · · · · · · · · · · · · ·	
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Unit / Phase Number	To	tal Number of Lots Created		*
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☐ Attachments / Additional Requirements				
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Proposed Zoning			•	
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STAFF USE ONLY				
PLAT TYPE		Fee 1	anne ann à chaire ann an aire ann an Aire à an Maighliann air	Total
☐ Staff Review ☐ Planning Commissio	n			, local
ATTACHMENTS		in marks. Proposition and analysis of the second se	· WANGE AND COMPANY OF THE STREET	\$1,537.00
☐ Property Owners / Option Holders ☐ \	/ariance Request	Fee 2		71,337.00
ADDITIONAL REQUIREMENTS				200 p. 100 p. 10
☐ Design Plan Certification (Final Plat)		in a policina di digina di diana di manda di sa di salama di	with the control of t	- The second sec
Use on Review / Special Use (Concept Pla	in)	Fee 3		MANAGE AND
☐ Traffic Impact Study		6		and a second
COA Checklist (Hillside Protection)		. neprocessor de consequence de cons	and the same standing and same on the same	
AUTHORIZATION	mpida maganigha ministra da 100 mm mara na 100 mm ann an 100 mm ann an 100 mm ann ann ann ann ann ann ann ann a	s with the contract of the con		and the second s
Taylor D. Forrester	Taylor D. Forn	ester	11/	28/22
Applicant Signature	Please Print	and the state of t	Date	
865-584-4040	TForrester@lr	wlaw.com		
Phone Number	Email	The second secon	oplone with Nove Stay Speller Manual Short William	a lagganga iliku iliku katalan kanan manan matanda ini ini ini ini ini ini ini ini ini in
	Jonathan L. Ly	rone.	4 A F	23/22
Proporty Owner Signature	Please Print		L.L/. Date	C34 LL manifologistis proprieta en

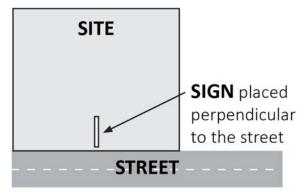
I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.



# Sign Posting & Removal Requirement

Revised April 2021

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-ofway 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:

12/31/2022	and	1/13/2023		
(applicant or staff to post sign)		(applicant to remove sign)		
Applicant Name: Taylor Forrester				
Date: 11/28/22		X Sign posted by Staff		
File Number: 1-V-23-RZ		Sign posted by Applicant		