

REZONING REPORT

▶ **FILE #:** 6-B-24-RZ

AGENDA ITEM #: 16

AGENDA DATE: 6/13/2024

▶ **APPLICANT:** SARAH PEACOCK
OWNER(S): American Legion Knoxville Post No. 2

TAX ID NUMBER: 60 140 (PART OF) [View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 5700 OLD RUTLEDGE PIKE

▶ **LOCATION:** East side of Rutledge Pike, south side of Old Rutledge Pike

▶ **APPX. SIZE OF TRACT:** 0.85 acres

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Old Rutledge Pike, a local street with a 40-ft pavement width within a right-of-way ranging from 48 ft to 95 ft. Access is also via Rutledge Pike, a major arterial street with an 80-ft pavement width within a right-of-way ranging from 130 ft to 330 ft.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Loves Creek and Woods Creek

▶ **PRESENT ZONING:** I (Industrial)

▶ **ZONING REQUESTED:** CB (Business and Manufacturing)

▶ **EXISTING LAND USE:** Public/Quasi-Public Land

▶ EXTENSION OF ZONE: Yes, this is a minor extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Commercial, office - CB (Business & Manufacturing), I (Industrial)

South: Railroad right-of-way

East: Multifamily residential, single family residential - I (Industrial), CA (General Business)

West: Commercial, agriculture/forestry/vacant land - CB (Business & Manufacturing), PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: This is a predominantly industrial area with a concentration of active industrial and mining activity. There are single-family homes adjacent to the east and there is an extensive rail line system to the south.

STAFF RECOMMENDATION:

▶ Postpone for 60 days to the August 8, 2024 Planning Commission meeting to coincide with a plan amendment request.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: East Knox County Elementary, Holston Middle, and Gibbs High.

If approved, this item will be forwarded to Knox County Commission for action on 7/15/2024. 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.



Request to Postpone • Table • Withdraw

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

Scheduled Meeting Date

File Number(s)

POSTPONE

POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: 30 days 60 days 90 days

Postpone the above application(s) until the _____ Planning Commission Meeting.

WITHDRAW

WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

Sarah Peacock

Applicant Signature

Please Print

Phone Number

Email

STAFF ONLY

Jessie Hillman

Staff Signature

Please Print

Date Paid

No Fee

Eligible for Fee Refund? Yes No

Amount:

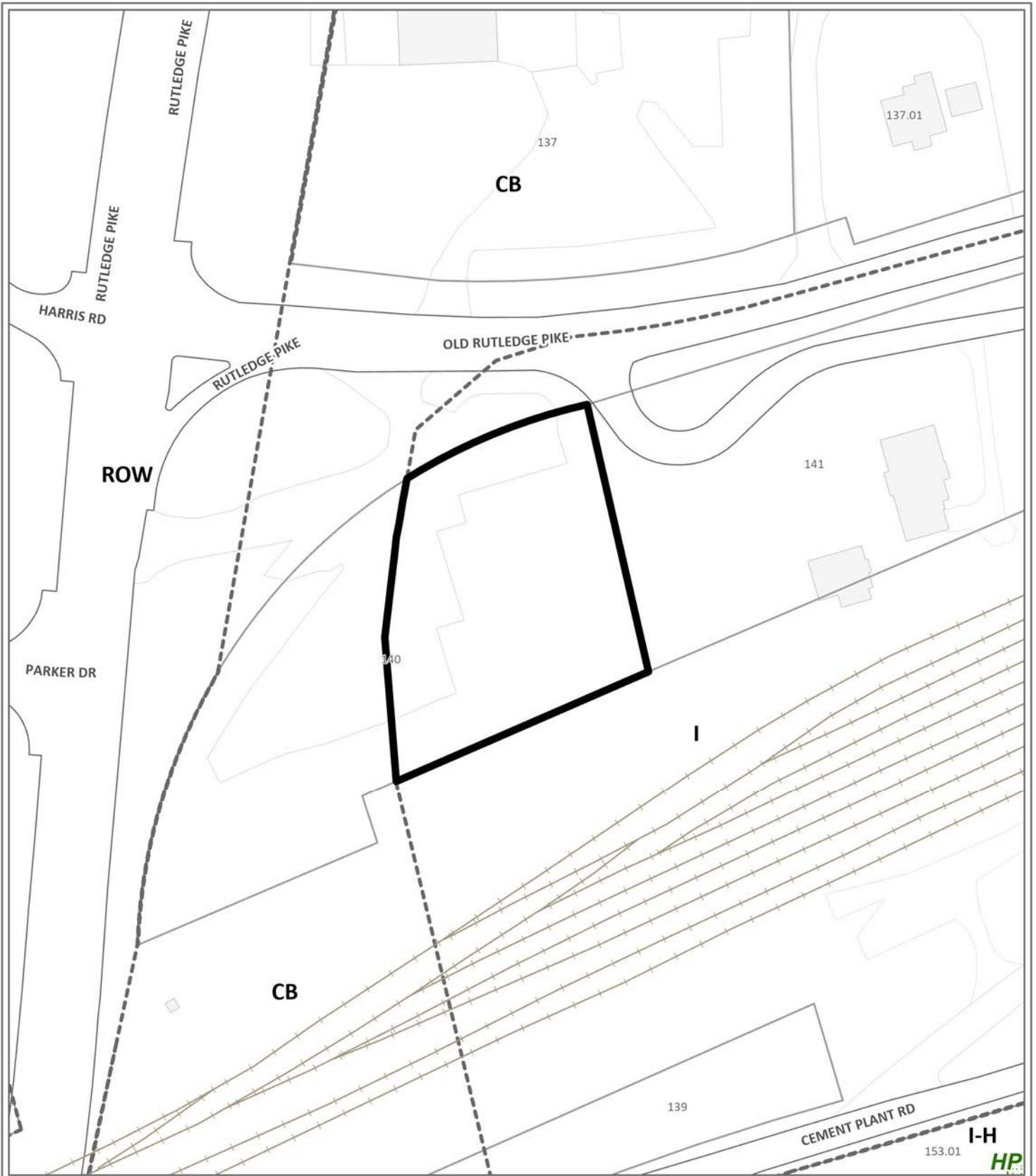
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



REZONING

6-B-24-RZ

Petitioner: Sarah Peacock



From: I (Industrial)

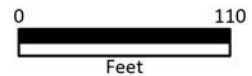
To: CB (Business and Manufacturing) CB

Map No: 60

Jurisdiction: County

Original Print Date: 5/13/2024

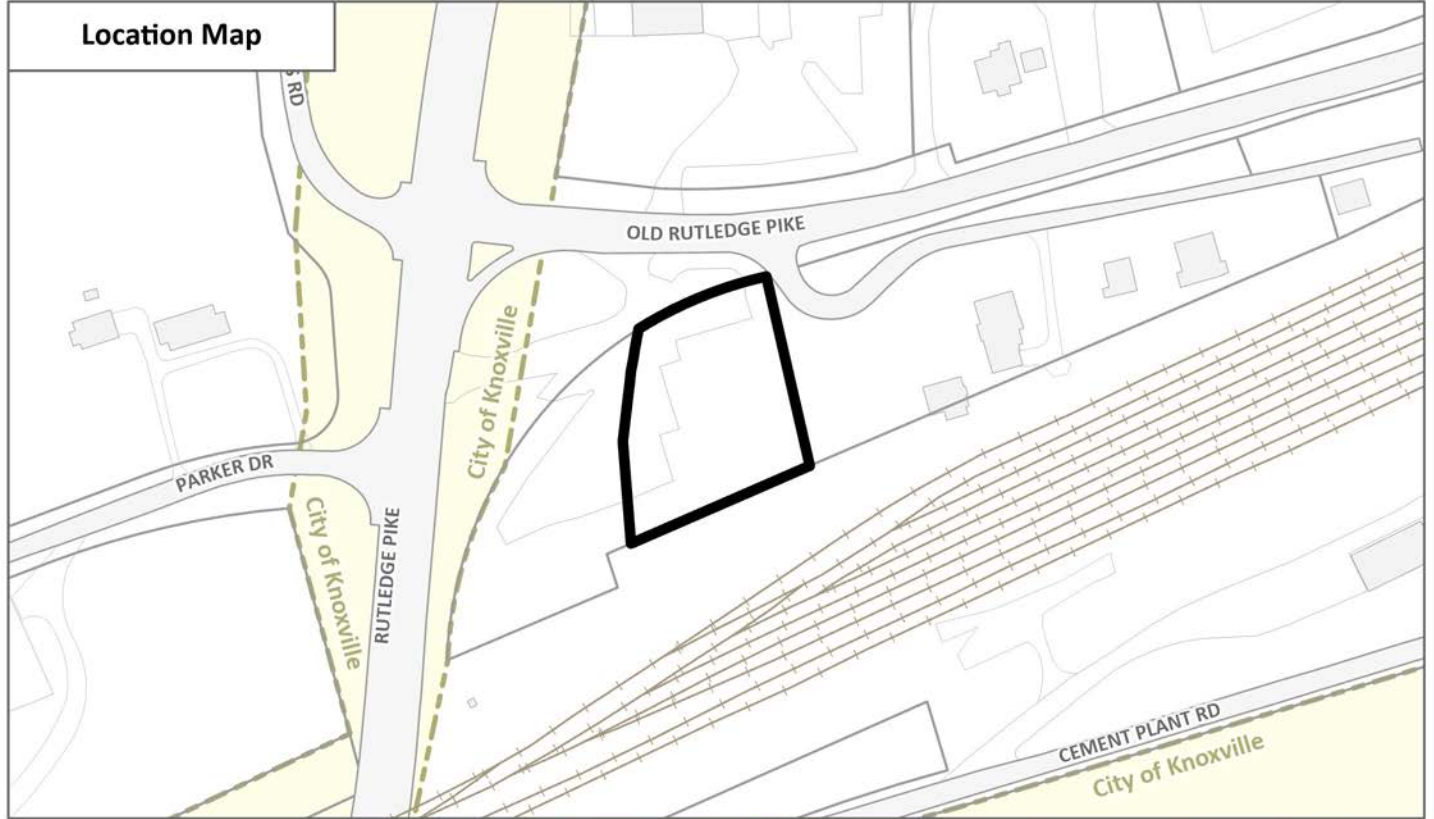
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



HP

Exhibit A. Contextual Images

Location Map



Aerial Map

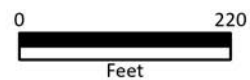


CONTEXTUAL MAPS 1

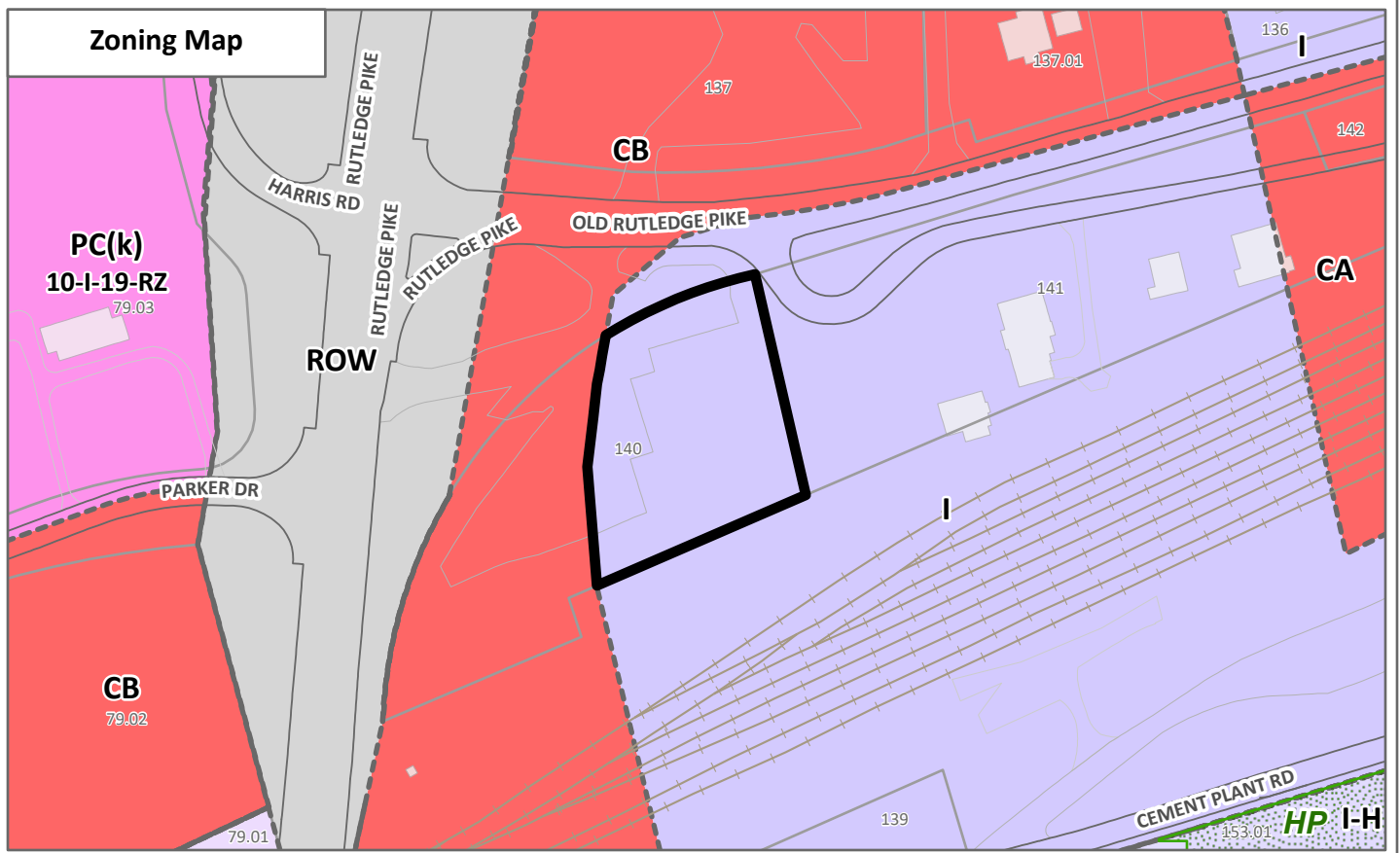
6-B-24-RZ



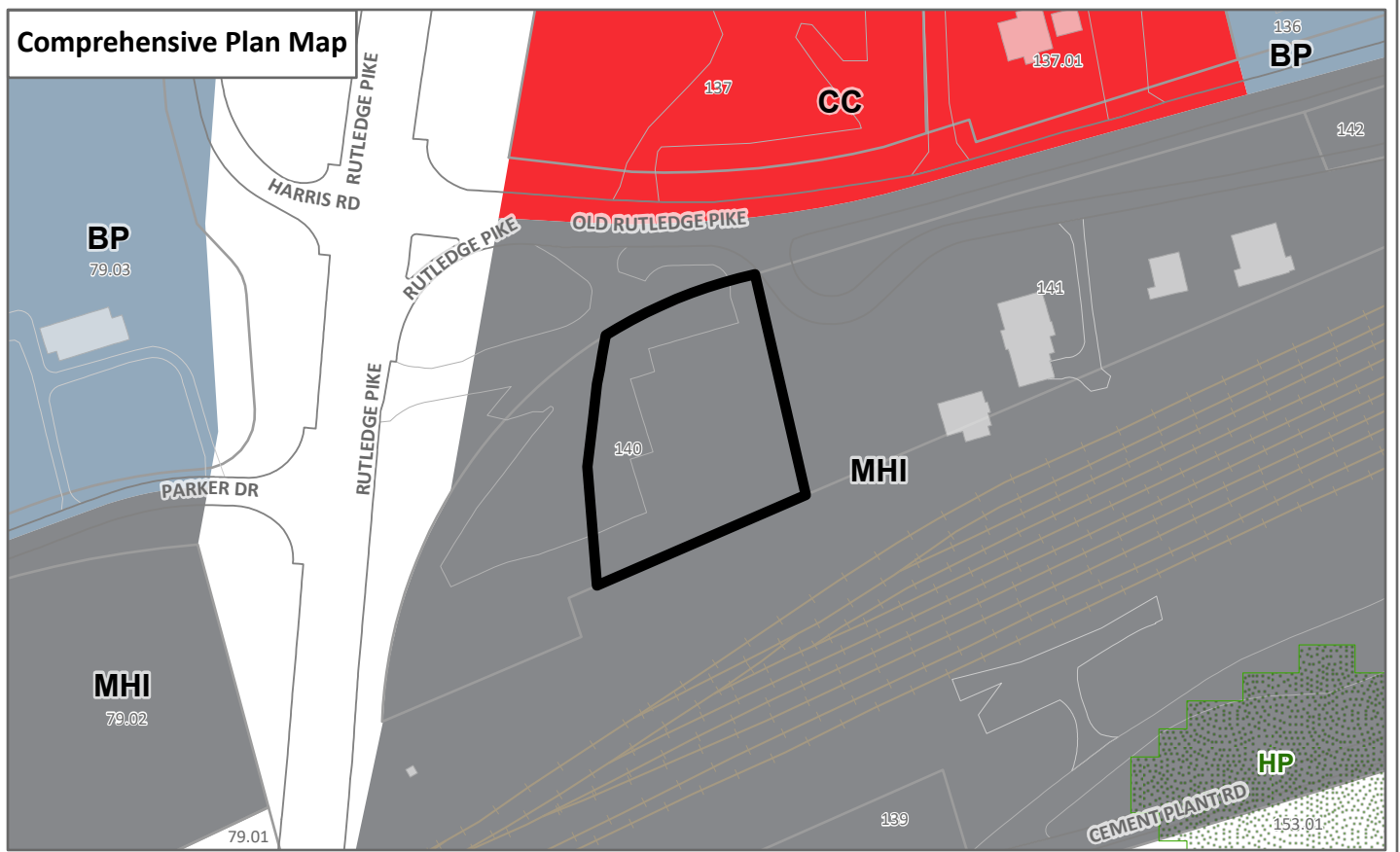
Case boundary



Zoning Map



Comprehensive Plan Map

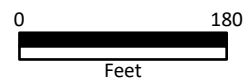


CONTEXTUAL MAPS 2

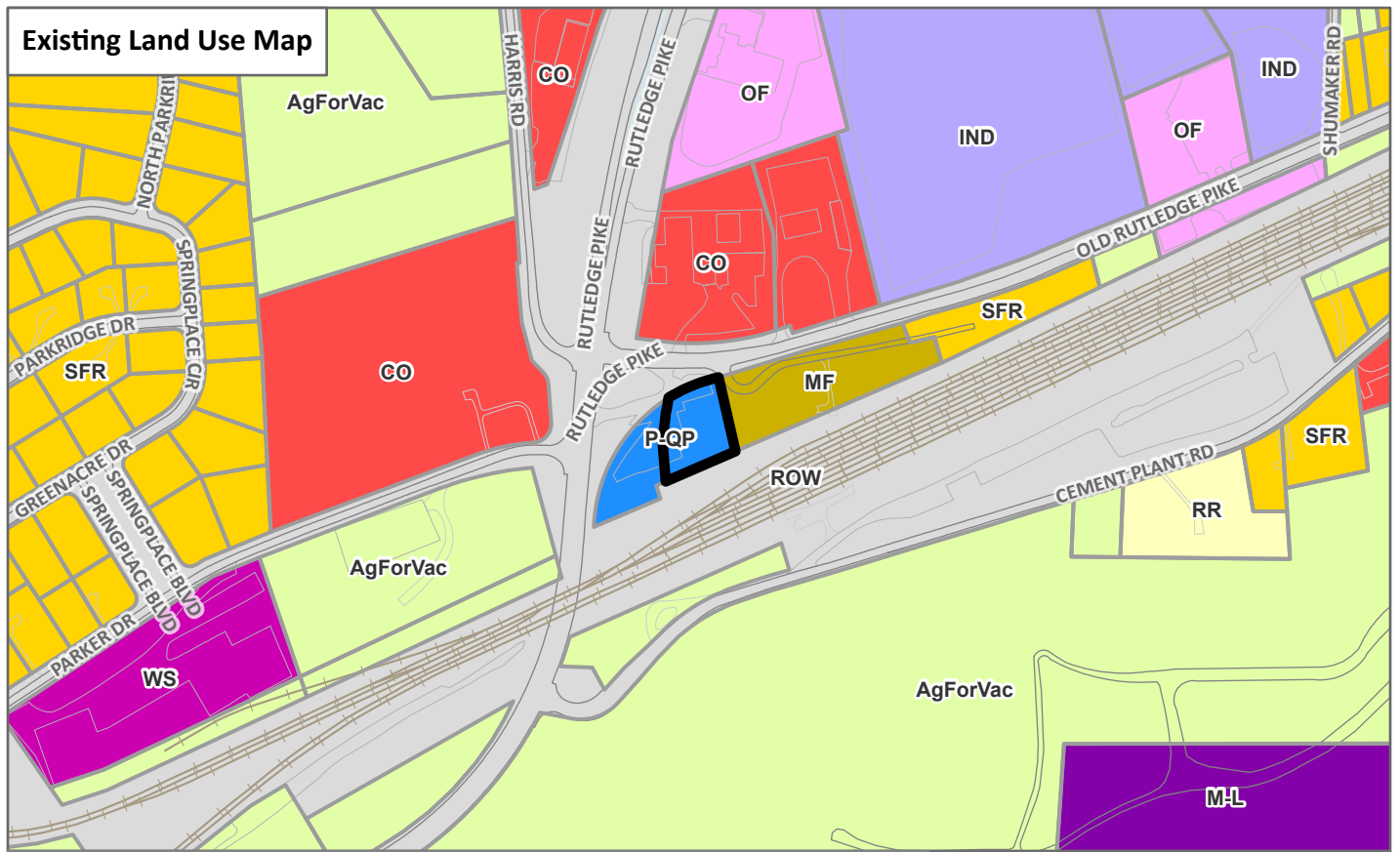
6-B-24-RZ



Case boundary



Existing Land Use Map

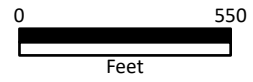


CONTEXTUAL MAPS 3

6-B-24-RZ



Case boundary





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Rezoning
- Plan Amendment
- Sector Plan
- City OYP / County Comp Plan

Sarah Peacock

Applicant Name

Affiliation

4/10/2024

Date Filed

6/13/2024

Meeting Date (if applicable)

6-B-24-RZ

File Number(s)

CORRESPONDENCE

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

Sarah Peacock Barber McMurry Architects

Name / Company

505 Market St. St. Suite 300 Knoxville TN 37902

Address

865-934-1915 / speacock@bma1915.com

Phone / Email

CURRENT PROPERTY INFO

American Legion Knoxville Post No. 2

Owner Name (if different)

5700 Old Rutledge Pike Knoxville TN 37924

Owner Address

865-742-6170

Owner Phone / Email

5700 OLD RUTLEDGE PIKE

Property Address

60 140 (part of)

Parcel ID

0.85 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Northeast Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Rutledge Pike, south side of Old Rutledge Pike

General Location

City

Commission District 8

I (Industrial)

Public/Quasi Public Land

County District

Zoning District

Existing Land Use

Northeast County

GC (General Commercial)

Urban Growth Area (Outside City Limits)

Planning Sector

Land Use (City)/Place Type (County)

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 _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change CB (Business and Manufacturing)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Rezoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request (Comprehensive Plan)	\$650.00	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> Use on Review / Special Use (Concept Plan) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (Hillside Protection)	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	Sarah Peacock Please Print	4/10/2024 Date
Phone / Email		
Property Owner Signature	American Legion Knoxville Post No. 2 Please Print	4/10/2024 Date



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

Sarah Peacock

Applicant Name

Affiliation

04/08/2024

06/13/2024

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

Sarah Peacock

BarberMcMurry Architects

Name

Company

505 Market Street, Suite 300

Knoxville

TN

37902

Address

City

State

ZIP

865.934.1915 ext 221

speacock@bma1915.com

Phone

Email

CURRENT PROPERTY INFO

American Legion Knoxville Post No. 2

5700 Old Rutledge Pike

865.742.6170

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

5700 Old Rutledge Pike **Knoxville, TN 37924**

060 140

Property Address

Parcel ID

Northeast Knox Utility District

Northeast Knox Utility District

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

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

<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential Home Occupation (specify) _____ Other (specify) _____	Related City Permit Number(s)
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SUBDIVISION REQUEST

Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created _____	Related Rezoning File Number
<input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Attachments / Additional Requirements _____	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change CB Proposed Zoning _____ <input type="checkbox"/> Plan Amendment Change _____ Proposed Plan Designation(s) _____	Pending Plat File Number
Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify) _____	

STAFF USE ONLY

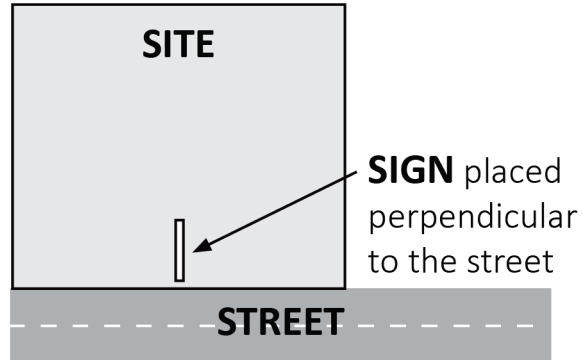
PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat</i>) <input type="checkbox"/> Use on Review / Special Use (<i>Concept Plan</i>) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (<i>Hillside Protection</i>)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Fee 1</td> <td style="width: 40%;">Total</td> </tr> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> <tr> <td>Fee 2</td> <td> </td> </tr> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> <tr> <td>Fee 3</td> <td> </td> </tr> <tr> <td style="height: 40px;"> </td> <td> </td> </tr> </table>	Fee 1	Total			Fee 2				Fee 3			
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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	Sarah Peacock Please Print	04/08/2024 Date
865.934.1915 ext 221 Phone Number	speacock@bma1915.com Email	
 Property Owner Signature	Michael E. Testerman Please Print	7/8/2024 Date Paid

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:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Sarah Peacock

Date: 4/10/2024

File Number: 6-B-24-RZ

- Sign posted by Staff
- Sign posted by Applicant