



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 8-A-24-RZ **AGENDA ITEM #:** 29
8-A-24-PA **AGENDA DATE:** 8/8/2024

► **APPLICANT:** MADDOX CONSTRUCTION COMPANY INC.
OWNER(S): TX2TN, LLC

TAX ID NUMBER: 131 F B 021 [View map on KGIS](#)

JURISDICTION: Commission District 5

STREET ADDRESS: 111 COGDILL RD

► **LOCATION:** West side of Cogdill Rd, north of Kingston Pike

► **TRACT INFORMATION:** 1.27 acres.

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

ACCESSIBILITY: Access is via Cogdill Rd, a local road with 17 ft of pavement width within 50 ft of right-of-way.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Sinking Creek

► **PRESENT PLAN DESIGNATION/ZONING:** SR (Suburban Residential) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** BP (Business Park) / OB (Office, Medical, and Related Services)

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

► **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, this is an extension of the BP place type and OB zone.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Public/quasi public land (church), single family residential - SR (Suburban Residential), HP (Hillside Protection) - RA (Low Density Residential)

ZONING South: Office - BP (Business Park) - CA (General Business), OB (Office, Medical, and Related Services)

East: Office, single family residential, agriculture/forestry/vacant land - SR (Suburban Residential), Business Park - OB (Office, Medical, and Related Services)

West: Office, agriculture/forestry/vacant land - BP (Business Park) - OB (Office, Medical, and Related Services)

NEIGHBORHOOD CONTEXT: This property is just north of Kingston Pike and is just west of the I-40 interchange. Cogdill Rd is a mix of commercial, office and single family residential subdivisions in this area.

STAFF RECOMMENDATION:

- ▶ **Approve the plan amendment to the BP (Business Park) land use classification because it is consistent with development and change of conditions in the area.**

- ▶ **Approve the OB (Office, Medical, and Related Services) zone because it is consistent with the proposed BP plan amendment to the Knox County Comprehensive Plan and surrounding development, subject to one condition.**

1. Provide a vegetated buffer consisting of a "Type B" landscape screen of 12-ft in depth adjacent to the RA zoned parcel of the property to buffer the adjacent single family home from this higher intensity development.

COMMENTS:

PURSUANT TO THE COMPREHENSIVE PLAN, CHAPTER 3 IMPLEMENTATION, A PLAN AMENDMENT MAY BE APPROPRIATE IF THERE IS AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN, OR IF TWO OR MORE OF THE OTHER CRITERIA APPLY.

OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

There is no error or omission in the plan.

OR, IF THERE ARE NO ERRORS OR OMISSIONS, TWO OF THE FOLLOWING CRITERIA MUST BE MET:

CHANGES OF CONDITIONS (SUCH AS SURROUNDING LAND USES, ZONING, UNCONTROLLED NATURAL FORCES/DISASTERS, ETC):

1. The area has been transitioning to office land uses in both the city and county in this area since the early 2000s.

INTRODUCTION OF SIGNIFICANT NEW UTILITIES OR LOCAL/STATE/FEDERAL ROAD PROJECTS THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. This property is just off of Kingston Pike at the I-40 interchange. Kingston Pike in this area is a part of a citywide advanced traffic management system project. This capital improvement project will design, install and integrate new fiber optic communications, various major traffic signal components, and new signal timing patterns along the major arterials of Kingston Pike, Chapman Highway, and N Broadway. The project includes these upgrades to 96 existing signalized intersections. Fiber optic communications will route to the City's Public Works Service Center for better monitoring and maintenance of the City's signalization network.

NEW DATA REGARDING TRENDS OR PROJECTIONS, POPULATION, HOUSING CONDITIONS, OR TRAFFIC GROWTH THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN:

1. There is no new data or trends that warrant a change to the newly adopted plan.

THE PROPOSED CHANGES SUPPORT THE POLICIES AND ACTIONS, GOALS, OBJECTIVES, AND CRITERIA OF THE PLAN:

1. The OB zone at this location is consistent with Implementation Policy 2.1 to create buffer or transition standards. This site is between single family residential to the north and commercial to the south, which makes the office land use appropriate as it provides a transition between residential and commercial land uses.

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. This property is adjacent to OB zoning on three sides. All three rezonings to OB were done consecutively in 2002, 2003, 2004.

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

1. The OB 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 herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods. The OB zone is consistent with the existing office and commercial uses in the area.
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. To the north this property abuts a church and single family home. Planning proposes one condition to the rezoning to include a Type B landscape buffer along the portion of the property that abuts the single family residence.

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

1. When the proposed district is partially related to the place type, one of three conditions shall apply. One of these is that the proposed zoning district be consistent with the secondary uses of the subject site's place type. In this case, it meets two of those criteria:

A. The secondary uses of the BP place type include residential, civic, and commercial uses. Residential development is consistent with the development pattern to the north, while civic and commercial uses are consistent with the development pattern to the south, east, and west.

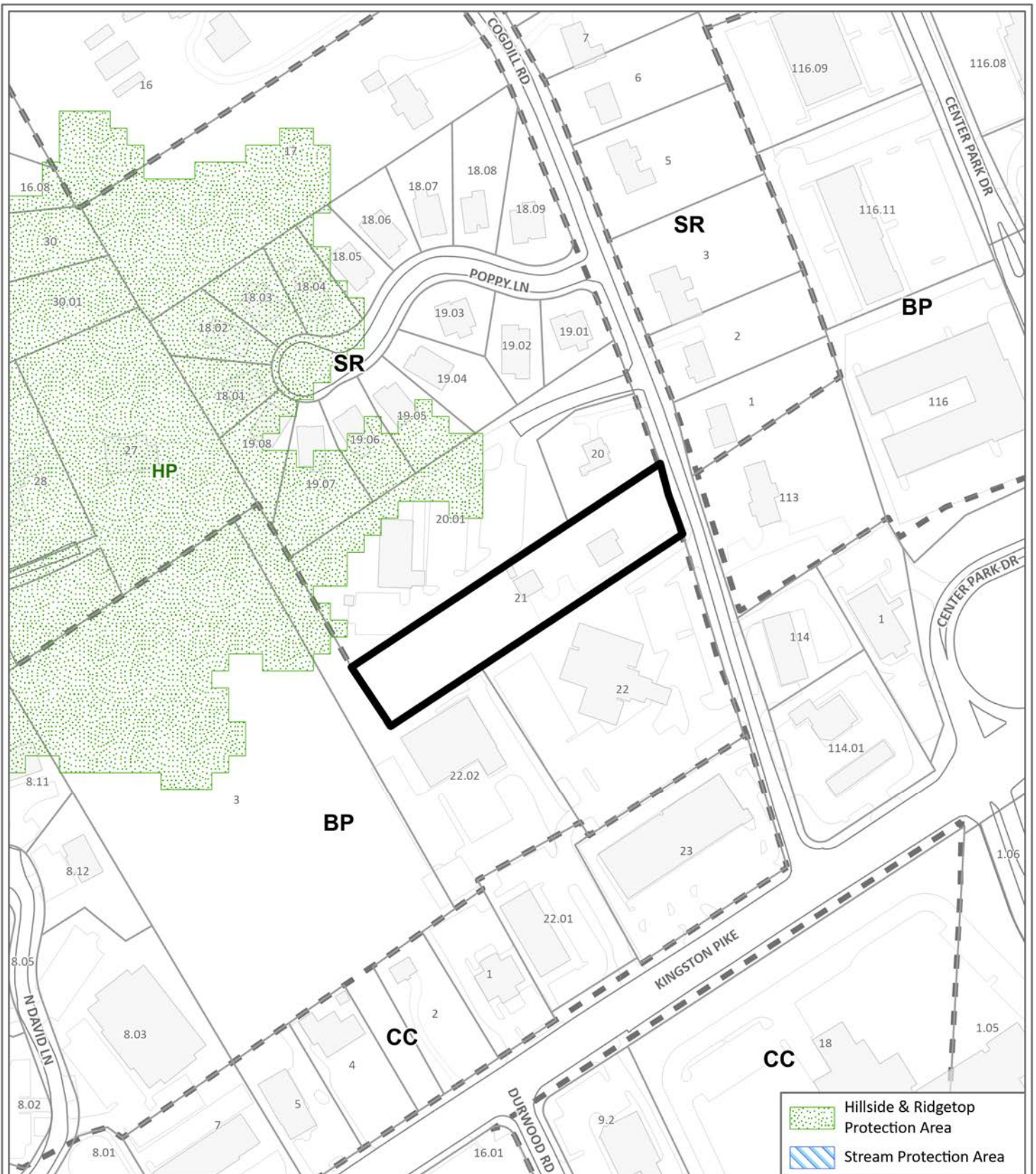
B. The proposed zoning district is compatible with the current zoning of adjacent sites. The OB zone is considered a transitional zone that creates a buffer between commercial and residential uses. The subject property is situated between these types of uses and meets the intent of the OB zone as a transitional area. The uses allowed in the OB zone would be compatible with the types of development that occurs on the surrounding properties.

2. The Knox County Comprehensive Plan's Implementation Policy 9.3 focuses growth in areas already served by adequate infrastructure. This area is near I-40 interchange with Kingston Pike, which is a large employment center of commercial, office and industrial uses.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/16/2024. 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.



8-A-24-PA **COMPREHENSIVE LAND USE PLAN MAP**



From: SR (Suburban Residential)
To: BP (Business Park)

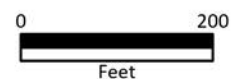
Original Print Date: 7/10/2024

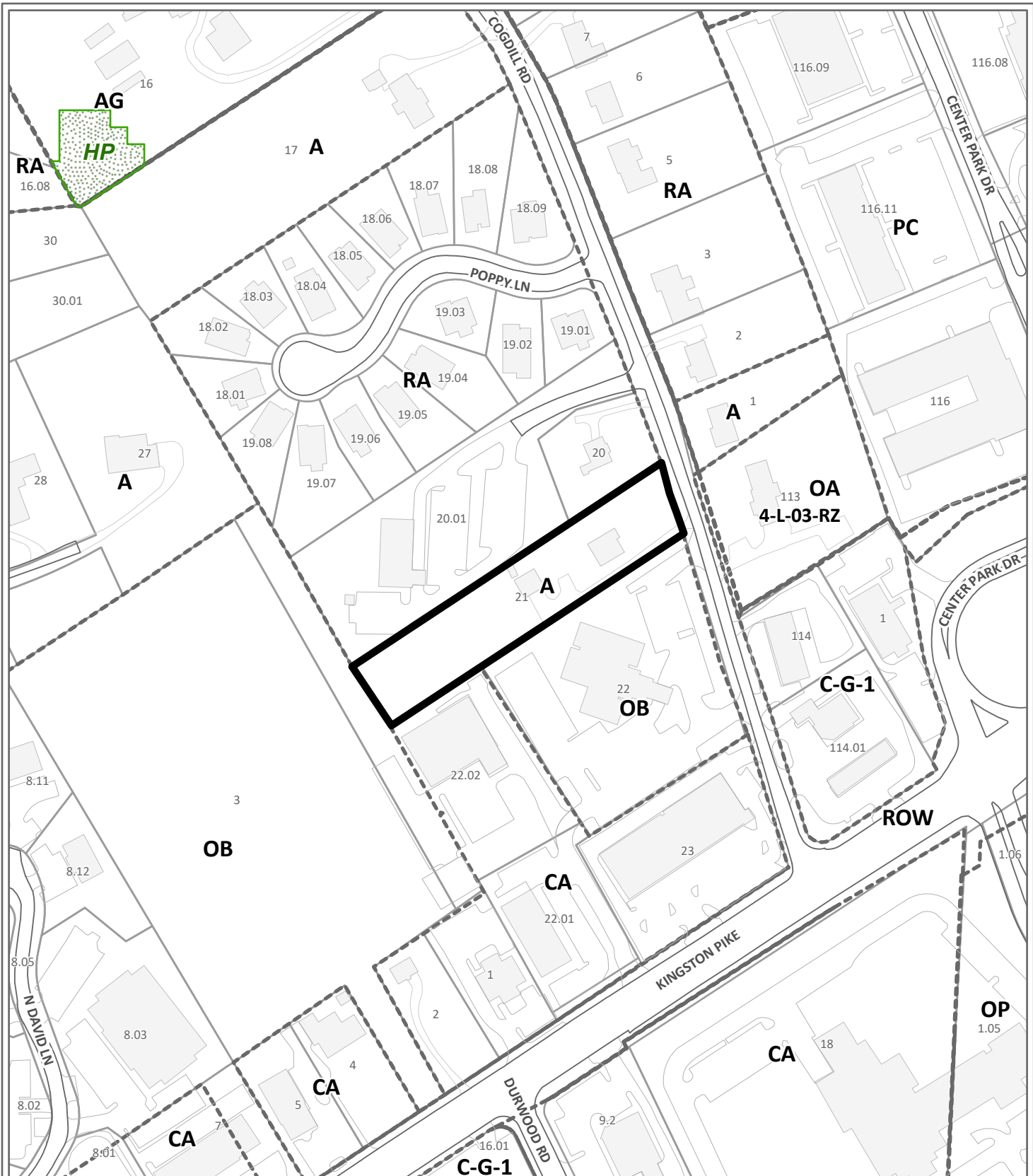
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Maddox Construction Company Inc.

Map No: 131

Jurisdiction: County





REZONING

8-A-24-RZ



From: A (Agricultural)

To: OB (Office, Medical, and Related Services)

Original Print Date: 7/10/2024

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

Petitioner: Maddox Construction Company Inc.

Map No: 131

Jurisdiction: County

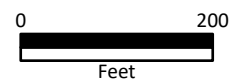
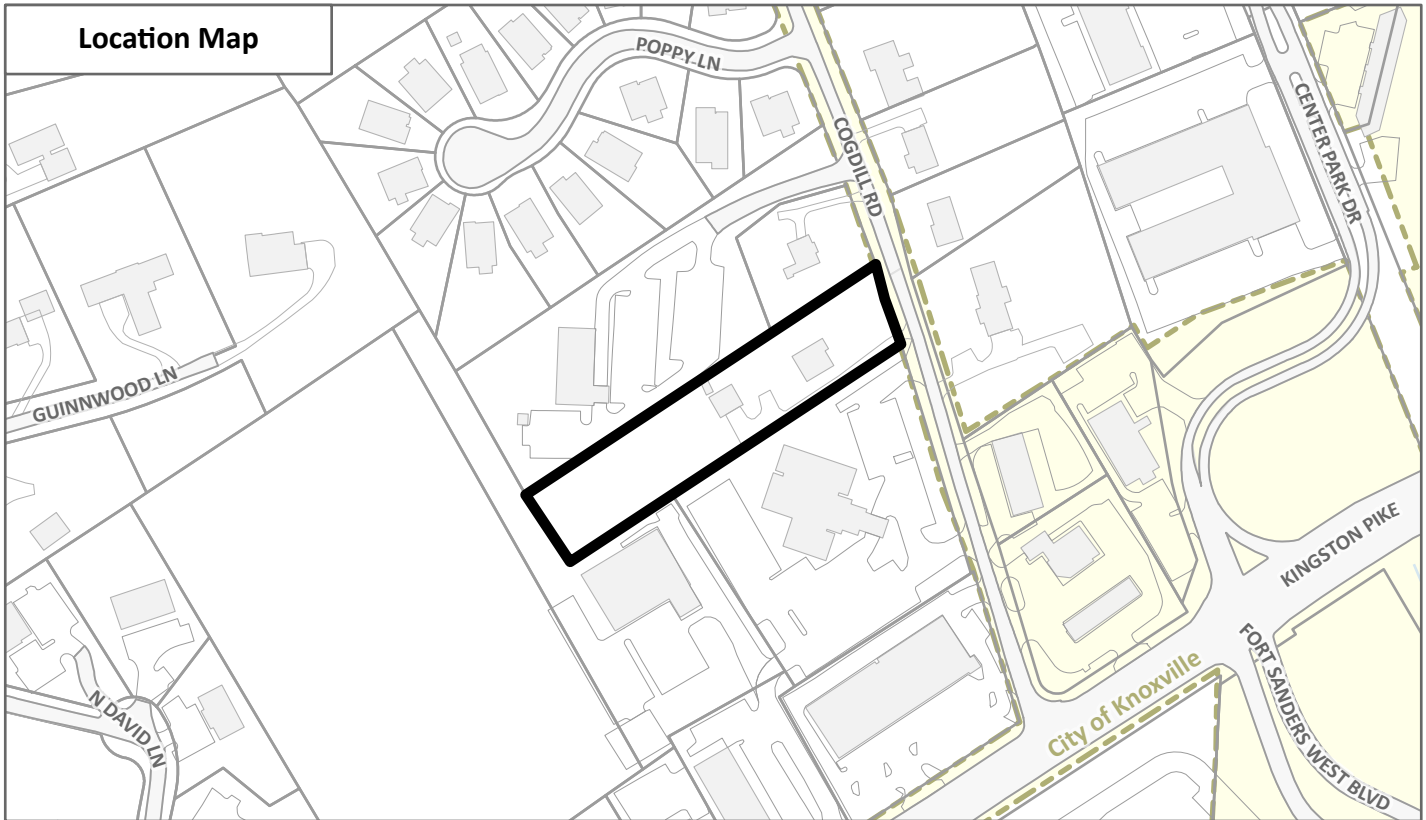


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

8-A-24-PA / 8-A-24-RZ

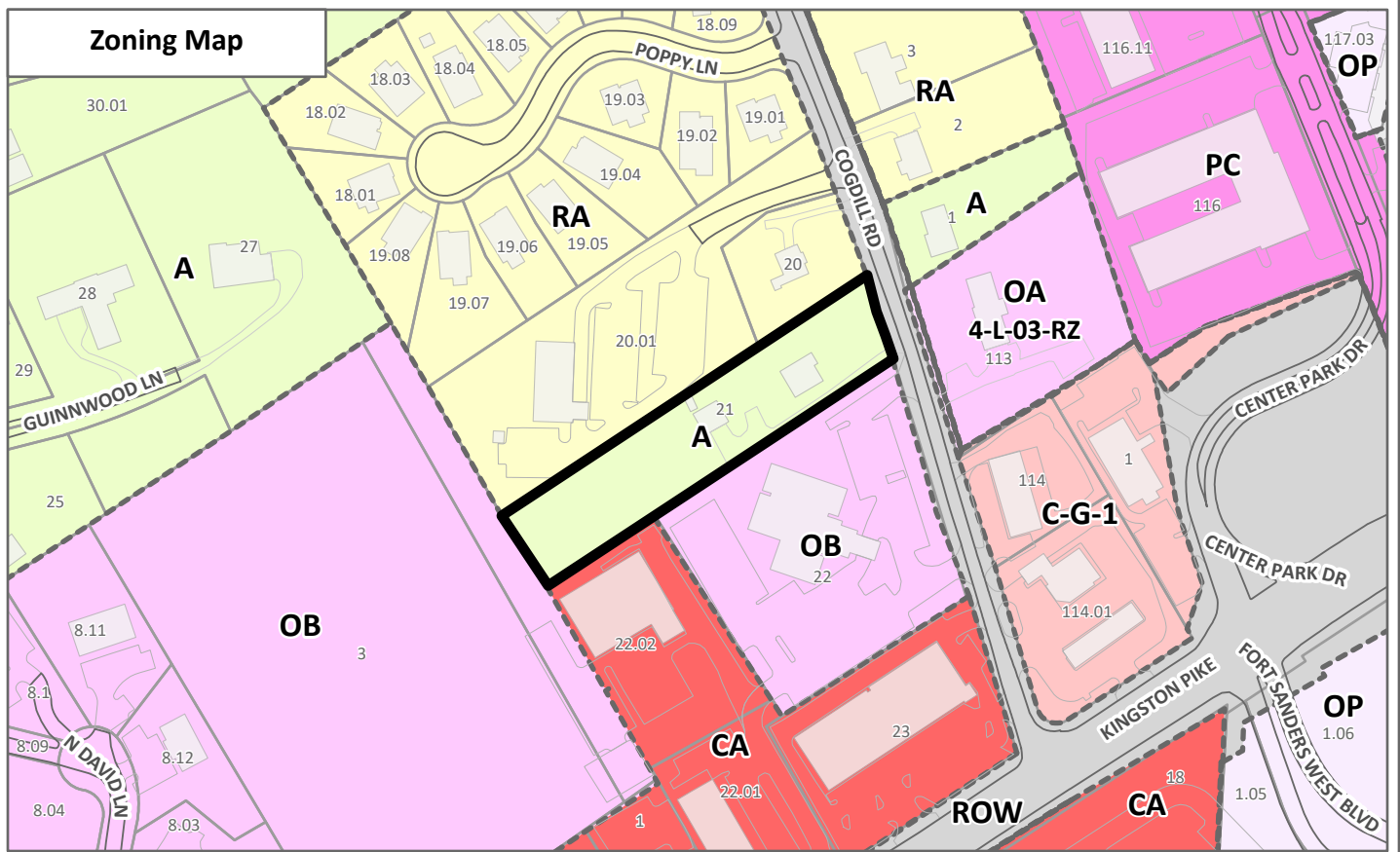


Case boundary

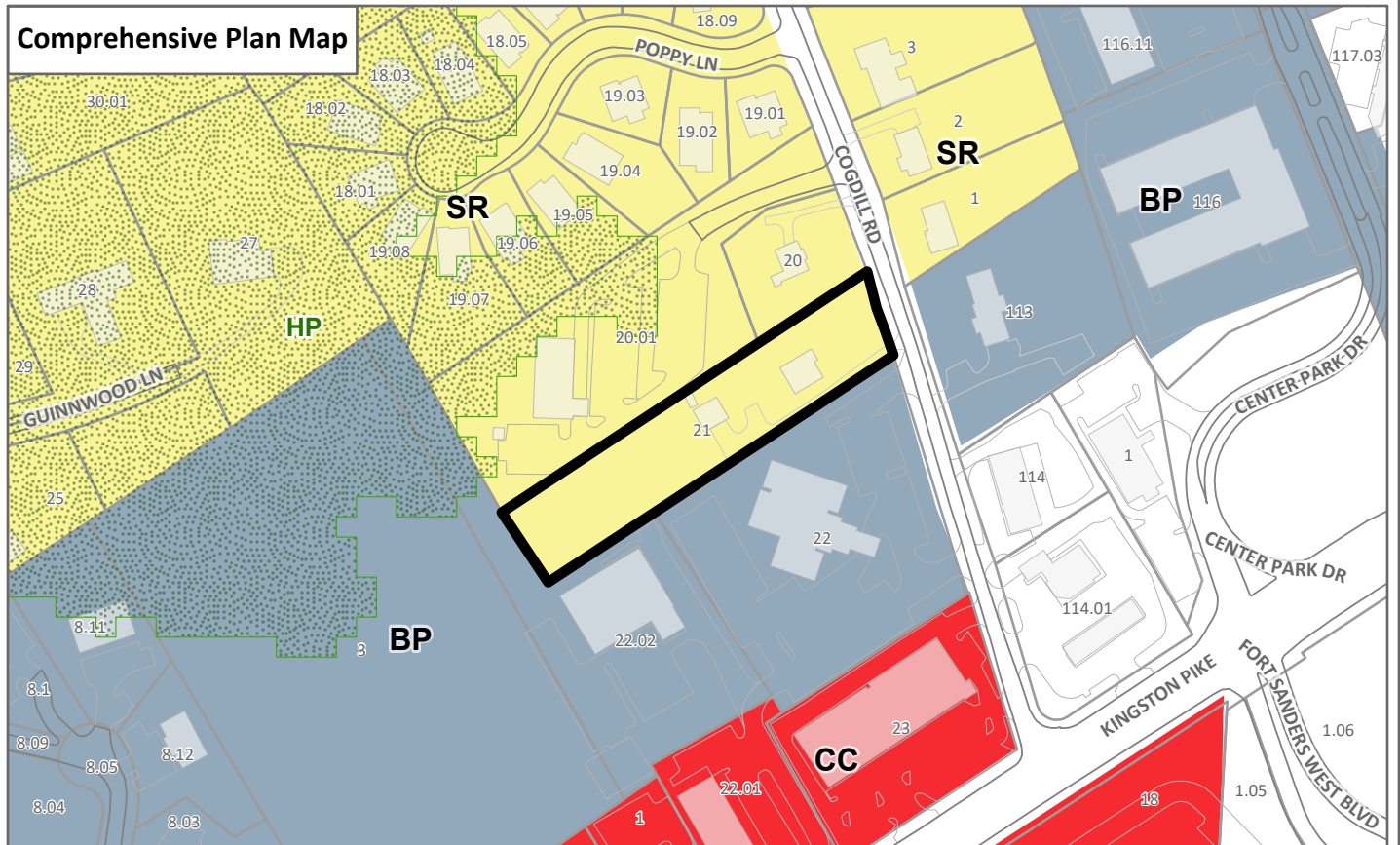
0 275
Feet



Zoning Map



Comprehensive Plan Map

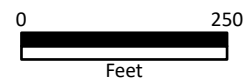


CONTEXTUAL MAPS 2

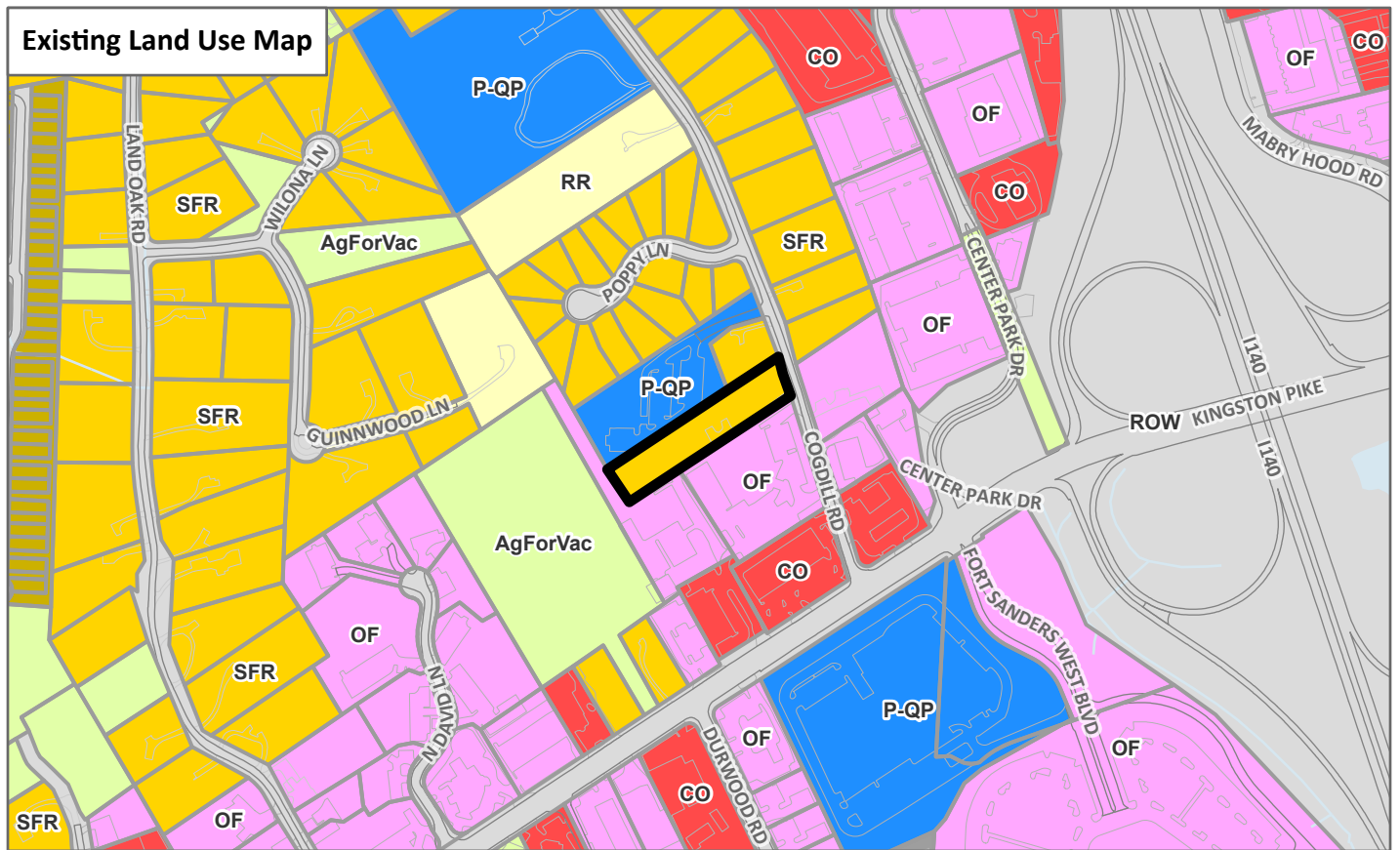
8-A-24-PA / 8-A-24-RZ



Case boundary



Existing Land Use Map

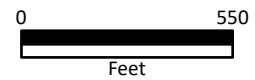


CONTEXTUAL MAPS 3

8-A-24-PA / 8-A-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

Maddox Construction Company Inc.

Applicant Name

Affiliation

5/9/2024

Date Filed

8/8/2024

Meeting Date (if applicable)

8-A-24-PA / 8-A-24-RZ

File Number(s)

CORRESPONDENCE

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

Steven K. Maddox Maddox Construction Company Inc

Name / Company

100 Dalton Place Way Ste 105 Knoxville TN 37912

Address

865-805-5501 / Smaddox@maddoxcompany.com

Phone / Email

CURRENT PROPERTY INFO

TX2TN, LLC

Owner Name (if different)

10215 Kingston Pike Ste 200 Knoxville TN 37922

Owner Address

865-806-5811

Owner Phone / Email

111 COGDILL RD

Property Address

131 F B 021

Parcel ID

1.27 acres

Tract Size

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

West of Cogdill Road, north of Kingston Pike

General Location

☐ City **Commission District 5 A (Agricultural)**
☒ County District Zoning District

Single Family Residential
Existing Land Use

Land Use (City)/Place Type (County)

Urban Growth Area (Outside City Limits)

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

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	OB (Office, Medical, and Related Services) Proposed Zoning	Pending Plat File Number
<input checked="" type="checkbox"/> Plan Amendment	BP (Business Park) Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Rezoning Requests		
Additional Information		

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1	Total
\$1,650.00	
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.

	Maddox Construction Company Inc.	5/9/2024
Applicant Signature	Please Print	Date

	TX2TN, LLC	5/9/2024
Property Owner Signature	Please Print	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

Steven Maddox, Maddox Const. Co. Inc.

Applicant Name

General Contractor

Affiliation

5-8-24

Date Filed

August 8, 2024

Meeting Date (if applicable)

File Number(s)

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

Steven Maddox

Name

Maddox Const. Co. Inc.

Company

100 DALTON PLACE WAY Suite 105, Knoxville, TN 37912

Address

City

State

ZIP

865-522-9910 x101 office
865-805-5501 cell

Phone

Email

smaddox@maddoxcompany.com

CURRENT PROPERTY INFO

TX2TN, LLC

Property Owner Name (if different)

10215 Kingston Pike Suite 200

Property Owner Address

Knoxville, TN 37922

Property Owner Phone

865-806-5511

111 Cogdill Road

Property Address

131 FB 021

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

N

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

May 1, 2023

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 ChangeProposed Zoning OB☒ Plan Amendment ChangeProposed Plan Designation(s) BP

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

Fee 2

Fee 3

Total

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

Please Print

Date

Phone Number

Email

Property Owner Signature

Please Print

Date Paid



Knox County Comprehensive Plan Amendment Justification

All requests to amend the Knox County Comprehensive Land Use and Transportation Plan must include justification for the changes as part of the application process, and these justifications are to be provided by the applicant per Article IM.6 of the plan. The applicant must demonstrate that either there was an obvious or significant error or omission in the Plan, or that two or more criteria of the criteria in the second group below are met to justify the amendment.

Specify how the requested plan amendment meets these criteria as described in the space provided below.

1. Obvious or significant error in the Plan: A zoning surrounded on 3 sides by C zoning, the BP plan. This property should be classified in the plan as BP.

Or, if the request does not meet criteria 1 above, it must meet two or of the following:

2. Changes of conditions (such as surrounding land uses, zoning, uncontrolled natural forces/disasters, etc.): Surrounding property is zoned C on 3 sides and fits better with the intended use as additional parking and a administrative office
3. Introduction of significant new utilities or local/state/federal road projects that were not anticipated in the Plan and make development more feasible:
4. New data regarding trends or projections, housing conditions, population, or traffic growth that warrant reconsideration of the original Plan: Growth of office businesses, medical uses, causing over crowded parking and limiting business functionality. Businesses need additional parking plus administrative offices
5. The proposed changes support the Policies and Actions, goals, objectives, and criteria of the Plan: YES, AB zoning that does not fit with surrounding uses or the SR Growth Plan

By signing this form, I certify that the criteria for a Plan amendment have been met and that any information to justify such action is included.

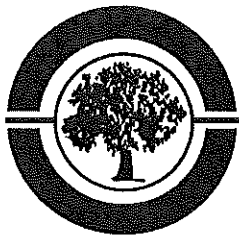
Owner Signature

Printed Name

Steven K. Maddox

Date

5-8-2024



MADDOX

C O M P A N I E S

Management | Leasing | Sales | Development | Construction

****REZONING ASSISTANCE AGREEMENT****

****This Agreement**** is made this 6th day of FEBRUARY, 2024, by and between TX2 TN, LLC, herein referred to as "Owner", with a mailing address of 10215 Kingston Pike, Suite 200, 37922, and Maddox Companies, herein referred to as "Consultant", with a mailing address of 100 Dalton Place Way Suite 105, Knoxville TN 37912.

****WHEREAS****, Owner is the lawful owner of certain real property described as [insert legal description of property], ("Property").

****WHEREAS****, Owner desires to have the Property rezoned and seeks the expertise of Consultant for assistance in this matter.

****NOW, THEREFORE****, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. ****Scope of Services****: Consultant agrees to provide professional assistance and guidance to Owner for the specific purpose of getting the Property rezoned. These services include, but are not limited to, preparing necessary documentation, advising on legal and procedural matters related to rezoning, hiring additional consultants, engineers, surveyors and others, as well as representing Owner in relevant meetings and proceedings.

2. ****Compensation****: In consideration of the services provided by Consultant, Owner agrees to pay Consultant a total fee of \$3,000.00 - Three Thousand Dollars. This fee covers all of Consultant's professional services and does not include any additional expenses.

3. ****Additional Expenses****: Any and all additional expenses related to the rezoning of the Property, including but not limited to filing fees, survey costs, additional hirings and any other disbursements, will be the responsibility of Owner. Consultant shall provide Owner with a written estimate of these additional expenses for approval before incurring any such expenses.

4. ****Term and Termination****: This Agreement shall commence on the date first above written and shall continue until the completion of the services, unless terminated earlier by either party with a 30 day written notice or through mutual agreement demonstrated in writing.

5. ****Independent Contractor****: It is understood that Consultant is an independent contractor and not an employee of Owner. Consultant shall have no authority to bind or commit Owner to any agreements or liabilities without Owner's prior consent.

6. ****Governing Law****: This Agreement shall be governed by and construed in accordance with the laws of the state of Tennessee

7. ****Entire Agreement****: This Agreement constitutes the entire agreement between the parties and supersedes all prior understandings, agreements, or representations.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

****OWNER:**** TKZTN, LLC

Signature: Meredith Overholt

Printed Name: Meredith Overholt

Date: 2-6-24

****CONSULTANT (Maddox Companies):****

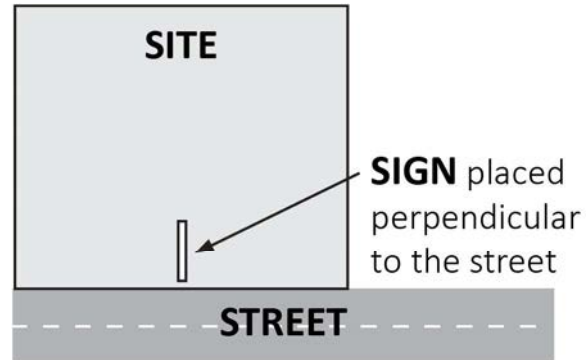
Signature: SK Maddox

Printed Name: Steven K. Maddox

Title: PRESIDENT

Date: 2-6-2024

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:

_____ **July 22, 2024** _____ and _____ **August 9, 2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: MAddox Construction Company Inc.

Date: 5/7/2024

File Number: 8-A-24-RZ_8-A-24-PA



Sign posted by Staff



Sign posted by Applicant