



PLAN AMENDMENT REPORT

► **FILE #:** 7-B-24-SP

AGENDA ITEM #: 37

AGENDA DATE: 7/11/2024

► **APPLICANT:** CHIA HSIANG WU
OWNER(S): Chia Hsiang Wu

TAX ID NUMBER:	122 D E 010, 011, 012	View map on KGIS
JURISDICTION:	Council District 1	
STREET ADDRESS:	925 MARYVILLE PIKE (929, 933 MARYVILLE PIKE)	
► LOCATION:	Northwest side of Maryville Pike, east of Edington Rd	
► APPX. SIZE OF TRACT:	19579 square feet	
SECTOR PLAN:	South City	
GROWTH POLICY PLAN:	N/A (Within City Limits)	
ACCESSIBILITY:	Access is via Maryville Pike, a two-lane minor arterial street with a pavement width of 22 ft within a right-of-way that varies from 40 ft to 60 ft.	
UTILITIES:	Water Source: Knoxville Utilities Board	
	Sewer Source: Knoxville Utilities Board	
WATERSHED:	Goose Creek	

► **PRESENT PLAN AND ZONING DESIGNATION:** HI (Heavy Industrial) / RN-4 (General Residential Neighborhood)

► **PROPOSED PLAN DESIGNATION:** LI (Light Industrial)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Single Family Residential

EXTENSION OF PLAN DESIGNATION:	Yes, this would be an extension from across Maryville Pike.
HISTORY OF REQUESTS:	None noted.
SURROUNDING LAND USE AND PLAN DESIGNATION:	North: Agriculture/forestry/vacant land, wholesale - HI (Heavy Industrial) South: Transportation/communications/utilities - LI (Light Industrial) East: Agriculture/forestry/vacant land - HI (Heavy Industrial) West: Transportation/communications/utilities - HI (Heavy Industrial)
NEIGHBORHOOD CONTEXT	This corridor along Maryville Pike has a mix of office, commercial, industrial, and residential uses with a few undeveloped parcels mixed in. The subject property is surrounded by industrial districts on three sides, though only one of these properties contains an industrial use as two are undeveloped.

STAFF RECOMMENDATION:

► **Approve the LI (Light Industrial) land use classification because it is compatible with the surrounding development, and this is a less intensive land use that would be an extension of this classification**

from across the street.

COMMENTS:

PURSUANT TO THE GENERAL PLAN, PLANNING FRAMEWORK CHAPTER, THE PLANNING COMMISSION RESERVES THE AUTHORITY TO RECOMMEND LAND USE PLAN CHANGES BASED ON SUBSTANTIALLY CHANGED CONDITIONS. SUBSTANTIALLY CHANGED CONDITIONS INCLUDE (may meet any of these):

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

1. No known new roads or utilities have been introduced to this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no apparent errors or omissions in the South City Sector Plan with regard to the subject property. However, the HI classification is not reflective of the property's current use or the area in general. The less intense LI classification can be considered here since this will be an extension of this classification from across the street and is more indicative of the general trend in development on the west side of Maryville Pike south of Candora Avenue.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS.

1. There are no known changes in government policy pertaining to this area.

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

1. Over the last 20 years, a few surrounding properties have transitioned from industrial uses to vegetated vacant lands. This indicates a shift away from heavy industrial uses, which is further evidenced by the corridor's existing mix of commercial, office, residential, warehouse, and industrial uses. The less intensive LI classification is consistent with the development pattern in this area.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/6/2024 and 8/20/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 5-C-24-RZ
7-B-24-PA

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AGENDA DATE: 7/11/2024

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OWNER(S): Chia Hsiang Wu

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UTILITIES:	Water Source:	Knoxville Utilities Board
	Sewer Source:	Knoxville Utilities Board
WATERSHED:	Goose Creek	

► PRESENT PLAN DESIGNATION/ZONING:	HI (Heavy Industrial) / RN-4 (General Residential Neighborhood)
► PROPOSED PLAN DESIGNATION/ZONING:	LI (Light Industrial) / I-MU (Industrial Mixed-Use)
► EXISTING LAND USE:	Agriculture/Forestry/Vacant Land, Single Family Residential

►

EXTENSION OF PLAN DESIGNATION/ZONING:	This would be an extension of the LI land use classification from across the street, but this will not be an extension of the I-MU district.
HISTORY OF ZONING REQUESTS:	None noted.
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING	North: Agriculture/forestry/vacant land, wholesale - HI (Heavy Industrial) - I-H (Heavy Industrial)
	South: Transportation/communications/utilities - LI (Light Industrial) - I-G (General Industrial)
	East: Agriculture/forestry/vacant land - HI (Heavy Industrial) - I-H (Heavy Industrial)
	West: Transportation/communications/utilities - HI (Heavy Industrial) - RN-4 (General Residential Neighborhood)
NEIGHBORHOOD CONTEXT:	This corridor along Maryville Pike has a mix of office, commercial, industrial, and residential uses with a few undeveloped parcels mixed in. The subject

property is surrounded by industrial districts on three sides, though only one of these properties contains an industrial use as two are undeveloped.

STAFF RECOMMENDATION:

- ▶ **Approve the LI (Light Industrial) land use classification because it is compatible with the surrounding development, and this is a less intensive land use that would be an extension of this classification from across the street.**

- ▶ **Approve the I-MU (Industrial Mixed-Use) district because it is consistent with surrounding development and the recommended land use classification.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ONE YEAR PLAN, CHAPTER 1, PLAN AMENDMENT, ONE OF THE FOLLOWING CRITERIA MUST BE MET FOR ALL ONE YEAR PLAN AMENDMENTS (may meet any of these):

AN ERROR IN THE PLAN:

1. There are no apparent errors or omissions in the One Year Plan with regards to the subject property. However, the HI classification is not reflective of the property's current use or the area in general. The less intense LI classification can be considered here since this will be an extension of this classification from across the street and is more indicative of the general trend in development on the west side of Maryville Pike south of Candora Avenue.

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

1. Over the last 20 years, a few surrounding properties have transitioned from industrial uses to vegetated vacant lands. This indicates a shift away from heavy industrial uses, which is further evidenced by the corridor's existing mix of commercial, office, residential, warehouse, and industrial uses. The less intensive LI classification is consistent with the development pattern in this area.

CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There are no known public policy changes pertaining to the subject property and its land use designation.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. There are no new studies or plans specific to this area or the GC land use that apply to this request.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. The development trend indicates a shift away from heavy industrial uses, as mentioned above. The proposed I-MU district is consistent with the surrounding development pattern and this would allow a mix of uses compatible with the area.
2. The existing RN-4 district is not consistent with these parcels' industrial land use classification. The rezoning coupled with the recommended plan amendments would align the zoning and land use classifications here.

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

1. The I-MU district is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. Residential uses are also permitted in the I-MU District, including more intensive multifamily development than the current RN-4 district.
2. The property is in a corridor with a mix of commercial, office, residential, warehouse, and industrial uses, and the location meets the proposed district's intent.

3. 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. The proposed I-MU district is not expected to have any significant adverse impact on the surrounding area, as it is the least intensive industrial district and allows a mix of uses compatible with existing development.
2. The adjacent western parcel zoned RN-4 is a vacant lot previously used as parking lot for the apparel distribution center to the north. With the I-MU district, a 20-ft Class B landscape buffer yard would be required along the western boundary for any development on the property.
3. The existing houses on two of these parcels are permitted in the I-MU district, so rezoning the subject properties to I-MU would not create a nonconformity.
4. The I-MU district is also the only industrial district with design standards pertaining to façade, fenestration and potential commercial development, which addresses aesthetic and functional compatibility with the surrounding area.

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 wide range of less-intensive uses permitted in the I-MU district is consistent with the General Plan's development policy 1.3 to provide incentives for redevelopment and rehabilitation of older industrial properties.
2. The proposed rezoning is consistent with the recommended LI land use classification of the South City Sector Plan and One Year Plan.

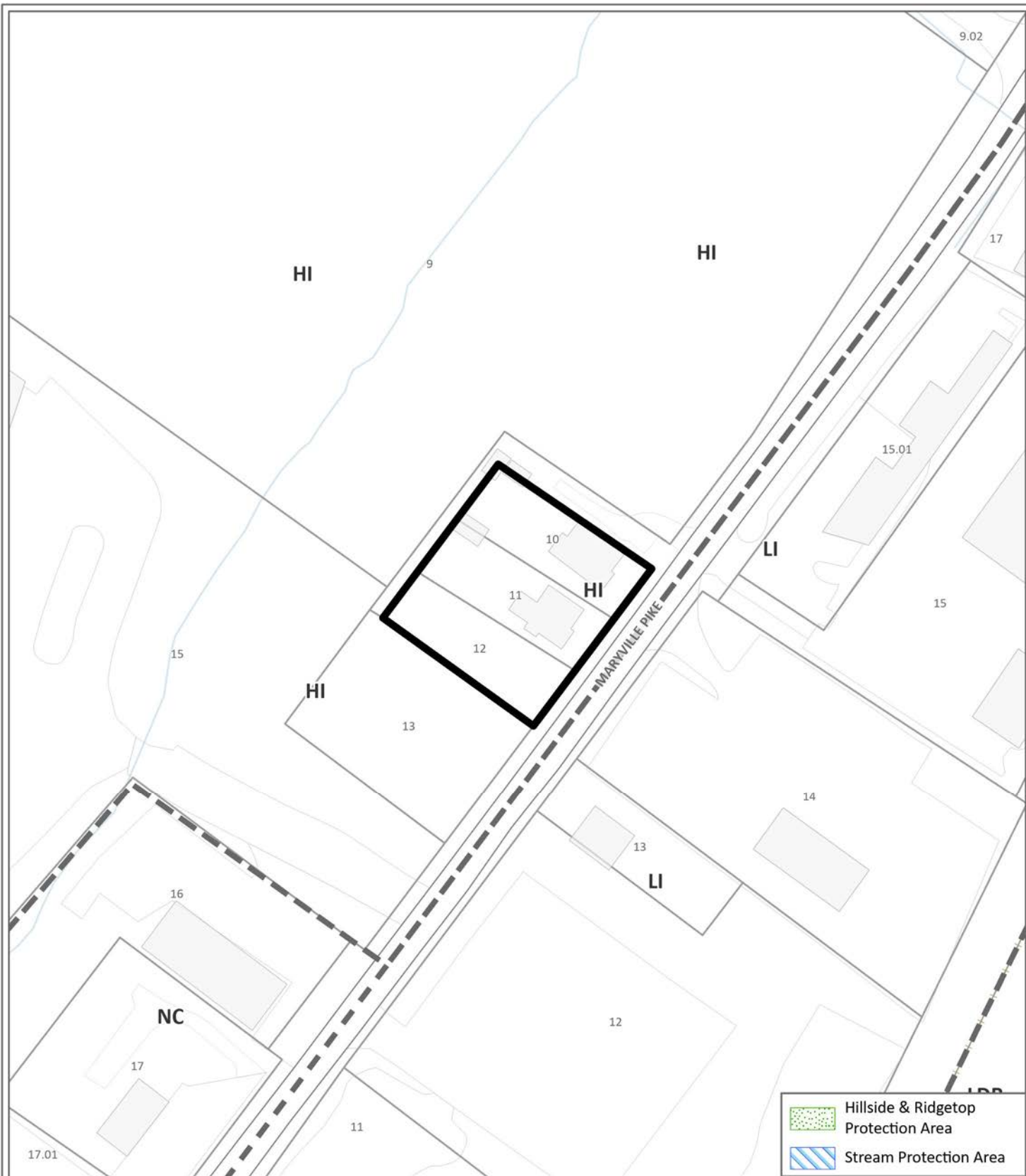
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. There is ample utility infrastructure in this area to support a range of redevelopment opportunities.
2. If a more intensive multifamily development were pursued, it would be supported by the transit route along Maryville Pike. If light industrial or commercial uses were pursued, it would cause no more strain on transportation infrastructure than the trucking activity already occurring next to it.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/6/2024 and 8/20/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**7-B-24-SP
SOUTH CITY SECTOR PLAN MAP**

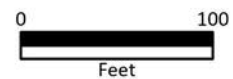
Petitioner: Chia Hsiang Wu



From: HI (Heavy Industrial)

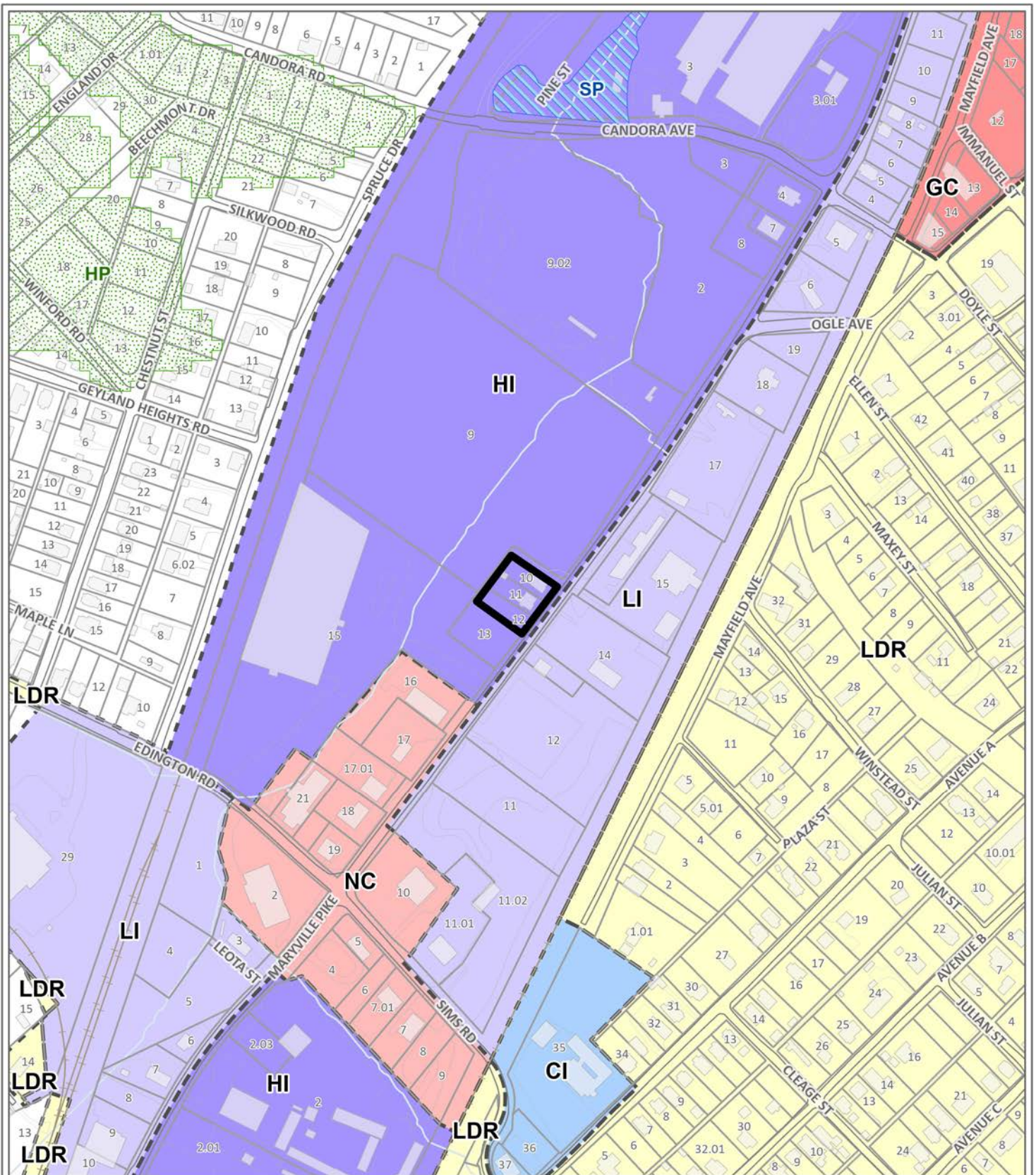
To: LI (Light Industrial)

Map No: 122
Jurisdiction: City



Original Print Date: 6/21/2024

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



ONE YEAR PLAN MAP

7-B-24-PA

Petitioner: Chia Hsiang Wu



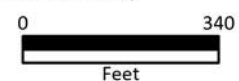
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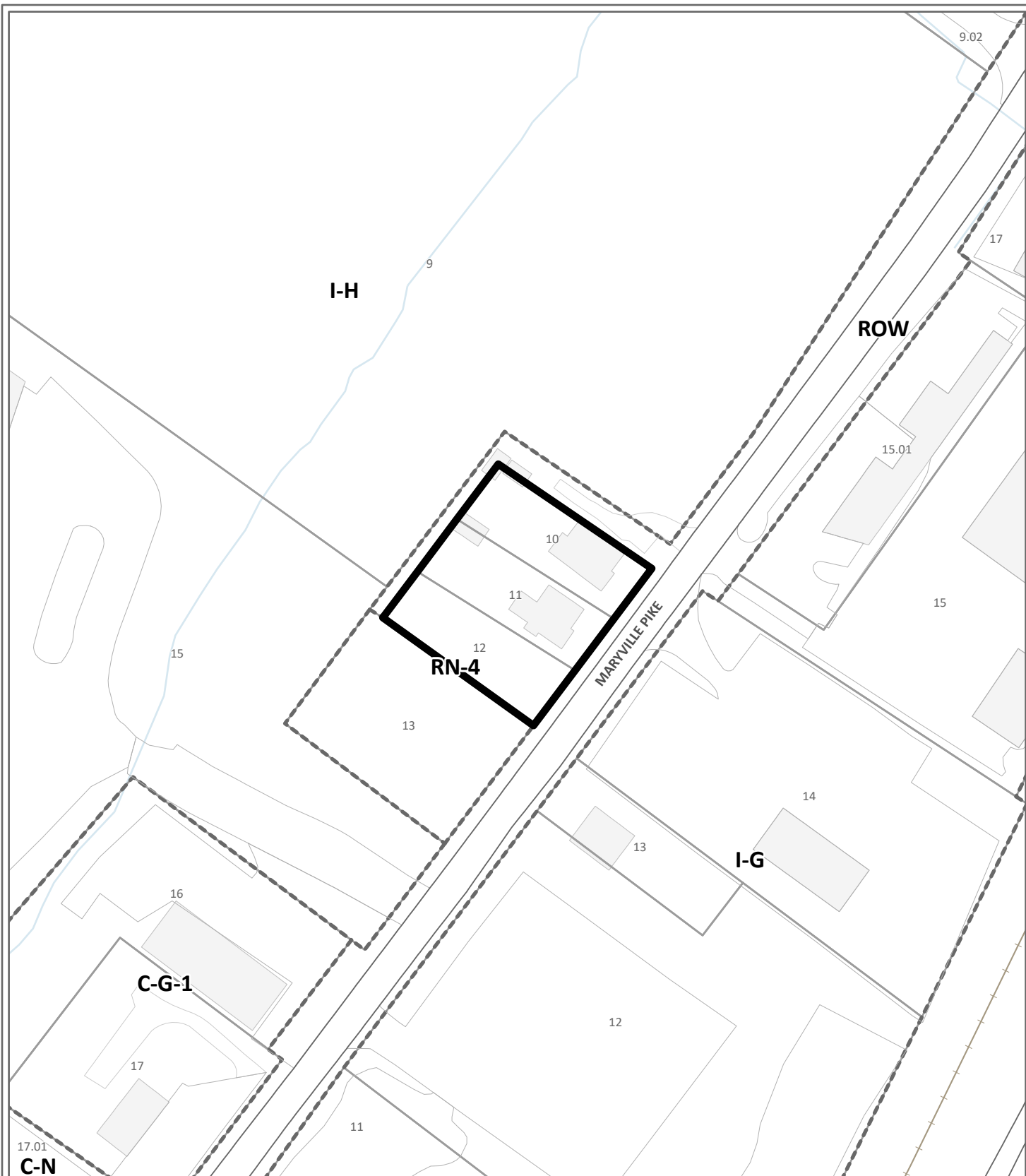
To: LI (Light Industrial)

Original Print Date: 6/3/2024

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

Map No: 122
Jurisdiction: City





REZONING

5-C-24-RZ

Petitioner: Chia Hsiang Wu

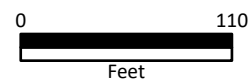


From: RN-4 (General Residential Neighborhood)

To: I-MU (Industrial Mixed-Use)

Map No: 122

Jurisdiction: City

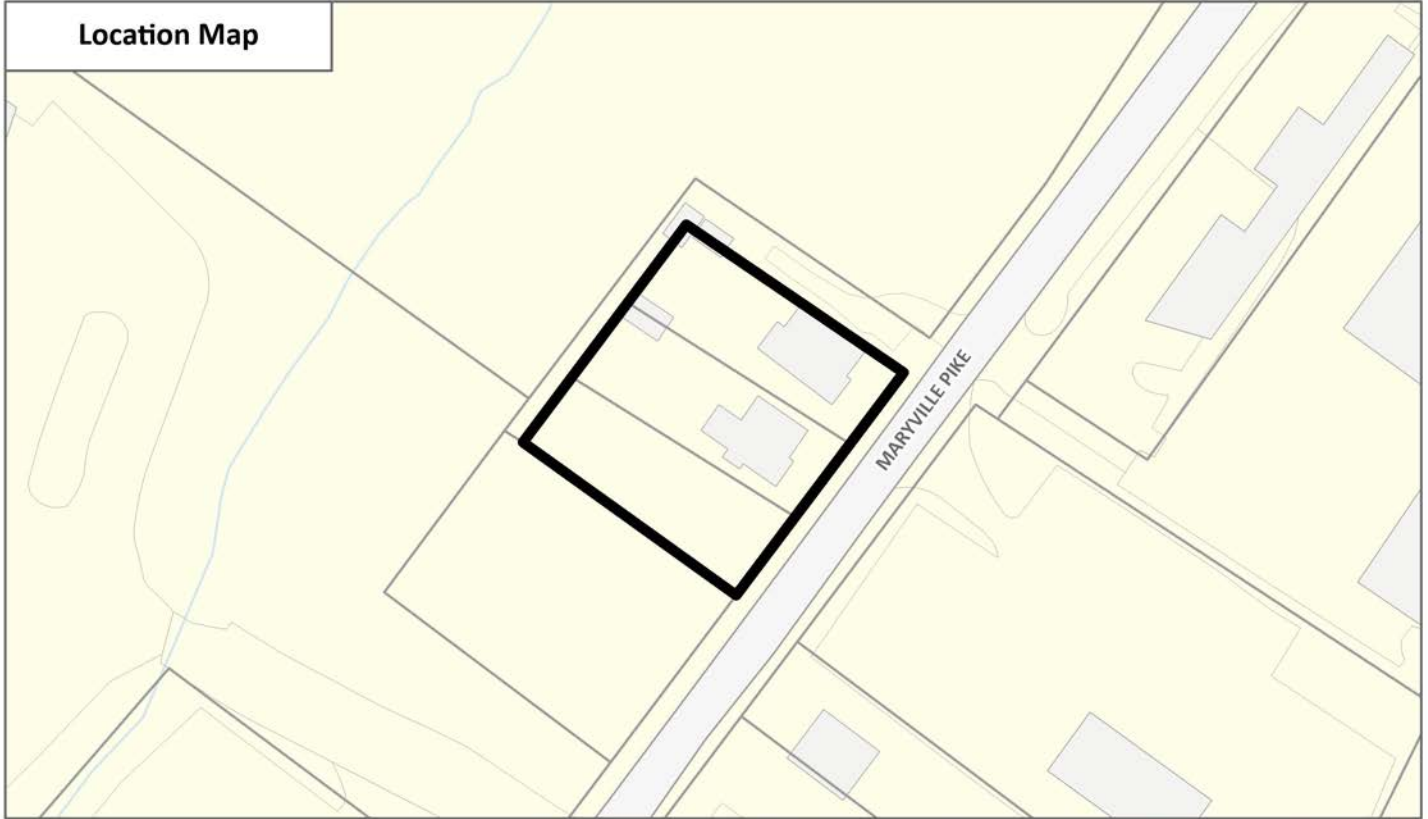


Original Print Date: 4/2/2024

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

Exhibit A. Contextual Images

Location Map



Aerial Map

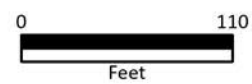


CONTEXTUAL MAPS 1

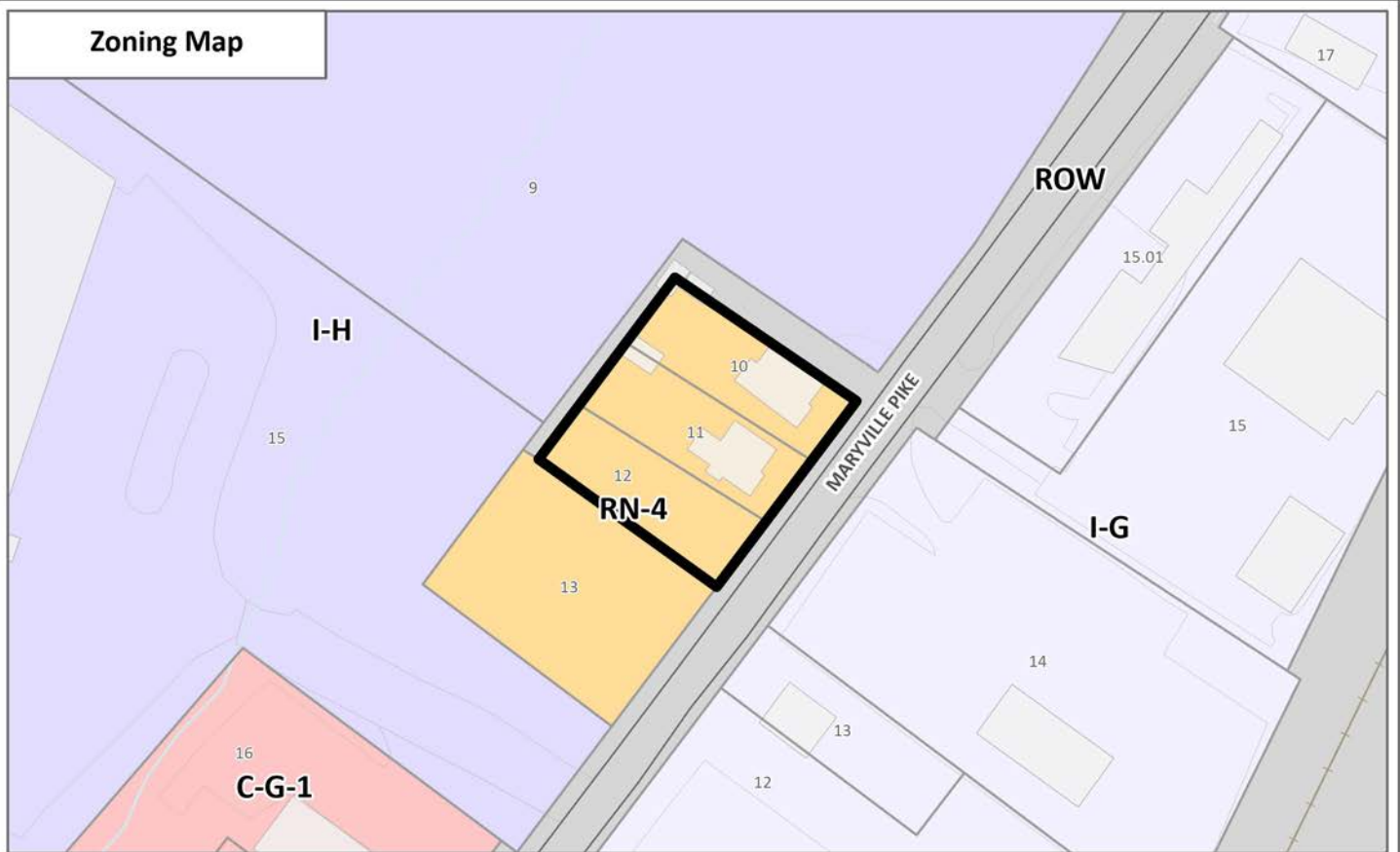
7-B-24-SP



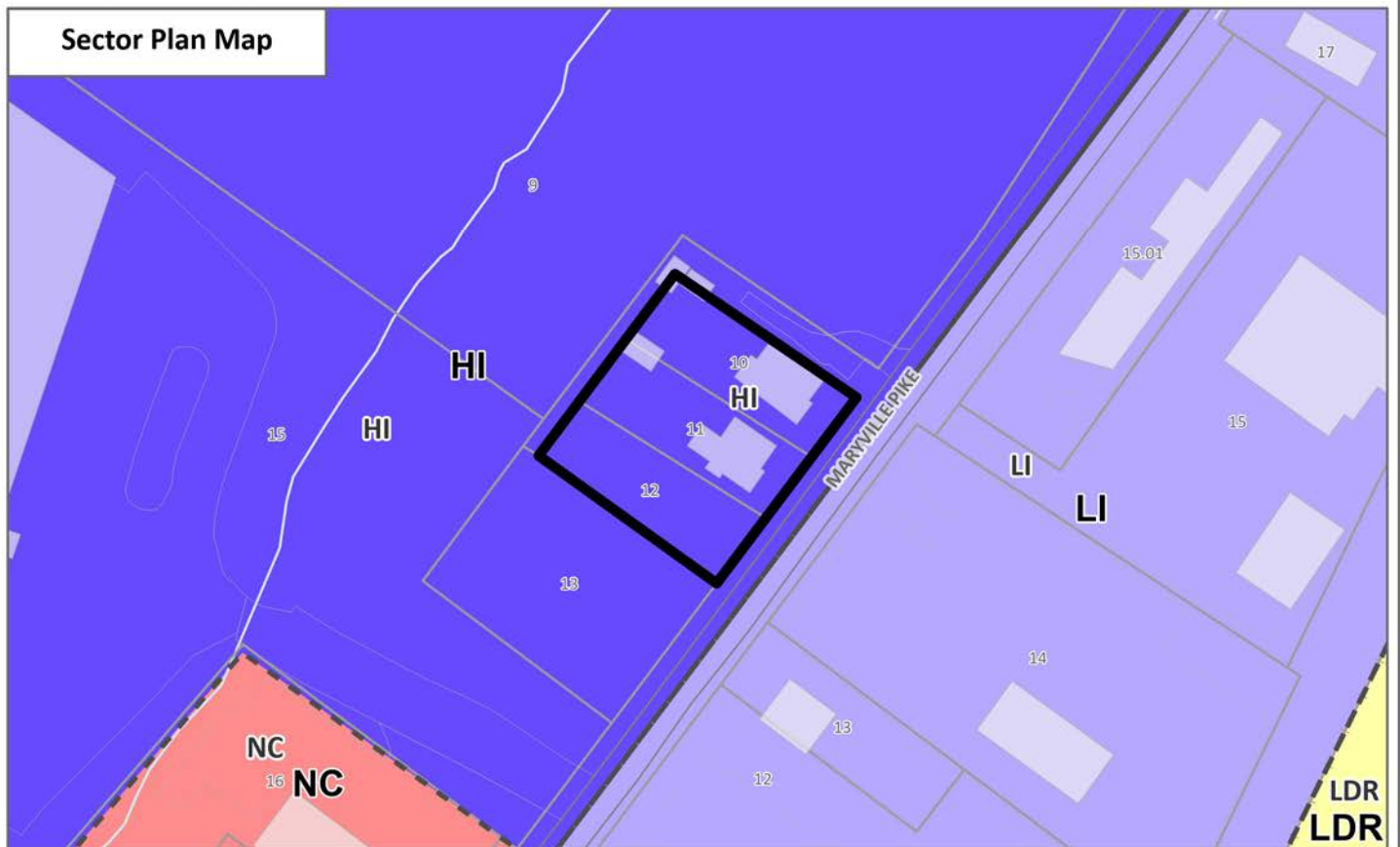
Case boundary



Zoning Map



Sector Plan Map

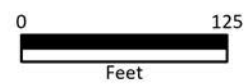


CONTEXTUAL MAPS 2

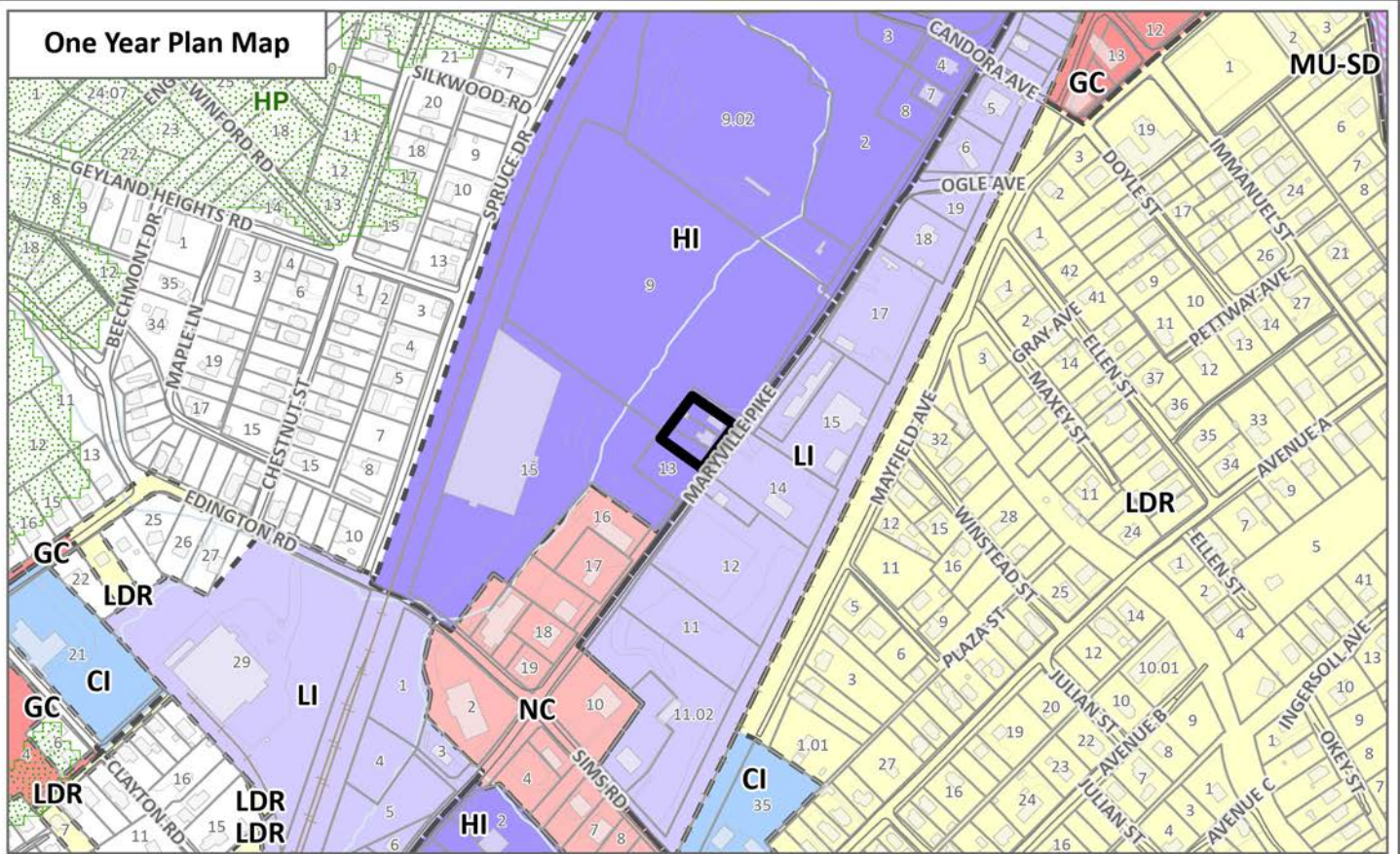
7-B-24-SP



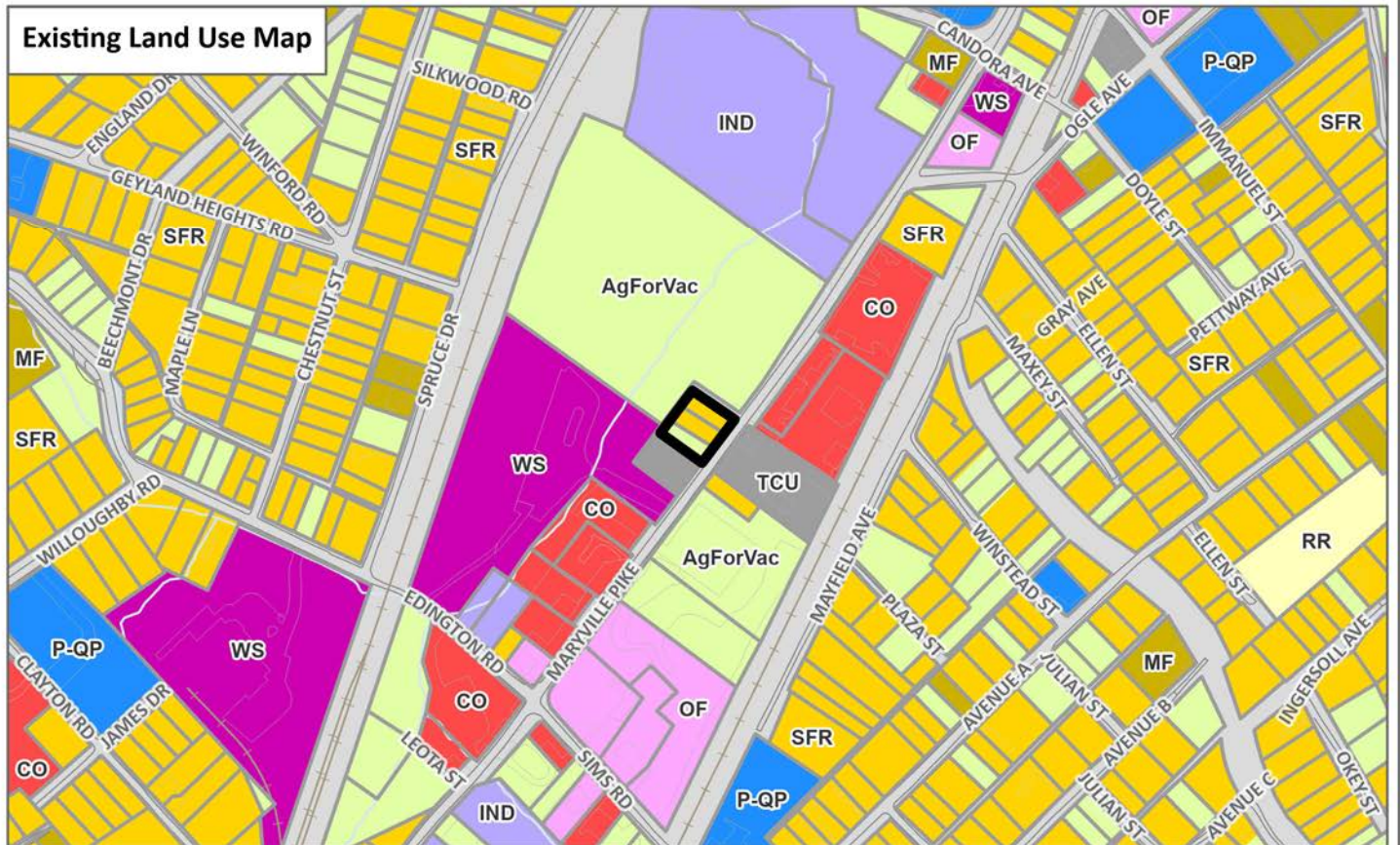
Case boundary



One Year Plan Map



Existing Land Use Map

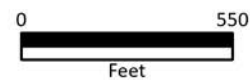


CONTEXTUAL MAPS 3

7-B-24-SP



Case boundary



**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE SOUTH CITY 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 South City 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**, Chia Hsiang Wu has submitted an application to amend the Sector Plan from HI (Heavy Industrial) to LI (Light Industrial) for property described in the application; and*

***WHEREAS**, the Planning Commission staff recommends approval of a revised amendment to the South City Sector Plan, 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 on July 11, 2024 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 South City Sector Plan, with its accompanying staff report and map, file #7-B-24-SP.

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

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

Date

Chairman

Secretary



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

Chia Hsiang Wu

Applicant Name

Affiliation

5/21/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

7-B-24-SP

File Number(s)

CORRESPONDENCE

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

Chia Hsiang Wu

Name / Company

42535 Gage Ct Fremont CA 94538

Address

415-240-9702 / jsnwuu@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Chia Hsiang Wu

Owner Name (if different)

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Owner Address

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Owner Phone / Email

925 MARYVILLE PIKE / 929, 933 MARYVILLE PIKE

Property Address

122 D E 010, 011, 012

Parcel ID

Part of Parcel (Y/N)?

19579 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northwest side of Maryville Pike, east of Spruce Drive

General Location

☒ City Council District 1 RN-4 (General Residential Neighborhood)

Agriculture/Forestry/Vacant Land, Single Family Residential

☐ County District Zoning District

Existing Land Use

South City HI (Heavy Industrial)

N/A (Within City Limits)

Planning Sector Land Use (City)/Place Type (County)

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 **I-MU (Industrial Mixed-Use)**
Proposed Zoning

Pending Plat File Number

- ☒ Plan Amendment **LI (Light Industrial)**
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

\$1,050.00

Total

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.

Chia Hsiang Wu

5/21/2024

Applicant Signature

Please Print

Date

Phone / Email

Chia Hsiang Wu

5/21/2024

Property Owner Signature

Please Print

Date



Development Request

DEVELOPMENT

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Owner Phone / Email

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122 D E 010,011,012

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☐ County District Zoning District

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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 **I-MU (Industrial Mixed-Use)**
Proposed Zoning

Pending Plat File Number

- ☒ Plan Amendment **LI (Light Industrial)**
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Additional Information

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

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ADDITIONAL REQUIREMENTS

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☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

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Total

Fee 2

Fee 3

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Chia Hsiang Wu

5/21/2024

Applicant Signature

Please Print

Date

Phone / Email

Chia Hsiang Wu

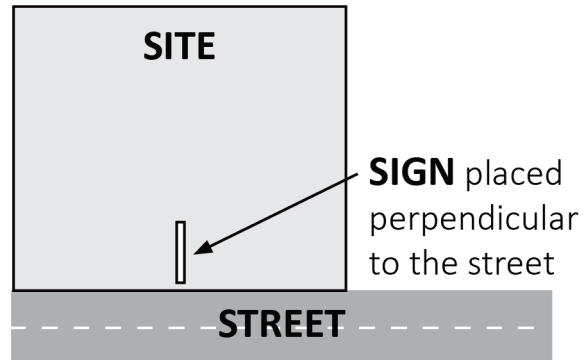
5/21/2024

Property Owner Signature

Please Print

Date

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:

_____ **06/28/2024** _____ and _____ **07/12/2024** _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Chia Hsiang Wu

Date: 05/22/2024

File Number: 7-B-24-PA & 7-B-24-SP



Sign posted by Staff



Sign posted by Applicant