

USE ON REVIEW REPORT

FILE #:	10-A-24-UR	AGENDA ITEM #:	70
POSTPONEMENT(S):	10/3/2024	AGENDA DATE:	11/14/2024
APPLICANT:	DONALD EPPERLY, JDK PROPERTIES		
OWNER(S):	Donald Epperly JDK Properties		
<hr/>			
TAX ID NUMBER:	72 107	View map on KGIS	
JURISDICTION:	County Commission District 8		
STREET ADDRESS:	0 CAHABA LN		
LOCATION:	Eastern terminus of Cahaba Lane, east of Oglesby Road		
APPX. SIZE OF TRACT:	8.56 acres		
GROWTH POLICY PLAN:	Urban Growth Area (Outside City Limits)		
ACCESSIBILITY:	Access is via Cahaba Ln, a local road with a pavement width of 22 ft within the I-40 right-of-way.		
UTILITIES:	Water Source: Knoxville Utilities Board Sewer Source: Knoxville Utilities Board		
FIRE DISTRICT:	Rural Metro Fire		
WATERSHED:	Holston-French Broad		
<hr/>			
ZONING:	CA (General Business)		
EXISTING LAND USE:	Agriculture/Forestry/Vacant Land		
PROPOSED USE:	Commercial mulching operation		
HISTORY OF ZONING:	Property was rezoned from A to CA in 1988 (12-M-88-RZ)		
SURROUNDING LAND USE AND ZONING:	North: I-40 right-of-way South: Agriculture/forestry/vacant land - A (Agricultural) East: Agriculture/forestry/vacant land - A (Agricultural) West: Agriculture/forestry/vacant land, public-quasi public (church) - CA (General Business), A (Agricultural)		
NEIGHBORHOOD CONTEXT:	The property is located in a heavily forested area on the south side of Interstate 40, between the E. Governor John Sevier Hwy and the Strawberry Plains Pike interchange. The area is developed with rural residential and agricultural uses, and to the west on Cahaba Ln is East Sunnyview Baptist Church.		
<hr/>			
STAFF RECOMMENDATION:			
Postpone the request for 90 days to the February 13, 2024 Planning Commission meeting as requested by the applicant.			

COMMENTS:

This request is for a commercial mulching operation, which is listed as a "use permitted on review" in the CA (General Business) zone and must meet the standards in Article 4.96 (Standards for the use-on-review approval of commercial mulching operations) in the Knox County Zoning Ordinance. The property accesses Cahaba Lane, which is a local street. Cahaba Lane is accessed via a series of major collector streets leading to Asheville Highway (major arterial) north or Strawberry Plains Pike (minor arterial) to the southeast. The facility will not be open to the public for the sale of mulch.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.



Request to Postpone • Table • Withdraw

Donald Epperly, JDK Properties

10/30/2024

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

Date of Request

11/14/2024

Scheduled Meeting Date

10-A-24-UR

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 02/13/2025 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.

Michael Grider

Applicant Signature

Michael Grider (representative)

Please Print

865-591-0655

Phone Number

Michael@FoothillsStrategies.com

Email

STAFF ONLY

Shelley Gray

Staff Signature

Shelley Gray

Please Print

10/31/2024

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

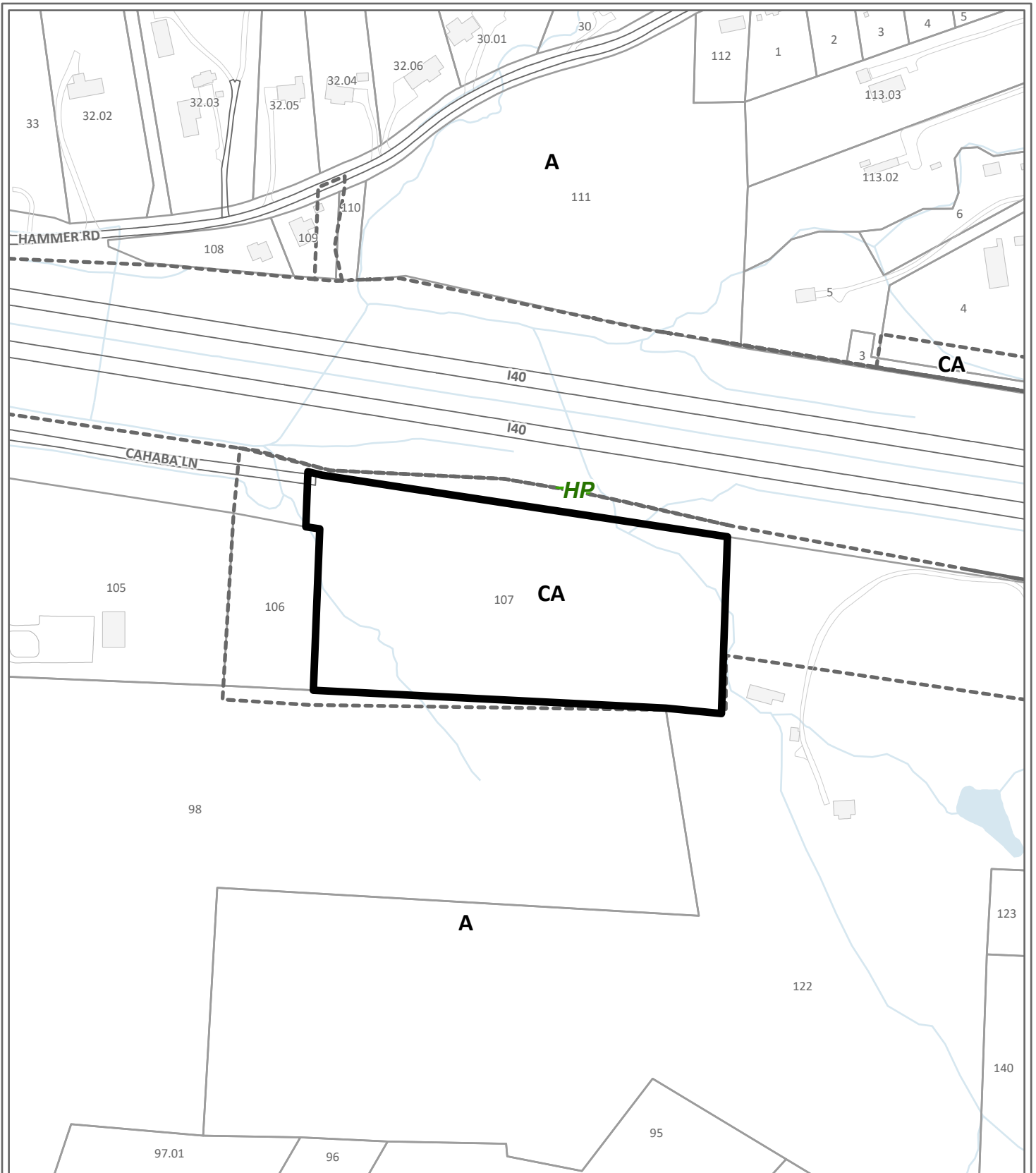
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



USE ON REVIEW

10-A-24-UR

Petitioner: Donald Epperly, JDK Properties



Commercial Mulching Operation in CA (General Business)

Map No: 72

Jurisdiction: County

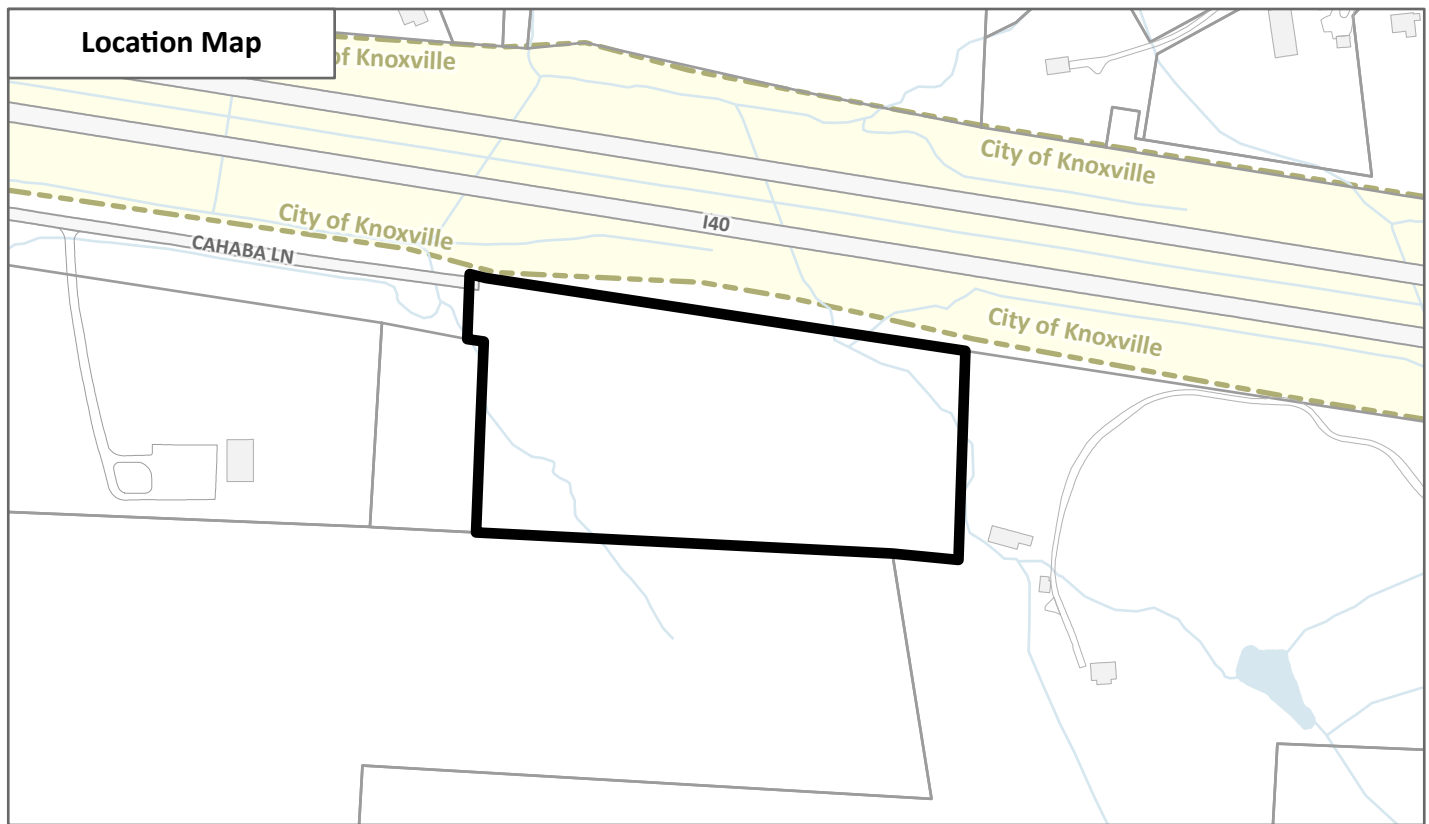


Original Print Date: 8/26/2024

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

Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

10-A-24-UR

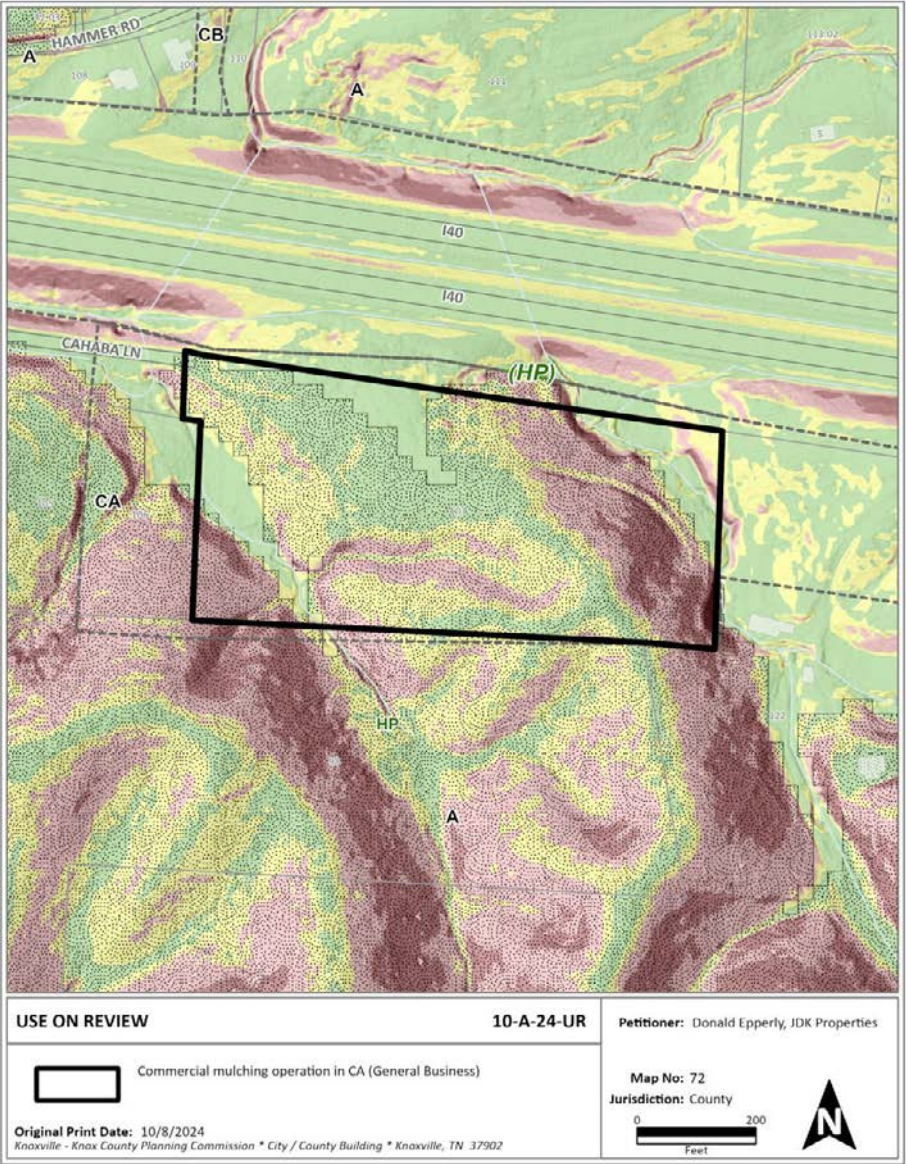


Case boundary

0 360
Feet



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	8.6		
Non-Hillside	1.6	N/A	
0-15% Slope	2.1	100%	2.1
15-25% Slope	2.2	50%	1.1
25-40% Slope	2.0	20%	0.4
Greater than 40% Slope	0.6	10%	0.1
Ridgetops			
Hillside Protection (HP) Area	7.0	Recommended disturbance budget within HP Area (acres)	3.6
		Percent of HP Area	52.4%



TO: Knox Planning Staff
FROM: JDK Properties, LLC
RE: Use on Review Application – 0 Cahaba Ln. (Parcel ID: 072 107)
Date: August 7, 2024

The property owner seeks use on review approval at the above referenced property for a commercial mulching operation.

The proposed operation will not be a retail location and no sales of material will be conducted from the property. Traffic, consisting of delivery of raw material (felled trees, limbs and brush) to the site and removal of finished mulch from the site by truck and trailer, will be minimal.

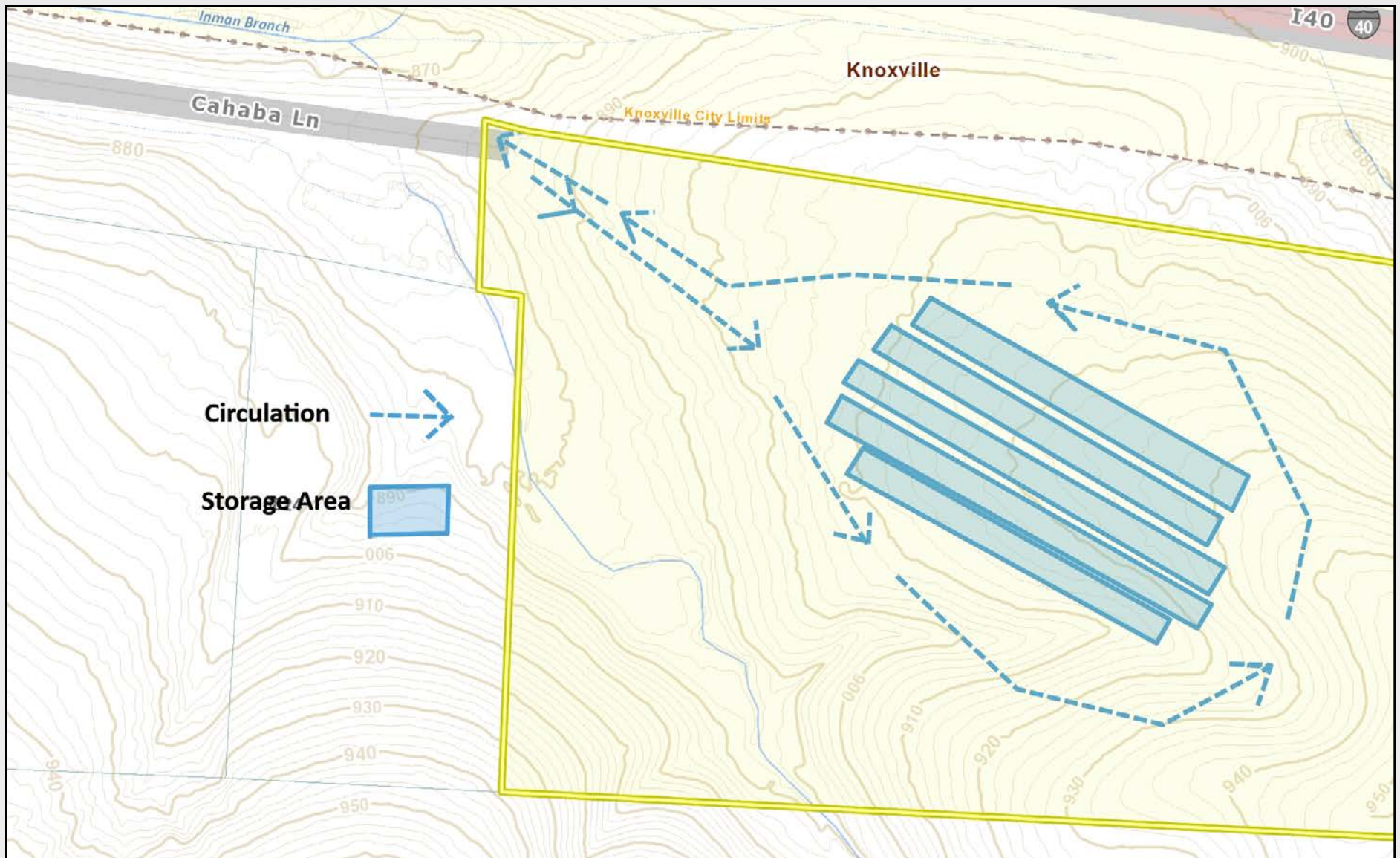
At the property, the raw material will be processed using a portable horizontal Petersen grinder. The ground material is dyed using Colorbiontics dye, which meets applicable environmental requirements.

Other than the portable on-site equipment used in the loading and unloading of raw material and grinding and dying the mulch, no other facilities are required for operation. Ground material will be stored in rows until it is removed from the site by truck and trailer.

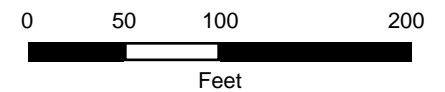
The site will operate on a Monday through Saturday schedule, from 8 a.m. to 5 p.m., during daylight hours. However, there will be no operations conducted most Saturdays.

The site requires no lighting, no septic and no sewer. Additionally, there will be no structures constructed on the site. This operation is designed to be low-impact to property and the area surrounding it.

Included with this application is a topographical map at the 2' level, as well as a map showing approximate on-site traffic pattern and location of temporarily stored raw and processed material.

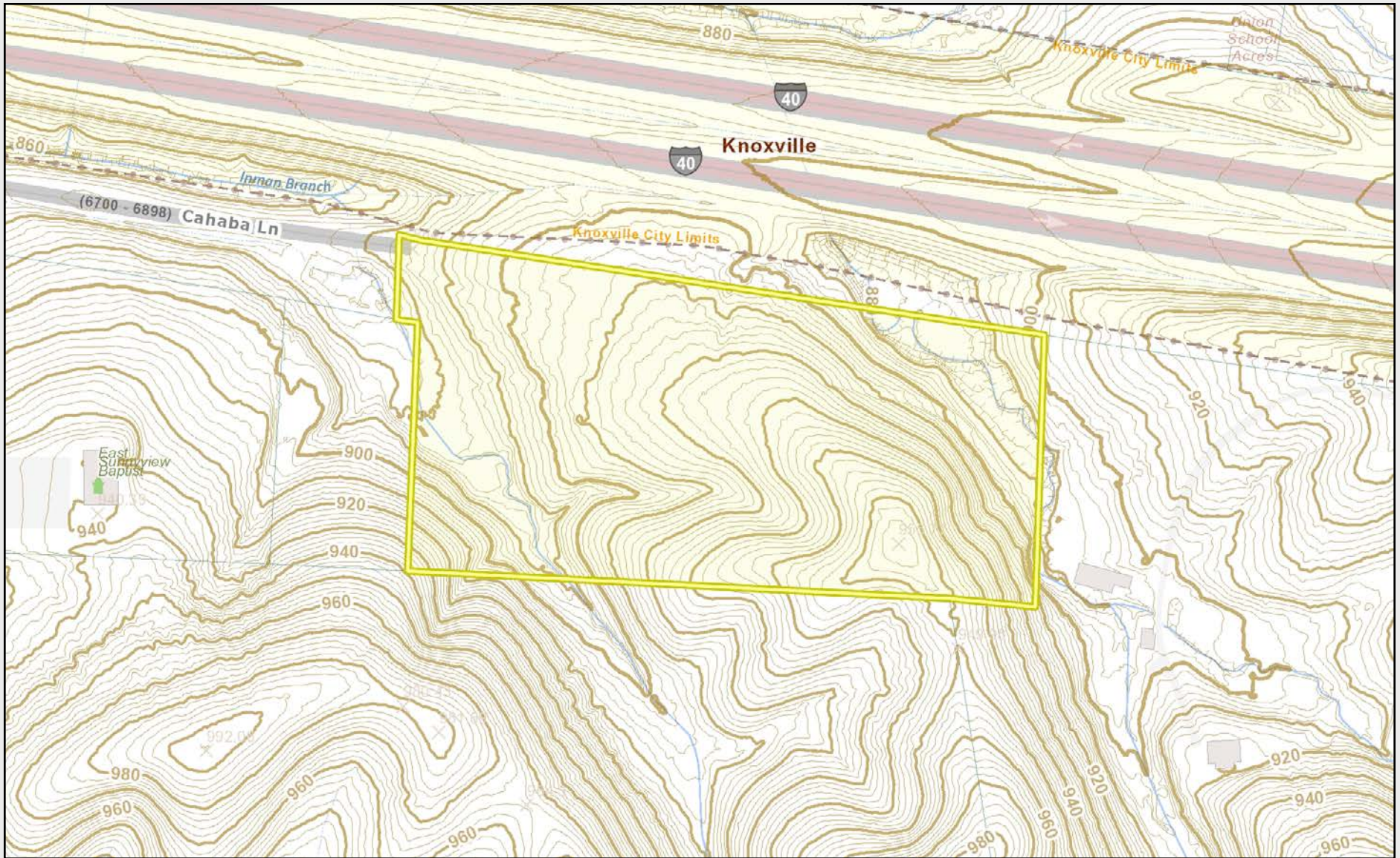


0 Cahaba Ln - Parcel 072 107 Circulation & Use diagram



KGIS makes no representation or warranty as to the accuracy of this map and its information, nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

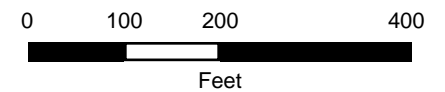
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Printed: 7/23/2024 4:02:37 PM



0 Cahaba - Parcel 072 107

Topo at 2' increments

Notes



KGIS makes no representation or warranty as to the accuracy of this map and its information, nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

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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

Donald Epperly, JDK Properties

Applicant Name

Affiliation

8/9/2024

Date Filed

10/3/2024

Meeting Date (if applicable)

10-A-24-UR

File Number(s)

CORRESPONDENCE

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

Donald Epperly JDK Properties

Name / Company

3839 River Vista Way Louisville TN 37777

Address

865-591-0655 / michael@foothillsstrategies.com

Phone / Email

CURRENT PROPERTY INFO

Donald Epperly JDK Properties

Owner Name (if different)

3839 River Vista Way Louisville TN 37777

Owner Address

865-591-0655 / michael@foothi

Owner Phone / Email

0 CAHABA LN

Property Address

72 107

Parcel ID

Part of Parcel (Y/N)?

8.56 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice and Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan	<input type="checkbox"/> Planned Development	<input checked="" 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) Commercial Mulching Operation			

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 type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment	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
\$1,600.00	
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.

Applicant Signature	Donald Epperly, JDK Properties	8/9/2024
	Please Print	Date

Phone / Email

Property Owner Signature	Donald Epperly JDK Properties	8/9/2024
	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 ☐ PA
☐ Rezoning

Donald Epperly, JDK Properties

Owner

Applicant Name

Affiliation

08/07/2024

Date Filed

10/03/2024

Meeting Date (if applicable)

File Number(s)

10-A-24-UR

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

Donald Epperly

JDK Properties

Name

Company

3839 River Vista Way

Louisville

TN

37777

Address

City

State

ZIP

865-591-0655

Phone

Michael@FoothillsStrategies.com

Email

CURRENT PROPERTY INFO

3239 River Vista Way, Louisville, TN 37777

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Cahaba Ln

072 107

Property Address

Parcel ID

N/A

N/A

N/A

Sewer Provider

Water Provider

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

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JULY 2024

DEVELOPMENT REQUEST

- ☐ Development Plan ☒ Use on Review / Special Use ☐ Hillside Protection COA
☐ Residential ☐ Non-Residential

Related City Permit Number(s)

Home Occupation (specify) **None**Other (specify) **Commercial Mulching Operation (see Attachment)****SUBDIVISION REQUEST**

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify)☐ Attachments / Additional Requirements**ZONING REQUEST**

Pending Plat File Number

☐ Zoning Change

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

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
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

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

Fee 1

Total

0405 \$1,600.00

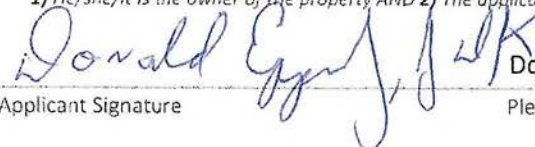
Fee 2

\$1,600.00

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



Donald Epperly, JDK Properties

Applicant Signature

Please Print

Date

8/5/24

Phone Number



Property Owner Signature

Email

Donald Epperly

Please Print

08/09/2024, SG**08/05/24**

Date Paid

TO: Knox Planning Staff
FROM: JDK Properties, LLC
RE: Use on Review Application – 0 Cahaba Ln. (Parcel ID: 072 107)
Date: August 7, 2024

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Included with this application is a topographical map at the 2' level, as well as a map showing approximate on-site traffic pattern and location of temporarily stored raw and processed material.



Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

09/20/24

~~09/21/24~~

Date to be Posted

10/04/24

Date to be Removed

Have you engaged the surrounding property owners to discuss your request?

☐ Yes ☐ No

☒ No, but I plan to prior to the Planning Commission meeting

Donald Epperly

Applicant Signature

Applicant Name

Donald Epperly

09/05/24

Date
10-A-24-UR

FILE NUMBER