

REZONING REPORT

▶ **FILE #:** 9-B-24-RZ

AGENDA ITEM #: 36

AGENDA DATE: 9/12/2024

▶ **APPLICANT:** JIM FRITZ/APEX BANK

OWNER(S): Jim Fritz Apex Bank

TAX ID NUMBER: 131 104

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 9721 SHERRILL BLVD

▶ **LOCATION:** North side of Sherrill Blvd, east of Frank Gardner Ln

▶ **APPX. SIZE OF TRACT:** 11.41 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Sherrill Boulevard, a major collector street with a divided median and a left-turn lane at this location. It has a pavement width ranging from 66 - 74 ft within a 100-ft right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Turkey Creek

▶ **PRESENT ZONING:** OP (Office Park), TO-1 (Technology Park Overlay)

▶ **ZONING REQUESTED:** C-H-1 (Highway Commercial), TO-1 (Technology Park Overlay)

▶ **EXISTING LAND USE:** Office

▶ **EXTENSION OF ZONE:** No, this is not an extension.

HISTORY OF ZONING: This property was assigned the C-3 (General Commercial) district following its annexation into the City of Knoxville and was partially zoned TO-1 (Technology Park Overlay) in 1994 (7-BB-94-RZ).

SURROUNDING LAND USE AND ZONING: North: Private recreation (golf course), agriculture/forestry/vacant land - PR (Planned Residential), OS (Open Space), OP (Office Park)

South: I-40/I-75 Right-of-Way

East: Public quasi-public land (medical center) - OP (Office Park)

West: Office - OP (Office Park), TO-1 (Technology Park Overlay)

NEIGHBORHOOD CONTEXT: The surrounding area consists of an array of uses including commercial and office with a church and cemetery nearby. Adjacent to the north of the property is Dead Horse Lake Golf Course. To the east is the Fort Sanders Medical Center.

STAFF RECOMMENDATION:

▶ **Approve the C-H-1 (Highway Commercial) district because it is consistent with the surrounding development and the City of Knoxville's One-Year Plan. The TO-1 (Technology Park Overlay) district**

would be retained.

COMMENTS:

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 IS NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY GENERALLY

1. Since the early 2000s, the majority of rezonings in the surrounding area have been to commercial zones such as C-H (Highway Commercial), C-G (General Commercial), and PC (Planned Commercial), reflecting a consistent trend in commercial development in this area of the I-40 corridor.
2. The subject property was formerly part of the Scripps Networks campus, which housed the headquarters offices and broadcasting facility for the network's programming. However, since Scripps has sold the properties and no longer occupies the spaces, they are now separate entities open to individual development and changes in use. Due to its proximity to a major arterial highway, I-40/I-75, the C-H-1 district is suitable for the subject property.

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSES OF THIS CODE.

1. The C-H-1 district is intended to provide for higher-intensity commercial uses of a predominantly auto-oriented character.
2. The TO-1 (Technology Park Overlay) District is intended to provide for physical development review in the Tennessee Technology Corridor Area. The TO-1 district requires TTCDA approval of all rezoning requests. This request will be heard at the September 9, 2024 TTCDA meeting (9-C-24-TOR).
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 C-H-1 district is not anticipated to adversely affect the surrounding area, as it is intended to ensure the mitigation of any potential impacts related to higher-intensity commercial uses on neighboring uses.
2. The surrounding area features a variety of uses, including commercial, office, and private recreation (golf course).

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The subject property is in the MU-SD, NWCO-1 (Dead Horse Lake Special Use District) in the City's One Year Plan and the Northwest County Sector Plan, which recommends the MU-CC (Mixed Use Community Center) land use classification. The C-H-1 district is a district that can be considered in the MU-CC land use type.
2. The rezoning supports the General Plan's Development Policy 1.9, to help identify and recruit businesses that can benefit from the Technology Corridor's access to surrounding amenities. The flexibility in allowed uses in the C-H-1 district encourages the re-use of an established campus situated at an ideal location for economic growth within the Technology overlay.

WHETHER ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, STORM 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. This is an urbanized area with ample utility and facility infrastructure to support a rezoning of this site. The area is served by the West Knox Utility District (WKUD) for water and sewer services.
2. The subject property is accessed via Sherrill Blvd, a major collector street that, as such, is intended to accommodate and move higher volumes of traffic to and from Pellissippi Parkway.

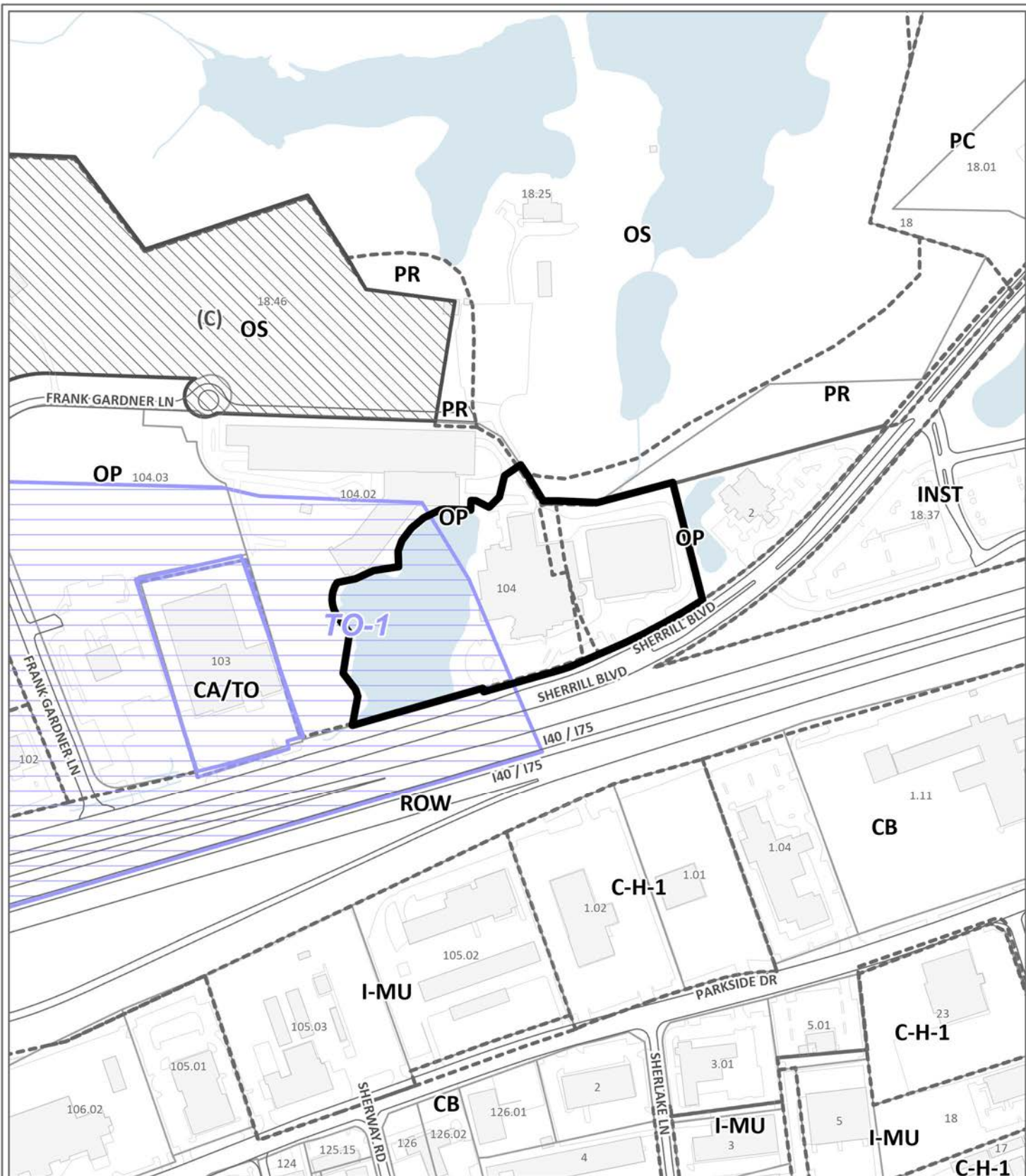
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Cedar Bluff Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knoxville City Council for action on 10/15/2024 and 10/29/2024. 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.



REZONING

9-B-24-RZ

Petitioner: Jim Fritz/Apex Bank



From: OP (Office Park), TO-1 (Technology Park Overlay)

To: C-H-1 (Highway Commercial), TO-1 (Technology Park Overlay)

Map No: 131

Jurisdiction: City

Original Print Date: 8/22/2024

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

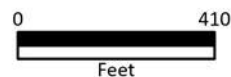
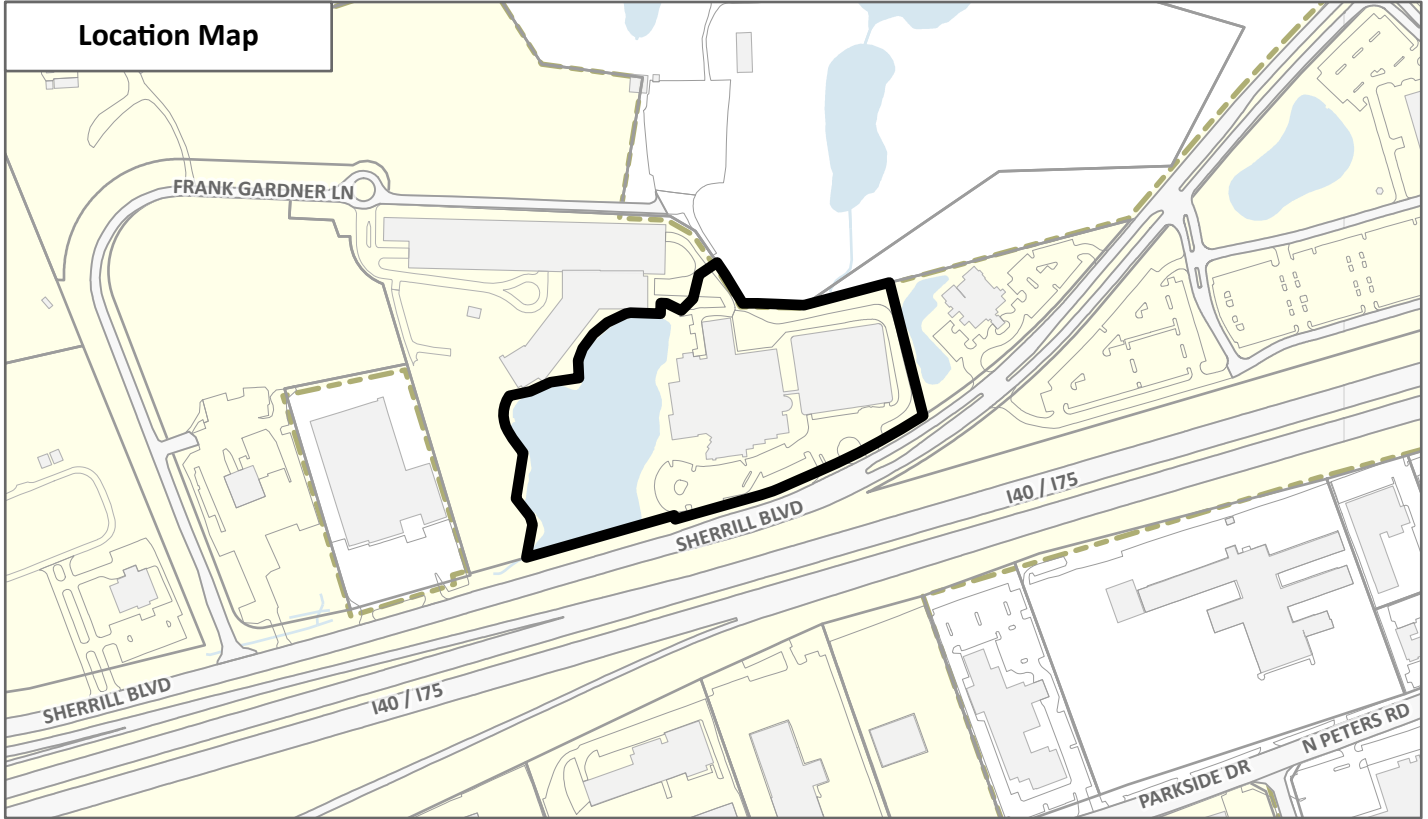


Exhibit A. Contextual Images

Location Map



Aerial Map

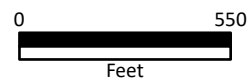


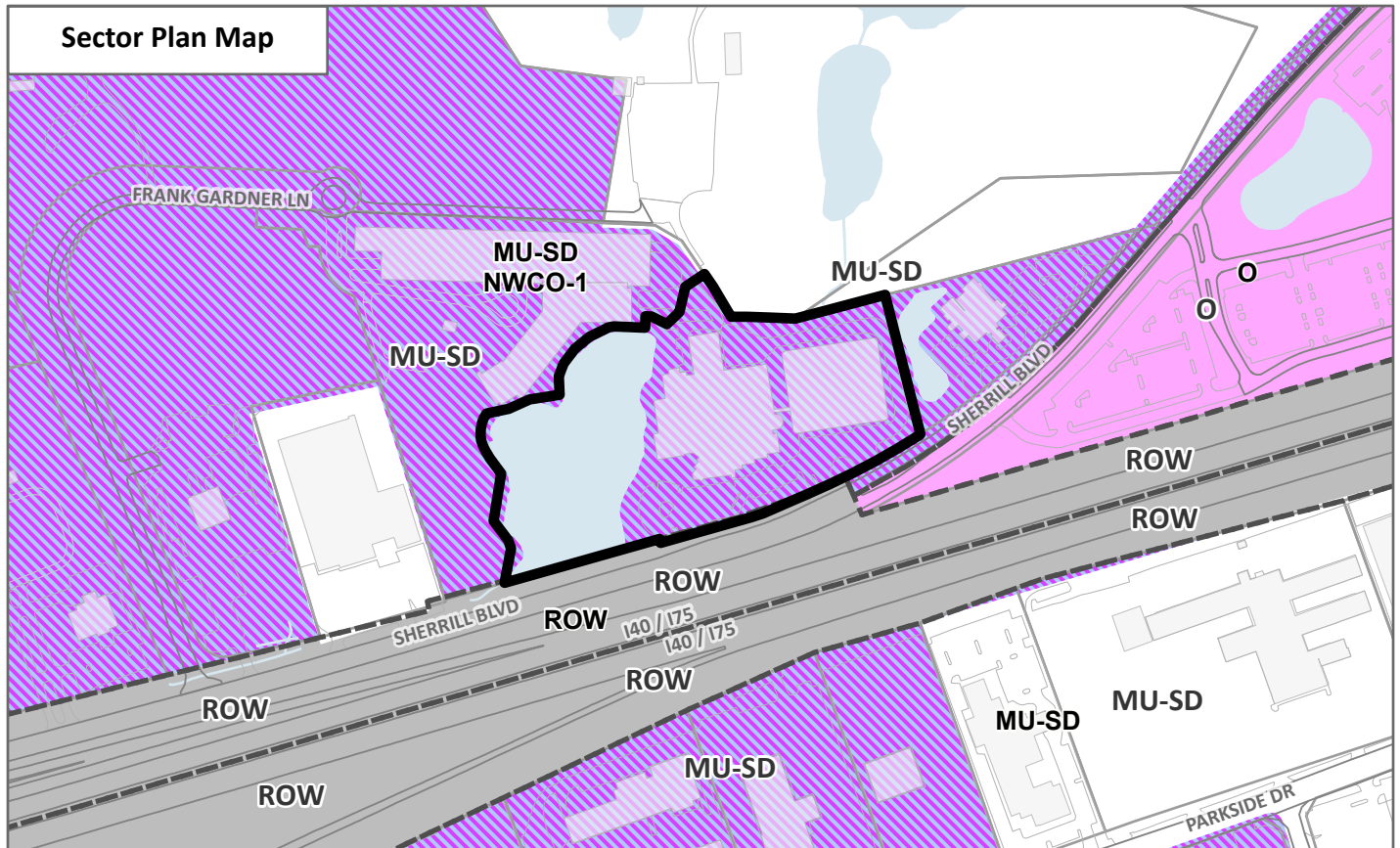
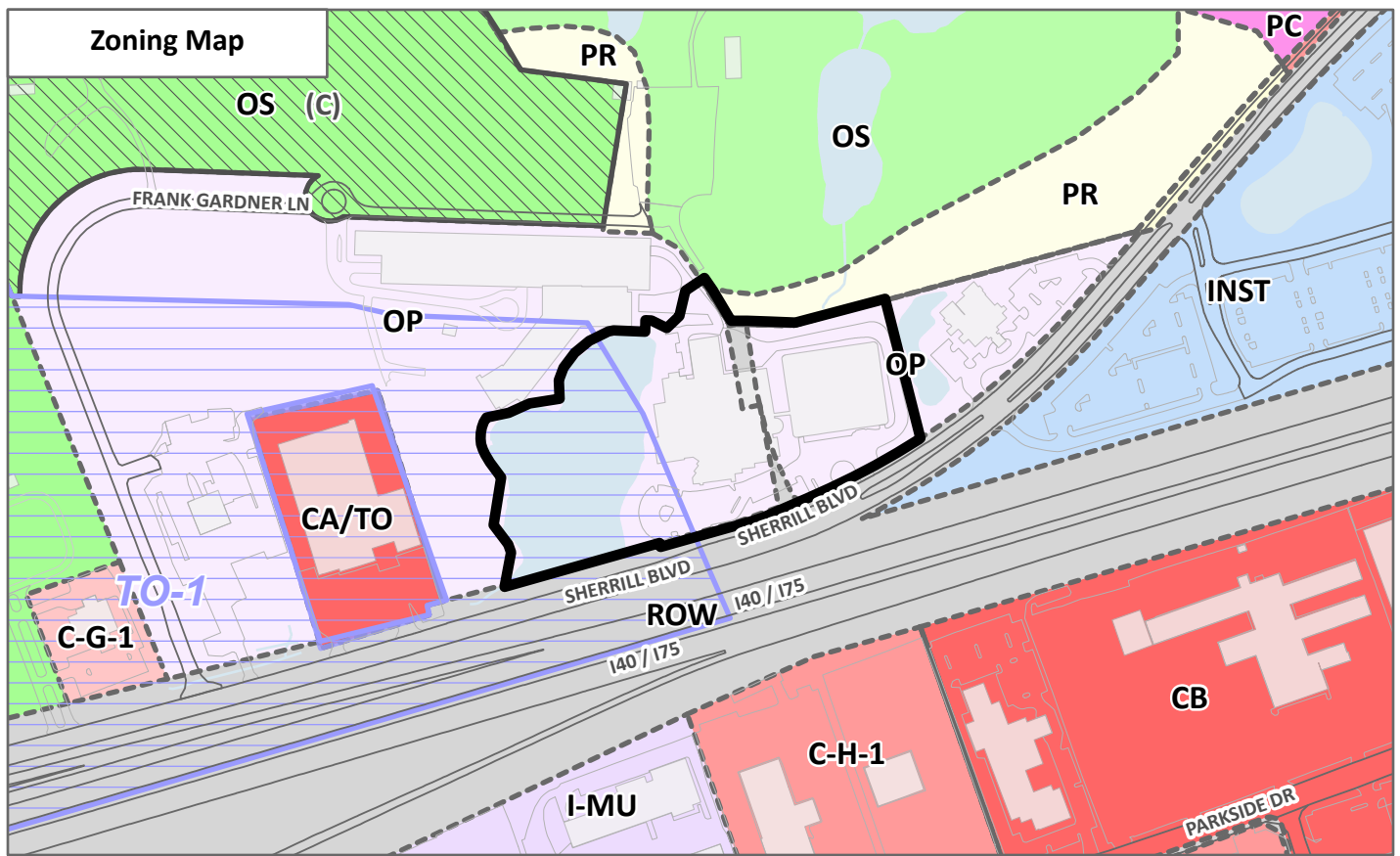
CONTEXTUAL MAPS 1

9-B-24-RZ




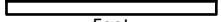
Case boundary



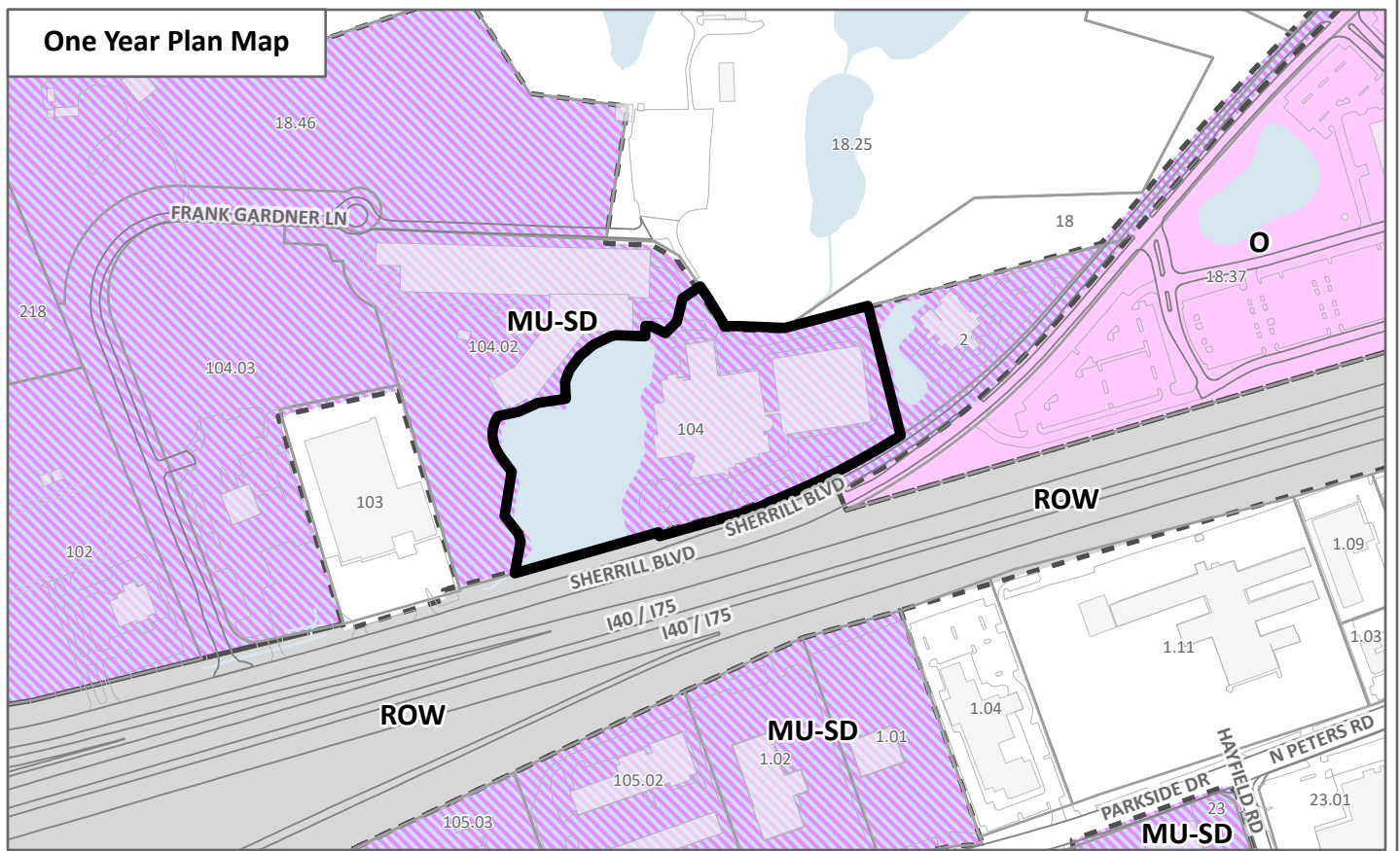


CONTEXTUAL MAPS 2 9-B-24-RZ

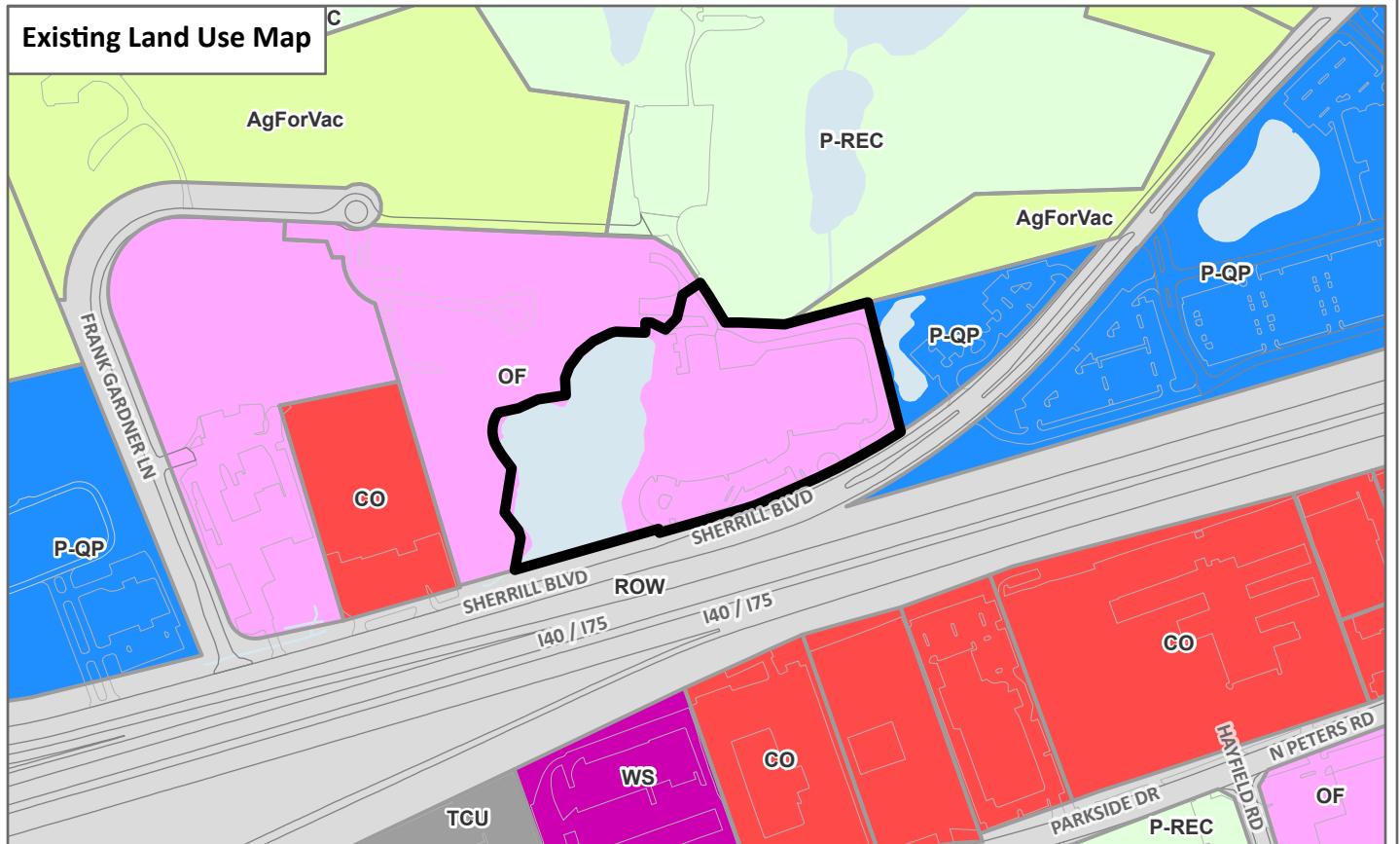
 Case boundary

0 510

 Feet 

One Year Plan Map



Existing Land Use Map



CONTEXTUAL MAPS 3

9-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

Jim Fritz/Apex Bank

Applicant Name

Affiliation

7/15/2024

Date Filed

9/12/2024

Meeting Date (if applicable)

9-B-24-RZ

File Number(s)

CORRESPONDENCE

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

Jim Fritz Apex Bank

Name / Company

9721 Sherrill Blvd Suite 200 Knoxville TN 37919

Address

865-386-5134 / Jim.Fritz@ApexBank.com

Phone / Email

CURRENT PROPERTY INFO

Jim Fritz Apex Bank

Owner Name (if different)

9721 Sherrill Blvd Suite 200 Knoxville TN 37919

Owner Address

865-386-5134 / Jim.Fritz@Apex

Owner Phone / Email

9721 SHERRILL BLVD

Property Address

131 104

Parcel ID

Part of Parcel (Y/N)?

11.41 acres

Tract Size

West Knox Utility District

Sewer Provider

West Knox Utility District

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 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	C-H-1 (Highway Commercial), TO-1 (Technology Park Overlay) 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 <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)	\$2,141.00	
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	Jim Fritz/Apex Bank Please Print	7/15/2024 Date
Phone / Email		
Property Owner Signature	Jim Fritz Apex Bank Please Print	7/15/2024 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
 - PA
- Rezoning

Jim Fritz/ Apex Bank

Applicant Name		Affiliation
7/11/2024	9/12/2024	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

Jim Fritz		Apex Bank	
Name	Company		
9721 Sherrill Blvd. Suite # 200	Knoxville	TN	37919
Address	City	State	ZIP
865-386-5134	Jim.Fritz@ApexBank.com	marcp@mbicompanies.com	
Phone	Email		

CURRENT PROPERTY INFO

Apex Bank	9721 Sherrill Blvd. Suite #200	865-386-5134
Property Owner Name (if different)	Property Owner Address	Property Owner Phone
9721 Sherrill Blvd. Suite #200	131 104	
Property Address	Parcel ID	
LCUB	KUB	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

North side of Sherrill Blvd. due east of Frank Gardner Lane		11.41+/-
General Location		Tract Size
<input checked="" type="checkbox"/> City <input type="checkbox"/> County	47	OP
District	Zoning District	Existing Land Use
Northwest County	MU/SD	City
Planning Sector	Land Use / Place Type CITY COUNTY	Growth Policy Plan Designation

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 Change
 CG CH (m.p. 8/22/2024)
 Proposed Zoning _____
 Plan Amendment Change
 n/a
 Proposed Plan Designation(s) _____
 Proposed Density (units/acre) _____
 Previous Rezoning Requests _____
 Other (specify) _____

Pending Plat File Number

Annexed by city (7-BB-94-RZ) CA to C-3

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*)

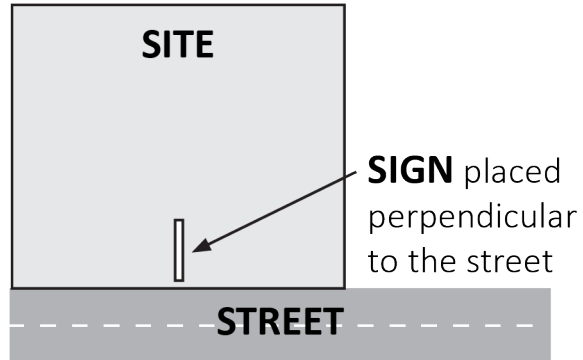
Fee 1	\$2,141.00	Total \$2,141.00
Fee 2		
Fee 3		

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 _____
 Jim Fritz/ Apex Bank
 Date 7-12-24
 Please Print
 Phone Number 865-386-5134
 Email jim.fritz@apexbank.com
 Property Owner Signature _____
 Jim Fritz
 Date Paid 7-12-24
 Please Print

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: _____

Date: _____

File Number: _____

- Sign posted by Staff
- Sign posted by Applicant