

REZONING REPORT

▶ **FILE #:** 9-K-24-RZ

AGENDA ITEM #: 14

AGENDA DATE: 9/12/2024

▶ **APPLICANT:** STEFAN CLAAR
OWNER(S): Justin Ellis BHE LLC

TAX ID NUMBER: 76 007 [View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 0 JIM JONES LN

▶ **LOCATION:** East side of Oak Ridge Hwy, northwest side of Jim Jones Ln

▶ **APPX. SIZE OF TRACT:** 9.71 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Oak Ridge Hwy, a four-lane, divided major arterial with a right-of-way width of 122 ft. Access is also via Jim Jones Ln, a pavement width of 12 ft within a right-of-way width of 36 ft.

UTILITIES: Water Source: West Knox Utility District
 Sewer Source: West Knox Utility District

FIRE DISTRICT: Karns Fire Department

WATERSHED: Clinch River

▶ **PRESENT ZONING:** PR (Planned Residential) up to 7.25 du/ac

▶ **ZONING REQUESTED:** CA (General Business)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **EXTENSION OF ZONE:** No, but CA zoning is across the street to the west.

HISTORY OF ZONING: This property was rezoned from PC (Planned Commercial) to PR (Planned Residential) up to 7.25 du/ac (8-D-22-RZ).

SURROUNDING LAND USE AND ZONING:
 North: Single family residential - RAE (Exclusive Residential)
 South: Commercial, agriculture/forestry/vacant land - PC (Planned Commercial)
 East: Right-of-way for the Clinch River - A (Agricultural)
 West: Church - CA (General Business)

NEIGHBORHOOD CONTEXT: This property forms at a point of transition between a commercial-industrial area across the railroad to the south and a single family residential neighborhood to the north.

STAFF RECOMMENDATION:

▶ **Approve the CA (General Commercial) zone because it is consistent with development and changes in conditions in the area.**

COMMENTS:

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 multiple PC-zoned properties and was rezoned from PC in 2022 to its current zoning PR up to 7.25 du/ac. There have been some commercial rezonings to CA and CB (Business and Manufacturing) in the area along Oak Ridge Hwy since 1992. This property is not adjacent to the CA zone, though Oak Ridge Hwy is mostly zoned CA in this area and CA zoning is across the street to the west.

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

1. The CA zone is for general retail business and services but not for manufacturing or for processing materials consistent with the existing commercial and office uses in the area.
2. The CA and CB zones were recently amended in July 2024 to allow medical office uses and mixed-use development.
3. Rezonings 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. Oak Ridge Hwy is a median-divided highway, a gas station is adjacent to the south on Oak Ridge Hwy and to the north there is a single family subdivision. The property also has access to Jim Jones Ln, a local road less than 0.5 miles long that has a storage facility business and 2 single family homes at the end of the road. The road dead ends into a forested area at the TVA right-of-way for the Clinch River.
2. Both commercial uses and multifamily development would require a Type A Landscape screen (15 ft in width) next to single family residential development per the zoning ordinance (as amended on July 15, 2024).

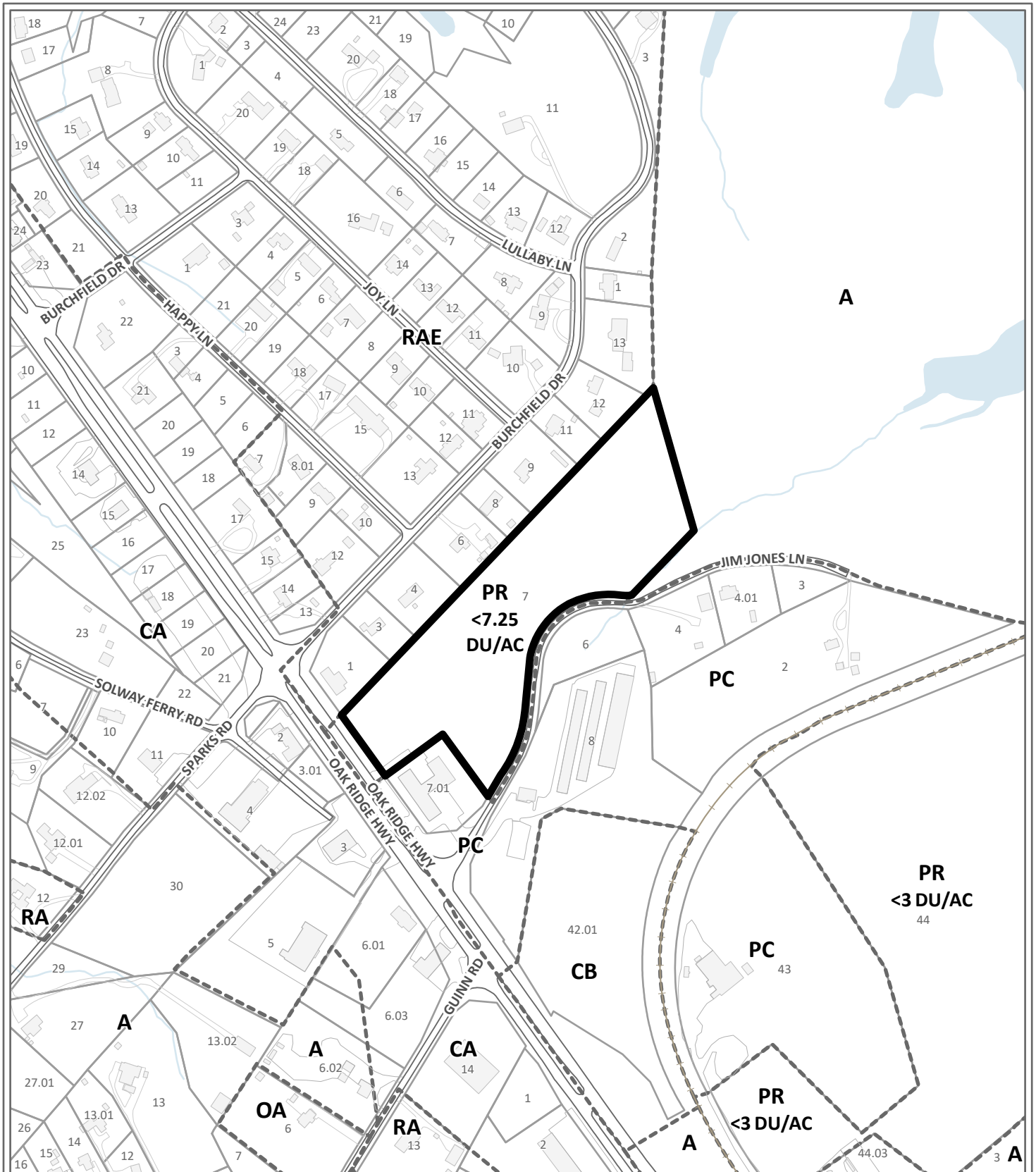
PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The CA zone is directly related to the Knox County Comprehensive Plan's CC (Corridor Commercial) place type. The primary land use is commercial, and retail uses are recommended to be along major corridors. Multifamily and attached residential development are included as secondary uses.
2. The Knox County Comprehensive Plan's Implementation Policy 5 calls for creating neighborhoods with a variety of housing types and amenities in close proximity. This area on Oak Ridge Hwy serves as a commercial corridor, which provides services and amenities to nearby residents.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/21/2024. 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.



REZONING

9-K-24-RZ

Petitioner: Stefan Claar



From: PR (Planned Residential) up to 7.25 du/ac

To: CA (General Business)

Map No: 76

Jurisdiction: County

Original Print Date: 8/8/2024

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

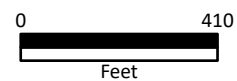
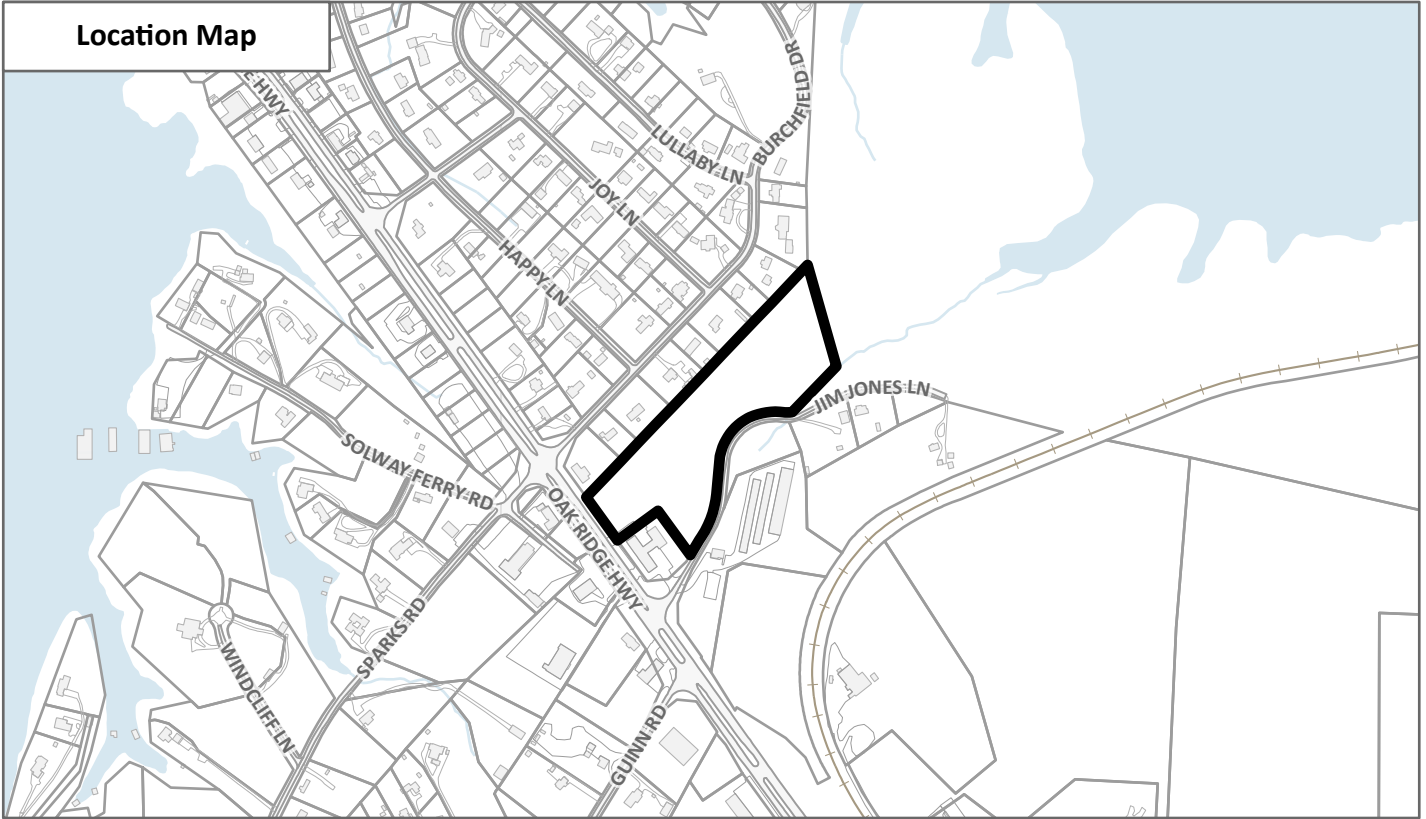


Exhibit A. Contextual Images

Location Map



Aerial Map

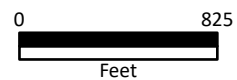


CONTEXTUAL MAPS 1

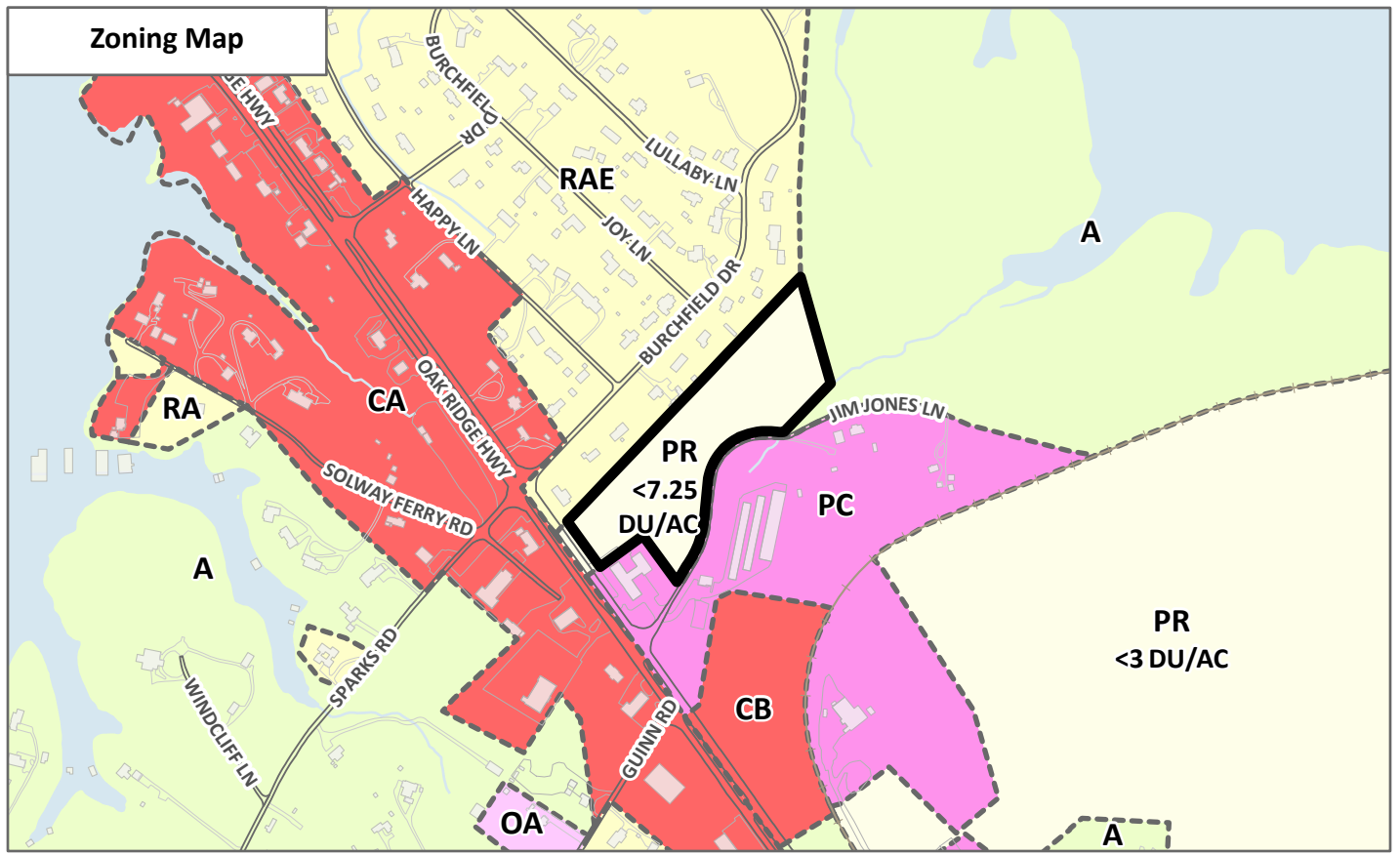
9-K-24-RZ



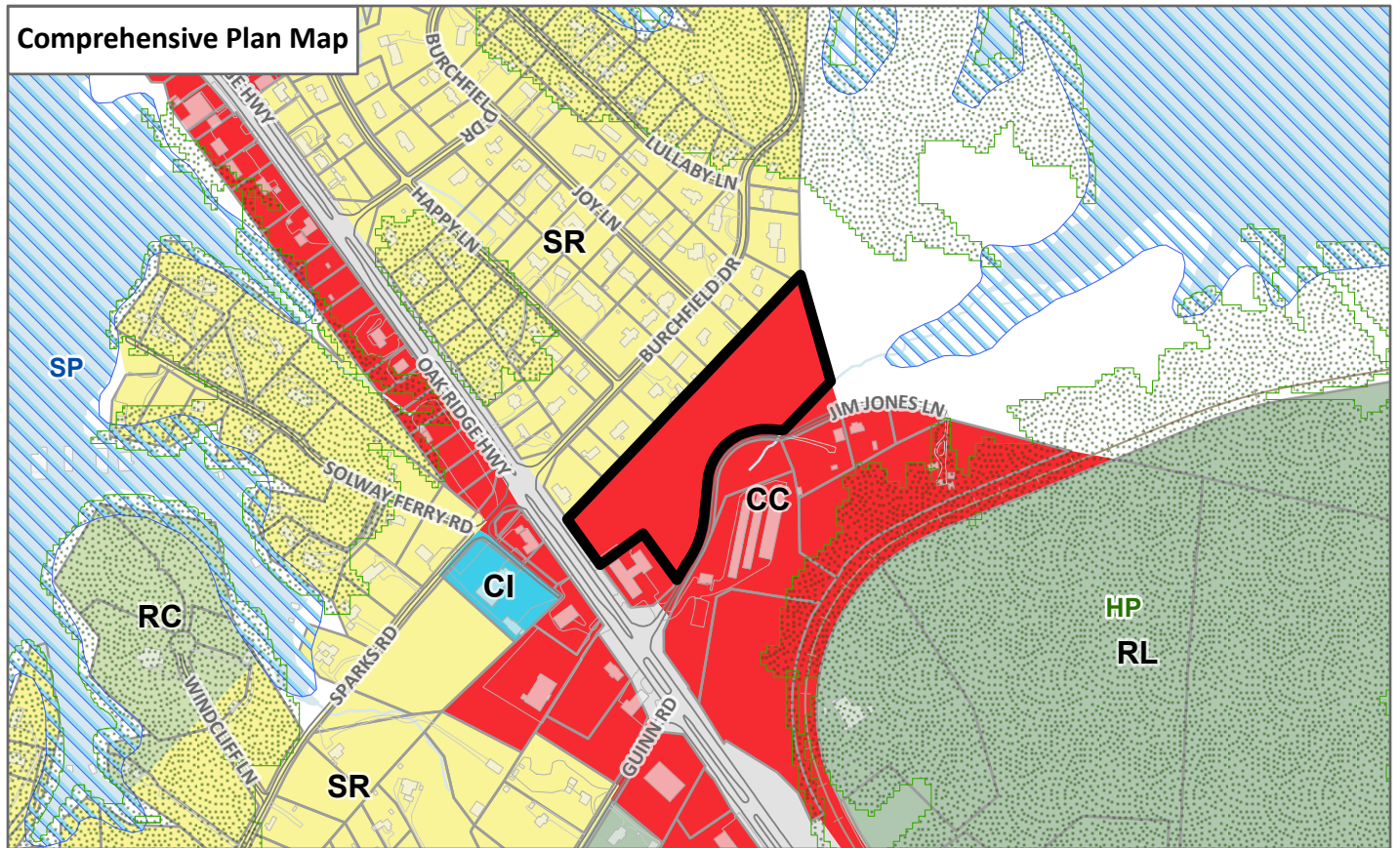
Case boundary



Zoning Map



Comprehensive Plan Map

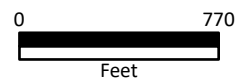


CONTEXTUAL MAPS 2

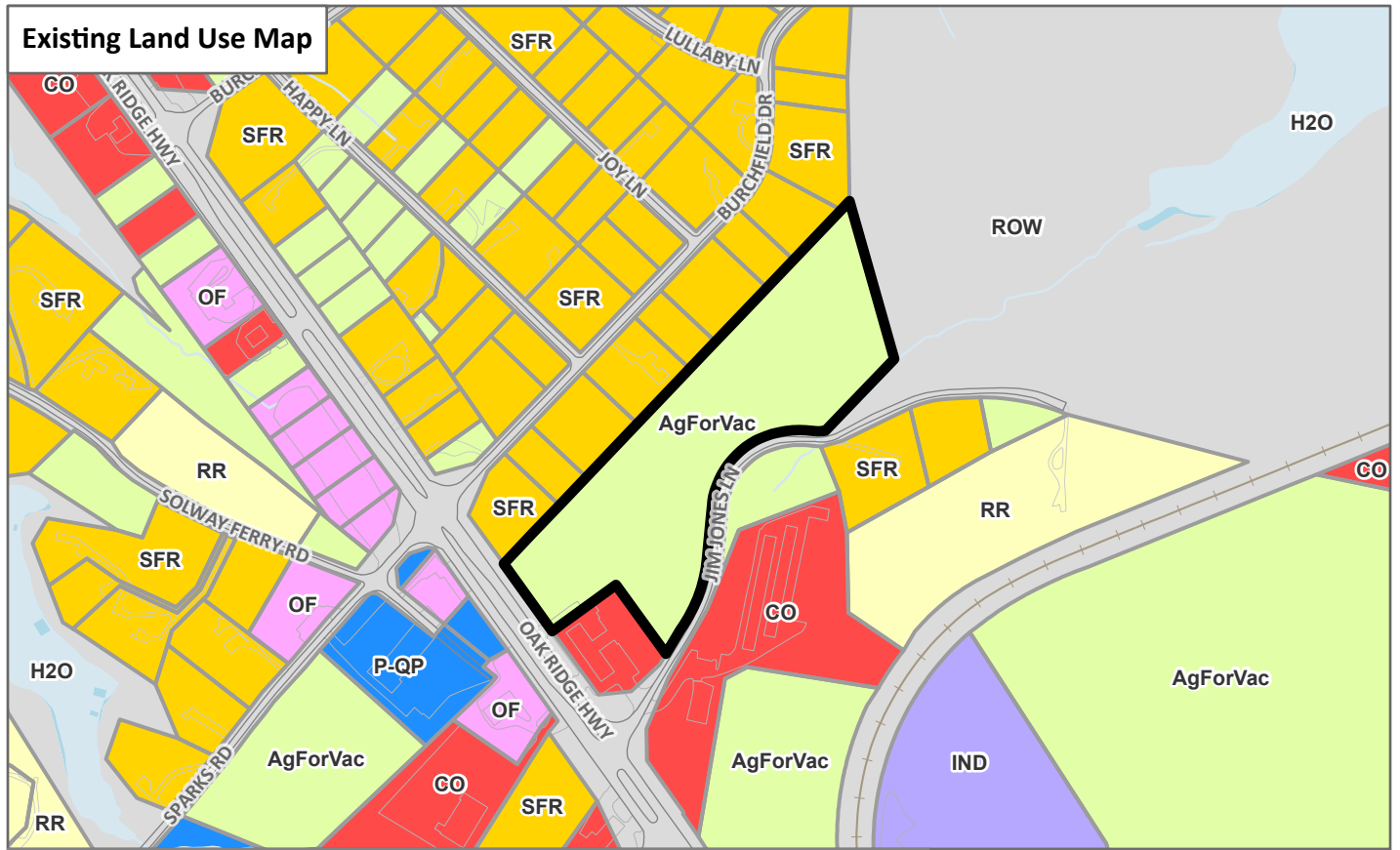
9-K-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

9-K-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

Stefan Claar

Applicant Name

Affiliation

7/25/2024

Date Filed

9/12/2024

Meeting Date (if applicable)

9-K-24-RZ

File Number(s)

CORRESPONDENCE

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

Stefan Claar 1222 Development

Name / Company

7800 Senate Ln Knoxville TN 37931

Address

865-804-9802 / stefan@1222development.com

Phone / Email

CURRENT PROPERTY INFO

Justin Ellis BHE LLC

Owner Name (if different)

11304 Berry Hill Dr Knoxville TN 37931

Owner Address

865-202-3759

Owner Phone / Email

0 JIM JONES LN

Property Address

76 007

Parcel ID

9.71 acres

Tract Size

Part of Parcel (Y/N)?

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

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	CA (General Business) 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
\$1,971.00	
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	Stefan Claar Please Print	7/25/2024 Date
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Phone / Email		
Property Owner Signature	Justin Ellis BHE LLC Please Print	7/25/2024 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

Stefan Claar/ 1222 (Twelve Twenty-Two) Development

Representative

Applicant Name

Affiliation

07/24/24

09/12/24

File Number(s)

Date Filed

Meeting Date (if applicable)

9-K-24-RZ

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

Stefan Claar

1222 (Twelve Twenty-Two) Development

Name

Company

7800 Senate Lane

Knoxville

TN

37931

Address

City

State

ZIP

865-804-9802

stefan@1222development.com

Phone

*Email

CURRENT PROPERTY INFO

BHE LLC

11304 Berry Hill Drive

865-202-3759

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Jim Jones Lane

076 007

Property Address

Parcel ID

WKUD

WKUD

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

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

Related City Permit Number(s)

Home Occupation (specify)

Other (specify)

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 CA
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

Fee 1

Total

ATTACHMENTS

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

Fee 2

ADDITIONAL REQUIREMENTS

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

Fee 3

WARRANTY

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 

Stefan Claar/ Twelve Twenty Two Development 072424
 Please Print Date

865.804.9802
 Phone Number

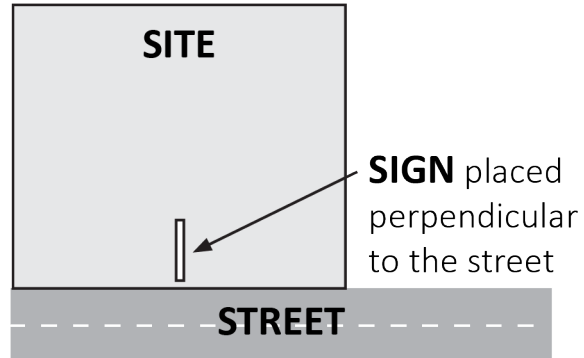
stefan@1222development.com
 Email

 BHE LLC Managing Member
 Property Owner Signature

Justin Ellis
 Please Print

7/26/2024 OI
 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: _____

Date: _____

File Number: _____

- Sign posted by Staff
- Sign posted by Applicant