



# APPEAL OF DECISION

(Please Note: Original application and staff report are made a part of this application.)

Type:  One Year Plan Amendment  Sector Plan Amendment  Rezoning  Variance  
 Street Name Change  Right-of-Way Closure  
 Certificate of Appropriateness  Other: \_\_\_\_\_

Decision by:  Planning  BZA  Other: \_\_\_\_\_ Date of Decision: 7/14/22  
Jurisdiction:  City 1 Councilmanic District  County \_\_\_\_\_ Commission District

Original Applicant Name: Candoro Properties Original File Number: 7-C-22-RZ  
Name of Owner of Subject Property: Candoro Properties, Inc.  
Description of Subject Property (Include city block and parcel number or lot number): 123 A A 003

Zoning map of all property within 300 feet of the subject property is attached.

### DECISION BEING APPEALED

Planning Commission denial of the requested rezoning from I-MU & F to I-H & F

### REASON FOR THE APPEAL

Attach additional pages, if necessary. The property was rezoned from I-H & F to I-MU & F during recode. The property had been zoned I-H & F for a great number of years prior to recode. The property has consistently been used for purposes permitted in the I-H zone. Multiple properties ~~that~~ directly to north and south are zoned I-H.

### PETITIONER INFORMATION

Name of Petitioner: Taylor D. Forrester, Esq.  
Petitioner's Interest in the Matter (Include a description of affected property owned by Petitioner): Petitioner is the attorney for the Applicant/Property Owner. Petitioner's interest is on behalf of his client, the property owner.

Application Authorization: I hereby certify that I am the applicant/authorized representative for the above named petitioner.

Signature: [Signature]

All correspondence should be sent to: Name (Print): Taylor D. Forrester  
1111 N. Northshore Dr. Knoxville TN 37919  
Street Address City State Zip

Phone: 865-584-4040 Fax: 865-584-6084 E-mail: TForrester@lwlaw.com

### For Planning Staff Use Only

Application Accepted by Planning Staff Member: [Signature]  
Appeal Fee Amount: \$500 code 1201 Date Appeal Received: 7/26/2022

### BODY WHO WILL HEAR THE APPEAL & MEETING DATE OF THE APPEAL

<input checked="" type="checkbox"/> City Council - 6 p.m. <u>8/23/2022</u> Month • Date • Year	<input type="checkbox"/> County Commission - 7 p.m. _____ Month • Date • Year	<input type="checkbox"/> City BZA - 4 p.m. _____ Month • Date • Year	<input type="checkbox"/> Planning Commission - 1:30 p.m. _____ Month • Date • Year
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David Wilson Long  
Dennis B. Ragsdale  
John B. Waters III  
J. Michael Ivens  
J. Randolph Miller  
Garrett P. Swartwood  
Jennifer Milligan Swindle\*  
Lee A. Popkin  
W. Michael Baisley  
Kyle A. Baisley



Long, Ragsdale & Waters, P.C.  
ATTORNEYS AT LAW

Taylor D. Forrester  
Alexander O. Waters  
Oliver D. Adams  
William D. Edwards  
J. Scott Griswold  
Mycol E. Scott  
C. Paul Harrison<sup>†</sup>  
Christopher A. Hall<sup>†</sup>

John B. Waters, Jr. (1929-2018)  
R. Lotis Crossley, Jr. (1953-2019)

July 26, 2022

Knoxville-Knox Planning Commission  
Attn: Professional Staff  
City-County Building, Suite 403  
400 Main Street  
Knoxville, TN 37902

Re: Appeal of Decision of Planning Commission on File No. 7-C-22-RZ

Dear Staff:

Please find enclosed for filing on behalf of my client, Candora Properties, Inc.:

1. Appeal of Decision of Planning Commission in the above referenced matter; and
2. A check for the filing fee in the amount of \$500.00

Should you have any questions or need any additional information, please do not hesitate to contact our office.

Respectfully yours,

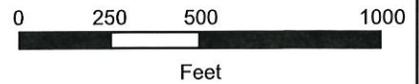
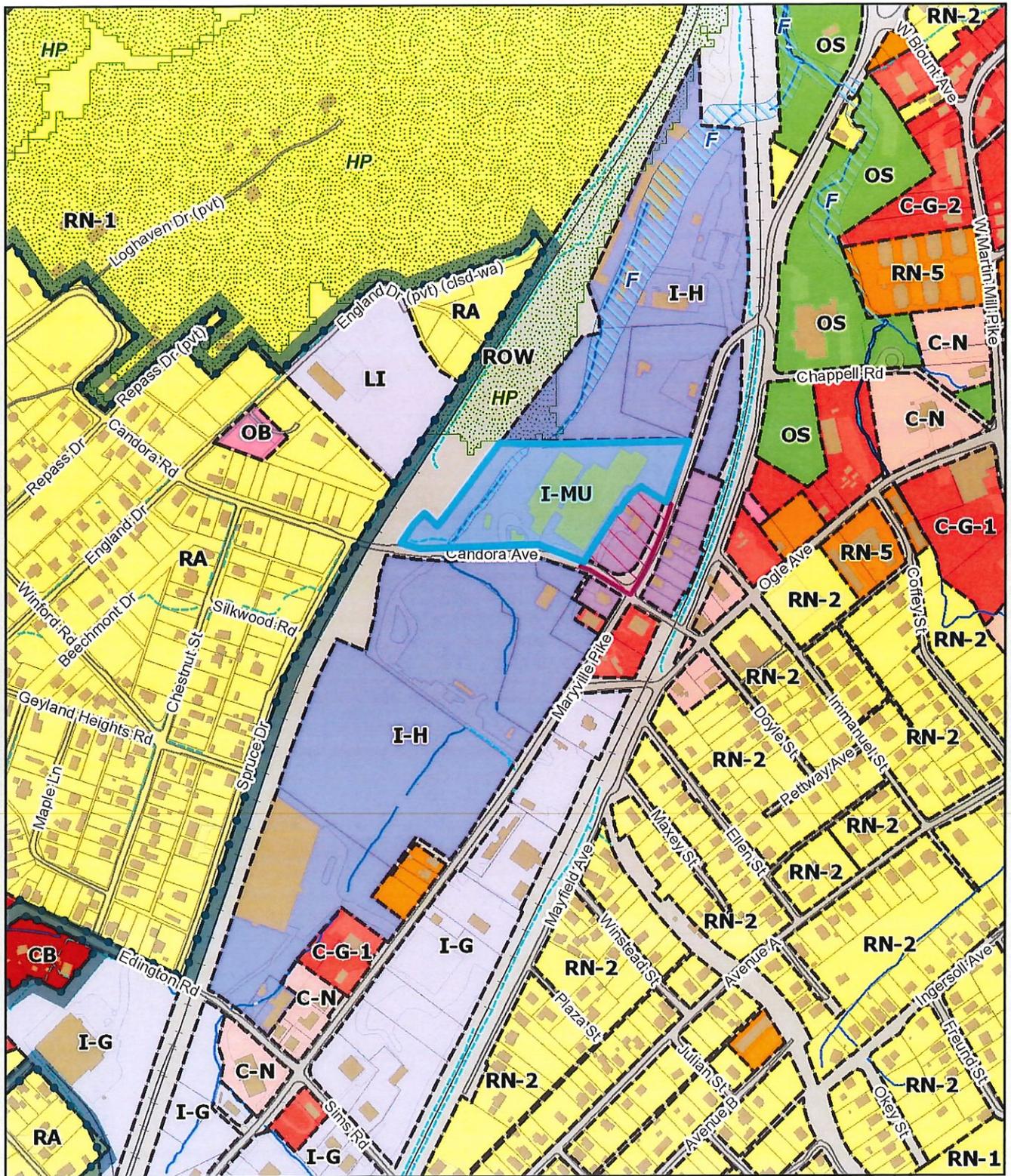
LONG, RAGSDALE & WATERS, P.C.

By: \_\_\_\_\_

Taylor D. Forrester

Enclosures

cc: Dax Witherspoon (via email)



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Printed: 7/25/2022 1:00:02 PM

The Planning Commission met in regular session on July 14, 2022 at 1:30 p.m. in the Main Assembly room of the City County Building.

Item No.

File No.

## 1. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Karyn Adams	Open	A Ms. Tamara Boyer
A Mr. Louis Browning	Mr. Logan Higgins	Mr. Tim Hill, Chair
Open	Open	A Ms. Amy Midis
Mr. Chris Ooten, Vice Chair	Ms. Marité Pérez	Mr. Patrick Phillips
Mr. Jeff Roth	Mr. Nathaniel Shelso	A Mr. Eddie Smith

\* Arrived late to the meeting, \*\* Left early in the meeting, A – Absent from the meeting

## 9. CANDORO PROPERTIES

7-C-22-RZ

4430 Candora Avenue / Parcel ID 123 A A 003, Council District 1.  
 Rezoning from I-MU (Industrial Mixed-Use) and F (Floodplain Overlay) to I-H (Heavy Industrial) and F (Floodplain Overlay).

### 1. STAFF RECOMMENDATION

Deny the rezoning to I-H (Heavy Industrial) because it is not consistent with surrounding development since this area has been transitioning to light industrial and other less intensive uses since the late 1990s.

### 2. MOTION (ADAMS) AND SECOND (HIGGINS) WERE MADE TO DENY PER STAFF RECOMMENDATION.

**MOTION CARRIED 7-1 (NO ROTH). DENIED**

# Knoxville NEWS SENTINEL

PART OF THE USA TODAY NETWORK

KNOX CTY METRO PLANN  
 400 W MAIN ST # 403  
 KNOXVILLE TN 37902--242

<u>Account</u>	<u>AD#</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
1317419	0005358098	\$74.42	\$0.00	\$74.42	Invoice	\$0.00	\$74.42

Sales Rep: BWeaver

Order Taker: BWeaver

Order Created 07/29/2022

Product	# Ins	Start Date	End Date
KNS-knoxnews.com	1	08/03/2022	08/03/2022
KNS-Knoxville News Sentinel	1	08/03/2022	08/03/2022

\* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad:                    07/29/2022

**PUBLIC NOTICE**

The following item will be considered by the Knoxville City Council on August 23, 2022 at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. For information related to this item, visit [KnoxPlanning.org/agenda](http://KnoxPlanning.org/agenda). If you need assistance or accommodation for a disability, please contact the City ADA coordinator at (865) 215-2104.

**APPEAL OF DECISION**

Appeal by Taylor D. Forrester, Esq. on behalf of Candoro Properties of the Knoxville-Knox County Planning Commission's denial of a request for rezoning from I-MU (Industrial Mixed-Use) and F (Floodplain Overlay) to I-H (Heavy Industrial) and F (Floodplain Overlay) for property located at 4430 Candora Avenue / Parcel ID 123 A A 003, Council District 1. Planning Commission File No. 7-C-22-RZ.



# REZONING REPORT

▶ **FILE #:** 7-C-22-RZ

**AGENDA ITEM #:** 9

**AGENDA DATE:** 7/14/2022

▶ **APPLICANT:** CANDORO PROPERTIES

OWNER(S): Dax Witherspoon Candoro Properties

TAX ID NUMBER: 123 A A 003

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 4430 Cadora Ave.

▶ **LOCATION:** North of Candora Ave., west of Maryville Pk.

▶ **APPX. SIZE OF TRACT:** 6.3 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A

ACCESSIBILITY: Access is via Candora Avenue, a local street with a pavement width of 23-ft within a right-of-way width of 43-ft. Access is also via Maryville Pike, a minor arterial with a pavement width of 21-ft within a right-of-way width of 70-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

▶ **PRESENT ZONING:** I-MU (Industrial Mixed-Use) & F (Floodplain Overlay)

▶ **ZONING REQUESTED:** I-H (Heavy Industrial) & F (Floodplain Overlay)

▶ **EXISTING LAND USE:** Industrial

▶ EXTENSION OF ZONE: Yes, I-H is adjacent.

HISTORY OF ZONING: January 1, 2022: I-4 to I-MU

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant - I-H / F & HP overlay

South: Public/quasi-public, agriculture/forestry/vacant, industrial - I-H

East: Single family residential, agriculture/forestry/vacant - I-MU / H-1 overlay

West: Railroad - Right-of-Way

NEIGHBORHOOD CONTEXT: This area is a mix of industrial uses, including historic properties, an arts and events space, commercial uses and residential uses.

**STAFF RECOMMENDATION:**

▶ **Deny the rezoning to I-H (Heavy Industrial) because it is not consistent with surrounding development since this area has been transitioning to light industrial and other less intensive uses since the late 1990s.**

**COMMENTS:**

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3, 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. Since 2001 there have only been three building permits issued for industrial uses within a quarter-mile of the subject property, however, there have been many building permits issued for residential and commercial uses. Since the late 1990s industrial activities in the Candora Road/Maryville Pike area have declined, as evidenced by aerial photographs.
2. The Candoro Marble Works site, of which the subject property is included, was deemed eligible for the National Register of Historic Places (NRHP) in 1996 because the property is associated with events that have made a significant contribution to the broad patterns of our history, significant to the marble industry that occurred in this area beginning in 1914. Although the subject property contains contributing structures, such as the Cutting Facility, Marble Yard, Polishing and Shipping/Receiving Building and the Boiler Room and Office the was not listed because of owner objection. In 2003, the adjacent property to the southeast, also part of the Candoro Marble Works, the Candoro Marble Showroom and Garage, was purchased and listed on the NRHP in 2005.
3. The existing structures have been deteriorating as evidenced by the loss of roofing material in aerial photographs, particularly for the Cutting Facility. The I-MU zoning district provides a wide array of permitted uses that could potentially reuse the existing structures with repairs and renovations.

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

1. The requested I-H zoning district is intended to provide for a wide variety of general manufacturing, fabricating, processing, distributing and warehousing uses. These uses may result in moderate external effects, such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.
2. The existing I-MU zoning 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.
3. Under the current zone district there are 25 uses permitted that are not permitted in I-H, including but not limited to: art gallery, arts and fitness studio, community center, cultural facility, multi-family dwellings, eating and drinking establishment, industrial design, live entertainment as a secondary use, live performance venue, live/work, micro-brewery/distillery/winery, retail goods establishment, etc. These uses are more compatible and representative of the transition of land uses occurring in this area, as well as provide many opportunities for development and re-use of the existing structures on the site. However, there are only 10 uses permitted in the I-H zone that are not permitted in the I-MU zone, including airport, broadcasting facility, impound lot, industrial-heavy, outdoor self-storage, solar farm, outdoor storage yard, vehicle operation facility, and waste transfer facility. Many of these uses could create external effects on adjacent properties and would be challenging to accommodate in the existing NHRP eligible historic structures of Candoro Marble Works, that may also be eligible collectively with the adjacent property as a National Historic Landmark.

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. A rezoning to I-H could affect adjacent and surrounding uses because of the range of existing heavy industrial uses permitted in the zone district. Nearby uses include adjacent residential properties and an NRHP listed property, the Candoro Marble Showroom, now a community space and art gallery.
2. The subject property currently has several structures that were considered eligible for NRHP in 1996 and could be reused to accommodate many of the 25 uses permitted by the existing I-MU zoning district, however, the uses within the I-H zoning district would likely require demolition of the existing buildings to accommodate the intensive industrial uses permitted in the I-H zone district.

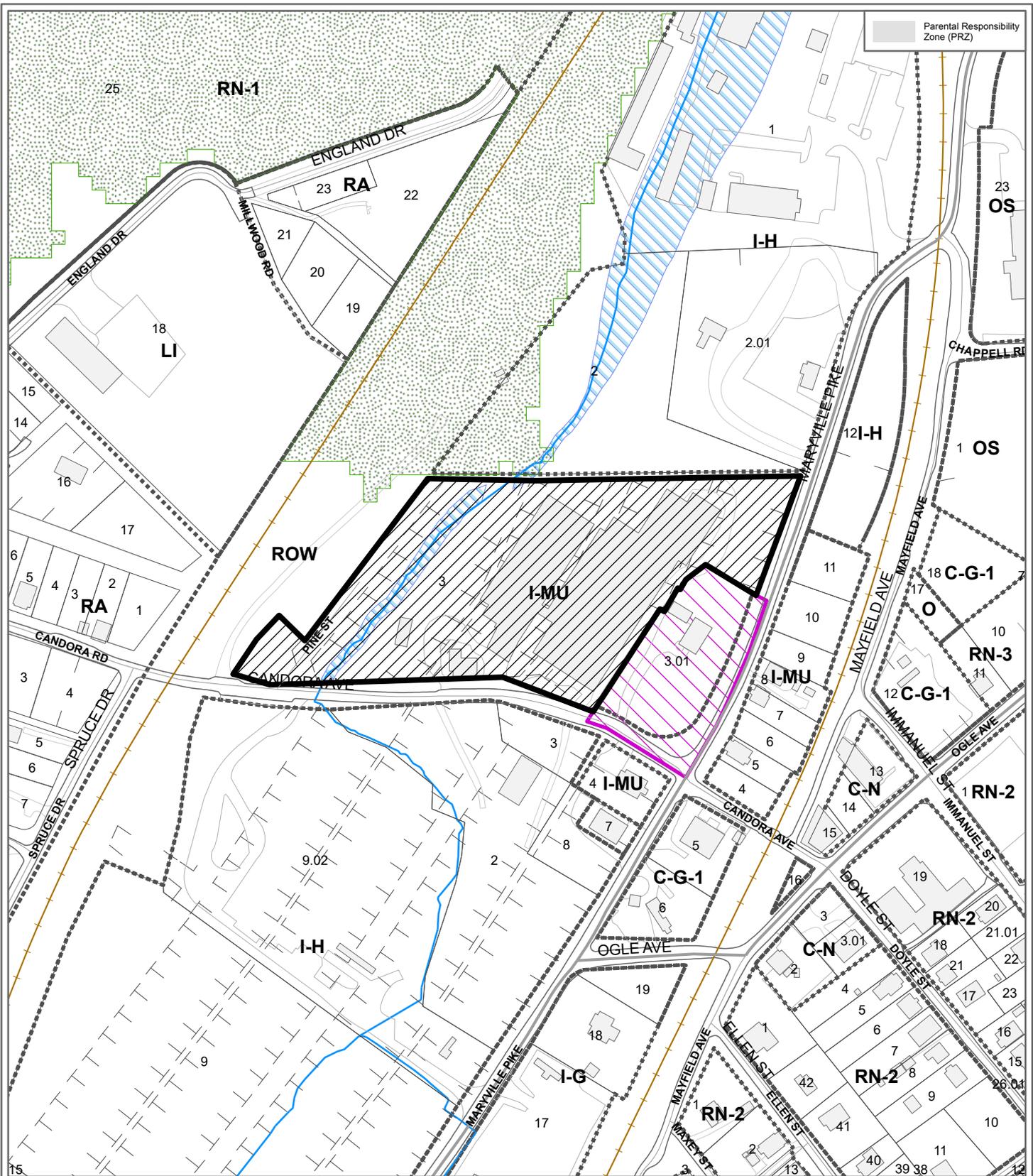
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. While the sector plan and one year plan currently show this area as Heavy Industrial, many of the existing uses and trend for this area over the last 21 years is more Light Industrial, particularly in the area surrounding the Candoro Marble Works site.
2. The Vestal Site Improvement Plan adopted in February 2010 acknowledged the significance of the Candoro Marble Works site to the history of the Vestal community. The plan also noted the continued contribution of the Candoro Marble Works as a neighborhood amenity to which connections should be developed to from the surrounding area.
3. The City of Knoxville Sidewalk Study's Pedestrian Network Plan shows proposed sidewalks for this area as well, along Maryville Pike and Candora Avenue.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/9/2022 and 8/23/2022. 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.



Parental Responsibility Zone (PRZ)

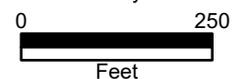
**7-C-22-RZ  
REZONING**

From: I-MU / F (Industrial Mixed-Use)  
To: I-H / F (Heavy Industrial)



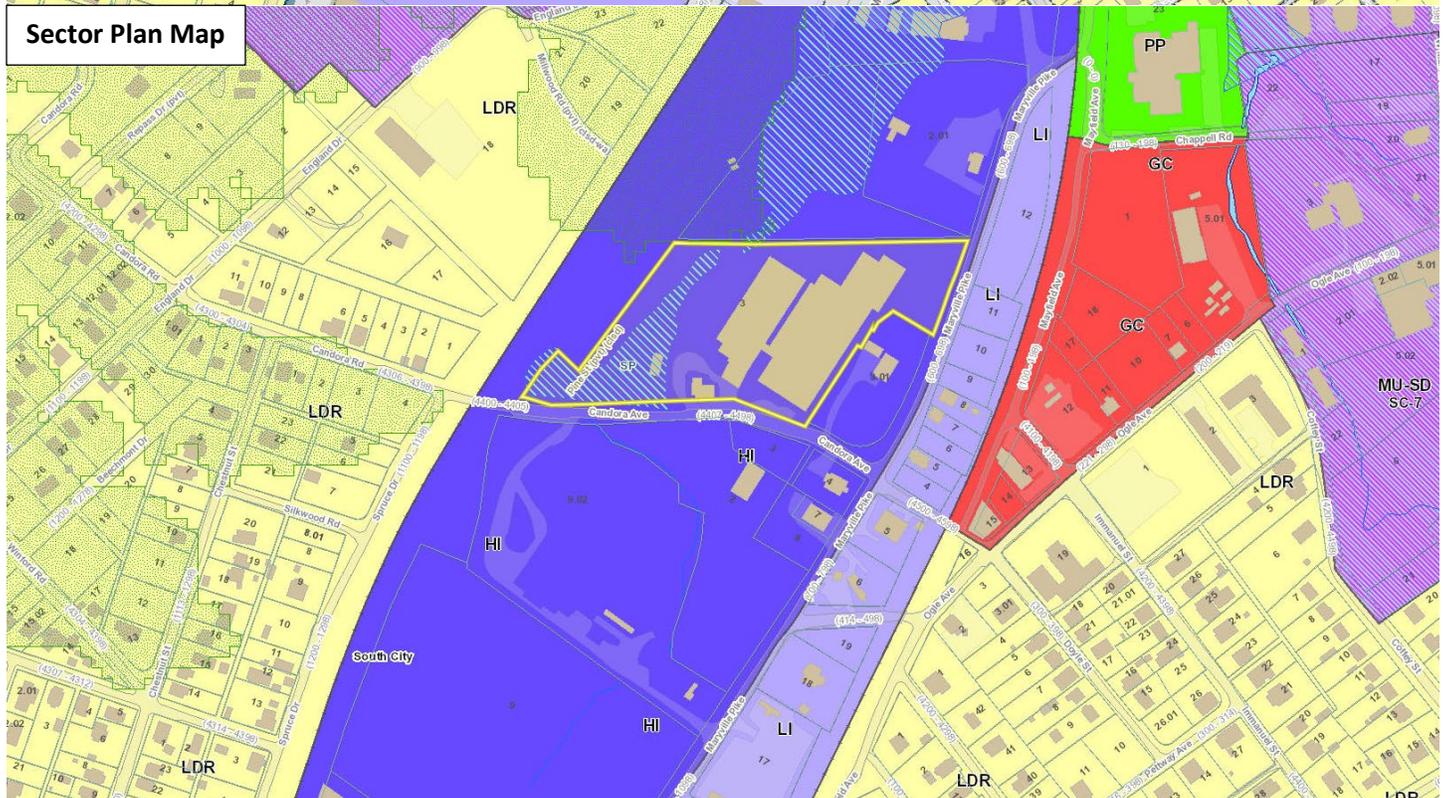
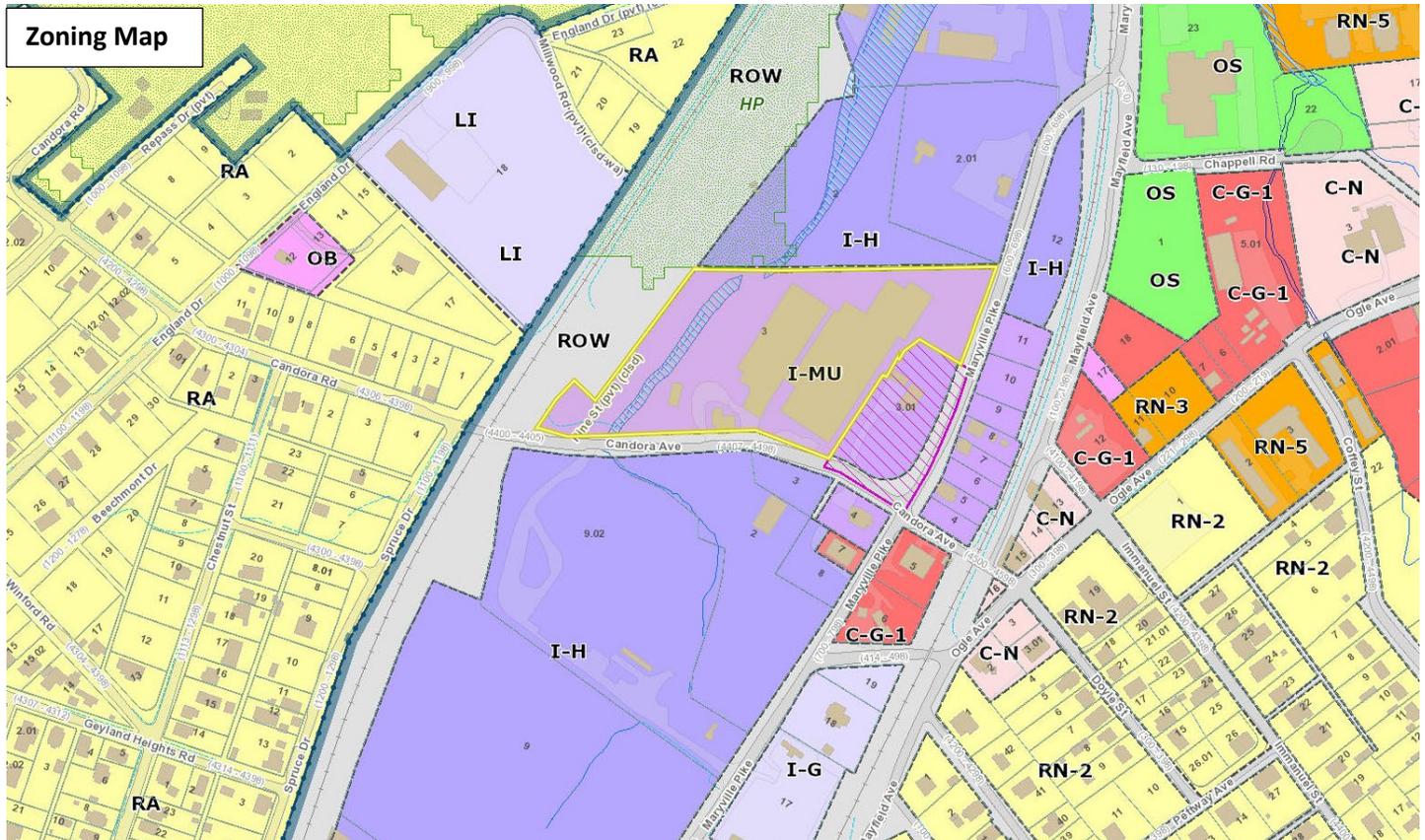
Petitioner: Candoro Properties

Map No: 123  
Jurisdiction: City

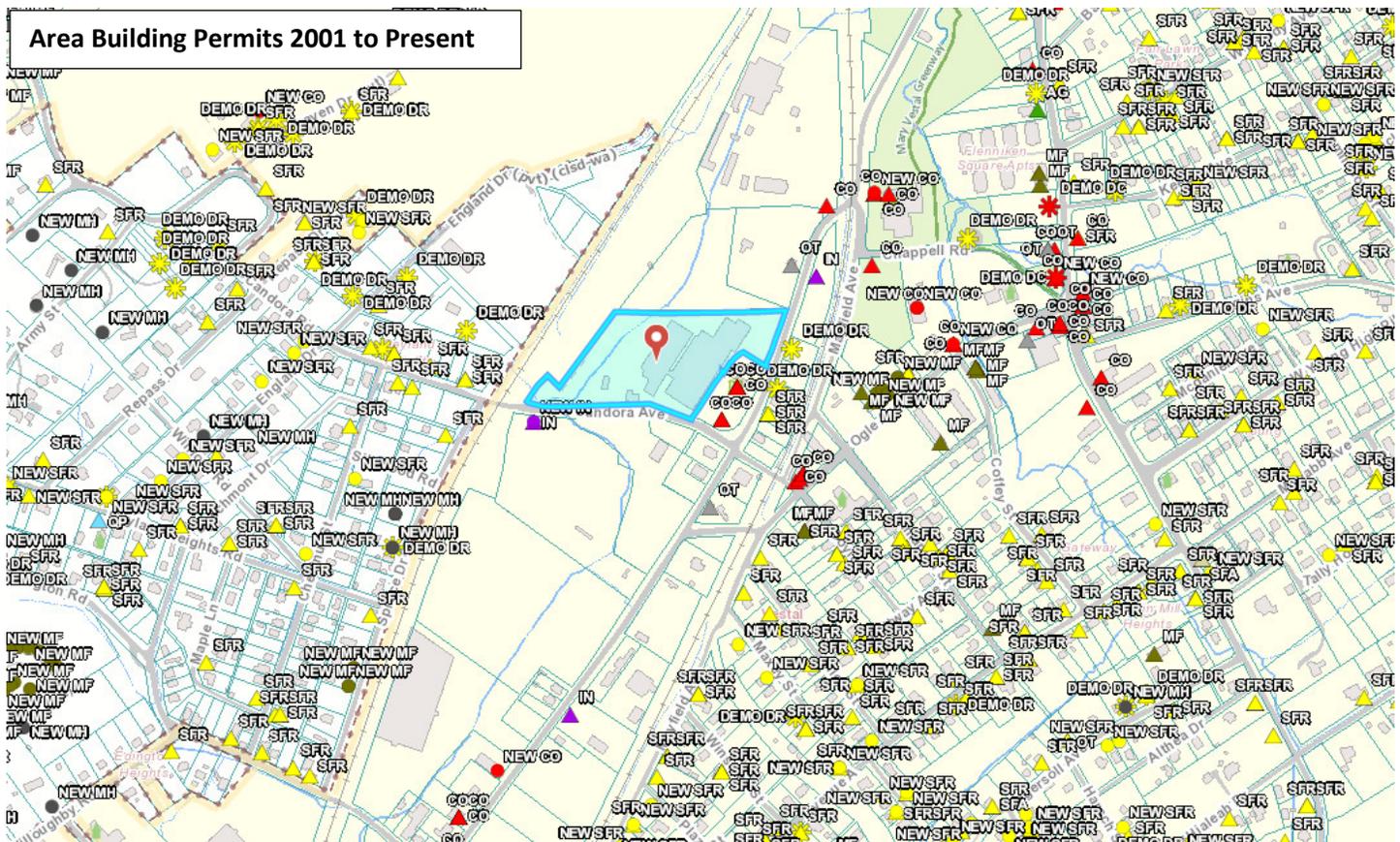


Original Print Date: 6/16/2022      Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

# Exhibit A. 7-C-22-RZ Contextual Images



# Exhibit A. 7-C-22-RZ Contextual Images



# Exhibit A. 7-C-22-RZ Contextual Images

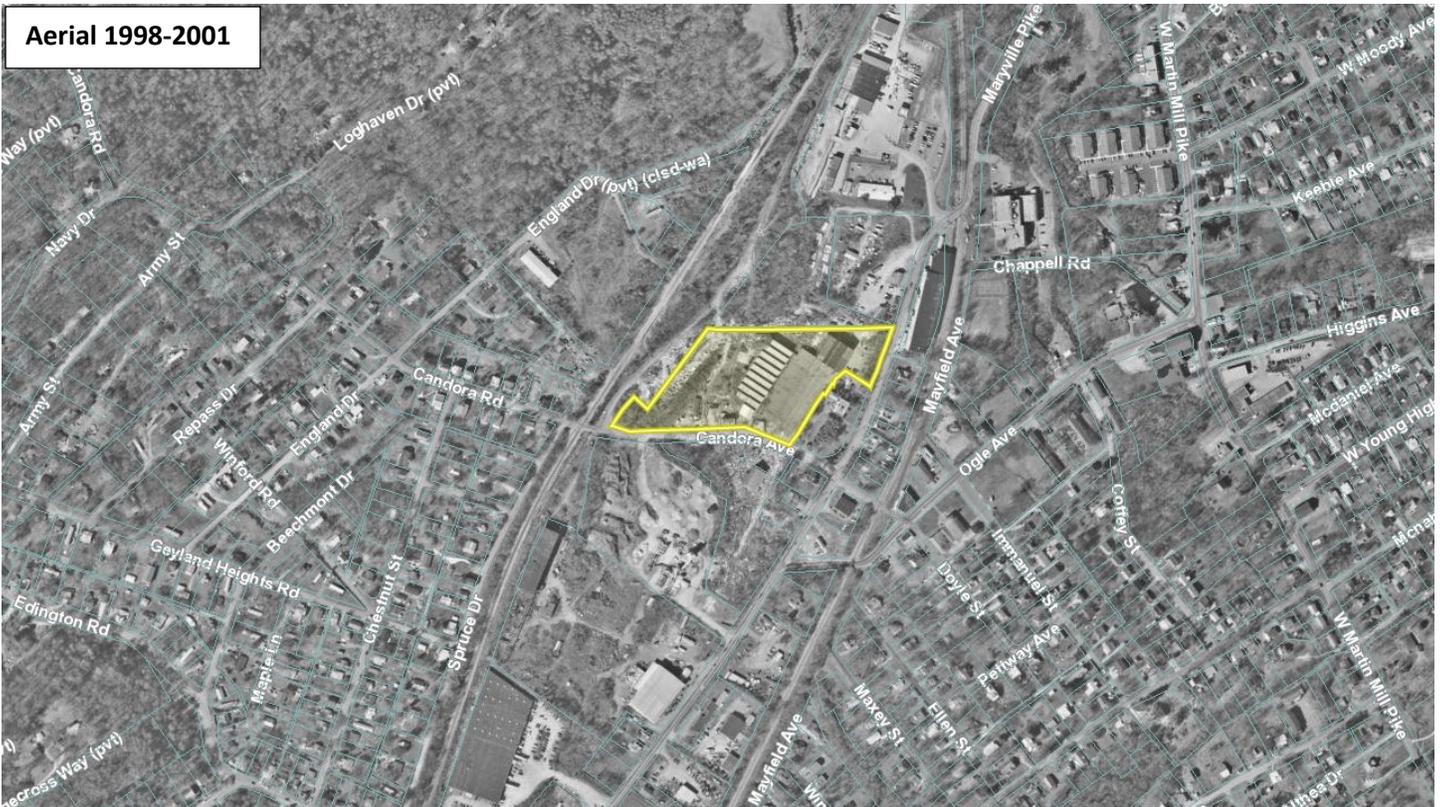
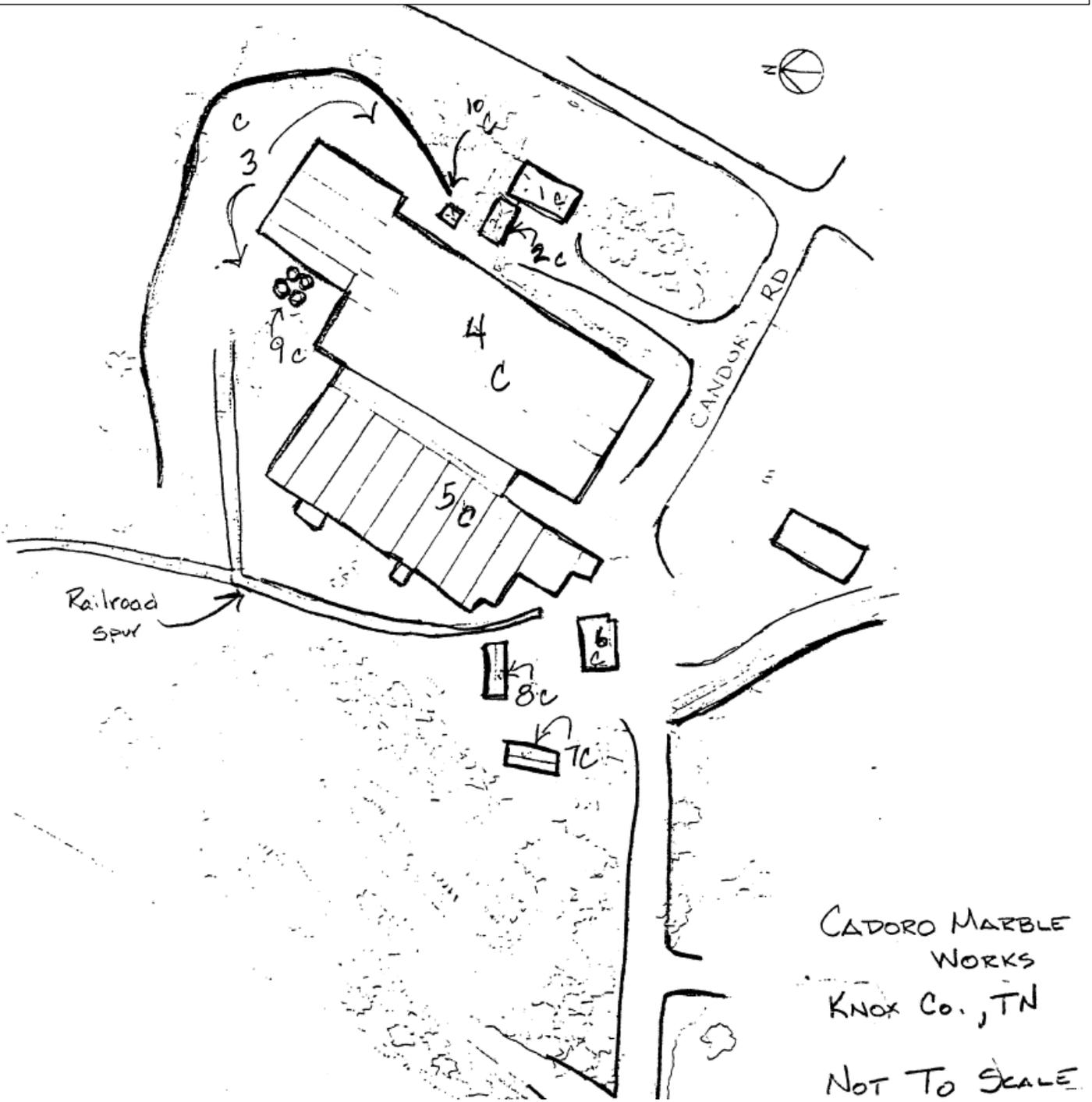




Exhibit A. 7-C-22-RZ Contextual Images

1996 National Register of Historic Places Nomination for Candoro Marble Works (Section 7, Page 3)



## Exhibit A. 7-C-22-RZ Contextual Images

1996 National Register of Historic Places Nomination for Candoro Marble Works (Section 7, Page 1-2)

### NARRATIVE DESCRIPTION

The Candoro Marble Works property consists of a showroom with attached garage, a cutting plant, a polishing plant and a shipping and receiving facility (contained in one building), a marble storage yard, an office, several storage buildings and a boiler plant, all located on a multilevel site to the west of Maryville Pike and north of Candoro Road in south Knoxville. The showroom is approached by a paved drive lined with mature cedar trees, that travels northward from Candoro Road, or on foot, by a walkway paved with rectangular marble blocks that leads from Maryville Pike on the east.

1. Candoro Marble Works Showroom. (1923). Beaux Arts. The showroom, a one story building with a marble facade consisting of rectangular ashlar blocks is located on the northeast side of the complex. The rectangular building has a brick foundation and is embellished with carved marble ornamentation including window surrounds and sills. A reeded water table with crossed ribbon trim, dentil cornice and a cartouche above a full arched front entry trimmed by a carved rope molding, all are carved from marble. Recessed wrought iron and glass double leaf doors are located up two marble steps. Marble quoins surround the arched entry, reeded marble pilasters with Doric capitals ornamented with carved acorn pendants flank the entry and a cartouche is located on the facade above it. Windows are ten light metal casement windows. The central two windows on the east facade, facing Maryville Pike, are embellished with ornate carved molding. On the west rear elevation, an exterior marble chimney extends above the roof, which has a central elevated hip portion above a flat roof, covered with slate. Architect Charles Barber designed the building.

Interior finishes of the entry and front rooms in the showroom buildings consist of marble. All marble used in the showroom building is East Tennessee marble, in various colors and patterns. Carved marble baseboards and trim, cornice boards, wainscot and patterned floors are present in three of the rooms of the showroom building.

To the rear of the showroom building is a flight of concrete steps which descends to a marble yard. A concrete block addition attached to the rear (north elevation) of the showroom opens onto the marble yard, and was originally used as a drafting room. Two sets of metal twelve light windows overlook the marble yard, the middle six lights of each window are top hinged to open outward. The drafting room has a flat roof which adjoins a terrace for the showroom above it, concrete window sills and a metal door. (C)

2. Garage. (1923). Spanish Colonial Revival. On the west rear elevation of the showroom, a projecting wall with a flat arched entry, connects the showroom to a garage with three full arched bays. The hip roof with a Roman terra cotta tile roof covering. The south facade of the garage, which contains the openings, is faced with marble blocks, has round marble columns with Doric capitals supporting the arches, and a smooth stucco wall covering above the arches on the upper two-thirds of the wall. The remaining three elevations of the garage are covered with stucco. (C)
3. Marble yard. (1914). A large paved open space is located to the rear of the showroom. At one time it was covered by stacked slabs and pieces of variously colored and patterned marble. It currently is nearly vacant. (C)
4. Cutting Facility. (1914). To the west of the marble yard is an industrial building used as the cutting building. Concrete buttresses and lower walls support concrete columns that appear between the metal windows of this

## Exhibit A. 7-C-22-RZ Contextual Images

1996 National Register of Historic Places Nomination for Candoro Marble Works (Section 7, Page 1-2)

### Continuation Sheet

Section number 7 Page 2

Candoro Marble Works  
Knox County, TN

warehouse facility. The steel frame building is unfinished on the interior. The exterior is marked by a front gable roof with clerestory windows, metal doors on the front elevation, and a green finished cement shingle wall covering in the gables. The roof covering is v-crimp metal. The warehouse is built in two sections, with the lower, gabled, clerestory roofed section being lower in height and to the front of the site; the rear section is square, with a gabled roof. Four large cylindrical water tanks are located to the northwest of the facility and discussed in #9 below. (C)

5. Polishing and Shipping/Receiving Building. (1914). To the west of the cutting facility is warehouse building that housed both the polishing and shipping and receiving functions. The building is rectangular in shape and is built with concrete block lower walls and steel frame upper walls. The building consists of nine bays with wooden doors in each bay. A series of angular roofs covers each individual bay, with north facing metal framed skylight windows. (C)
6. Boiler Room and Office. (1914). This building is located to the west of the polishing facility. The building consists of two sections, one section is a single story and the other is two story. The south and east elevations, visible from Candoro Road, are painted, shaped brick. Concrete block walls are found on the west and rear (north) elevations. Boomtown roof sections on the east and west disguise a corrugated tin gable roof. Ten light metal casement windows appear on all elevations of the building, with a large shipping door on the east elevation. The front section of the building was constructed as an office. The floor is paved with marble tiles, and exhibits a marble wainscoting topped by a carved marble chair rail. All the marble on the interior of the office is East Tennessee Marble. (C)
7. and 8. Two Industrial Style Buildings. (1914). Both buildings are located to the north and west of the office and shipping and receiving building. They are currently used for storage, and their original function is not clear at this time. Doors are large, single leaf and covered with metal, and there are no windows or loading docks to indicate their function. They are built of concrete block construction, with a v-crimp metal roof. (C)
9. Four Water Tanks. (ca. 1914). The four metal water tanks are to the northwest of the cutting and polishing facility. They were used for water that powered the machinery prior to electrification. They were also used for washing the marble as it was being polished and cut. (C)
10. Retaining Walls. (ca. 1923). Constructed of stacked marble, approximately 1/2 inch thick, the wall surrounds the showroom and marble yard. (C)

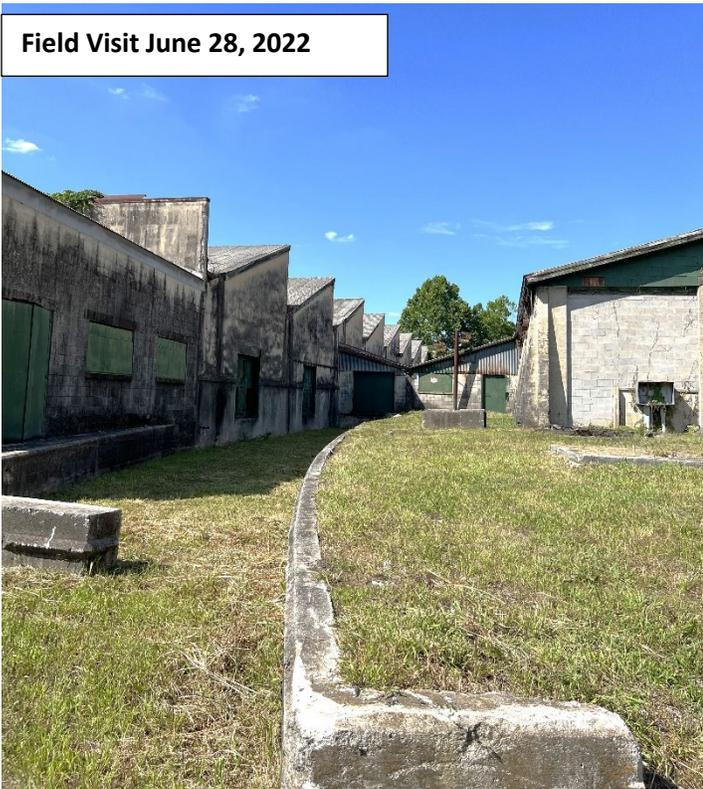
Rusting machinery, abandoned railroad tracks, and stacks of marble appear throughout the site.

**Exhibit A. 7-C-22-RZ Contextual Images**

**Candoro Marble Company (date unknown)**



**Field Visit June 28, 2022**



**Field Visit June 28, 2022**





July 14, 2022

Planning Commission meeting

# Public Comments

## 10 Comments for 7-C-22-RZ

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**Sylvia** (37922), July 13, 2022 at 4:04 PM

I'm writing to speak against changing the current zoning for the Milani Warehouses on Candora Avenue. The proposal to change the zoning code to "heavy industrial" and permit the introduction of commercial material storage would change the quality of air from clean and tolerable to toxic and nauseous. If this happens, the recent addition of arts institutions and places that support visitors to the Vestal neighborhood would be negatively impacted.

Knoxville as a residential region is growing exponentially into a beautiful area where people from around the country are coming to live. Once described as a "scruffy little town", Knoxville has become a lovely city of green space that attracts those who love the arts, outdoor life, and other healthy pursuits. I came from Chicago to live in Knoxville many years ago, and I'm proud of our community and urge you to sustain the positive growth patterns by maintaining the quality of the air and beauty around this area.

I urge you not to change the present zoning designation and permit more toxic pollution.

---

**L. M.** (37915), July 13, 2022 at 11:34 AM

See attached

[View Attachment](#)

---

**Brandon** (37902), July 13, 2022 at 9:23 AM

See attached document.

[View Attachment](#)

---

**Carolyn** (37920), July 12, 2022 at 2:11 PM

See attached pdf

[View Attachment](#)

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**Chris** (37932), July 12, 2022 at 9:27 AM

As an informed citizen that has been in this area all my life and worked in Vestal for more than 20 years, this rezone back to I-H is restoring it to its normal zoning from years ago. If you look at public facts this one small parcel was rezoned not long ago for unknown reasons. All the other property that surrounds this parcel is already and had been zoned I-H for years. Look at the records. The request from Candoro properties is looking/wanting to take it back to the history that it was. The history of Vestal is great and part of that history is also Rogers Group and before that Tennessee Asphalt that goes all the way back to the 50's. Remember, Candora Marble was heavy Industrial to begin with. Candoro properties has donated and helped this community. It has given marble to Mary Vestal Park for a monument, donated marble to Dogwood Elementary

to note its history in this area. Candoro Properties cleans up and helps provide parking working with the Knox Heritage foundation, Candoro Arts and Heritage Center and the Aslen Foundation every year for Vestal.

So, returning the zoning to what it was originally just makes sense and it gives uniformity back to the area as all other parcels surrounding it are all I-H.

---

**Sarah** (37920), July 11, 2022 at 2:59 PM

I want to speak strongly against the proposal to rezone the Candora Marble Warehouses to "heavy industrial". This property and the neighborhood of Vestal would be detrimentally impacted by this change. Not only would this lead to additional dumping and destruction of the historic marble warehouses, it also would move the neighborhood in the wrong direction even as there is increasing interest in historic preservation, new businesses, and desirable housing stock within close proximity of this property. As someone who lives in the neighborhood, I ask that this rezoning request be denied.

---

**Dax** (37950), July 11, 2022 at 1:50 PM

As the President of Candora Properties. I am asking that the property be returned to the original zoning code of I-H. As the property owner, I have never requested a change in its zoning, nor was I notified that it was or had changed. How can a property be rezoned without the owner's permission or notification? Who asked for the rezoning of the property to be changed from I-H to I-MU? The properties that are in line with Candora are all I-H. There is Rogers Group, Inc. (office and plant), SRM Concrete, David Witherspoon, Inc., and Alpha Industries, Inc. Candora properties also have other properties that are all I-H. The few I-MU are houses on Maryville Pike along with the Candora Office that we sold Knox Heritage and is now owned by the Aslan Foundation. I am asking that the property be changed back to the original zone as it has always been since zoning began in Knoxville.

---

**Dax** (37950), July 11, 2022 at 1:47 PM

[View Attachment](#)

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**Eric** (37920), July 11, 2022 at 10:51 AM

The Vestal Community Organization agrees with the Staff Recommendation denying the rezoning request. We maintain that the rezoning to I-H is not consistent with the surrounding development. We are a residential community with an Identity connected with the history and character of Vestal. The Candoro Marble building and surroundings help define Vestal. We wish to see the area preserved. The Vestal Community Organization has taken on projects to help us maintain our identity. We constructed an historical exhibit at the Mary Vestal Park Pavilion to recognize the Candoro Marble Building and the Vestal Lumber and Manufacturing Company along with the history of the area.

In addition, we have serious environmental concerns due to the property located in a Flood Plain with Goose Creek running through the property. The Vestal Community Organization has invested in protecting Goose Creek along with creating Goose Creek to be enjoyed by the public. The Vestal Community Organization took on removing invasive vegetation along Goose Creek and created a riparian zone to allow for protection of Goose Creek and public enjoyment of the area.

We have concerns that the current property owner has not served or considered the best interests of the Vestal Community. We do not believe proper consideration will be provided to the Vestal Community should this rezoning request be granted.

---

**Christine** (3791), July 10, 2022 at 7:19 AM

We oppose changing zoning because doing so moves the area in the opposite direction from where that area has been developing. 7-c-22-RZ





# 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

CANDORO PROPERTIES

Applicant Name

Affiliation

5/19/2022

Date Filed

7/14/2022

Meeting Date (if applicable)

File Number(s)

7-C-22-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

Dax Witherspoon

Name

Candora Properties

Company

PO Box 52505

Address

Knoxville

City

TN

State

37950

ZIP

865 548 7768

Phone

dax@volequip.com

Email

### CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4430 Candora Ave

Property Address

123 AA 003

Parcel ID

Kub

Sewer Provider

Kub

Water Provider

NO

Septic (Y/N)

### STAFF USE ONLY

NORTH OF CANDORA<sup>AVE</sup>, WEST OF MARYVILLE PK 6.3 AC

General Location

Tract Size

- City
- County

1ST

District

I-MU / F

Zoning District

IND

Existing Land Use

SOUTH CITY

Planning Sector

HI / SP

Sector Plan Land Use Classification

N/A

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 \_\_\_\_\_

Combine Parcels  
  Divide Parcel  
 Unit / Phase Number \_\_\_\_\_

Total Number of Lots Created \_\_\_\_\_

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

Related Rezoning File Number

### ZONING REQUEST

Zoning Change

I H / F

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

Proposed Density (units/acre) \_\_\_\_\_

Previous Rezoning Requests \_\_\_\_\_

Other (specify) \_\_\_\_\_

Pending Plat File Number

### 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	0325   \$1100	Total \$1100
Fee 2		
Fee 3		

### AUTHORIZATION

[Signature]  
Applicant Signature

Dax Witherspoon  
Please Print

5-19-22  
Date

865 548 7702  
Phone Number

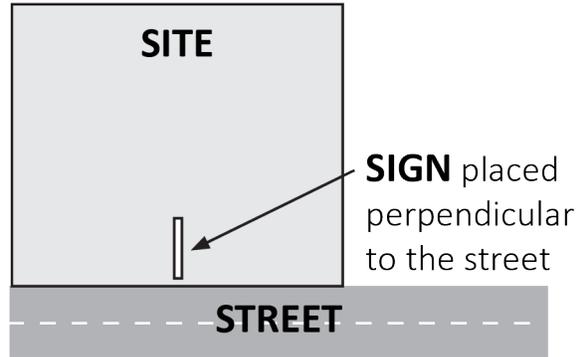
dax@volequip.com  
Email

[Signature]  
Property Owner Signature

Dax Witherspoon  
Please Print

5-19-22  
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:***

\_\_\_\_\_ and \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**File Number:** \_\_\_\_\_

- Sign posted by Staff
- Sign posted by Applicant