

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION PLAN AMENDMENT REPORT

► FILE #: 4-F-17-SP AGENDA ITEM #: 38

AGENDA DATE: POSTPONEMENT(S): 4/13/2017 5/11/2017

► APPLICANT: **RANDY ALLEN** OWNER(S): Randy Allen

TAX ID NUMBER: 58 L D 02801 View map on KGIS

JURISDICTION: Council District 4 STREET ADDRESS: 3503 Tazewell Pike

► LOCATION: Northwest side Tazewell Pike, southwest of Fieldcrest Ln.

▶ APPX. SIZE OF TRACT: 11682 square feet

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Tazewell Pike, a a major collector street with 26' of pavement

width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

> Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

PRESENT PLAN AND LDR (Low Density Residential) / R-1 (Low Density Residential)

ZONING DESIGNATION:

▶ PROPOSED PLAN **DESIGNATION:**

O (Office)

EXISTING LAND USE: Residence

PROPOSED USE: **Accounting office**

EXTENSION OF PLAN

DESIGNATION:

No

HISTORY OF REQUESTS: Same request approved by MPC but failed at City Council in 2008 (1-E-08-

PA/1-N-08-RZ)

SURROUNDING LAND USE

North: House / LDR AND PLAN DESIGNATION:

South: Tazewell Pike, cemetery / OS

East: House / LDR West: Salon / MDR

NEIGHBORHOOD CONTEXT To the west of the site are office and medium density residential uses, zoned

O-1 and R-2. To the south is the Greenwood Cemetery, zoned R-1. To the

north and east are low density residential uses, zoned R-1.

STAFF RECOMMENDATION:

DENY O (Office) sector plan designation.

The office zoning and use to the southwest is an appropriate stopping point for non-residential uses heading northeast on Tazewell Pike. It creates a good transition between office and medium density residential uses to

AGENDA ITEM #: 38 FILE #: 4-F-17-SP 5/1/2017 04:47 PM MICHAEL BRUSSEAU PAGE #: 38-1 the southwest and low density residential uses to the northwest. The subject parcel is also part of the Lavenia Metcalf residential subdivision along Fieldcrest Ln. to the northeast.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

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

No known improvements have been made in the vicinity of this site. The zoning and development pattern for this area is well established and appropriate as is.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan appropriately designates this site for low density residential uses, consistent with the current R-1 zoning. Approval of office use for this subject property could set a precedent to rezone parcels further north along Tazewell Pike to non-residential, as well as threaten the stability of the adjacent neighborhood on Fieldcrest Ln. There is sufficient office zoning in the area to meet the demand, so staff is of the opinion that this plan amendment is not necessary.

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

In 2008, a One Year Plan amendment for office on this site was turned down by City Council due to lack of a motion. That denial serves as guidance from City Council toward leaving this site designated for low density residential. At that time, sector plan amendments were not required in the City.

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

No new information has become available that would reveal the need for a plan amendment at this particular location.

State law regarding amendments of the general plan (which include 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:

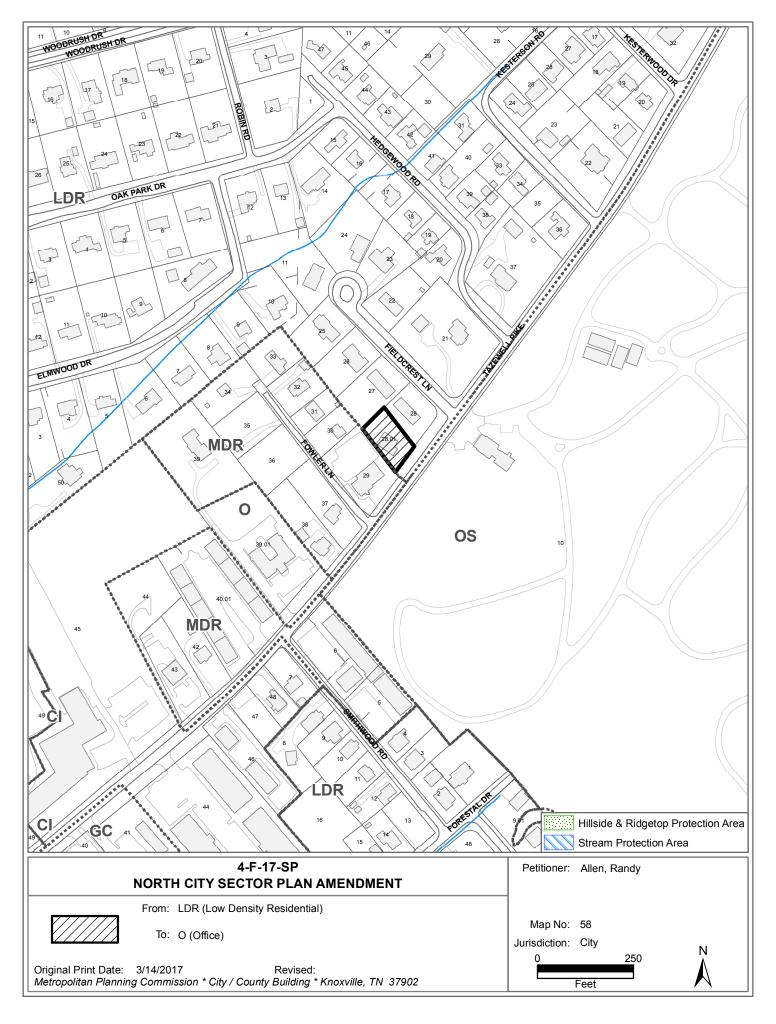
- 1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- 2. The Legislative Body may also initiate an amendment and transmit the amendment 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 6/6/2017 and 6/20/2017. If denied, MPC'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 an MPC decision in the City.

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TO: MPC Commissioners

FROM: Fountain City Town Hall, Inc.

DATE: April 11, 2017

RE: 4-13-17 MPC Agenda, Item 52, file 4-F-SP, 4-C-PA, 4-E-RZ

The Board of Fountain City Town Hall, Inc., asks that you approve the staff recommendation, which is to **deny** the request for Plan Amendments and Rezoning from Low Density Residential/R-1, to Office/O-1, for property located on Tazewell Pike.

The staff's recommendation to deny is consistent with sound planning principles and the limitations of the site. The Report notes "The existing transitional zoning pattern is appropriate, as it establishes a transition between higher intensity uses along Tazewell Pike to the southwest and low density residential uses to the north and west."

The Report also points out that the rezoning would have a negative effect on the stability of the adjacent neighborhood on Fieldcrest Lane.

Furthermore, as the Report states, the small parcel size presents a challenge to meeting the off-street parking requirements of many uses allowed in the O-1 zoning district: "...a significant portion of the paved area is in the public right-of-way" and the areas "...where additional parking could be located, the topography would make it difficult and very disruptive to the adjacent neighborhood...".

The staff Report also notes that the request does not meet the standards that must be met in order to amend the adopted plans and rezone the property.

For these reasons, we ask that you support the staff's recommendation and deny these requests.

Yours truly,

Charlotte Davis, Carlene V. Malone, Co-Chairs, Land Use Committee Fountain City Town Hall, Inc.



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Item #52 April MPC Agenda

1 message

ombroligo via Commission < commission@knoxmpc.org>

Sun, Apr 9, 2017 at 11:01 AM

Reply-To: ombroligo@aol.com

To: gerald.green@knoxmpc.org, commission@knoxmpc.org, jtocher.mpc@gmail.com, mgoodwin.mpc@gmail.com, eason.mpc@gmail.com, herb@claibornehauling.com

Dear Executive Director Green and MPC Commissioners,

I am writing for Tazewell Pike-Beverly Station Neighborhood Coalition regarding #52 (File #4-E-17-RZ, File # 4-F-17-SP File # 4-C-17PA) on the April MPC agenda. We are in total agreement with the staff recommendation to deny this rezoning and plan amendment on Tazewell Pike.

The recommendation says in part," DENY the rezoning to O-1 (Office, Medical & Related Services), consistent with the denial recommendations for the associated plan amendments. The zoning and development pattern for this area is well established and appropriate as is."

"The North City Sector Plan recommends that non-residential zoning end at the adjacent property to the southwest. The existing transitional zoning pattern is appropriate, as it establishes a transition between higher intensity uses along Tazewell Pike to the southwest and low density residential uses to the north and west."

The staff goes on to comment, "The sector plan appropriately designates this site for low density residential uses, consistent with the current R-1 zoning. Approval of office use for this subject property could set a precedent to rezone parcels further north along Tazewell Pike to non-residential, as well as threaten the stability of the adjacent neighborhood on Fieldcrest Ln. Allowing office use of this property could have a negative impact on the neighborhood to the north and east. There is sufficient office zoning in the area to meet the demand, so staff is of the opinion that this plan amendment is not necessary."

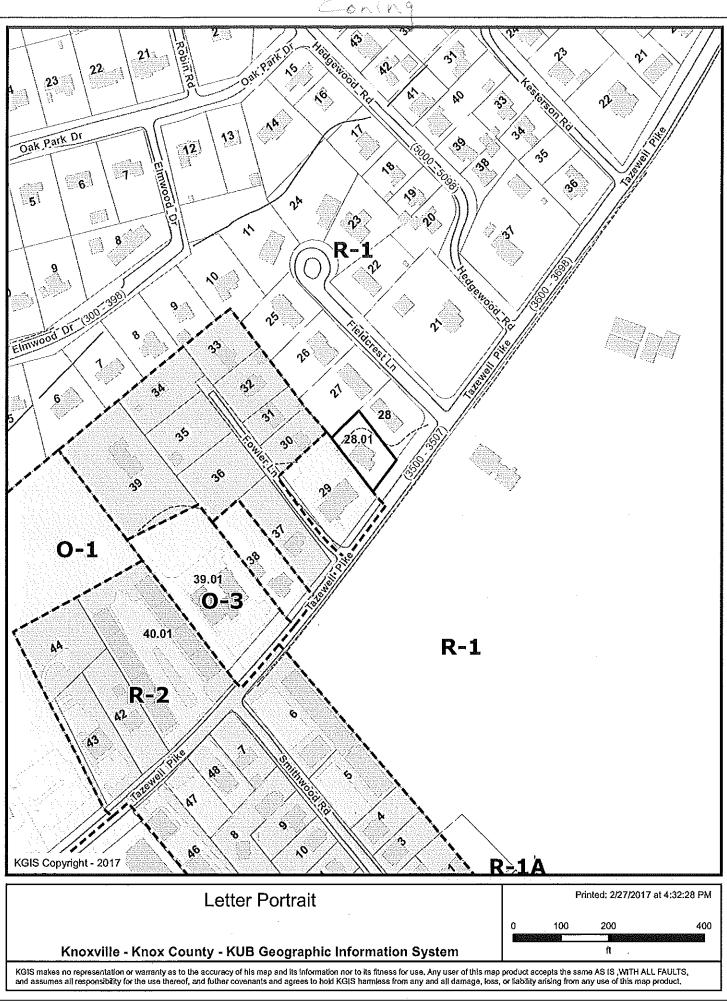
We also call your attention to the remarks made by staff regarding parking, "O-1 zoning will allow uses that require more off-street parking than low density residential. The paved parking area currently in front of the house could provide that parking, but a significant portion of the paved area is in public right-of-way (see attached aerial photo). Along the north and east sides of the house, where additional parking could be located, the topography would make it difficult and very disruptive to the adjacent neighborhood to construct parking there. Variances on parking would likely be needed if the property were rezoned to O-1."

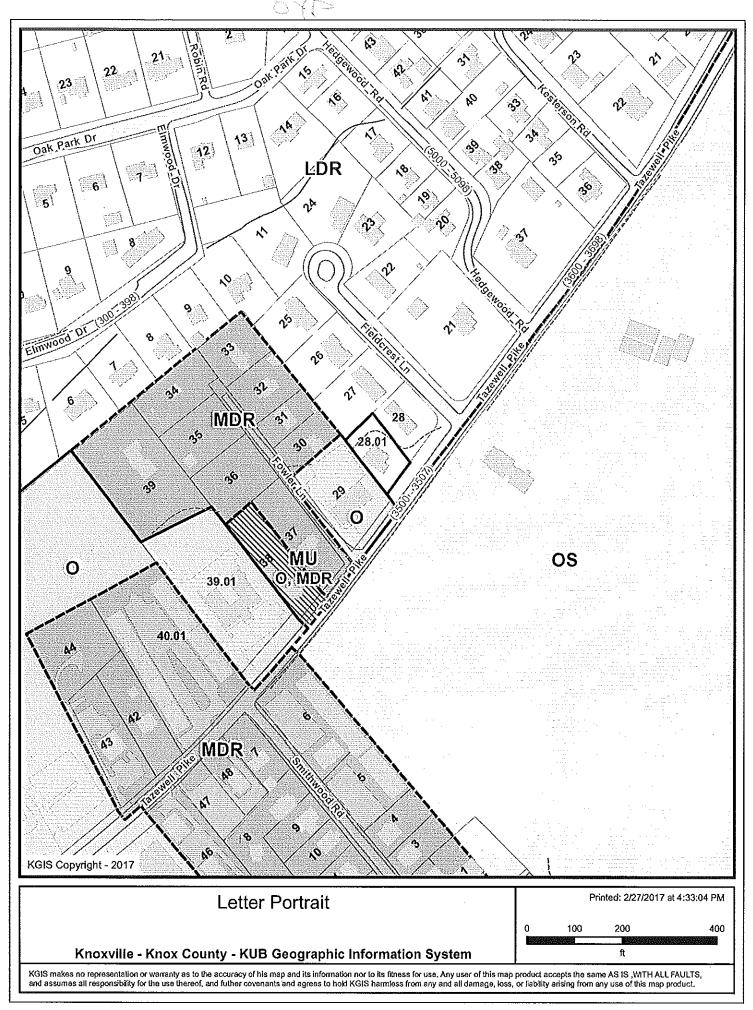
Lastly, staff reminds us that "In 2008, a One Year Plan amendment for office on this site was turned down by City Council due to lack of a motion. That denial serves as guidance from City Council toward leaving this site designated for low density residential."

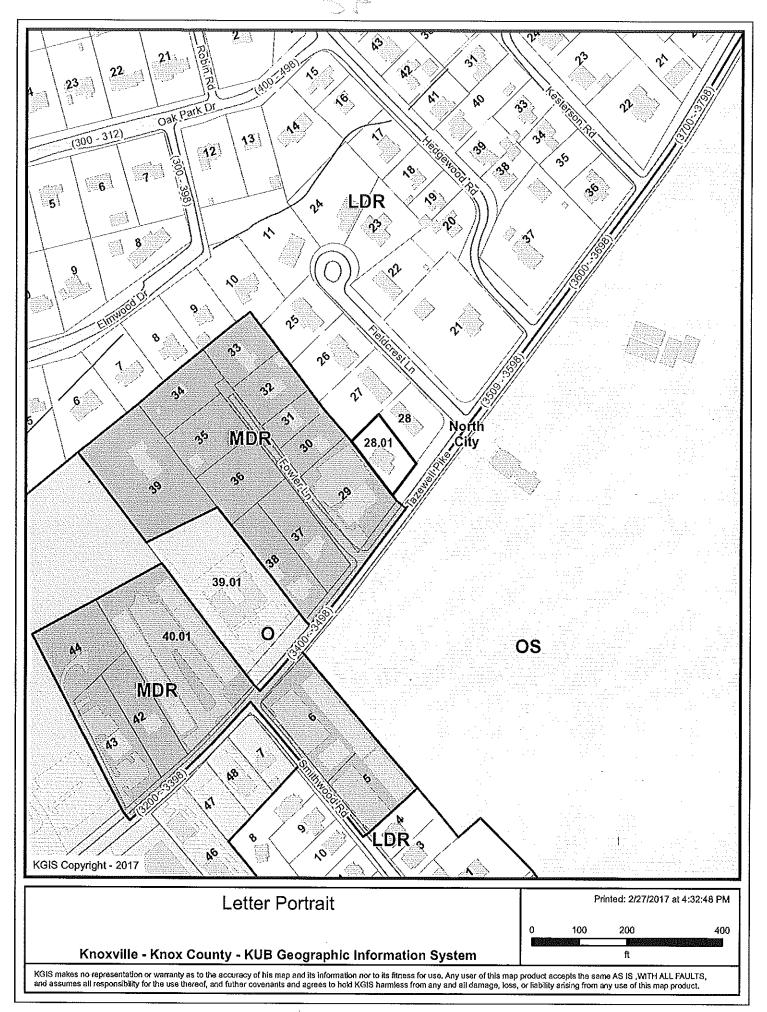
Again, our neighborhood is in total agreement with MPC staff for denial of rezoning and plan amendment based on all the above reasons.

Sincerely, Jamie Rowe, President, Tazewell Pike-Beverly Station Neighborhood Coalition
This message was directed to commission@knoxmpc.org

,	One View and North Chist
M P C Name of Applicant: AND	TPLAN AMENDMENT
PLANNING COMMISSION Date Filed: 2-27-17	Meeting Date: 4-13-17EB 2 7 2017.
865 • 215 • 2500	mber: Rezoning 4-5-17-RZ mber: Plan Amendment H-C-17-PA
PROPERTY INFORMATION Address: 3503 TAZEWELL PIKE General Location: FOUNTAIN CITY NW STEETS ZENER PROPERTY Parcel ID Number(s): 058LD02801	PLEASE PRINT RANDY AUEN Company: AMBERWIND CORPORATION Address: 504 CONCORP RO
Tract Size: Planning Sector: NORTH CITY Growth Policy Plan:	City: KNOXUIUE State: TN Zip: 37939 Telephone: 865-675-5697 Fax: E-mail: ACEAUENO TOS. NET
Census Tract: 42 Traffic Zone: 139 Jurisdiction: City Council 4 District County Commission District	APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: PLEASE PRINT Name: Company: ALLEN + COMPANY
Requested Change REZONING FROM:	Address: 11470 PARKSIDE DR 201 City: KNXX VIUE State: TN zip: 37934 Telephone: 865-966-5400 Fax: 865-966-5404
PLAN AMENDMENT	E-mail: RANDY @ ALLENCOCPA, COM
FROM: Sector Plan TO:	APPLICATION AUTHORIZATION I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form. Signature:
ACCOUNTING OFFICE	Name: L. RANDOLP H. ALLEN # Company: AMBERWOD CORP
Density Proposed Units/Acre	Address: 504 CONCORD RD City: KNOX State: TN Zip: 37934
Previous Rezoning Requests:	Telephone:









KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION PLAN AMENDMENT/REZONING REPORT

► FILE #: 4-E-17-RZ **AGENDA ITEM #:** 38

> 4-C-17-PA **AGENDA DATE:** 5/11/2017

POSTPONEMENT(S): 4/13/2017

▶ APPLICANT: **RANDY ALLEN**

OWNER(S): Randy Allen

TAX ID NUMBER: 58 L D 02801 View map on KGIS

JURISDICTION: Council District 4 STREET ADDRESS: 3503 Tazewell Pike

▶ LOCATION: Northwest side Tazewell Pike, southwest of Fieldcrest Ln.

▶ TRACT INFORMATION: 11682 square feet.

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Tazewell Pike, a major collector street with 26' of pavement

width within 60' of right-of-way.

UTILITIES: Water Source: **Knox-Chapman Utility District**

> Sewer Source: **Knoxville Utilities Board**

WATERSHED: First Creek

▶ PRESENT PLAN LDR (Low Density Residential) / R-1 (Low Density Residential)

DESIGNATION/ZONING:

DESIGNATION/ZONING:

PROPOSED PLAN O (Office) / O-1 (Office, Medical, and Related Services)

EXISTING LAND USE: Residence

► PROPOSED USE: **Accounting office**

EXTENSION OF PLAN

DESIGNATION/ZONING:

Yes, extension of office designation from the southwest

HISTORY OF ZONING

REQUESTS:

Same request approved by MPC but failed at City Council in 2008 (1-E-08-

PA/1-N-08-RZ)

SURROUNDING LAND USE.

PLAN DESIGNATION,

ZONING

North: House / LDR / R-1 (Low Density Residential)

South: Tazewell Pike, cemetery / OS / R-1 (Low Density Residential)

East: House / LDR / R-1 (Low Density Residential)

West: Salon / O / O-1 (Office, Medical & Related Services)

NEIGHBORHOOD CONTEXT: To the west of the site are office and medium density residential uses, zoned

O-1 and R-2. To the south is the Greenwood Cemetery, zoned R-1. To the

north and east are low density residential uses, zoned R-1.

AGENDA ITEM #: 38 FILE #: 4-C-17-PA 5/1/2017 04:43 PM MICHAEL BRUSSEAU PAGE #: 38-1

STAFF RECOMMENDATION:

► DENY O (Office) One Year Plan designation for the site.

The office zoning and use to the southwest is an appropriate stopping point for non-residential uses heading northeast on Tazewell Pike. It creates a good transition between office and medium density residential uses to the southwest and low density residential uses to the northwest. The subject parcel is also part of the Lavenia Metcalf residential subdivision along Fieldcrest Ln. to the northeast.

▶ DENY the rezoning to O-1 (Office, Medical & Related Services), consistent with the denial recommendations for the associated plan amendments.

The existing transitional zoning pattern to the southwest is appropriate and has established a good stopping point for non-residential uses heading north along Tazewell Pike. O-1 zoning will allow uses that require more off-street parking than low density residential. The paved parking area currently in front of the house could provide that parking, but a significant portion of the paved area is in public right-of-way (see attached aerial photo). Along the north and east sides of the house, where additional parking could be located, the topography would make it difficult and very disruptive to the adjacent neighborhood to construct parking there. Variances on parking would likely be needed if the property were rezoned to O-1.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

- A. AN ERROR IN THE PLAN The One Year Plan appropriately designates this site for low density residential uses, consistent with the current R-1 zoning. Approval of office use for this subject property could set a precedent to rezone parcels further north along Tazewell Pike to non-residential, as well as threaten the stability of the adjacent neighborhood on Fieldcrest Ln. There is sufficient office zoning in the area to meet the demand, so staff is of the opinion that this plan amendment is not necessary.
- B. 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 No known improvements have been made in the vicinity of this site. The zoning and development pattern for this area is well established and appropriate as is.
- C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN In 2008, a One Year Plan amendment for office on this site was turned down by City Council due to lack of a motion. That denial serves as guidance from City Council toward leaving this site designated for low density residential.
- D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT No new information has become available that would reveal the need for a plan amendment at this particular location.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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 CITY/COUNTY GENERALLY:

- 1. There is adequate office zoning available in the area to meet demand.
- 2. The North City Sector Plan recommends that non-residential zoning end at the adjacent property t the southwest
- 3. The existing zoning pattern is appropriate, as it establishes a transition between higher intensity uses along Tazewell Pike to the southwest and low density residential uses to the north and west.

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

1. 1. The O-1 zone, as described in the zoning ordinance, is intended to provide areas for professional and business offices and related activities that require separate buildings surrounded by landscaped yards and open areas. The intent is to provide centralized, compact locations for business offices, clinics, medical and

AGENDA ITEM #: 38 FILE #: 4-C-17-PA 5/1/2017 04:43 PM MICHAEL BRUSSEAU PAGE #: 38-2

dental offices, as well as suburban locations near residential neighborhoods.

2. Based on the above general intent, this site may not be appropriate for O-1 zoning.

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. If O-1 zoning is approved for this property, it sets a precedent for potentially allowing further encroachment of non-residential uses along Tazewell Pike to the northeast, into low density residential areas.
- 2. Allowing office use of this property could have a negative impact on the neighborhood to the north and east. The subject parcel is part of the residential subdivision along Fieldcrest Ln., named Lavenia Metcalf subdivision.
- 3. Public water and sewer utilities are available to serve the site.

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:

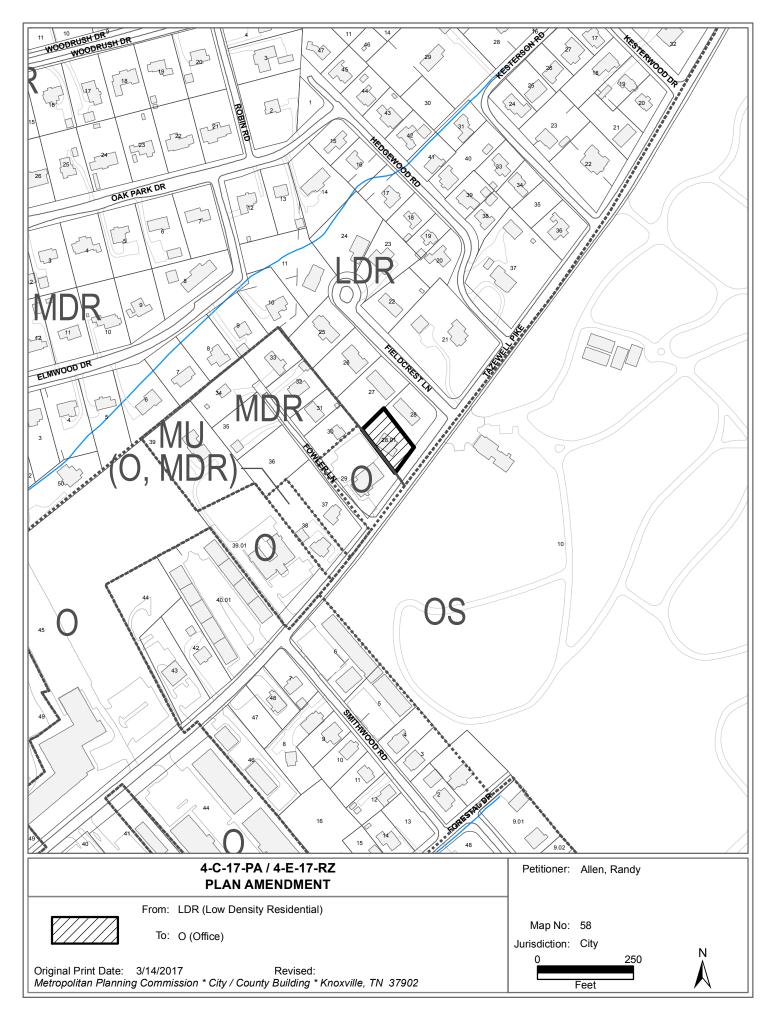
- 1. With approval of the requested One Year Plan amendment to O, the requested O-1 zoning would be consistent with the plan.
- 2. With approval of the requested North City Sector Plan amendment to O, the requested O-1 zoning would be consistent with the sector plan.
- 3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 4. This current zoning does not present any apparent conflicts with any other adopted plans, and should be maintained.

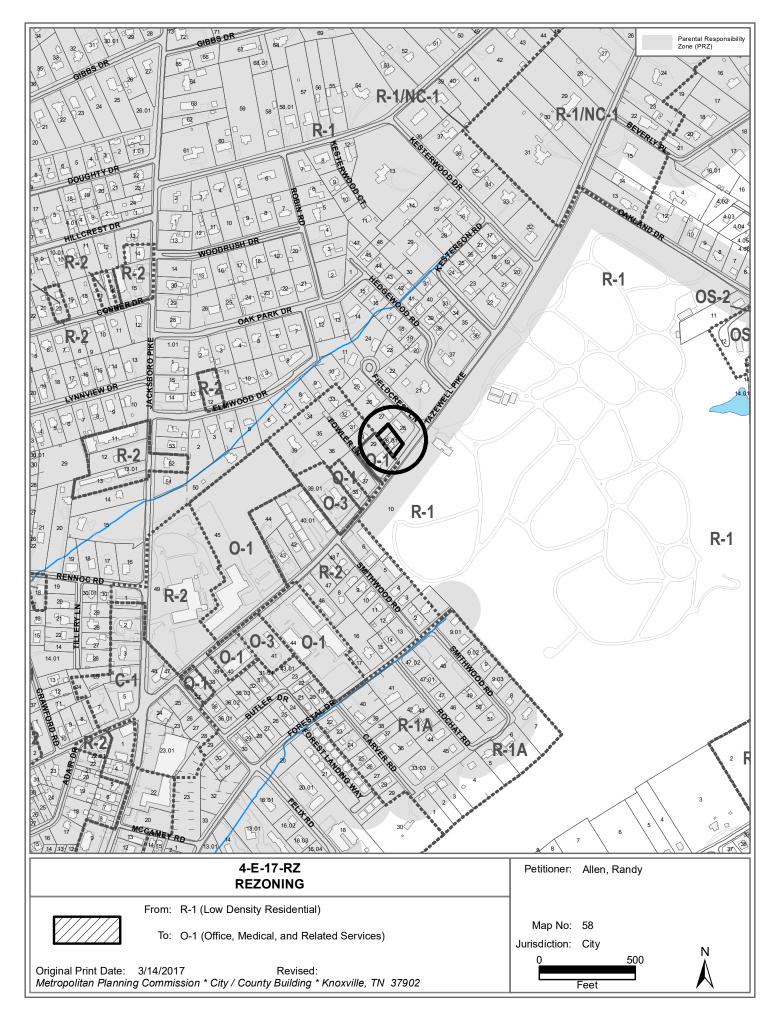
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 6/6/2017 and 6/20/2017. If denied, MPC'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 an MPC decision in the City.

 AGENDA ITEM #:
 38
 FILE #:
 4-C-17-PA
 5/1/2017 04:43 PM
 MICHAEL BRUSSEAU
 PAGE #:
 38-3









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TO: MPC Commissioners

FROM: Fountain City Town Hall, Inc.

DATE: April 11, 2017

RE: 4-13-17 MPC Agenda, Item 52, file 4-F-SP, 4-C-PA, 4-E-RZ

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The Report also points out that the rezoning would have a negative effect on the stability of the adjacent neighborhood on Fieldcrest Lane.

Furthermore, as the Report states, the small parcel size presents a challenge to meeting the off-street parking requirements of many uses allowed in the O-1 zoning district: "...a significant portion of the paved area is in the public right-of-way" and the areas "...where additional parking could be located, the topography would make it difficult and very disruptive to the adjacent neighborhood...".

The staff Report also notes that the request does not meet the standards that must be met in order to amend the adopted plans and rezone the property.

For these reasons, we ask that you support the staff's recommendation and deny these requests.

Yours truly,

Charlotte Davis, Carlene V. Malone, Co-Chairs, Land Use Committee Fountain City Town Hall, Inc.



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Item #52 April MPC Agenda

1 message

ombroligo via Commission < commission@knoxmpc.org>

Sun, Apr 9, 2017 at 11:01 AM

Reply-To: ombroligo@aol.com

To: gerald.green@knoxmpc.org, commission@knoxmpc.org, jtocher.mpc@gmail.com, mgoodwin.mpc@gmail.com, eason.mpc@gmail.com, herb@claibornehauling.com

Dear Executive Director Green and MPC Commissioners,

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The recommendation says in part," DENY the rezoning to O-1 (Office, Medical & Related Services), consistent with the denial recommendations for the associated plan amendments. The zoning and development pattern for this area is well established and appropriate as is."

"The North City Sector Plan recommends that non-residential zoning end at the adjacent property to the southwest. The existing transitional zoning pattern is appropriate, as it establishes a transition between higher intensity uses along Tazewell Pike to the southwest and low density residential uses to the north and west."

The staff goes on to comment, "The sector plan appropriately designates this site for low density residential uses, consistent with the current R-1 zoning. Approval of office use for this subject property could set a precedent to rezone parcels further north along Tazewell Pike to non-residential, as well as threaten the stability of the adjacent neighborhood on Fieldcrest Ln. Allowing office use of this property could have a negative impact on the neighborhood to the north and east. There is sufficient office zoning in the area to meet the demand, so staff is of the opinion that this plan amendment is not necessary."

We also call your attention to the remarks made by staff regarding parking, "O-1 zoning will allow uses that require more off-street parking than low density residential. The paved parking area currently in front of the house could provide that parking, but a significant portion of the paved area is in public right-of-way (see attached aerial photo). Along the north and east sides of the house, where additional parking could be located, the topography would make it difficult and very disruptive to the adjacent neighborhood to construct parking there. Variances on parking would likely be needed if the property were rezoned to O-1."

Lastly, staff reminds us that "In 2008, a One Year Plan amendment for office on this site was turned down by City Council due to lack of a motion. That denial serves as guidance from City Council toward leaving this site designated for low density residential."

Again, our neighborhood is in total agreement with MPC staff for denial of rezoning and plan amendment based on all the above reasons.

Sincerely, Jamie Rowe, President, Tazewell Pike-Beverly Station Neighborhood Coalition
This message was directed to commission@knoxmpc.org

,	One View and North Chist
M P C Name of Applicant: AND	TPLAN AMENDMENT
PLANNING COMMISSION Date Filed: 2-27-17	Meeting Date: 4-13-17EB 2 7 2017.
865 • 215 • 2500	mber: Rezoning 4-5-17-RZ mber: Plan Amendment H-C-17-PA
PROPERTY INFORMATION Address: 3503 TAZEWELL PIKE General Location: FOUNTAIN CITY NW STEETS ZENER PROPERTY Parcel ID Number(s): 058LD02801	PLEASE PRINT RANDY AUEN Company: AMBERWIND CORPORATION Address: 504 CONCORP RO
Tract Size: Planning Sector: NORTH CITY Growth Policy Plan:	City: KNOXUIUE State: TN Zip: 37939 Telephone: 865-675-5697 Fax: E-mail: ACEAUENO TOS. NET
Census Tract: 42 Traffic Zone: 139 Jurisdiction: City Council 4 District County Commission District	APPLICATION CORRESPONDENCE All correspondence relating to this application should be sent to: PLEASE PRINT Name: Company: ALLEN + COMPANY
Requested Change REZONING FROM:	Address: 11470 PARKSIDE DR 201 City: KNXX VIUE State: TN zip: 37934 Telephone: 865-966-5400 Fax: 865-966-5404
PLAN AMENDMENT	E-mail: RANDY @ ALLENCOCPA, COM
FROM: Sector Plan TO:	APPLICATION AUTHORIZATION I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form. Signature:
ACCOUNTING OFFICE	Name: L. RANDOLP H. ALLEN # Company: AMBERWOD CORP
Density Proposed Units/Acre	Address: 504 CONCORD RD City: KNOX State: TN Zip: 37934
Previous Rezoning Requests:	Telephone:

