

# REZONING REPORT

▶ **FILE #:** 1-G-19-RZ

**AGENDA ITEM #:** 28

**AGENDA DATE:** 1/10/2019

▶ **APPLICANT:** PYA WALTMAN CAPITAL

OWNER(S): Bill PYA Waltman Capital

TAX ID NUMBER: 144 088

[View map on KGIS](#)

JURISDICTION: County Commission District 4

STREET ADDRESS: 1402 Ebenezer Rd

▶ **LOCATION:** East side of Ebenezer Road, east of Highbridge Drive

▶ **APPX. SIZE OF TRACT:** 0.86 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Accessed from Ebenezer Rd. N., a minor arterial with 63' of pavement width within a 72' right-of-way

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Tennessee River

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** T (Transition)

▶ **EXISTING LAND USE:** Single family residential

▶ **PROPOSED USE:** General office

EXTENSION OF ZONE: No

HISTORY OF ZONING: 11-C-13-RZ - AG to OB - Withdrawn; 4-I-00-RZ - A to CA - Denied

SURROUNDING LAND USE AND ZONING: North: Single Family Residential / RA (Low Density Residential)

South: Single Family Residential / A (Agriculture and Estate)

East: Single Family Residential / RA (Low Density Residential)

West: Single Family Residential, Day Care / RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: A series of single-family subdivisions accessed by Ebenezer Rd, a minor arterial with some office and commercial uses located to the south.

## STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE T (Transition) zoning with one condition.**

Staff recommends T (Transition) zoning with a condition that the residential structure be reused, keeping the residential appearance of the site.

## COMMENTS:

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:**

With the increasing population of the southwestern portions of Knox County traffic volumes on Ebenezer Rd. have increased over time. There is a need to establish zones and uses on minor arterials like Ebenezer Rd. that serve the community, while maintaining the residential appearance. Transition zoning strikes the balance between commercial and residential development. Transition zoning will not have an adverse impact on the surrounding area and maintains the residential character.

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

The T zone permits commercial uses such as professional offices that are not major traffic generators and are intended not open objectionable types of commercial uses. Adding the condition that the existing residential structure remain on site will ensure that the residential appearance is kept. The review of the plans for compliance with this condition will be reviewed through the development plan submittal to the Planning Commission.

**THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY/COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:**

The area is already served by adequate transportation and utility infrastructure. Having professional offices will not contribute to congestion in surrounding areas.

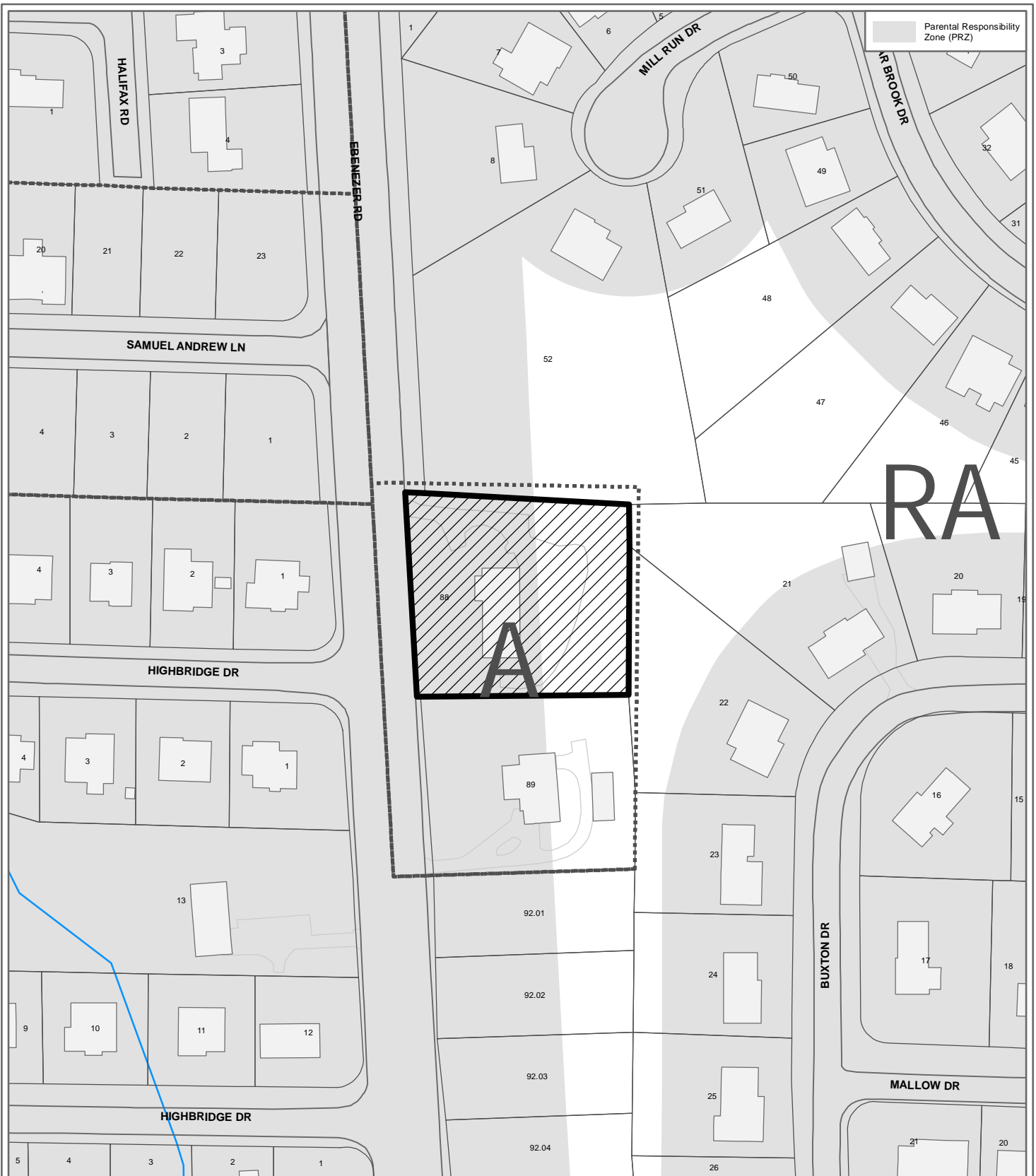
**THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:**

The proposed rezoning does not conflict with the Southwest County Sector Plan, General Plan, Growth Plan or any other adopted plans.

**ESTIMATED TRAFFIC IMPACT:** Not required.

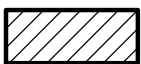
**ESTIMATED STUDENT YIELD:** Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 2/25/2019. 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.



**1-G-19-RZ  
REZONING**

From: A (Agricultural)  
To: T (Transition)



Petitioner: PYA Waltman Capital

Map No: 144  
Jurisdiction: County



**REZONING**       **PLAN AMENDMENT**

Name of Applicant: PYA Waltman Capital

Date Filed: 11/26/18      Meeting Date: 1/10/19

Application Accepted by: [Signature]

Fee Amount: \$1,000      File Number: Rezoning 1-G-19-RZ

Fee Amount: \_\_\_\_\_      File Number: Plan Amendment \_\_\_\_\_



**PROPERTY INFORMATION**

Address: 1402 Ebenezer Road  
 General Location: West Knox County

Parcel ID Number(s): 144 DBB

Tract Size: 0.8 Acres  
 Existing Land Use: SFR  
 Planning Sector: LDR  
 Growth Policy Plan: Planned Growth  
 Census Tract: 57.12  
 Traffic Zone: \_\_\_\_\_

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 4th District

**Requested Change**

**REZONING**

FROM: Agriculture (A)  
 TO: Transition (T)

**PLAN AMENDMENT**

One Year Plan     N/A      Sector Plan

FROM: \_\_\_\_\_  
 TO: \_\_\_\_\_

**PROPOSED USE OF PROPERTY**

General Office

Density Proposed 1      Units/Acre  
 Previous Rezoning Requests: \_\_\_\_\_

**PROPERTY OWNER**     **OPTION HOLDER**

PLEASE PRINT  
 Name: Bill Waltman  
 Company: PYA Waltman Capital  
 Address: 2076 Lakeside Centre Way  
 City: Knoxville      State: TN      Zip: 37922  
 Telephone: 865-693-6301  
 Fax: \_\_\_\_\_  
 E-mail: wwaltman@pyawaltman.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application should be sent to:

PLEASE PRINT  
 Name: Mark Miller  
 Company: Realty Trust Group  
 Address: 2220 Sutherland Ave  
 City: Knoxville      State: TN      Zip: 37989  
 Telephone: 865-521-0630  
 Fax: \_\_\_\_\_  
 E-mail: mmiller@realtytrustgroup.com

**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: [Signature]

PLEASE PRINT  
 Name: Bill Waltman  
 Company: PYA Waltman Capital  
 Address: 2076 Lakeside Center Way  
 City: Knoxville      State: TN      Zip: 37922  
 Telephone: 865-693-6301  
 E-mail: wwaltman@pyawaltman.com



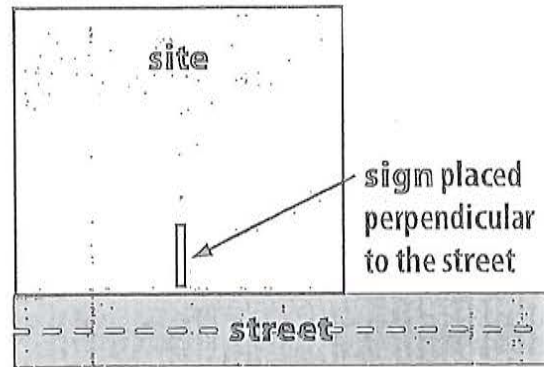
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC 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 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

December 26, 2018 and January 11, 2019  
(15 days before the MPC meeting) (the day after the MPC meeting)

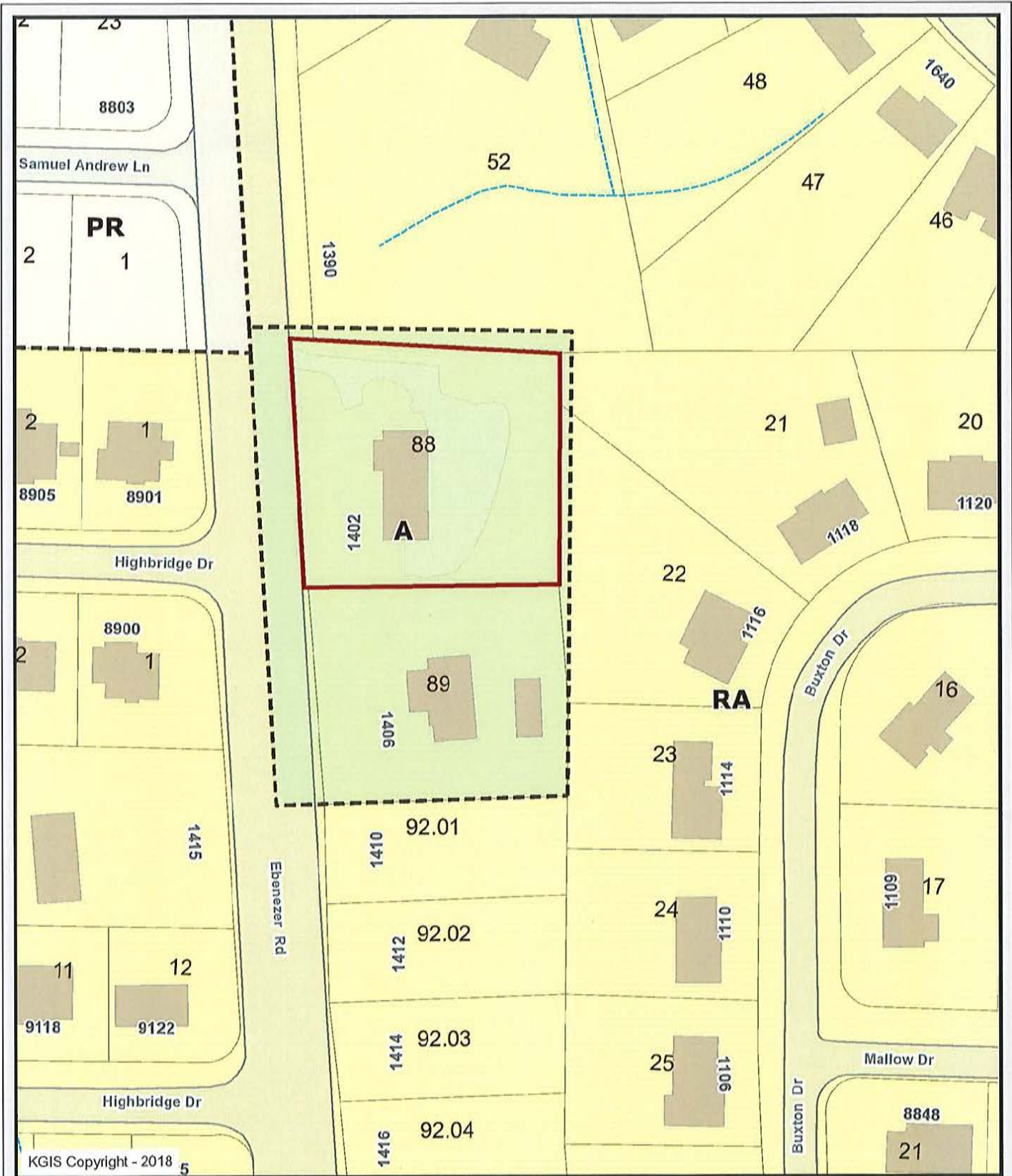
Signature: R. McNally, as Agent for PYA Wattman Capital

Printed Name: Ryan McNally

Phone: 815-789-3201 Email: ryan@travallytitle.com

Date: 11/26/18

MPC File Number: 1-G-19-RZ



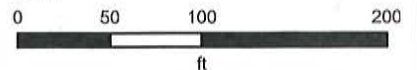
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### Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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