

REZONING REPORT

► **FILE #:** 11-H-20-RZ

AGENDA ITEM #: 19

AGENDA DATE: 11/12/2020

► **APPLICANT:** RONNIE WELCH

OWNER(S): Ronnie Welch

TAX ID NUMBER: 58 M D 005, 004 & 003

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 2613 , 2615 and 2625 Greenway Dr.

► **LOCATION:** North side of Greenway Drive and east side of Broadway, north of I-640

► **APPX. SIZE OF TRACT:** 4.5 acres

SECTOR PLAN: North City

GROWTH POLICY PLAN: Within City Limits

ACCESSIBILITY: Greenway Drive is a major collector with a 17-ft pavement width inside the I-640 right-of-way at this location.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

► **PRESENT ZONING:** O (Office)

► **ZONING REQUESTED:** C-H-1 (Highway Commercial)

► **EXISTING LAND USE:** The three parcels contain vacant land, an office building, and vehicle storage in a long double-door garage and a long carport structure

► **DENSITY PROPOSED:** N/A

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: Agricultural/forestry/vacant - RN-1 (Single Family Residential Neighborhood) and HP (Hillside Protection Overlay) Districts

South: I-640 right-of-way

East: Transportation/communications/utilities - RN-1 (Single Family Residential Neighborhood) and HP (Hillside Protection Overlay) Districts

West: Office - C-G-2 (General Commercial) District

NEIGHBORHOOD CONTEXT: These properties are at the intersection of Greenway Drive and N. Broadway Avenue just north of the on/off ramps to I-640. These properties are the gateway onto Greenway Drive, which contains mostly single family residential properties.

STAFF RECOMMENDATION:

► **Approve C-G-2 (General Commercial) zoning because it is consistent with the North City Sector Plan designation and is compatible with other properties along N. Broadway Avenue (the applicant requested C-H).**

COMMENTS:

These properties were zoned C-4 (Highway and Arterial Commercial District) prior to the adoption of the new zoning ordinance and map on January 1, 2020. They were rezoned O (Office) in the new map to reflect their current use and to protect the properties nearby on Greenway Drive, since this street otherwise consists of residential uses along its length.

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. The buildings on the property to the south were demolished and the property was recently incorporated into the on-ramp for Broadway Avenue onto I-640. The expanded right-of-way and on-ramp minimize the number of adjacent properties that would be impacted by commercial development. To the west, Broadway Avenue is a major arterial and functions as a commercial corridor, while the properties to the east are residential. Property to the north is undeveloped.

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

1. The C-H Highway Commercial Zoning District is intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments of a more intense commercial character including those requiring permanent outdoor service or storage areas. The C-H District regulations are intended to ensure the mitigation of any potential impacts related to such establishments on neighboring uses. The C-H District is divided into two levels of intensity related to the overall form and design of the development; however, uses are the same across all levels.

2. 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 COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. Rezoning these properties to C-H would give them a more intense zone than found elsewhere in this area. The properties for which rezoning are requested are not located in an area that would support C-H zoning due to the topography, surrounding zoning, and character of the area.

2. C-G-2 zoning is predominant in the general area along N. Broadway, so rezoning to C-G-2 would make these properties more consistent with the other properties along N. Broadway.

3. Per the C-H zoning definition above, the zone is intended to accommodate higher intensity uses. These more intense, often vehicle-oriented uses allowed in the C-H zone would be too intense to be near the residential uses along Greenway Drive.

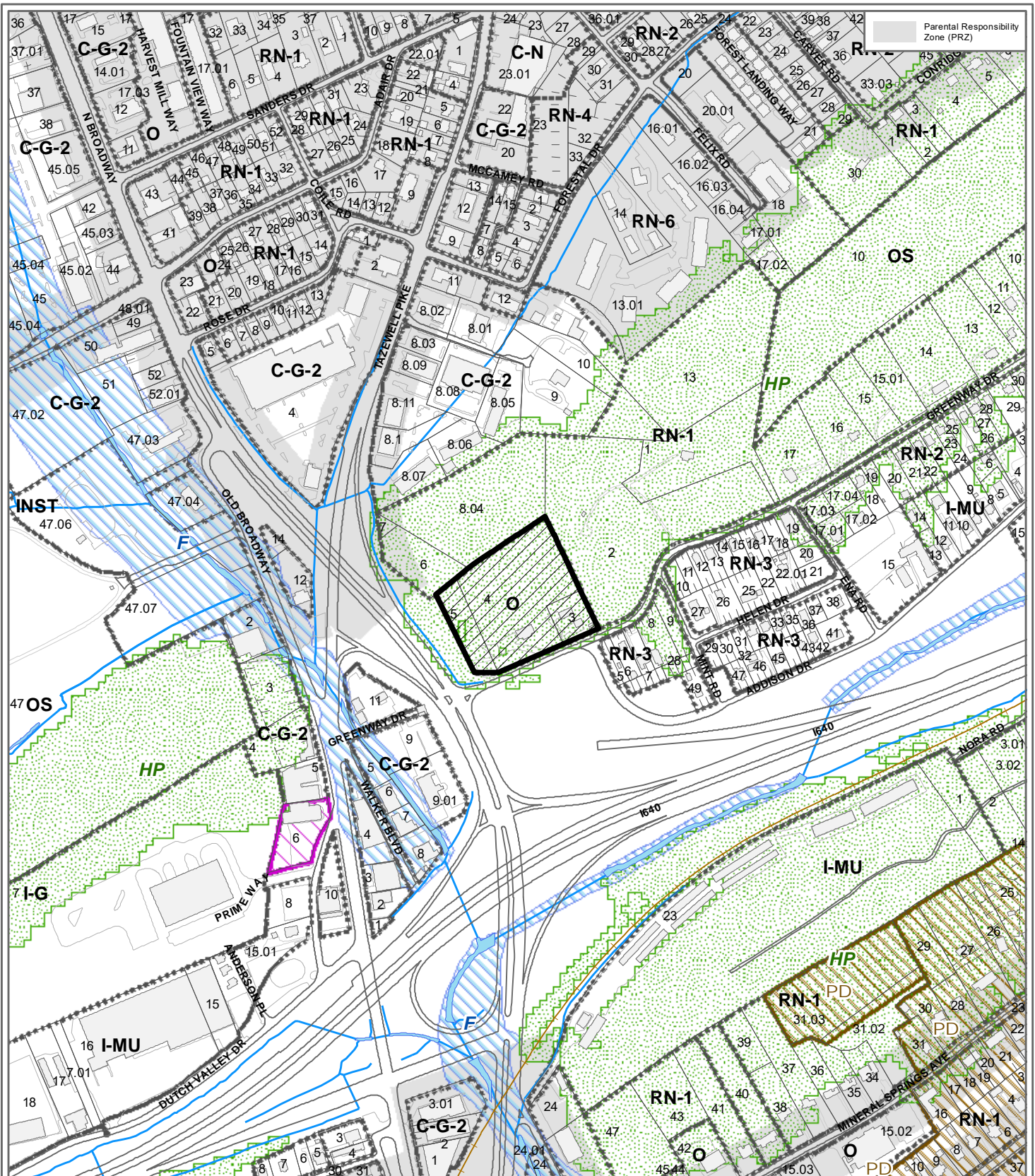
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The North City Sector Plan's current GC (General Commercial) designation lists C-H zoning as one of the allowed zones. However, as mentioned above, the C-H zone would not be appropriate at this location.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/15/2020 and 1/12/2021. 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.



11-H-20-RZ REZONING

From: O (Office)

To: C-H-1 (Highway Commercial)

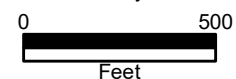


Original Print Date: 10/20/2020 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Ronnie Welch

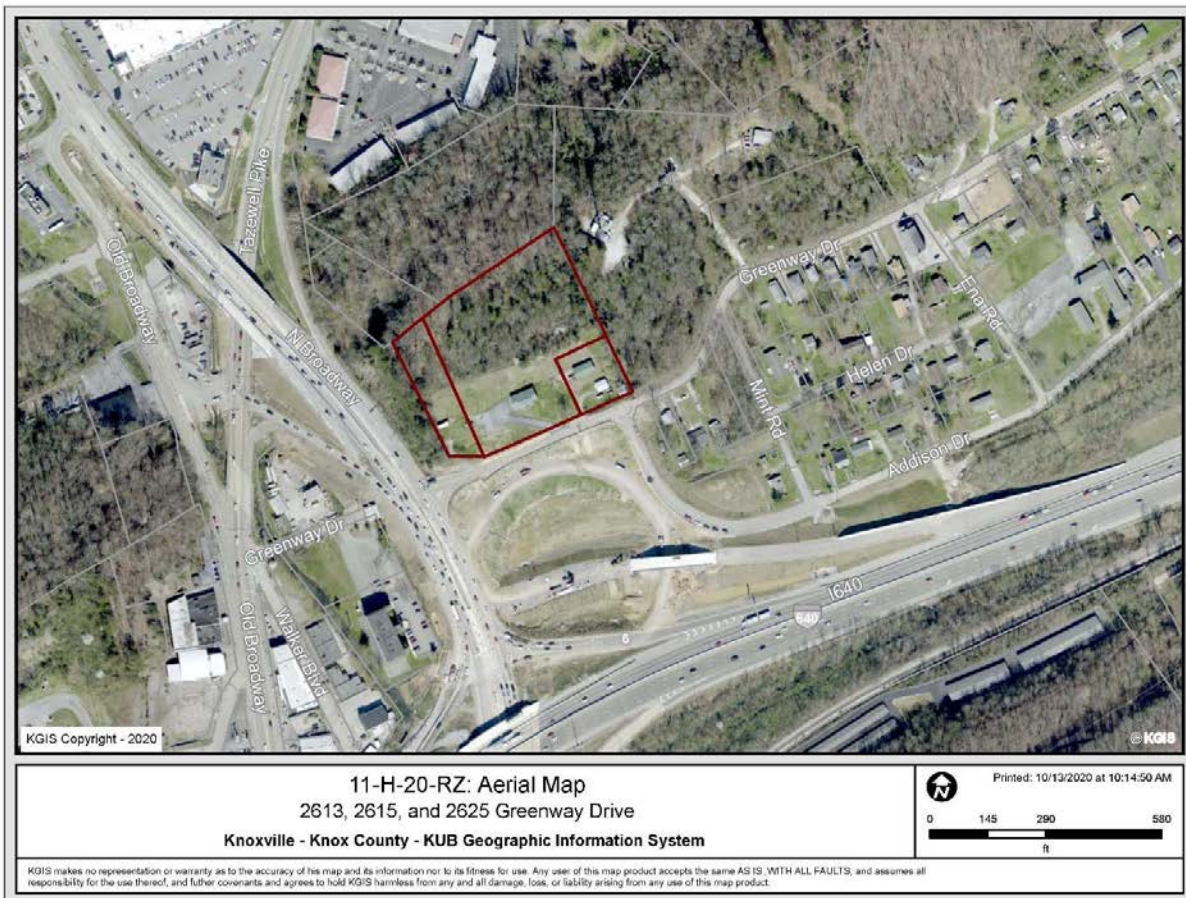
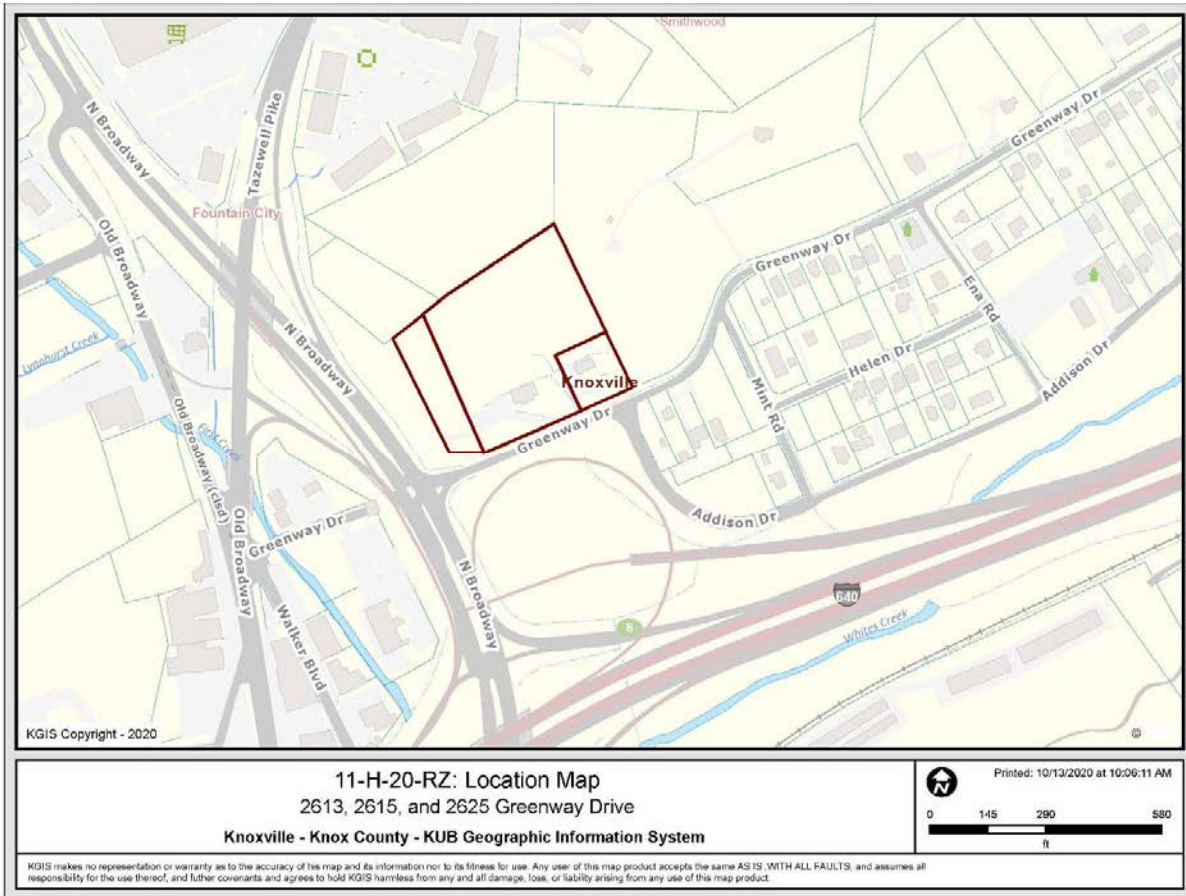
Map No: 58

Jurisdiction: City



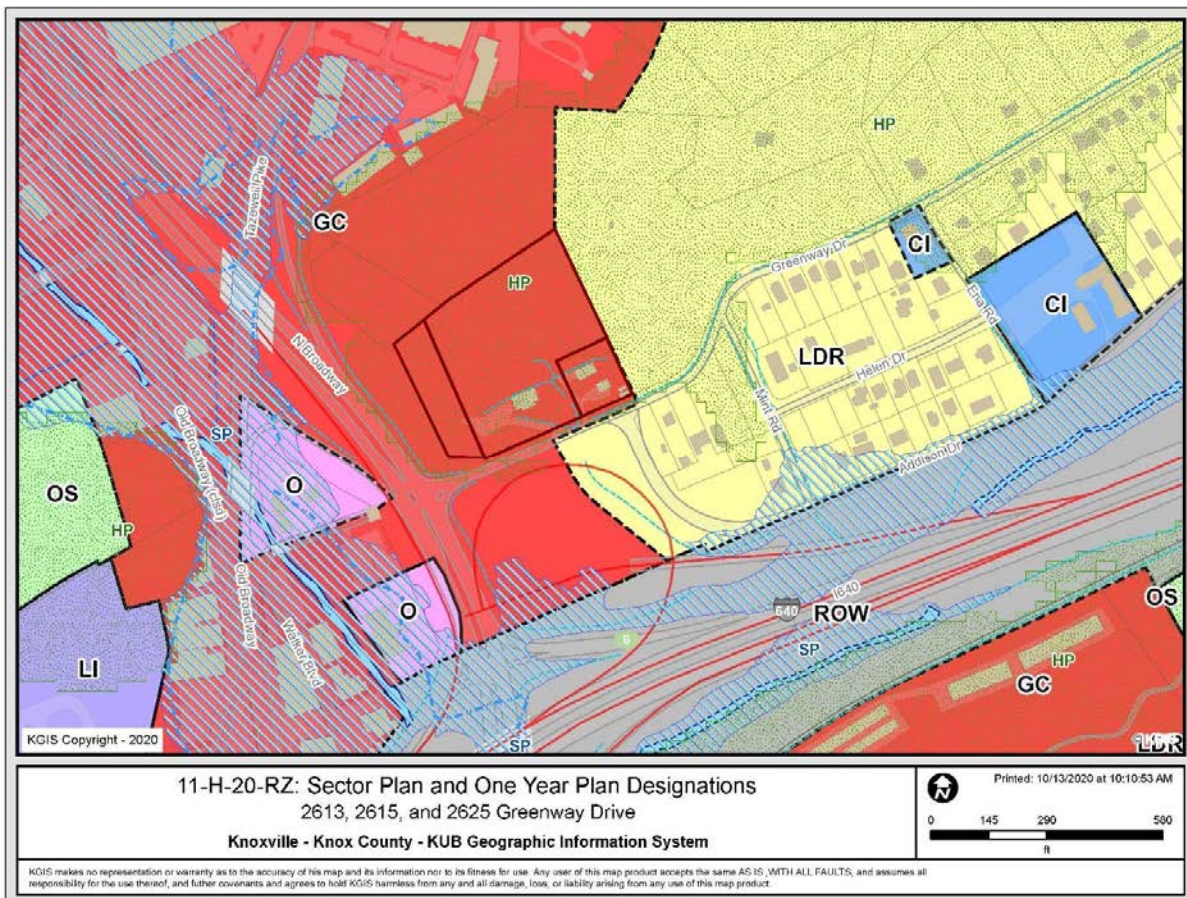
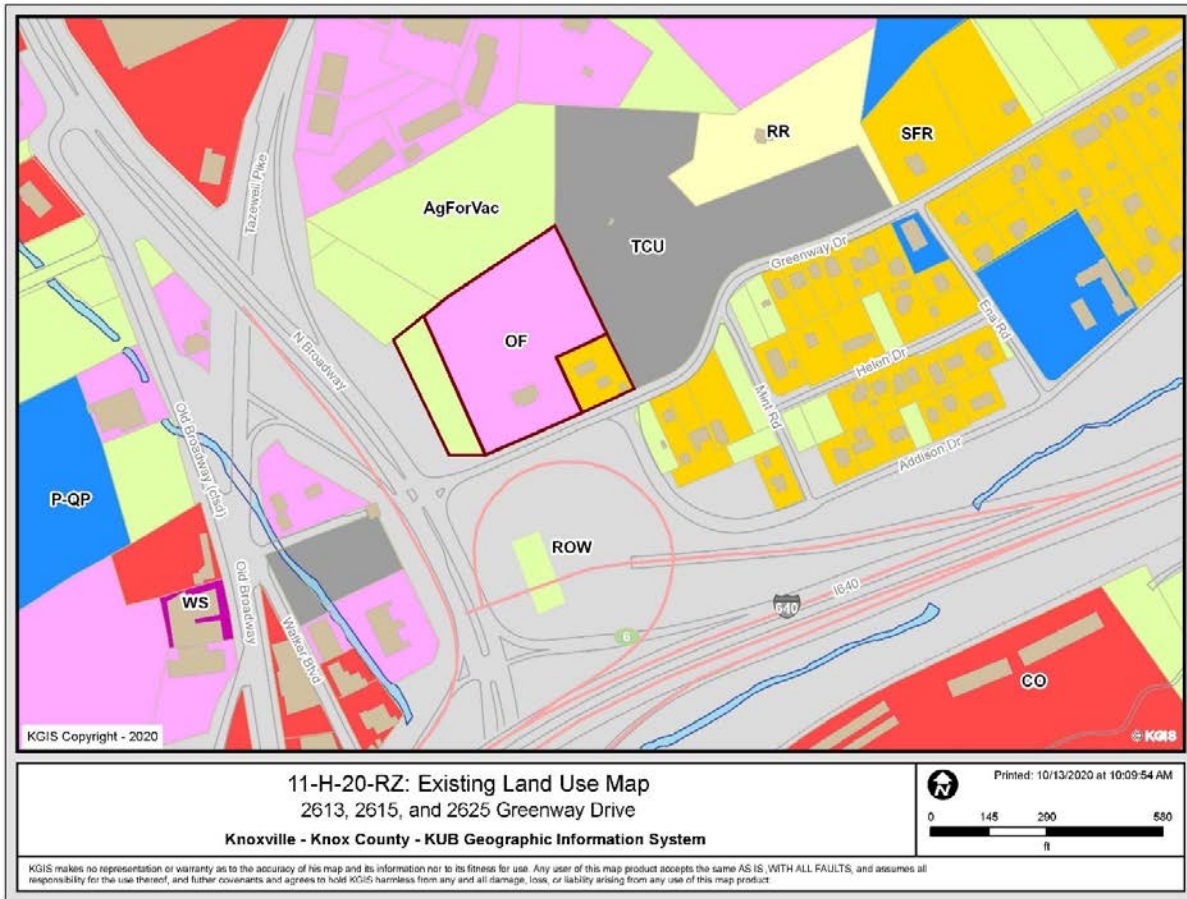
11-H-20-RZ

EXHIBIT A. Contextual Images



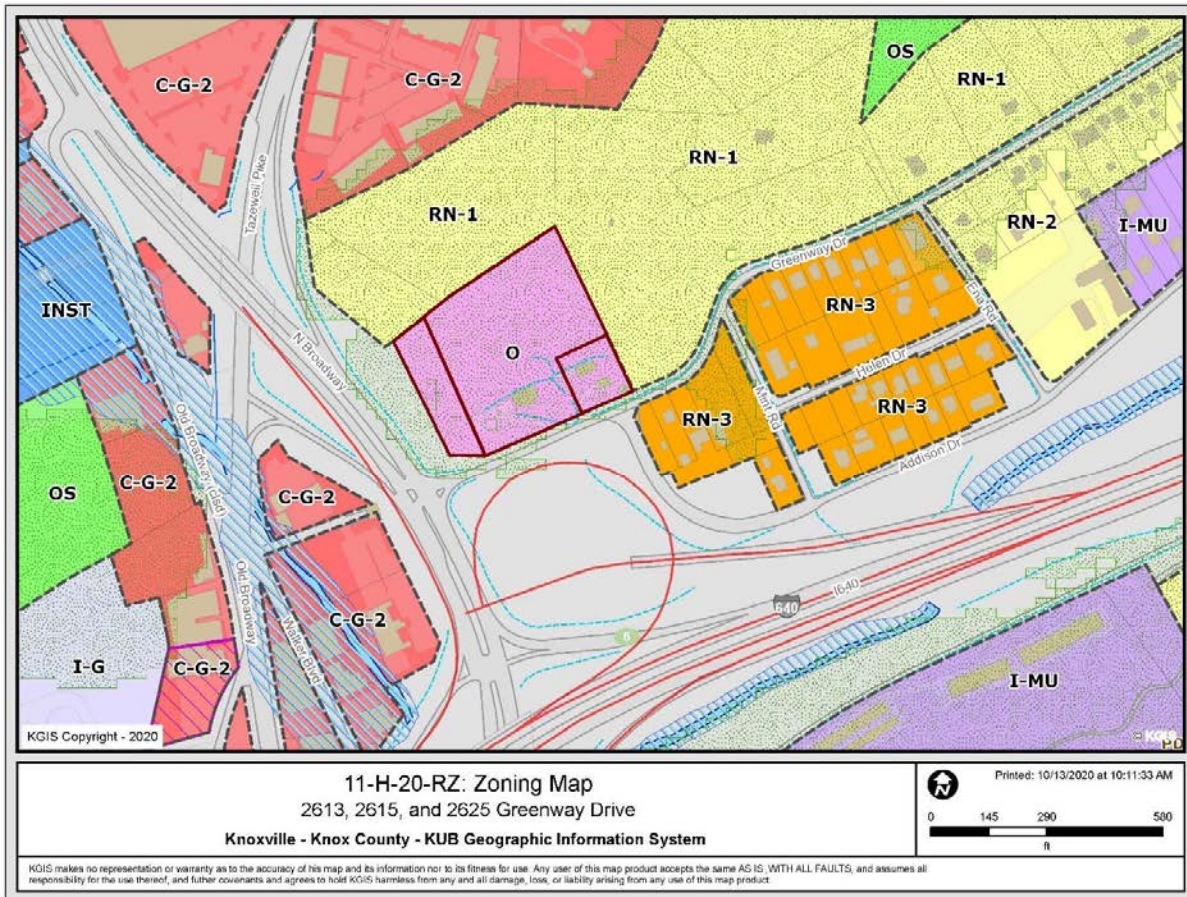
11-H-20-RZ

EXHIBIT A. Contextual Images

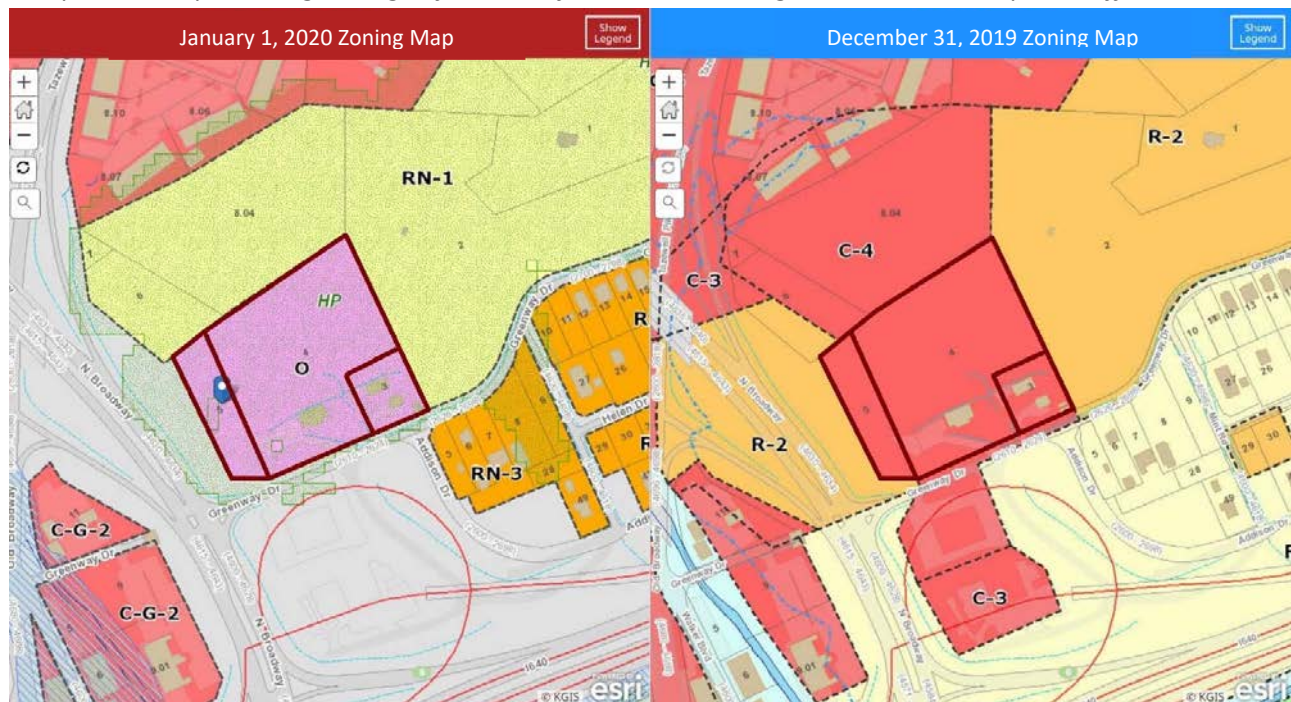


11-H-20-RZ

EXHIBIT A. Contextual Images



Comparison map showing zoning before and after the new zoning ordinance and map took effect





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

Ronnie Welch
Applicant Name

Affiliation

9-22-2020
Date Filed

11/24/2020
Meeting Date (if applicable)

11-H-20-RZ File Number(s)

(Comparative Rezoning)

CORRESPONDENCE

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

- ☐ Applicant ☒ Owner ☐ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Ronnie Welch
Name

Company

PO Box 5570
Address

Knoxville
City

TN
State

37928
ZIP

865-556-6244
Phone

RonWelch49@Yahoo.com
Email

CURRENT PROPERTY INFO

Owner Name (if different)

Owner Address

Owner Phone

2613
2615
2625 GREENWAY DR
Property Address

058MD-005

058MD 004

Parcel ID

058MD-003

STAFF USE ONLY

CORNER BROADWAY AND GREENWAY
General Location

4.5AC +/-
Tract Size

N/S Greenway Dr., E/S Broadway
north of I-640

474
Jurisdiction (specify district above) ☒ City ☐ County

Zoning District

NORTH CITY
Planning Sector

GC
Sector Plan Land Use Classification

CITY
Growth Policy Plan Designation

AUTO SALES
Existing Land Use

N
Septic (Y/N)

KV
Sewer Provider

KVB
Water Provider

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

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Pending Plat File Number

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

☒ Other (specify) _____

SEEKING COMPATIBLE ZONE WA C-4 BEFORE JAN 1 2020

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

N/A

Total

Fee 2

N/A

Fee 3

N/A

N/A

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

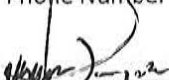

 Applicant Signature

ROCKIE WELCH
 Please Print

9-23-2020
 Date

865-556-6244
 Phone Number

ROCKIE WELCH 490 YAHOO.COM
 Email


 Staff Signature

MARC PLYNE
 Please Print

9/24/2020
 Date

Use this page to compare the zoning map on December 31, 2019, to the updated zoning map that reflects the new City of Knoxville zoning ordinance that took effect on January 1, 2020.

Please note that these maps will not reflect changes made after January 1, 2020. They simply provide a snapshot of the differences between the two immediately before and after the update took effect. To view the live zoning map, please visit KGIS.




Getting Started

Type in an address (e.g. 400 Main St) to review the proposal for areas within the city.

 Press find to search

Navigating the maps

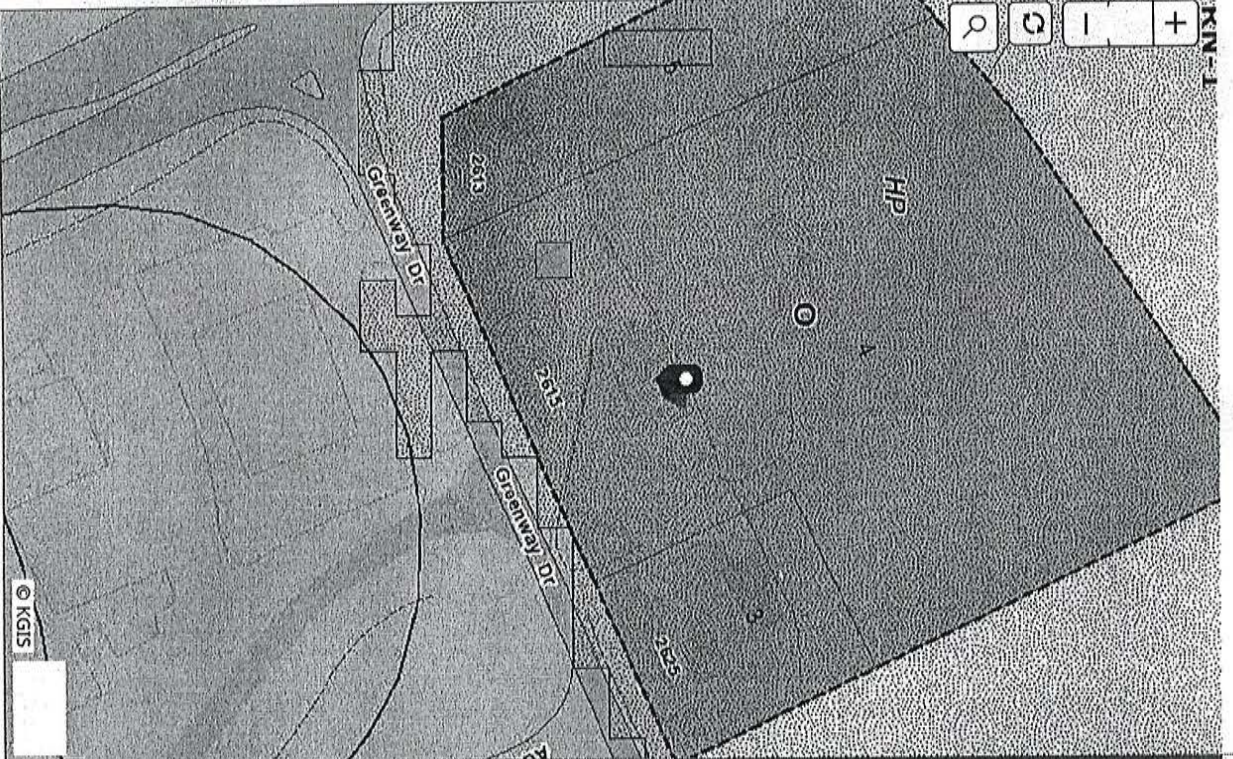
Use the map on the left to navigate the map to any area in Knoxville.

-  Zoom the map in
-  Reset to the initial view
-  Zoom out

Click and drag the maps to pan at the current extent.

January 1, 2020 Zoning Map

Show Legend



December 31, 2019 Zoning Map

Show Legend



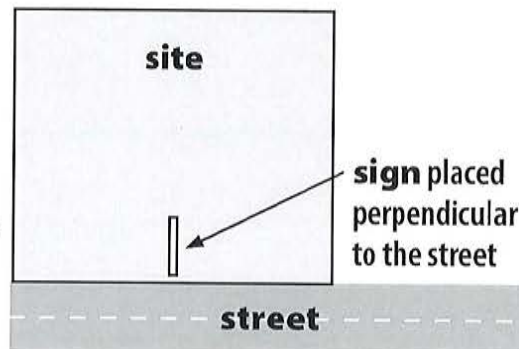
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. 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 15 days before 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 15 days before the next Planning Commission 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:

10/28/2020 and 11/13/2020
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: [Signature]

Printed Name: RONNIE WOLCH

Phone: 865-556-6244 Email: RON WOLCH 49@YAHOO.COM

Date: 9-24-2020

File Number: 11-H-20-RZ