

# REZONING REPORT

► **FILE #:** 9-C-21-RZ

**AGENDA ITEM #:** 12

**AGENDA DATE:** 9/9/2021

► **APPLICANT:** JOSHUA BISHOP

OWNER(S): CNC Investment Properties, LLC

TAX ID NUMBER: 107 K H 031

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 4849 Chambliss Ave.

► **LOCATION:** North side of Chambliss Avenue, north of Kingston Pike and west of N. Forest Park Boulevard

► **APPX. SIZE OF TRACT:** 7500 square feet

SECTOR PLAN: West City

GROWTH POLICY PLAN:

ACCESSIBILITY: Chambliss Avenue is a local road with a 19-foot pavement width inside a 40-ft wide right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **PRESENT ZONING:** RN-4 (General Residential Neighborhood)

► **ZONING REQUESTED:** O (Office)

► **EXISTING LAND USE:** Single-family residential

►

EXTENSION OF ZONE: Yes, Office zoning is adjacent to the north and west

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Office - O (Office)

South: Commercial - C-G-1 (General Commercial)

East: Single family residential - RN-4 (General Residential)

West: Office - O (Office)

NEIGHBORHOOD CONTEXT: This area has developed with a mix of uses, including single-family homes, single-family houses that have been converted into offices, and commercial uses. There is an auto-repair shop across the street that faces away from Chambliss Avenue. Sutherland Avenue is one block to the north and Kingston Pike is two blocks to the south.

## STAFF RECOMMENDATION:

► Deny O (Office) zoning because the property does not meet the dimensional requirements for the O Zoning District and would present difficulty in meeting requirements for parking, buffering, etc.

## COMMENTS:

1. The property has an area of approximately 7,500 sq ft versus the 10,000 sq ft minimum requirement for the

Office zone, and a width of approximately 50 ft versus the 60-ft requirement.

2. Other properties within this block that are zoned Office also do not meet the current dimensional standards. However, those properties were zoned Office prior to the adoption of the most recent City zoning ordinance, when the minimum lot size was 7,500 sq ft. There may be a need to re-evaluate the current minimum lot size for the Office district in areas with higher-density residential development.

3. In recent years, Chambliss Avenue has experienced a transition from residential to office uses. The sector plan's Mixed Use Special District (Bearden Village) encourages a mix of uses for this area, which would include both office and residential development. However, during the process of updating the City zoning ordinance, citizens voiced the need for more housing in walkable, mixed-use areas. Staff recommended denial of a 2019 rezoning application from residential to office use within this same block of Chambliss Avenue, based on the identified need to maintain housing in the area.

4. This property is in the FEMA Flood Zone X, but is not in a floodplain or floodway.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.3, SUBSECTIONS 1-3: 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 CITY GENERALLY:

1. The West City Sector Plan land use classification is MU-SD WC-1(Mixed Use Special District: Bearden Village) which supports the proposed O zoning. The intention for Bearden Village is described in the sector plan as a mix of residential, office and commercial uses.

2. This area has been experiencing conversion of single-family homes to office uses for some time. This proposed rezoning would extend the already established O zoning along Chambliss Ave. As noted, however, there is also a need for housing reflective of uses permitted in the existing RN-4 zone.

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

1. The Office zoning district is intended to provide for an environment of low intensity office and service uses, mixed with residential uses. Office zoning may additionally serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas within the City of Knoxville.

2. If rezoned, this property would be in non-conformance with the Zoning Ordinance.

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

1. The property is adjacent to existing O, and RN-4 zoned properties. The Office zone is intended to provide a transition between single family residential uses and other uses.

2. However, it would be very difficult to provide screening between this property and the adjoining single-family home to the east. Both lots are narrow and each single-family home is placed so that the extent of their separation is a driveway approximately 10 feet wide.

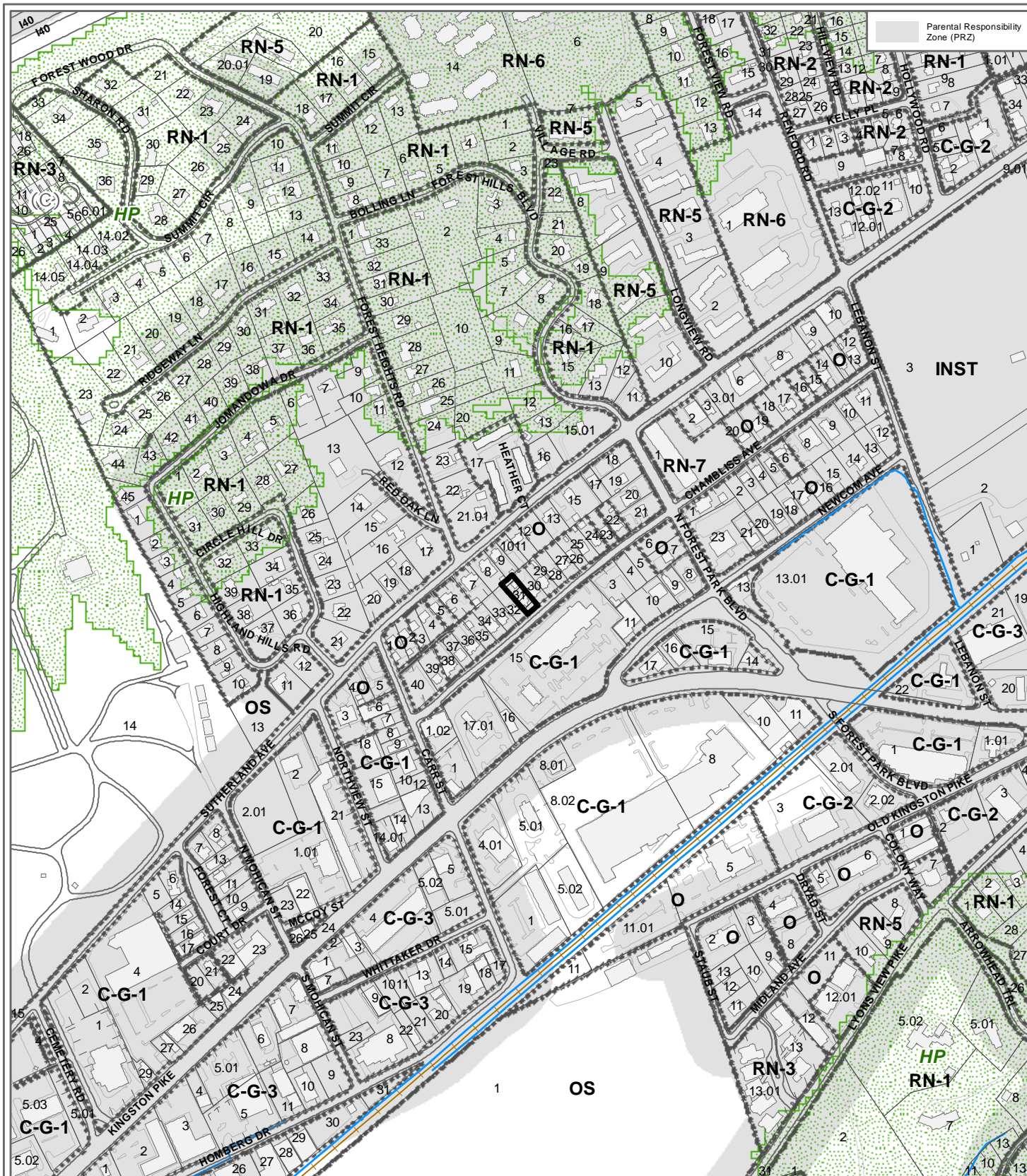
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The O zone is consistent with the West City Sector Plan's MU-SD WC-1(Mixed Use Special District: Bearden Village) land use classification.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 10/5/2021 and 10/19/2021. 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.



### 9-C-21-RZ REZONING

From: RN-4 (General Residential Neighborhood)

To: O (Office)



Original Print Date: 8/4/2021  
Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Bishop, Joshua

Map No: 107

Jurisdiction: City

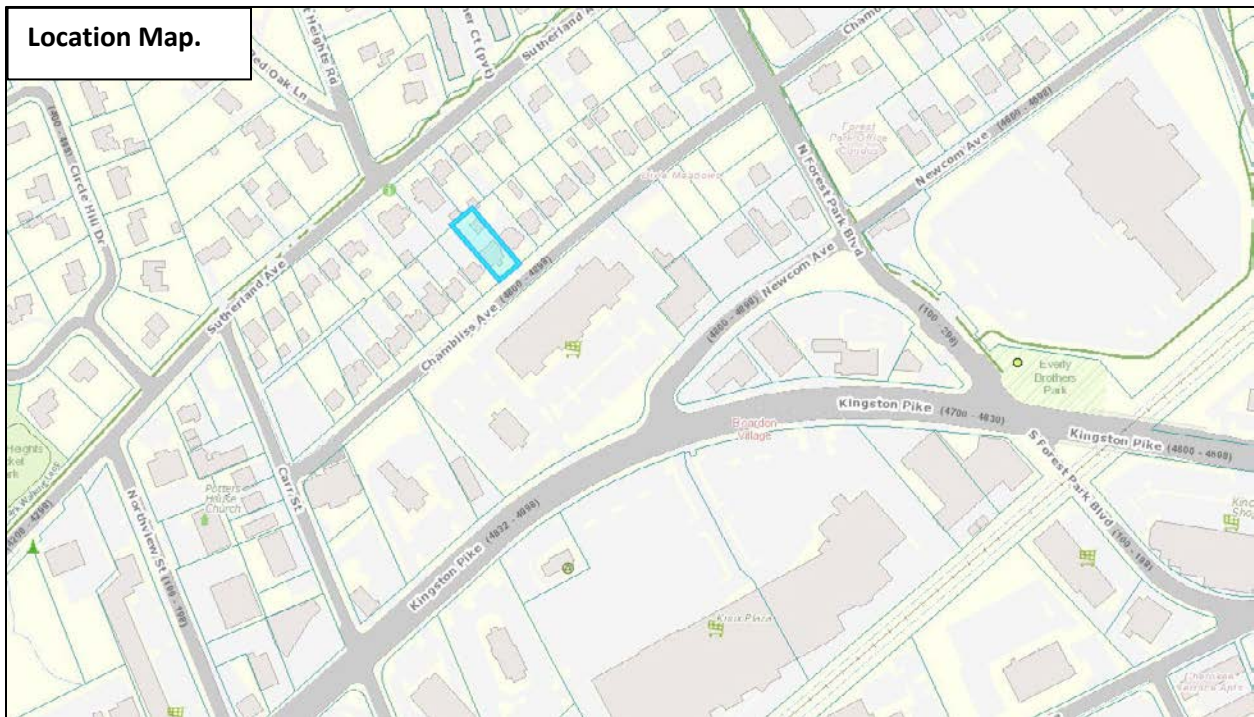
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9-C-21-RZ

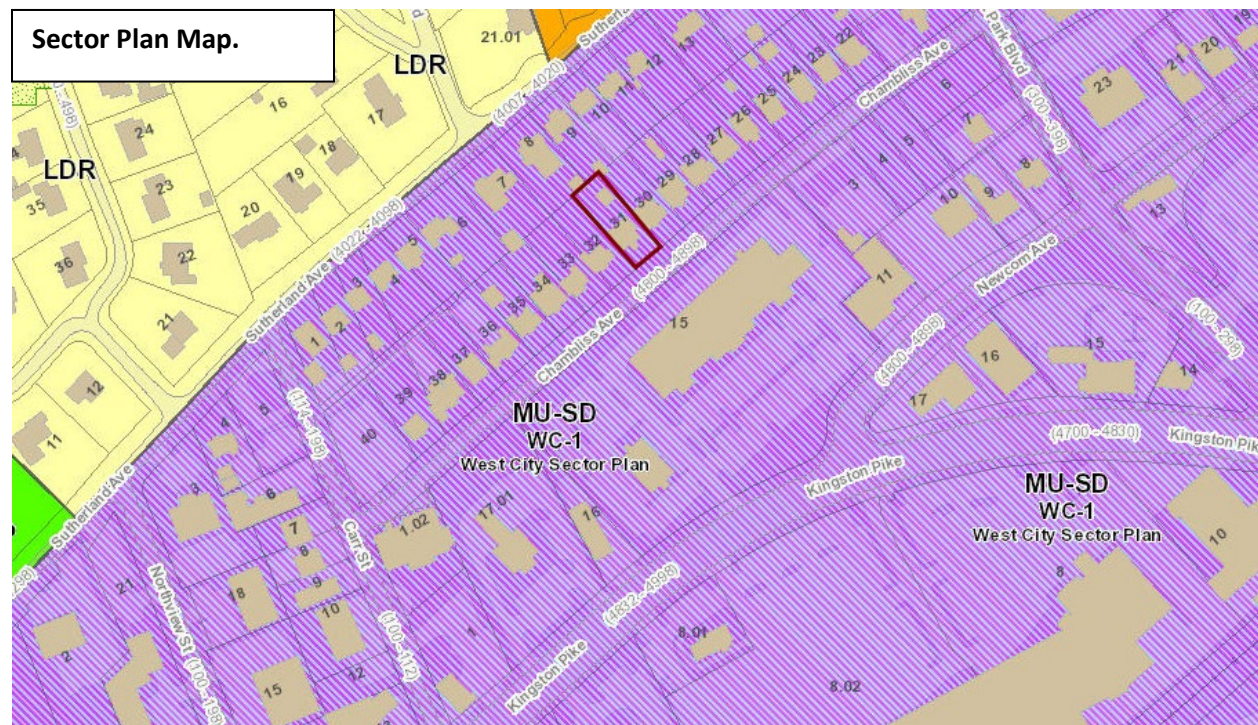
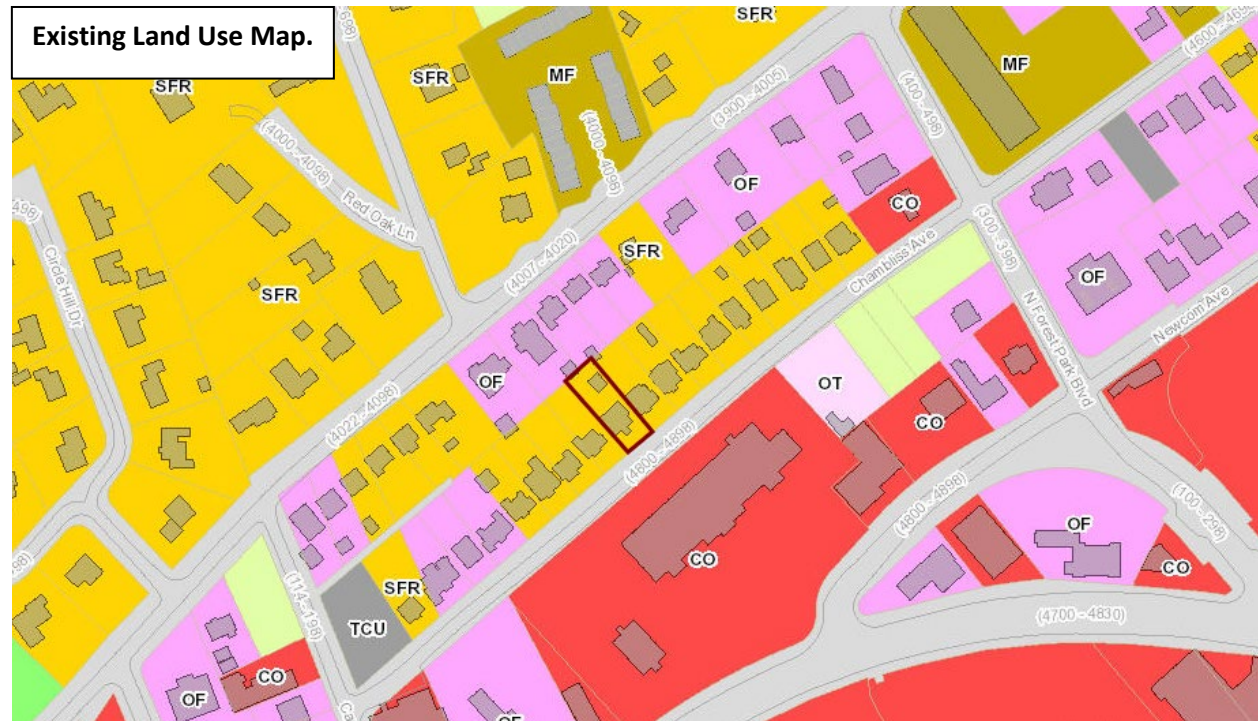
## EXHIBIT A. Contextual Images





## 9-C-21-RZ

### EXHIBIT A. Contextual Images





**9-C-21-RZ**  
**EXHIBIT A. Contextual Images**

**Street View of Property.**



**Street View showing subject property and adjoining residential property to the east.**







# 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

Joshua Bishop

Attorney

Applicant Name

Affiliation

07/07/2021

September 9, 2021

File Number(s)

Date Filed

Meeting Date (if applicable)

9-C-21-RZ

## 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

Joshua Bishop

Howard & Howard, P.C.

Name

Company

4820 Old Kingston Pike

Knoxville

TN

37919

Address

City

State

ZIP

865-588-4091

joshua@howardhowardlaw.com

Phone

Email

## CURRENT PROPERTY INFO

CNC Investment Properties LLC

6701 Birdstone Lane

865-805-8174

Owner Name (if different)

Owner Address

Owner Phone

4849 Chambliss Avenue

107KH031

Property Address

Parcel ID

KUB

KUB

No

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

N/S Chambliss Ave., east of Carr St.

7500 sq ft (approx)

General Location

Tract Size

☒ City ☐ County

2nd  
District

RN-4

Zoning District

SFR

Existing Land Use

West City

MU-SD / WC-1

N/A

Planning Sector

Sector Plan Land Use Classification

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

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 Office  
Proposed Zoning

☐ Plan Amendment Change Proposed Plan Designation(s)

Pending Plat File Number

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) \_\_\_\_\_

**STAFF USE ONLY****PLAT TYPE**

☐ Staff Review ☐ Planning Commission

**ATTACHMENTS**

☐ Property Owners / Option Holders ☐ Variance Request

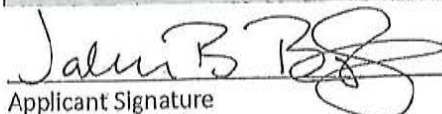
**ADDITIONAL REQUIREMENTS**

☐ Design Plan Certification (*Final Plat*)  
☐ Use on Review / Special Use (*Concept Plan*)  
☐ Traffic Impact Study  
☐ COA Checklist (*Hillside Protection*)

Fee 1		Total
0326	1000.00	
Fee 2		
Fee 3		
		\$1000.00

**AUTHORIZATION**

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



Joshua Bishop

07/07/2021

Applicant Signature

Please Print

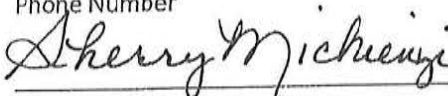
Date

865-588-4091

joshua@howardhowardlaw.com

Phone Number

Email



Sherry Michienzi

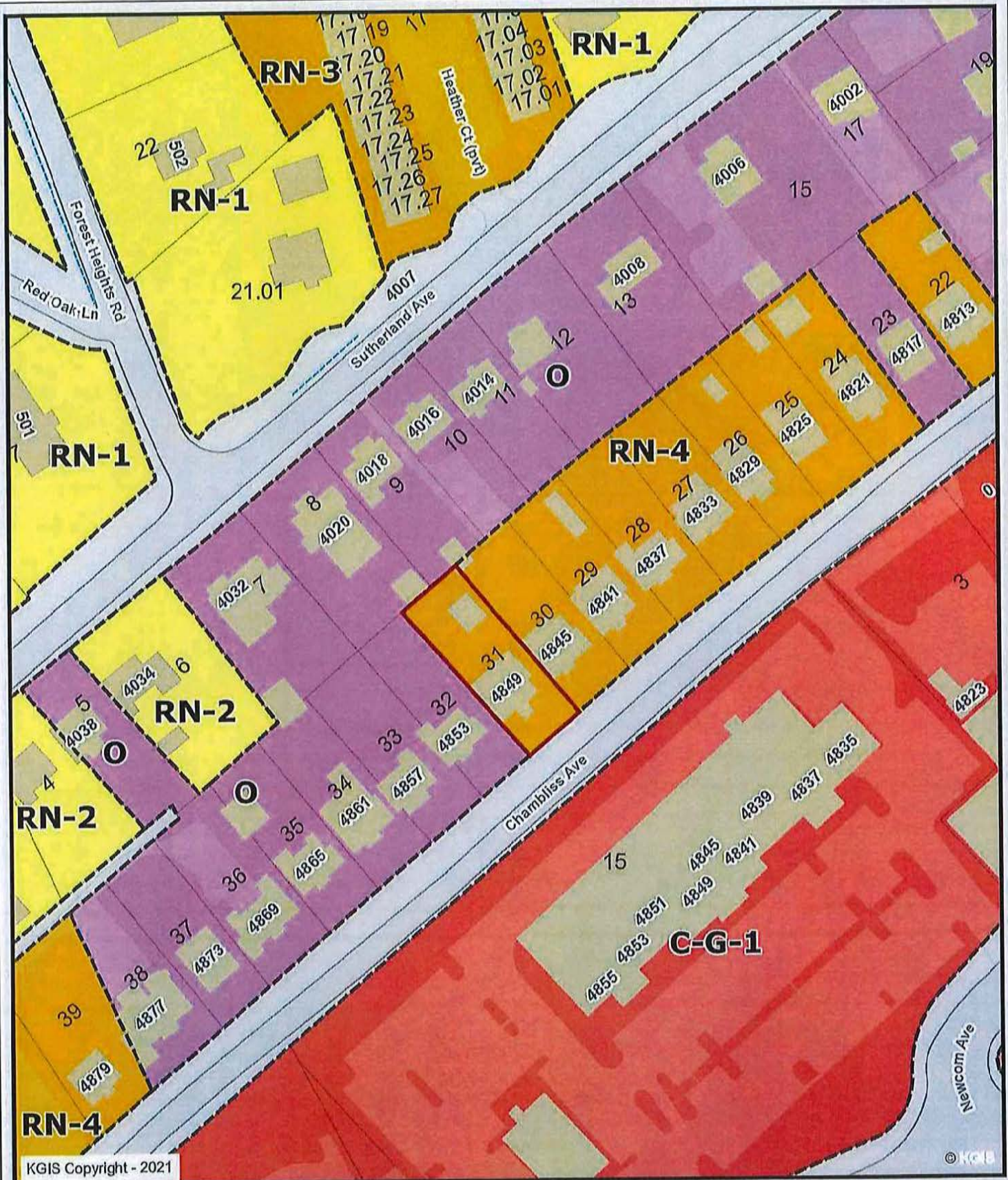
7/22/21 swm

Staff Signature

Please Print

Date



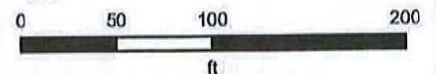


## Zoning Map

Knoxville - Knox County - KUB Geographic Information System

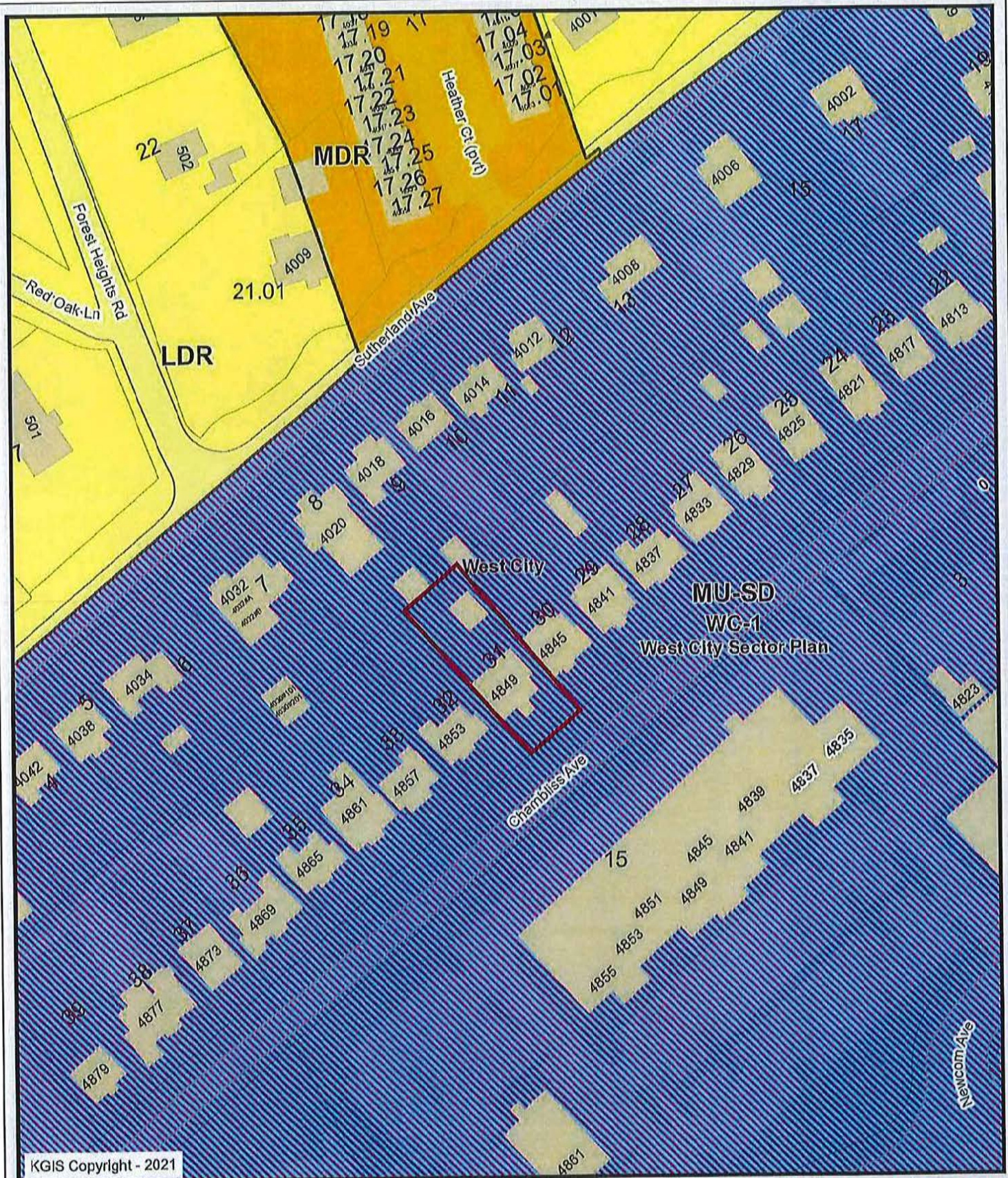


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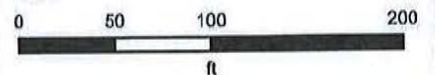
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## Sector Plan Map

Knoxville - Knox County - KUB Geographic Information System



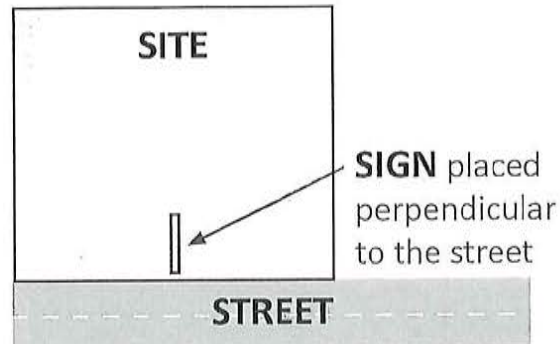
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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, 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:*

Aug 25<sup>th</sup> (Wed) and Sept. 10<sup>th</sup> (Fri)  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Joshua Bishop  
 Date: 7/22/21  
 File Number: 9-C-21-RZ

☒ Sign posted by Staff  
☐ Sign posted by Applicant