



PLAN AMENDMENT REPORT

▶ **FILE #:** 4-A-23-SP

AGENDA ITEM #: 6

AGENDA DATE: 4/13/2023

▶ **APPLICANT:** CHRIS BURKHART

OWNER(S): Chris Burkhart

TAX ID NUMBER: 711A 011,012.01

[View map on KGIS](#)

JURISDICTION: Council District 6

STREET ADDRESS: 299 NASH RD, 0 OLD STATE RD

▶ **LOCATION:** North side of Nash Rd, east of Pelham Rd

▶ **APPX. SIZE OF TRACT:** 1.22 acres

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Nash Rd, a local street with a 20-ft pavement width within a 35-ft right-of-way. Access is also via Old State Rd, a local street with a 17-ft pavement width within a 27-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential), HP (Hillside Protection) / RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **PROPOSED PLAN DESIGNATION:** HP (Hillside Protection); LI (Light Industrial)

▶ **EXISTING LAND USE:** Single Family Residential

EXTENSION OF PLAN DESIGNATION: Yes

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Agriculture/forestry/vacant - LI (Light Industrial), HP (Hillside Protection)

South: Single family residential - LDR (Low Density Residential), HP (Hillside Protection)

East: Single family residential - LDR (Low Density Residential), HP (Hillside Protection)

West: Agriculture/forestry/vacant, single family residential - LI (Light Industrial), LDR (Low Density Residential), HP (Hillside Protection)

NEIGHBORHOOD CONTEXT This property is in a residential neighborhood with single family detached homes adjacent on either side. The neighborhood abuts industrial uses to the north along Interstate 40 that are buffered from the neighborhood with mature forest.

STAFF RECOMMENDATION:

- **Deny the sector plan amendment to the LI (Light Industrial) classification because it would be an encroachment of incompatible land uses into an established residential neighborhood.**

COMMENTS:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There is commercial and industrial development planned to the northwest of the subject property. However, the subject property is located within a low density residential community, which remains intact.
2. The subject property includes a forest buffer that protects the established neighborhood from neighboring industrial uses. The property also extends south as a vacant lot abutting occupied homes on either side. The requested LI (Light Industrial) land use classification at this location would compromise this buffer and encroach into the residential community.
3. The changing conditions exterior to the neighborhood do not justify LI land uses at this location within the neighborhood.

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

1. A concept plan for a new road to replace a portion of Pelham Rd northwest of the subject property was recently approved (5-SC-22-C). However, this development does not account for industrial land uses accessing Nash Road and Old State Road, which are local, narrow streets. Granting industrial access to these substandard residential streets could create hazardous conditions for surrounding residents.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The subject property's LDR (Low Density Residential) land use classification in the East City Sector Plan is consistent with its residential environment, and is not the result of an error or omission.

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

1. The commercial and industrial developments occurring near the subject property do not warrant further encroachment into the center of an active residential neighborhood. Permitting industrial uses on the subject property would risk the integrity of the neighborhood boundary.

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

- 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.
- 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 5/16/2023 and 5/30/2023. 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.



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-A-23-RZ
4-A-23-PA

AGENDA ITEM #: 6
AGENDA DATE: 4/13/2023

▶ **APPLICANT:** CHRIS BURKHART
OWNER(S): Chris Burkhart

TAX ID NUMBER: 711A 011, 012.01

[View map on KGIS](#)

JURISDICTION: Council District 6

STREET ADDRESS: 299 NASH RD, 0 OLD STATE RD

▶ **LOCATION:** North side of Nash Rd, east of Pelham Rd

▶ **TRACT INFORMATION:** 1.22 acres

SECTOR PLAN: East City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Nash Rd, a local street with a 20-ft pavement width within a 35-ft right-of-way. Access is also via Old State Rd, a local street with a 17-ft pavement width within a 27-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Love Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential), HP (Hillside Protection) / RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** HP (Hillside Protection);LI (Light Industrial) / I-G (General Industrial);HP (Hillside Protection Overlay)

▶ **EXISTING LAND USE:** Single Family Residential

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Agriculture/forestry/vacant - LI (Light Industrial), HP (Hillside Protection)- I-G (General Industrial), HP (Hillside Protection Overlay)

ZONING South: Single family residential - LDR (Low Density Residential), HP (Hillside Protection) - RN-1 (Single Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Single family residential - LDR (Low Density Residential), HP (Hillside Protection) - RN-1 (Single Family Residential Neighborhood), HP (Hillside Protection Overlay)

West: Agriculture/forestry/vacant, single family residential - LI (Light

Industrial), LDR (Low Density Residential), HP (Hillside Protection) - I-G (General Industrial), RN-1 (Single Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This property is in a residential neighborhood with single family detached homes adjacent on either side. The neighborhood abuts industrial uses to the north along Interstate 40 that are buffered with mature forest.

STAFF RECOMMENDATION:

- ▶ **Deny the One Year Plan amendment to the LI (Light Industrial) land use classification because it would be an encroachment of incompatible land uses into an established residential neighborhood.**

- ▶ **Deny I-G (General Industrial) zoning because it conflicts with the sector plan and with the intent of the I-G district, as described in the zoning ordinance.**

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

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

AN ERROR IN THE PLAN:

1. The current LDR (Low Density Residential) land use classification delineates the boundaries of a residential neighborhood primarily comprised of single family detached homes. While there is an LI (Light Industrial) classification adjacent to the north, it is buffered from the LDR area with mature vegetation.
2. The subject property is entirely within the HP (Hillside Protection) area, and much of it is forested. Expanding industrial land uses at this location could compromise this protective buffer for surrounding residences.
2. The LDR classification in the One Year Plan is not the result of an error or omission in the plan.

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:

1. Much of the property along the east-west bound portion of Pelham Rd to the west of the subject property has been cleared in preparation for a new road and alignment called Rock Pointe Drive. This project will affect traffic patterns and provide opportunity for new commercial development. However, these changes in development do not justify encroachment of industrial uses into the middle of the established low density residential neighborhood where the subject property is located. Such uses could bring trucking traffic onto substandard, residential streets.

A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There has been no change in public policy that supports the LI land use classification at this location. The One Year Plan is explicit about protecting residential areas from encroachments of incompatible land uses.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. There is no new information pertaining to the subject property that points to the need for LI land uses located between occupied homes in a low density residential neighborhood.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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. Although there are changing conditions in the area pointing to potential industrial and/or commercial development near the subject property, this does not support further encroachment of industrial zoning into an established low density residential neighborhood.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE

APPLICABLE ZONING ORDINANCE:

1. The zoning ordinance describes how the I-G (General Industrial) district may produce outside impacts rendering it incompatible with retail, service, and residential uses. Expanding I-G zoning into a low-density residential neighborhood is inconsistent with this intent.

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. There are significant adverse impacts that could result from the proposed rezoning. Such impacts include trucking or heavy equipment utilizing narrow, residential streets, elimination of a vegetative buffer that protects existing residences from industrial uses to the north, and detrimental environmental health impacts on adjacent and surrounding residences.

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 proposed rezoning from RN-1 (Single Family Residential Neighborhood) to I-G conflicts with development policy 8.5 in the General Plan to protect neighborhoods from intrusive uses and other blighting influences.
2. I-G zoning conflicts with the East City Sector Plan and the One Year Plan's LDR (Low Density Residential) land use classification.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. The residential streets that access the subject property are substandard and ill-suited for industrial uses.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 5/16/2023 and 5/31/2022. 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.



4-23-RZ; 4-23-SP; 4-A-23-PA

3 messages

Benjamin C. Mullins <bmullins@fmsllp.com>
To: Jessie Hillman <jessie.hillman@knoxplanning.org>
Cc: Jeff Welch <jeff.welch@knoxplanning.org>

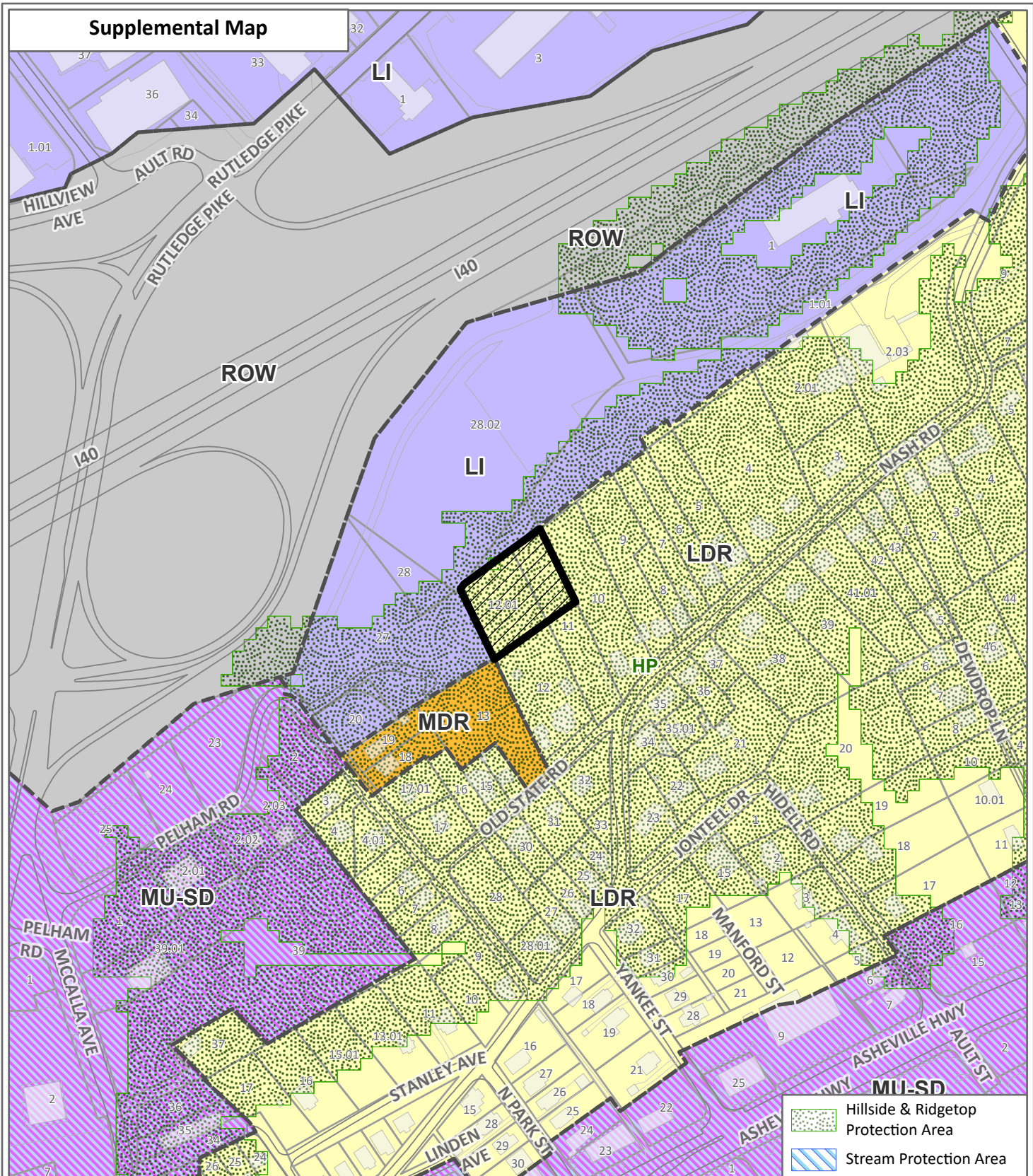
Mon, Apr 10, 2023 at 6:38 PM

Ms. Hillman and Mr. Welch,

Thank you for meeting with me about this one. Per my client, and he tells me the private road is going through City Engineering's last rounds of comments. I've also confirmed that he would like to revise his request to reduce the requested rezoning and plan amendments to eliminate the portion that connects to Nash Road.

Basically box off the request to include all of 0 Old State Road and match the request to make the southern zoning line of 299 Nash Road equal to the southern property line of 0 Old State Road. I'll make that request to the Planning Commission, but if you discuss this at Agenda Review tomorrow, can you mention that being our ask now? Thank you!





**4-A-23-RZ/4-A-23-PA/4-A-23-SP
Land Use Plan**



Revised area for sector plan and one year plan amendment

Original Print Date: 4/14/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Chris Burkhart

Map No: 71

Jurisdiction: City

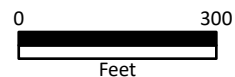
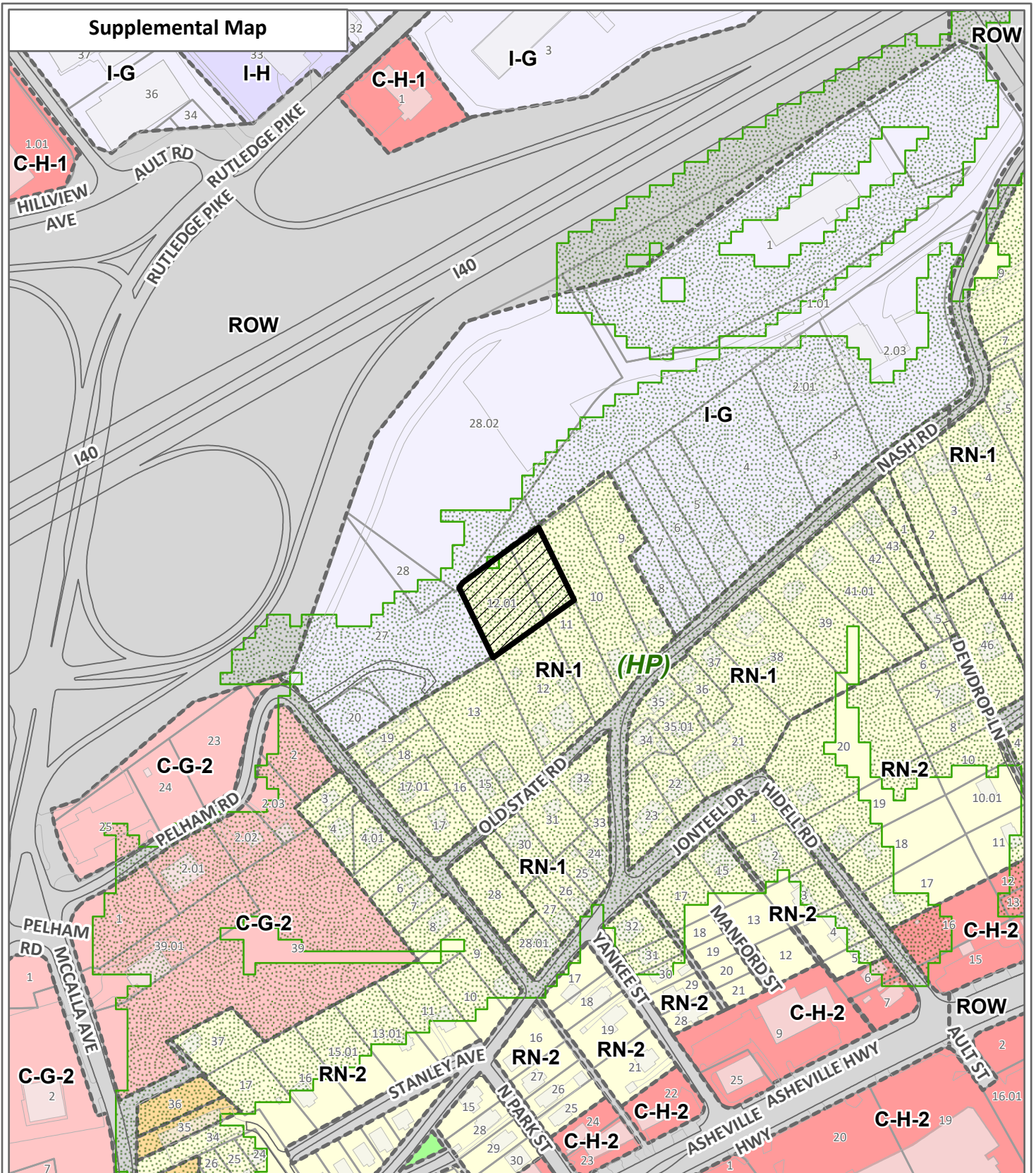


Exhibit A: Revised Case Boundary



REZONING

4-A-23-RZ/ 4-A-23-PA/ 4-A-23-SP

Petitioner: Chris Burkhart



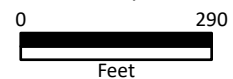
Revised area for rezoning

Map No: 71

Jurisdiction: City

Original Print Date: 4/14/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



*KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE **EAST CITY** SECTOR PLAN*

WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the East City Sector Plan consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Chris Burkhart has submitted an application for an amendment to the East City Sector Plan for property described in Exhibit B of the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Low Density Residential to Light Industrial which is consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing April 13, 2023 after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the East City Sector Plan with its accompanying staff report and map, file #4-A-23-SP

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knox County Commission likewise consider this revised amendment to the General Plan 2033.

April, 13, 2023

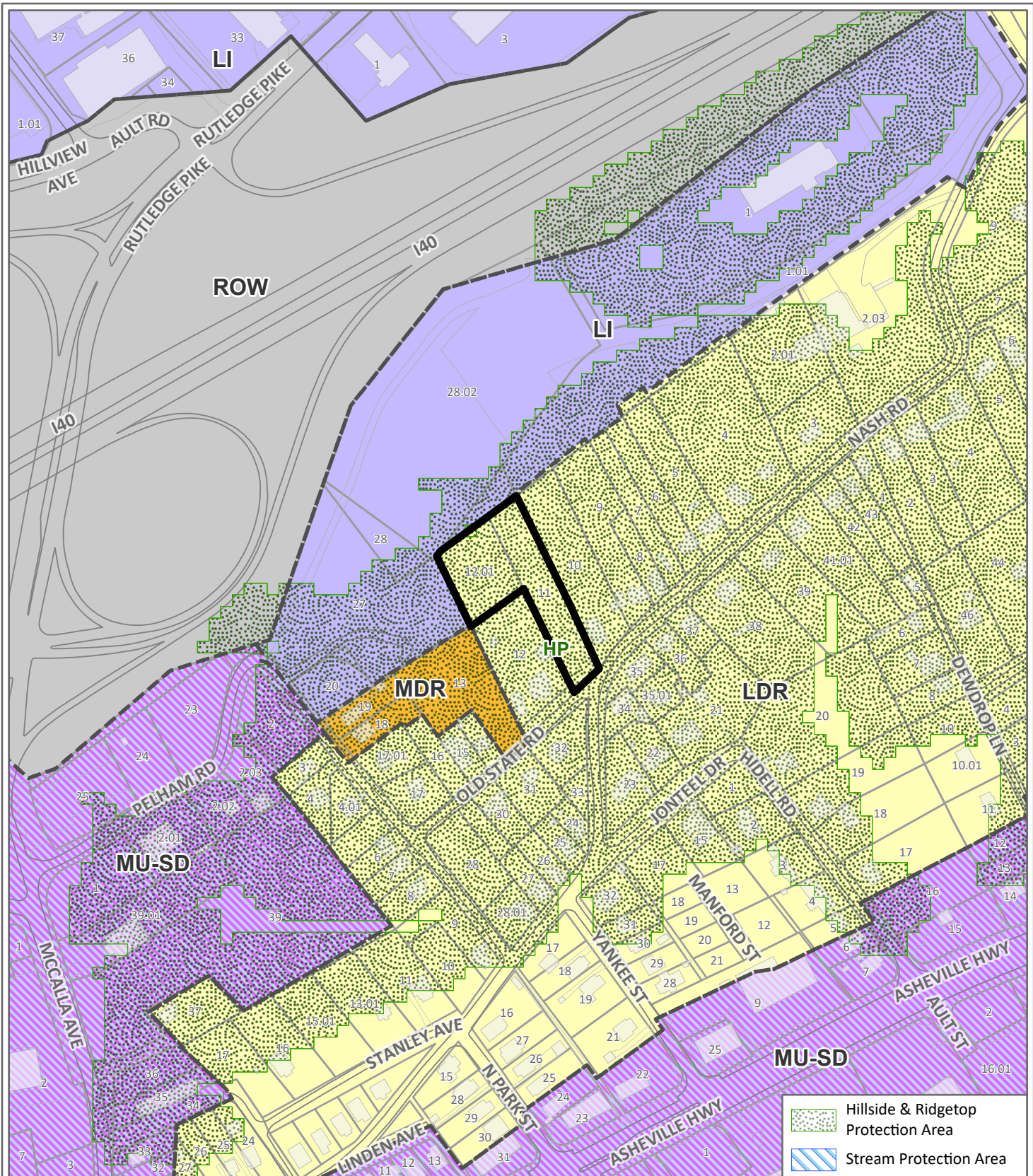
Date



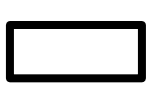
Chairman



Secretary



**4-A-23-SP/ 4-A-23-PA
EAST CITY SECTOR PLAN and ONE YEAR PLAN MAP**

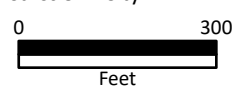


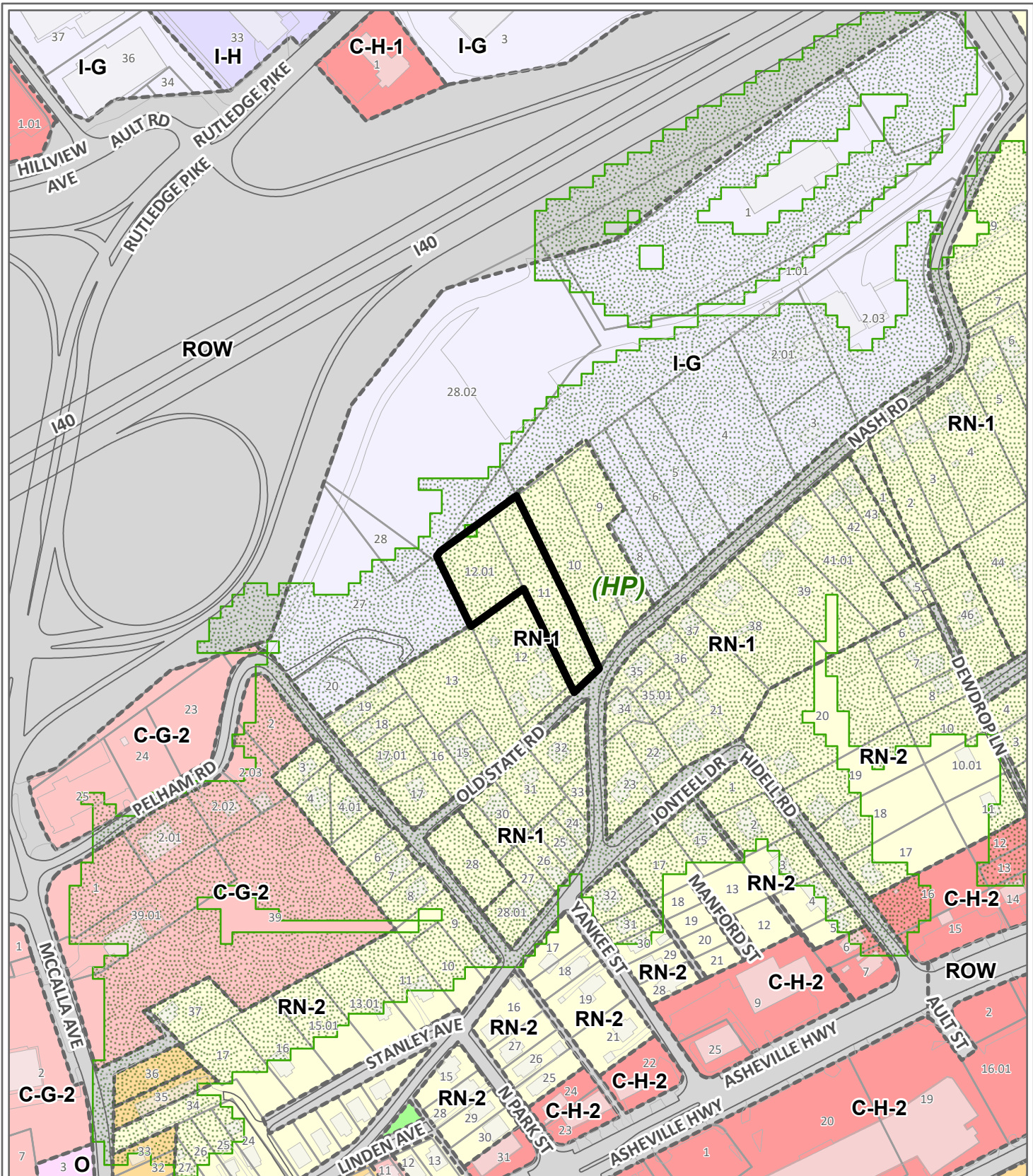
From: LDR (Low Density Residential), HP (Hillside Protection)
To: HP (Hillside Protection);LI (Light Industrial)

Original Print Date: 4/4/2023
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Chris Burkhart

Map No: 71
Jurisdiction: City





REZONING

4-A-23-RZ

Petitioner: Chris Burkhart

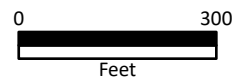


From: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
To: I-G (General Industrial);HP (Hillside Protection Overlay)

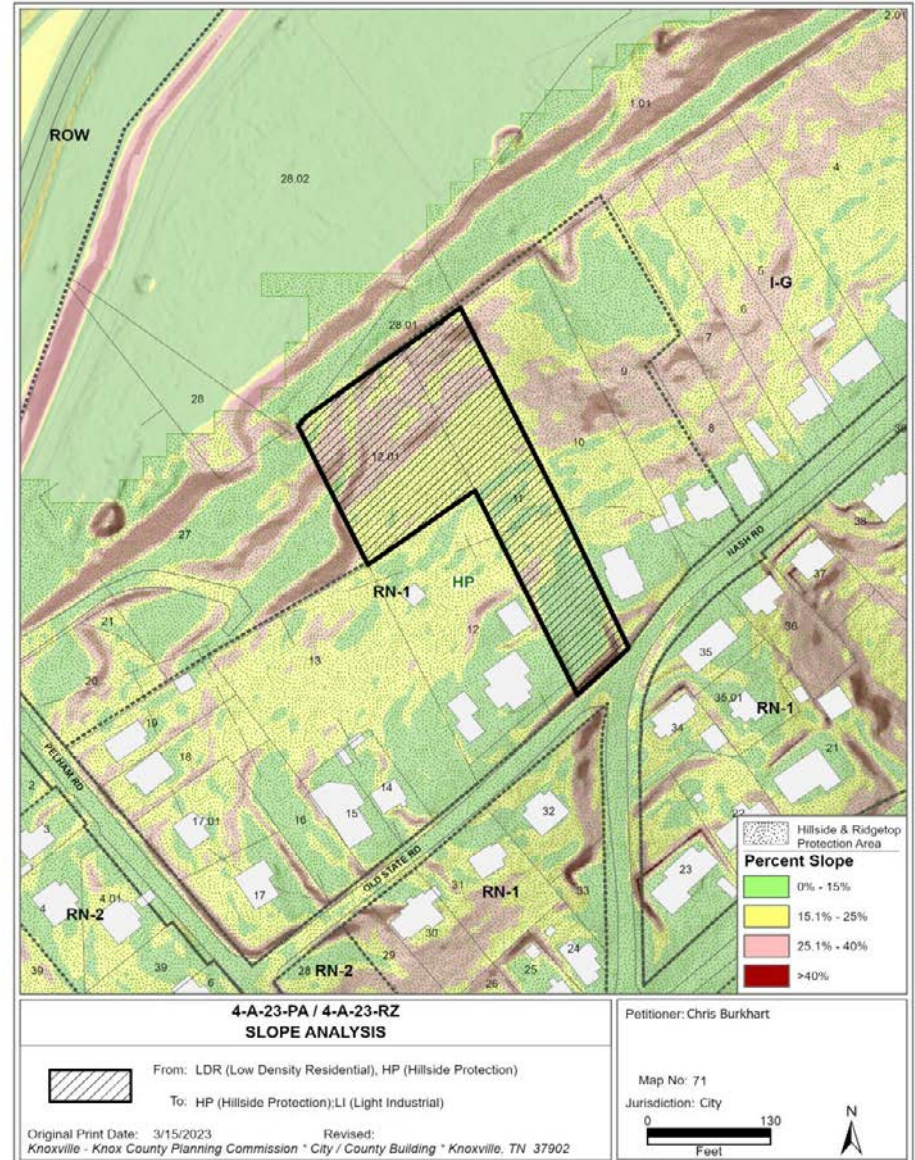
Map No: 71
Jurisdiction: City

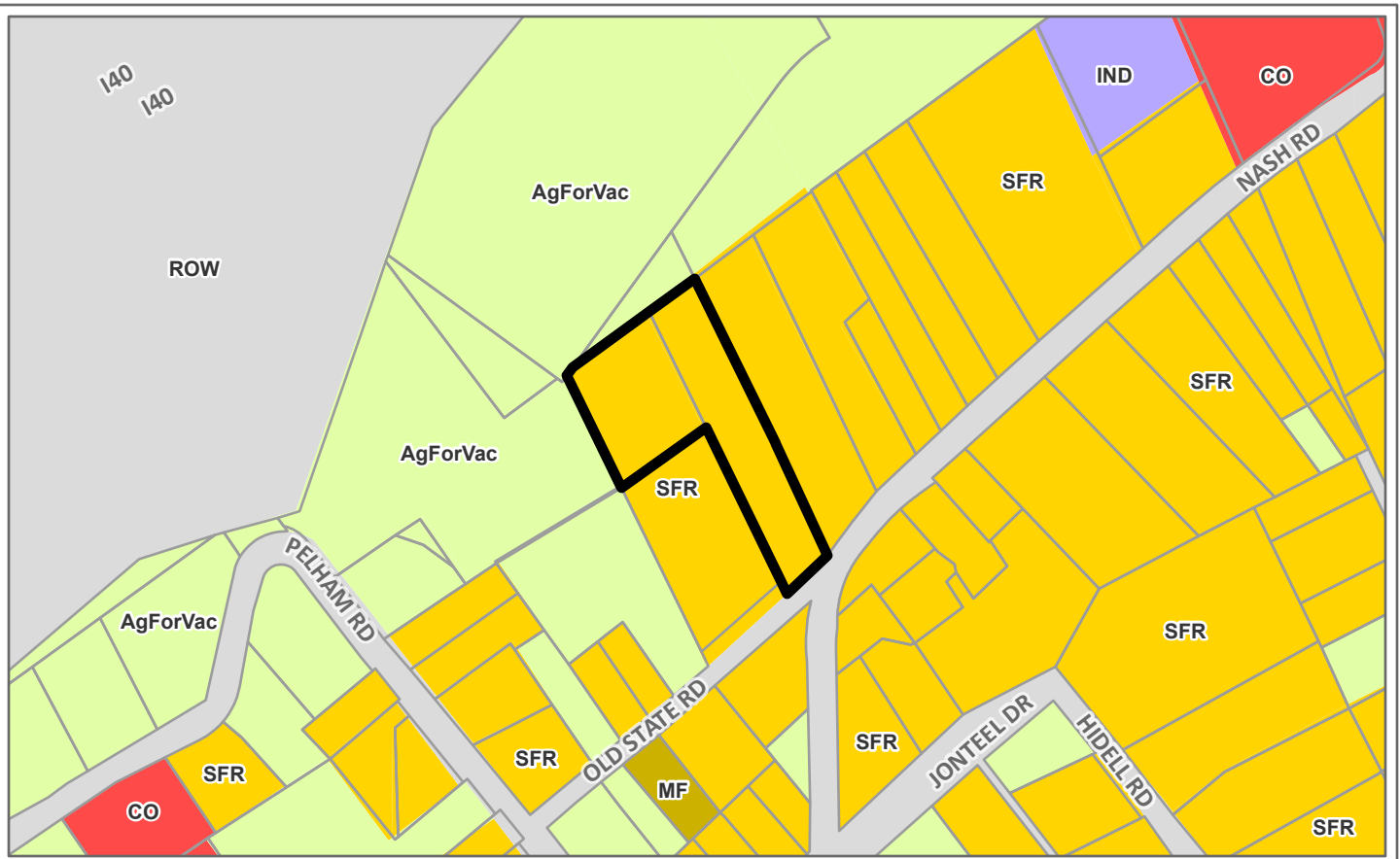
Original Print Date: 4/4/2023

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	53,516	1.23			
Non-Hillside	0.00	0.00	N/A		
0-15% Slope	10,366	0.24	100%	10,366	0.24
15-25% Slope	25,699	0.59	50%	12,850	0.29
25-40% Slope	14,304	0.33	20%	2,861	0.07
Greater than 40% Slope	3,148	0.07	10%	315	0.01
Ridgetops					
Hillside Protection (HP) Area	53,516	1.23	Recommended disturbance budget within HP Area	26,391	0.61
			Percent of HP Area	0.49	





Existing Land Use and Aerial Maps 4-A-23-RZ/4-A-23-PA/4-A-23-SP

 Case boundary





April 13, 2023
Planning Commission meeting

Public Comments

1 Comment for 4-A-23-RZ and
4-A-23-PA and 4-A-23-SP

Applicant Correspondence

Submitted during the meeting

Submitted at the meeting

[View Attachment](#)

The Planning Commission met in regular session on April 13, 2023 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	Ms. Nancy Barger	Ms. Tamara Boyer
A Mr. Louis Browning	**Mr. Logan Higgins	Mr. Tim Hill, Chair
Mr. John Huber	Mr. Richard Levenson	Ms. Amy Midis
Mr. Chris Ooten, Vice Chair	Ms. Marité Pérez	Mr. Patrick Phillips
**Mr. Jeff Roth	Mr. Nathaniel Shelso	Mr. Eddie Smith

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

6. CHRIS BURKHART

299 Nash Road and 0 State Road / Parcel ID 071 | A 011 and 01201, Council District 6.

A. EAST CITY SECTOR PLAN AMENDMENT

4-A-23-SP

From LDR (Low Density Residential) and HP (Hillside Protection) to LI (Light Industrial) and HP (Hillside Protection).

1. STAFF RECOMMENDATION

Deny the sector plan amendment to the LI (Light Industrial) classification because it would be an encroachment of incompatible land uses into an established residential neighborhood.

- #### 2. MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE THE SECTOR PLAN AMENDMENT TO LI (LIGHT INDUSTRIAL) AND HP (HILLSIDE PROTECTION) AS AMENDED AS SHOWN ON EXHIBIT A, PRESENTED AT THE MEETING BY THE APPLICANT, BECAUSE IT IS A MINOR EXTENSION OF ADJACENT LAND USE CLASSIFICATION.

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED

Item No.**File No.****B. ONE YEAR PLAN AMENDMENT****4-A-23-PA**

From LDR (Low Density Residential) and HP (Hillside Protection) to LI (Light Industrial) and HP (Hillside Protection).

1. STAFF RECOMMENDATION

Deny the One Year Plan amendment to the LI (Light Industrial) land use classification because it would be an encroachment of incompatible land uses into an established residential neighborhood.

- 1. MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE THE ONE YEAR PLAN AMENDMENT TO LI (LIGHT INDUSTRIAL) AND HP (HILLSIDE PROTECTION) AS AMENDED AS SHOWN ON EXHIBIT A, PRESENTED AT THE MEETING BY THE APPLICANT, BECAUSE IT IS A MINOR EXTENSION OF ADJACENT LAND USE CLASSIFICATION.**

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED

C. REZONING**4-A-23-RZ**

From RN-1 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay) to I-G (General Industrial) and HP (Hillside Protection Overlay).

1. STAFF RECOMMENDATION

Deny I-G (General Industrial) zoning because it conflicts with the sector plan and with the intent of the I-G district, as described in the zoning ordinance.

- 2. MOTION (OOTEN) AND SECOND (PHILLIPS) WERE MADE TO APPROVE REZONING TO I-G (GENERAL INDUSTRIAL) AND HP (HILLSIDE PROTECTION OVERLAY) AS AMENDED AS SHOWN ON EXHIBIT A, PRESENTED AT THE MEETING BY THE APPLICANT.**

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Chris Burkhart

Applicant Name

Affiliation

12/15/2022

Date Filed

4/13/2023

Meeting Date (if applicable)

4-A-23-SP

File Number(s)

CORRESPONDENCE

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

James Smith Ardurra Group, Inc

Name / Company

Lakeside Centre Way Knoxville TN 37922

Address

865-251-5084 / jsmith@ardurra.com

Phone / Email

CURRENT PROPERTY INFO

Chris Burkhart

Owner Name (if different)

P.O. Box 6069 Knoxville TN 37914

Owner Address

865-604-7767

Owner Phone / Email

299 NASH RD / 0 STATE RD

Property Address

71 | A 011,012.01

Parcel ID

Part of Parcel (Y/N)?

1.22 acres

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Nash Rd, east of Pellham Rd

General Location

City

Council District 6

RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Single Family Residential

County

District

Zoning District

Existing Land Use

East City

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Planned Development Use on Review / Special Use
 Hillside Protection COA Residential Non-residential

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number

Unit / Phase Number _____

Total Number of Lots Created _____

Additional Information _____

- Attachments / Additional Requirements

ZONING REQUEST

- Zoning Change **I-G (General Industrial);HP (Hillside Protection Overlay)**
Proposed Zoning

Pending Plat File Number

- Plan Amendment **HP (Hillside Protection);LI (Light Industrial)**
Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Zoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
 Design Plan Certification (Final Plat)
 Site Plan (Development Request)
 Traffic Impact Study
 Use on Review / Special Use (Concept Plan)

Fee 1

\$2,050.00

Fee 2

Fee 3

Total

AUTHORIZATION

Applicant Signature **Chris Burkhart**
Please Print

12/15/2022

Date

Phone / Email

Property Owner Signature **Chris Burkhart**
Please Print

12/15/2022

Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



Development Request

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Chris Burkhart

Applicant Name

Affiliation

12/15/2022

Date Filed

4/13/2023

Meeting Date (if applicable)

4-A-23-PA / 4-A-23-RZ

File Number(s)

CORRESPONDENCE

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

James Smith Ardurra Group, Inc

Name / Company

Lakeside Centre Way Knoxville TN 37922

Address

865-251-5084 / jsmith@ardurra.com

Phone / Email

CURRENT PROPERTY INFO

Chris Burkhart

Owner Name (if different)

P.O. Box 6069 Knoxville TN 37914

Owner Address

865-604-7767

Owner Phone / Email

299 NASH RD / 0 OLD STATE RD

Property Address

71 | A 011,012.01

Parcel ID

1.22 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Nash Rd, east of Pellham Rd

General Location

City

Council District 6

District

RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

Zoning District

Single Family Residential

Existing Land Use

East City

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

N/A (Within City Limits)

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information	Total Number of Lots Created
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	I-G (General Industrial);HP (Hillside Protection Overlay)	Pending Plat File Number
	Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment	HP (Hillside Protection);LI (Light Industrial)	
	Proposed Plan Designation(s)	

Proposed Density (units/acre) Previous Zoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
- Design Plan Certification (Final Plat)
- Site Plan (Development Request)
- Traffic Impact Study
- Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$2,050.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature	Chris Burkhart	12/15/2022
	Please Print	Date

Phone / Email

Property Owner Signature	Chris Burkhart	12/15/2022
	Please Print	Date

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Chris Burkhart

Applicant Name

12/14/2022

Date Filed

February 9, 2023

Meeting Date (if applicable)

Affiliation

File Number(s)

4-A-23-RZ_4-A-23-PA_4-A-23-SP

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

James Smith, P.E.

Ardurra Group, Inc.

Name

Company

2160 Lakeside Centre Way, Suite 201

Knoxville

TN

37922

Address

City

State

ZIP

865.251.5084

jismith@ardurra.com

Phone

Email

CURRENT PROPERTY INFO

Chris Burkhart

P.O. Box 6069 Knoxville, TN 37914

865.604.7767

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

299 Nash Road and 0 Old State Road

0711A011, 0711A01201

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

City County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential Home Occupation (specify) _____ Other (specify) _____	Related City Permit Number(s)
--	---

SUBDIVISION REQUEST

Proposed Subdivision Name _____ Unit / Phase Number _____ <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created _____ <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Attachments / Additional Requirements _____	Related Rezoning File Number
--	--

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change I-G (General Industrial), HP (Hillside Protection Overlay) Proposed Zoning _____ <input checked="" type="checkbox"/> Plan Amendment Change OYP: LI (Light Industrial), SP:LI (Light Industrial) Proposed Plan Designation(s) _____	Pending Plat File Number
Proposed Density (units/acre) _____ Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify) _____	

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS


Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

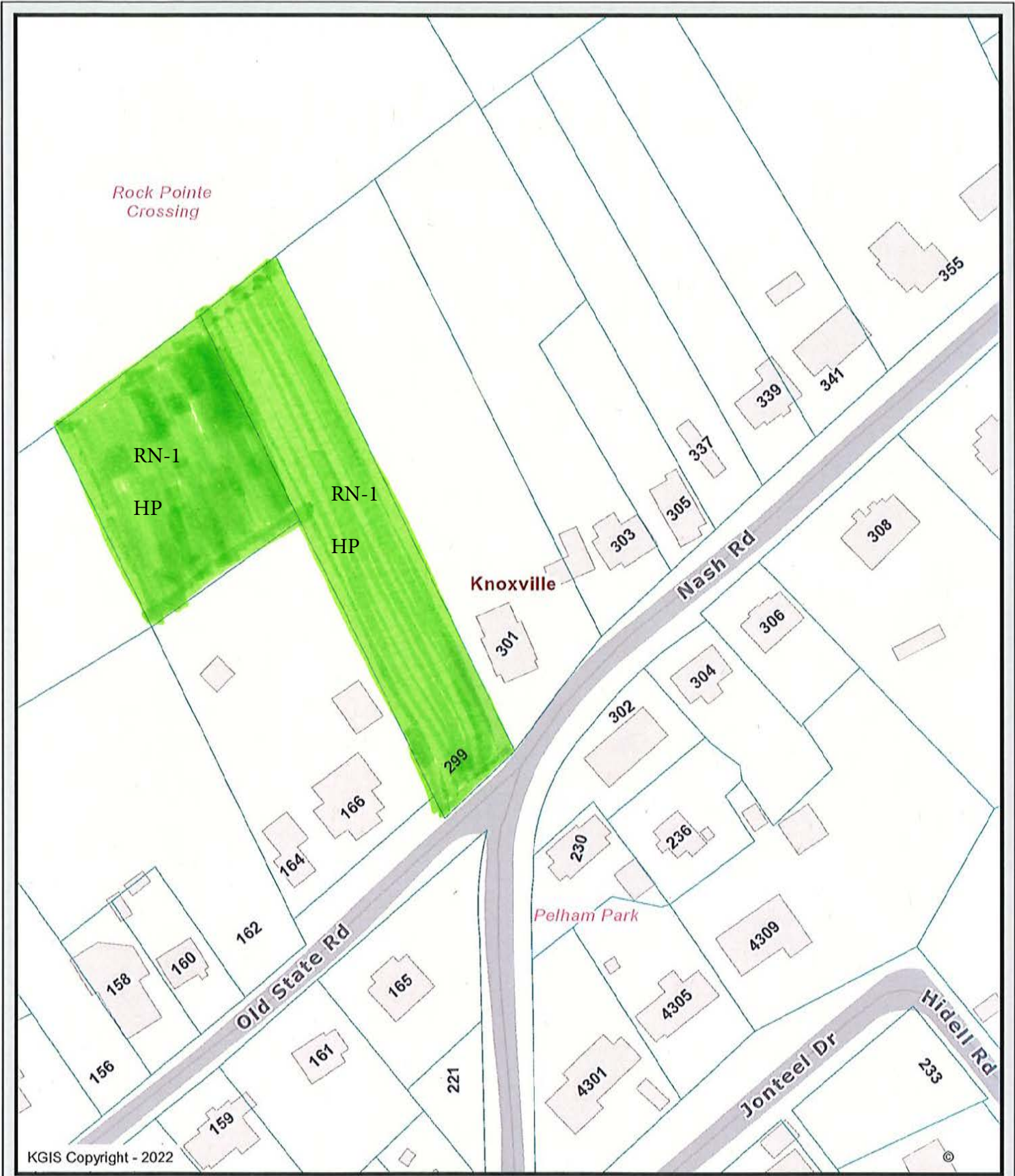
- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*)
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

	Total
Fee 1	
Fee 2	
Fee 3	

AUTHORIZATION

 Applicant Signature	Chris Burkhart Please Print	12/14/22 Date
865.604.7767 Phone Number	chrisb@shoresouth.com Email	

Property Owner Signature _____ Please Print _____ Date _____



KGIS Copyright - 2022

299 Nash Rd & 0 Old State Rd



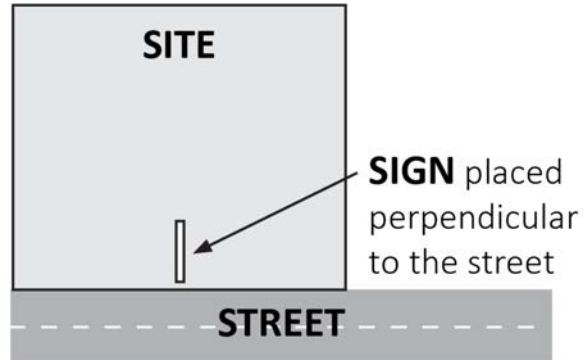
Printed: 12/15/2022 at 3:10:52 PM



Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

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:

_____ 4/1/2023 _____ and _____ 4/14/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Chris Burkhart

Date: 12/15/22

File Number: 4-A-23-RZ_4-A-23-PA_4-A-23-SP

- Sign posted by Staff
- Sign posted by Applicant

Knoxville NEWS SENTINEL

PART OF THE USA TODAY NETWORK

KNOX CTY METRO PLANNING COMMISSION
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	0005653858	\$142.56	\$0.00	\$142.56	Invoice	\$0.00	\$142.56

Sales Rep: asathisarg

Order Taker: asathisarg

Order Created 04/03/2023

<u>Product</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>
KNS-knoxnews.com	1	04/06/2023	04/06/2023
KNS-Knoxville News Sentinel	1	04/06/2023	04/06/2023

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

PUBLIC NOTICE

The following items may be considered by the Knoxville City Council on May 16, 2023 at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. The Knoxville-Knox County Planning Commission may hear these items on April 13, 2023 and make recommendations. For information related to these items, visit KnoxPlanning.org/agenda. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at (865) 215-2104.

**PLAN
AMENDMENTS/REZONINGS**

4-A-23-SP AND 4-A-23-PA AND 4-A-23-RZ - CHRIS BURKHART - 299 Nash Rd, 0 Old State Rd. Proposed sector and One Year Plan amendments, proposed rezoning.

4-B-23-SP AND 4-B-23-PA AND 4-B-23-RZ - URBAN ENGINEERING, INC. - 355 S. Gallaher View Rd. Proposed sector and One Year Plan amendments, proposed rezoning.

4-D-23-SP AND 4-C-23-PA AND 4-H-23-RZ - BENJAMIN C. MULLINS - 835 Tipton Ave. Proposed sector and One Year Plan amendments, proposed rezoning.

4-E-23-SP AND 4-D-23-PA AND 4-I-23-RZ - TAYLOR D. FORRESTER - 0 Dresser Rd. Property located east side of Dresser Rd., north of Ginn Dr., south of Mt. Vernon Dr. Proposed sector and One Year Plan amendments, proposed rezoning.

4-F-23-SP AND 4-E-23-PA AND 4-K-23-RZ - MERCHANT HOLDINGS, LLC - 2400 Merchant Dr. Proposed sector and One Year Plan amendments, proposed rezoning.

4-G-23-SP AND 4-F-23-PA AND 4-N-23-RZ - BENJAMIN C. MULLINS - 0 McCalla Ave., 0 (5 parcels), 288, 305, 308, 309, 317, 325 & 330 Pelham Rd., & 0 Nash Rd. Proposed sector and One Year Plan amendments, proposed rezoning.

4-I-23-SP AND 4-G-23-PA AND 4-P-23-RZ - VICTOR JERNIGAN - 522 and 524 Victory St. Proposed sector and One Year Plan amendments, proposed rezoning.

4-J-23-SP AND 4-H-23-PA AND 4-Q-23-RZ - WINTERPAST DEVELOPMENT, LLC - DENNIS NORVET - 1301 E. Weisgarber Rd. Proposed sector and One Year Plan amendments, proposed rezoning.



KNOX CTY METRO PLANNING COMMISSION
 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	0005668892	\$280.80	\$0.00	\$280.80	Invoice	\$0.00	\$280.80

Sales Rep: CKimble

Order Taker: CKimble

Order Created 04/14/2023

<u>Product</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>
KNS-knoxnews.com	1	04/19/2023	04/19/2023
KNS-Knoxville News Sentinel	1	04/19/2023	04/19/2023

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ALLEY/STREET CLOSURE

4-A-23-AC - CITY OF KNOXVILLE - Request closure of a portion of an unnamed alley between Huron St. and Saint Mary St. Planning Commission Recommendation: Approve closure subject to 1 condition.

PLAN

AMENDMENTS/REZONINGS

4-A-23-SP AND 4-A-23-PA AND 4-A-23-RZ - CHRIS BURKHART - 299 Nash Rd, 0 Old State Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve East City Sector and One Year Plan amendments to LI (Light Industrial) and HP (Hillside Protection) and rezoning to I-G (General Industrial) and (HP (Hillside Protection Overlay), all as amended as amended as shown on Exhibit A, presented at the meeting by the applicant.

4-B-23-SP AND 4-B-23-PA AND 4-B-23-RZ - URBAN ENGINEERING, INC. - 355 S. Gallaher View Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve Southwest County Sector and One Year Plan amendments to MDR/O (Medium Density Residential/Office) and HP (Hillside Protection) and rezoning to RN-6 (Multi-Family Residential Neighborhood) and HP (Hillside Protection Overlay).

4-D-23-RZ - JEFFREY NASH - 513 Cooper St. Proposed rezoning. Planning Commission Recommendation: Approve rezoning to I-MU (Industrial Mixed-Use).

4-D-23-SP AND 4-C-23-PA AND 4-H-23-RZ - BENJAMIN C. MULLINS - 835 Tipton Ave. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve South City Sector and One Year Plan amendments to CI (Civic and Institutional) and rezoning to INST (Institutional) and H (Historic Overlay).

4-E-23-SP AND 4-D-23-PA AND 4-I-23-RZ - TAYLOR D. FORRESTER - 0 Dresser Rd. Property located east side of Dresser Rd., north of Ginn Dr., south of Mt. Vernon Dr. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve South County Sector and One Year Plan amendments to MU-SD, SCO-3 (Mixed Use-Special District, Alcoa Highway Small Area Plan) and rezoning to C-G-1 (General Commercial).

4-J-23-RZ - ROBERT GREGORY - 0 Central Avenue Pike. Property located east side of Central Avenue Pk., north of Dry Gap Pk. Proposed rezoning. Planning Commission Recommendation: Approve rezoning to RN-3 (General Residential Neighborhood) and HP (Hillside Protection Overlay).

4-F-23-SP AND 4-E-23-PA AND 4-K-23-RZ - MERCHANT HOLDINGS, LLC - 2400 Merchant Dr. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve Northwest City Sector and One Year Plan amendments to MDR/O (Medium Density/Office) and rezoning to RN-6 (Multi-Family Residential Neighborhood).

4-G-23-SP AND 4-F-23-PA AND 4-N-23-RZ - BENJAMIN C. MULLINS - 0 McCalla Ave., 0 (5 parcels), 288, 305, 308, 309, 317, 325 & 330 Pelham Rd., & 0 Nash Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve East City Sector and One Year Plan amendments to MU-SD, EC-2 (Mixed Use-Special District, Magnolia Avenue) and HP (Hillside Protection) and rezoning to C-H-2 (Highway Commercial) and HP (Hillside Protection Overlay).

4-J-23-SP AND 4-H-23-PA AND 4-Q-23-RZ - WINTERPAST DEVELOPMENT, LLC - DENNIS NORVET -

1301 E. Weisgarber Rd. Proposed sector and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve Northwest County Sector and One Year Plan amendments to LI (Light Industrial) and rezoning to I-MU (Industrial Mixed-Use).