

REZONING REPORT

FILE #: 7-G-23-RZ					AGENDA ITEM #:	21
POSTPONEMENT(S):	7/13/20				AGENDA DATE:	8/10/2023
APPLICANT:	тімот	' NEAL				
OWNER(S):	Timoth	leal Nea	al Investment			
TAX ID NUMBER:	61 07	4 (PART	T OF)		<u>View n</u>	nap on KGIS
JURISDICTION:	County	ommissi	ion District 8			
STREET ADDRESS:	0 ASHE	ILLE HW	VY			
LOCATION:	Northw Landin		rant of the inter	rsection of	Asheville Hwy and	d Neals
APPX. SIZE OF TRACT:	3.4 acr					
SECTOR PLAN:	East Co	nty				
GROWTH POLICY PLAN:	Urban (owth Are	ea (Outside City	Limits)		
ACCESSIBILITY:	ft of pay	nent wid Ieals La	dth within a 155- Inding Road, but	ft right-of-w	ay that is a major ar ray. The property als e used for access a ong both sides of th	so has as it crosses
UTILITIES:	Water \$	rce:	Knoxville Utilitie	es Board		
	Sewer	urce:	Knoxville Utilitie	es Board		
WATERSHED:	Sinking	ast Cree	ek			
PRESENT ZONING:	PR (Pla	ned Res	sidential)			
ZONING REQUESTED:	CA (Ge	eral Bus	siness)			
EXISTING LAND USE:	Agricu	re/Fores	stry/Vacant Lai	nd		
EXTENSION OF ZONE:	Voc. th	o on ovt				
		s an exte			ned from A in 1001	(Casa # 0
HISTORY OF ZONING:					ned from A in 1981 d from A in 2000 (Ca	
SURROUNDING LAND USE AND ZONING:	North:				e family residential c in Knox County	- PR
	South:	commer	cial - C-H-2 (Hig	ghway Com	mercial) in the City	
	East:	Single fai (nox Cou		- PR (Plann	ed Residential) up t	o 6 du/ac in
	West:	Office an Knox Cou		restry/vacar	nt - CA (General Bu	siness) in
NEIGHBORHOOD CONTEXT:	predom lots bel	antly of c d the co	commercial uses mmercial uses o	s in the lots consist of si	velle Highway that c fronting the highwa mall-lot, single-famil le family homes.	y. Abutting

STAFF RECOMMENDATION:

AGENDA ITEM #: 21	FILE #: 7-G-23-RZ	7/21/2023 04:18 PM	MICHELLE PORTIER	PAGE #:	21-1

Approve the CA (General Business) zone for the portion of the parcel requested because it is consistent with the sector plan and would result in more consistent zoning for the subject property.

COMMENTS:

This request is to rezone a portion of the subject property. This parcel has dual zoning, with the main body of the parcel zoned CA and two sections zoned PR with up to 12 du/ac: a small portion in the front corner of the parcel at the intersection of Asheville Highway and Neals Landing Road, and a larger swath along the rear. This request is to rezone only the rear portion to CA, leaving the smaller section at the corner of Asheville Highway and Neals Landing Road zoned PR.

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, 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/COUNTY GENERALLY:

1. This area has experienced multiple rezonings to commercial zones since the late 1990s. This section of Asheville Highway is predominantly commercial.

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

1. The CA (General Business) zone is intended to provide general retail business and services but not for manufacturing or for processing materials other than farm products. The surrounding area includes retail businesses and services, so this zone is appropriate for this area.

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. The abutting portion of the parcel fronting Asheville Highway is already zoned CA, so approval of this request would make the rear of the property consistent with the front.

2. A blue line stream runs along the rear perimeter of the parcel, along the northwest property line, where it runs into Shining Creek East following the northeast property line. The streams provide a natural barrier between this parcel and the residential community to the rear.

3. Since Asheville Highway is a major arterial, it is designed to handle heavy traffic and no adverse impacts to traffic patterns are anticipated from approval of this rezoning.

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:

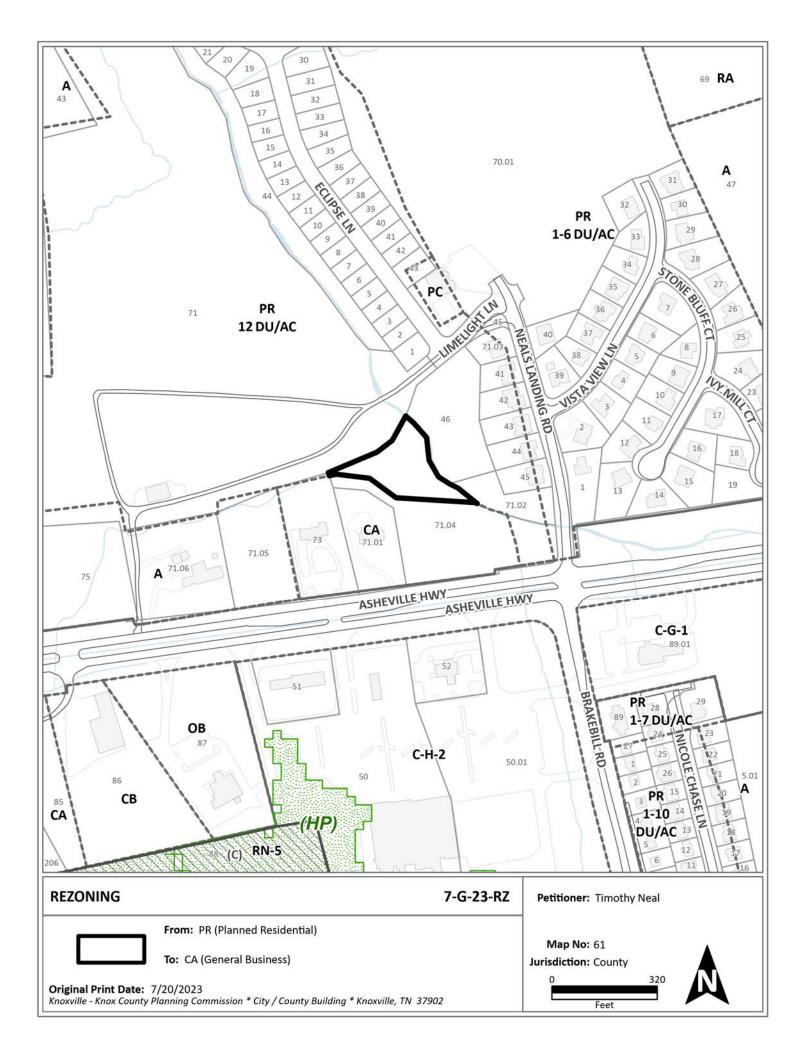
1. This parcel is designated CC (Community Commercial), which lists the CA zone as one to consider. The CC land use class calls for retail and service-oriented development, which is consistent with the CA zone description.

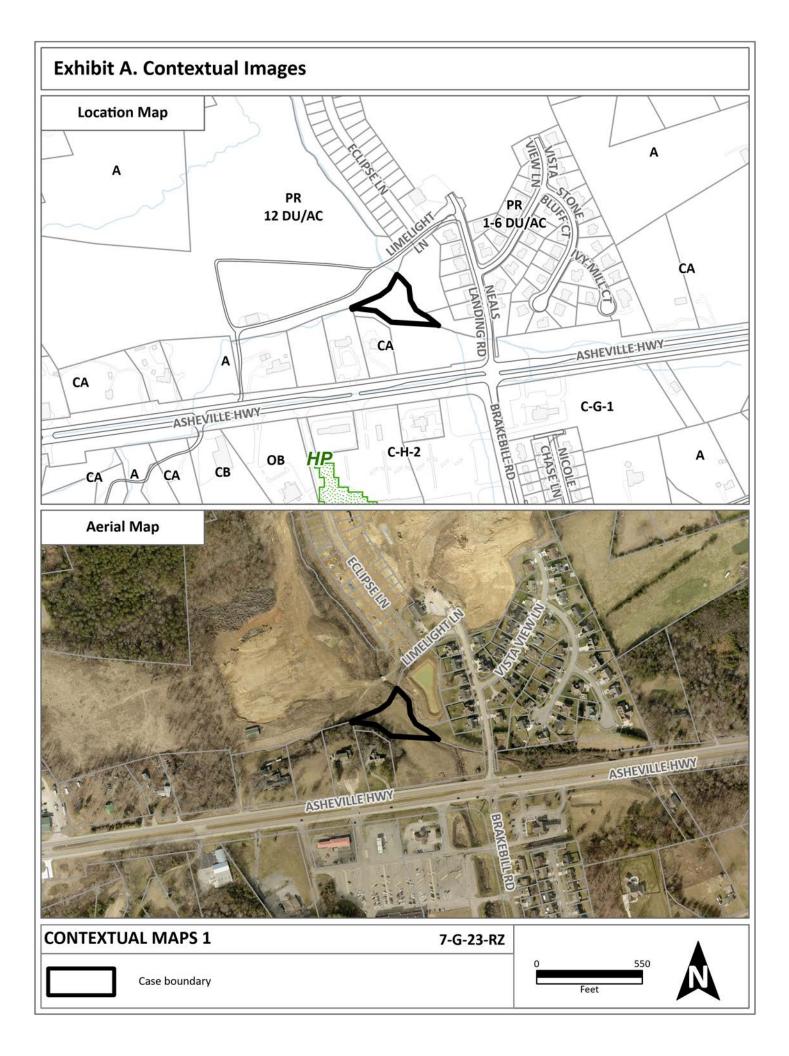
2. Sub-section 9.11 of the General Plan Development Policies section recommends locating communityserving commercial areas where they can be easily shared by several neighborhoods. The surrounding properties to the north contain residential uses that could benefit from commercial or service-oriented development.

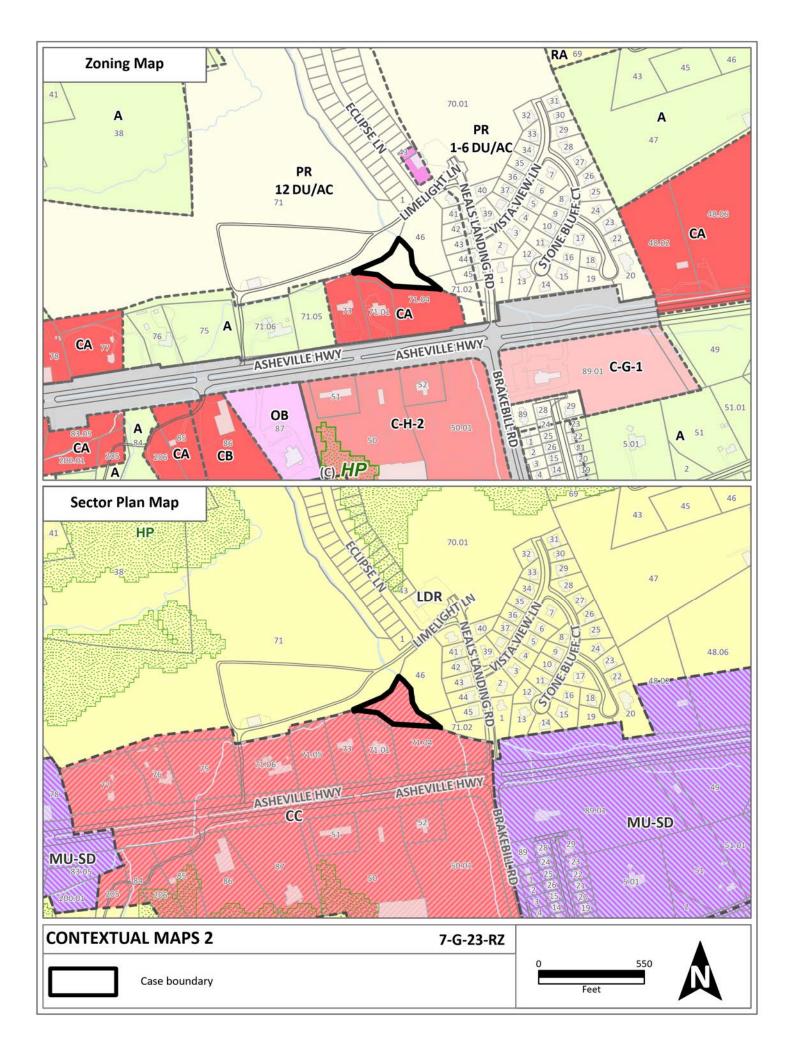
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/25/2023. 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.







P	

Development Request

DEVELOPMENT

Development Plan

Planned DevelopmentUse on Review / Special Use

□ Hillside Protection COA

SUBDIVISION

Concept PlanFinal Plat

Plan Amendment Sector Plan One Year Plan

I Rezoning

ZONING

Timothy N	leal		
Applicant I	Name		Affiliation
5/16/2023	3	7/13/2023	7-G-23-RZ
Date Filed		Meeting Date (if applicable)	File Number(s)
CORRES	SPONDENCE	All correspondence related to this applicatio	n should be directed to the approved contact listed below.
David Har	bin Batson, Himes,	Norvell and Poe	
Name / Co	ompany		
4334 Pape	ermill Dr. Dr. Knoxv	ille TN 37909	
Address			
865-588-6	472 / harbin@bhn-	-p.com	
Phone / Er	mail		
CURREI	NT PROPERTY IN	IFO	
Timothy N	leal	12600 Evans Rd., Farragut 379	934 865-579-4666
Owner Na	me (if different)	Owner Address	Owner Phone / Email
0 ASHEVIL	LE HWY		
Property A	Address		
61 071.04	4 (part of)		3.4 acres
Parcel ID		Part o	of Parcel (Y/N)? Tract Size
Knoxville	Utilities Board	Knoxville Utilitie	es Board
Sewer Pro	vider	Water Provider	Septic (Y/N)
STAFF U	USE ONLY		
North of A	Asheville Hwy, west	: Neals Landing Rd	
General Lo			
City	Commission District	8 PR (Planned Residential)	Agriculture/Forestry/Vacant Land
✓County	District	Zoning District	Existing Land Use
East Coun	ty	CC (Community Commercial)	Urban Growth Area (Outside City Limit
Planning S	ector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT R	EQUEST					
🗌 Development Plan	Planned Development	🗌 Use on R	eview / Special Use		Related City I	Permit Number(s)
Hillside Protection C	OA	🗌 Residenti	ial 🗌 Non-resid	dential		
Home Occupation (spec	cify)					
Other (specify)						
SUBDIVSION REQ	UEST					
					Related Rezc	ning File Number
Proposed Subdivision N	ame					
Unit / Phase Number			Total Number of Lot	s Created		
Additional Information						
Attachments / Addit	-					
ZONING REQUEST						
	(General Business)				Pending Pl	at File Number
Pro	posed Zoning					
Plan Amendment						
Amenament Pi	roposed Plan Designation(s)					
Proposed Density (units	s/acre) Previous Zoning Req	luests				
Additional Information						
STAFF USE ONLY				1		
PLAT TYPE				Fee 1		Total
Staff Review	Planning Commission			\$1,000.00		
ATTACHMENTS	Nation Holdon 🗆 🗆 Mariana	Demost		.		
Property Owners / C		e Request		Fee 2		
ADDITIONAL REQU						
Design Plan Certifica	, ,			Fee 3		
 Site Plan (Developme Traffic Impact Study 						
Use on Review / Spe						
AUTHORIZATION						
	y of perjury the foregoing is true			er of the proj	perty, AND 2) th	e application and
all associated materia	Is are being submitted with his/ Timothy Ne	-				5/16/2023
Applicant Signature	Please Print					Date

Phone	/ Email

Timothy Neal

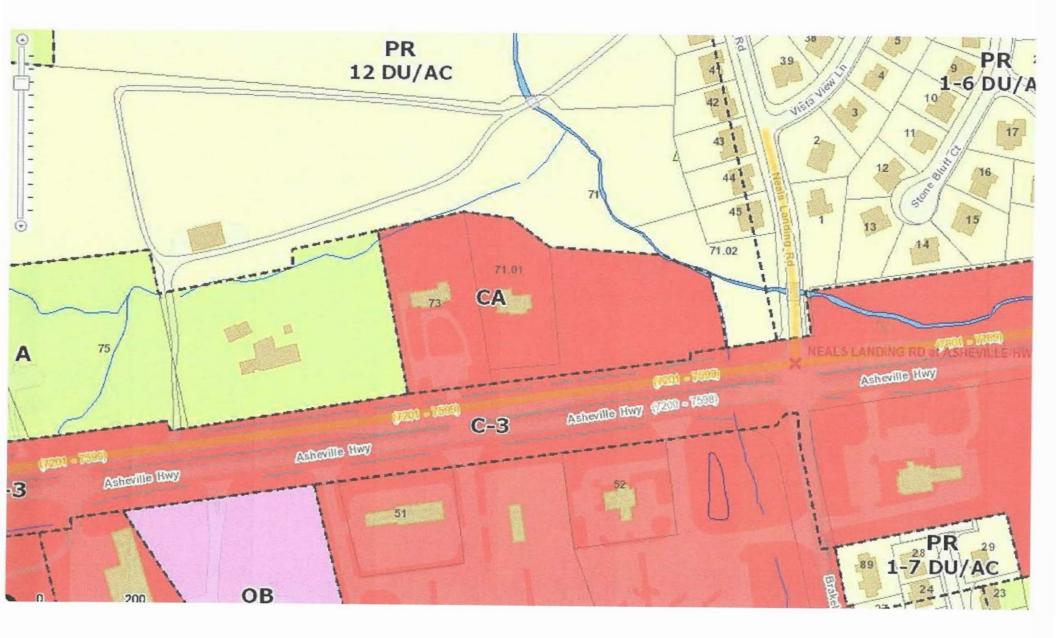
Please Print

Property Owner Signature

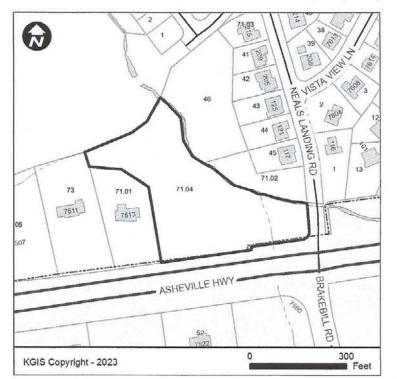
5/16/2023 Date

Planning KNOXVILLE I KNOX COUNTY TIMOTHY MEAL Applicant Name	Development Development Plan Planned Development Use on Review / Special Use Hillside Protection COA 	SUBDIVISIO Concept	DN 2 2 Plan [1t	ZONING Plan Amendment SP OYP Rezoning
Applicant Name			Affiliation	
				File Number(s)
Date Filed	Meeting Date (if applicable)			
CORRESPONDENCE All c	orrespondence related to this application sho	ould be directed	d to the appro	ved contact listed below.
Applicant Property Owner	Option Holder K Project Surveyor	🛛 Engineer	Architec	t/Landscape Architect
DAVID HARBIN	BATSON Hi Company	mes l	LOEVE	IL & POF
4334 PAPBEMILL Dra Address	z Knoxville		TH State	37909 ZIP
863-588-6472_ Phone	harbin@bh	n-p.co	Y)	
CURRENT PROPERTY INFO				
NEAL ! TIMOTHY HEA	IL TRUSTERS 7503 ASHVII			ns Rd., Farragut 37934 5-579-4666
Property Owner Name (if different)	Property Owner Address			roperty Owner Phone
O ASHVILLE HWY Property Address		Ole C Parcel ID	7104	
Sewer Provider	Water Provider			Septic (Y/N)
STAFF USE ONLY				
General Location			Tract Size	
City County District	Zoning District	Existing Lan	d Use	
Planning Sector	Sector Plan Land Use Classification		Growth Pc	licy Plan Designation

DEVELOPMENT REQUEST		
Development Plan Use on Review / Special Use Hillsid	le Protection COA	Related City Permit Number(s
Residential Non-Residential		
Home Occupation (specify)		
Other (specify)		
SUBDIVISION REQUEST		
		Related Rezoning File Number
Proposed Subdivision Name		
Unit / Phase Number	Total Number of Lots Created	1
Other (specify)		
Attachments / Additional Requirements		
ZONING REQUEST		
Zoning Change from IZ PR TO CA		Pending Plat File Number
Plan Amendment Change Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Rezoning Reg		
STAFF USE ONLY		
	Fee 1	Total
Staff Review Planning Commission		
ATTACHMENTS	Fee 2	
ADDITIONAL REQUIREMENTS	Developme.	
Design Plan Certification (Final Plat)		
Use on Review / Special Use (Concept Plan)	Fee 3	
Traffic Impact Study		
COA Checklist (Hillside Protection)		
AUTHORIZATION		
 I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property AND 2) The application and all as 	ssociated materials are being sub	mitted with his/her/its consent
DAVID HAR DAVID HAR	Bin	5.15.23
Applicant Signature Please Print		Date
Phone Number Email	bhn-p.com)
TIMOTHY F. Neal TIMOTHY L Property Owner Signature Please Print	IBAC	5.15.23
Please Print		Date Paid



Parcel 061 07104 - Property Map and Details Report



Address Information

Site Address:	0 ASHEVILLE HWY
	KNOXVILLE - 37924
Address Type:	UNUSED LAND
Site Name:	TIMOTHY NEAL PROPERTY
Please contact Knoxville have questions.	e-Knox County Planning at (865) 215-2500 if you

Jurisdiction Information

County: City / Township: KNOX COUNTY

Political Districts

Voting Precinct:	76	
Voting Location:		Sunnyview School 412 BAGWELL RD
TN State House:	19	
TN State Senate:	6	
County Commission: (at large seat 10) (at large seat 11)	8	Richie Beeler Larsen Jay Kim Frazier
School Board:	8	Mike McMillan
Please contact Knox County E	ection	Commission at (865) 215-2480 if you

Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Property Information

Parcel ID:	061 07104
Location Address:	0 ASHEVILLE HWY
CLT Map:	61
Insert:	
Group:	
Condo Letter:	
Parcel:	71.04
Parcel Type:	NORMAL
District:	S8
Ward:	
City Block:	
Subdivision:	TIMOTHY NEAL PROPERTY
Rec. Acreage:	3.38
Calc. Acreage:	
Recorded Plat:	20180525 - 0069733
Recorded Deed:	
Deed Type:	:
Deed Date:	

Owner Information

NEAL MARVIN U & TIMOTHY F TRUSTEES 7503 ASHEVILLE HWY

KNOXVILLE, TN 37924

The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Other Information

 Census Tract:
 53.01

 Planning Sector:
 East County

 Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

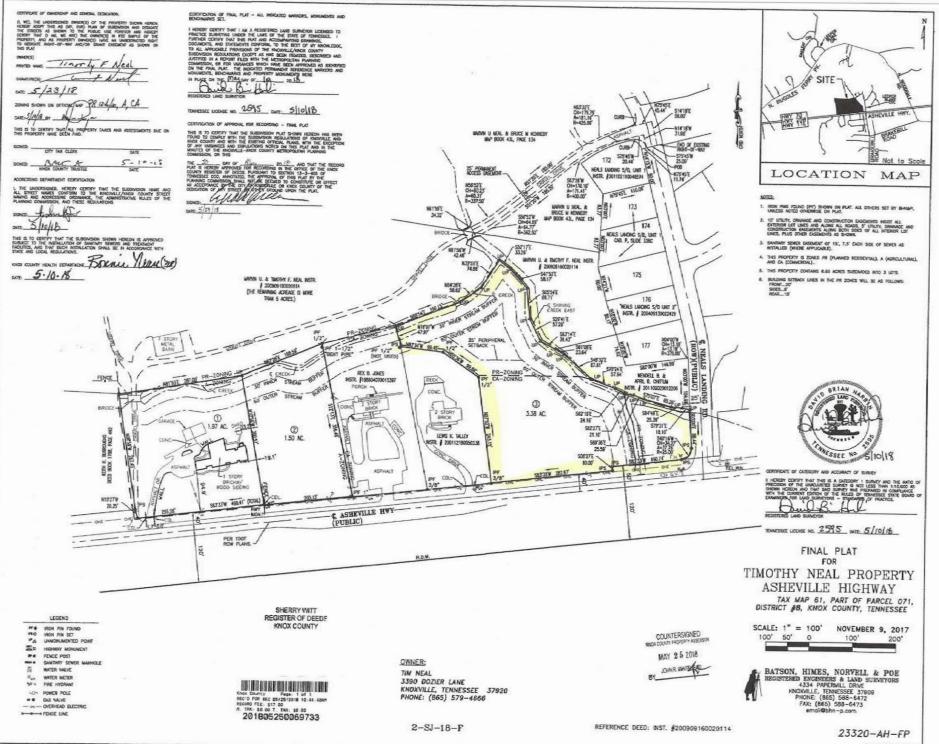
School Zones

SUNNYVIEW PRIMARY
SUNNYVIEW PRIMARY
CHILHOWEE INTERMEDIATE
CARTER MIDDLE
CARTER HIGH

Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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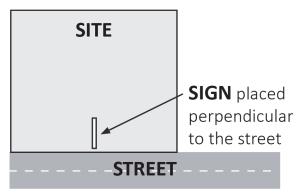
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Sign Posting & Removal Requirement

Revised April 2021

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:

June 30, 2023	and	July 14, 2023
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Timothy Neal		Sign posted by Staff
Date: 5/16/2023		Sign posted by Staff
File Number: 7-G-23-RZ		Sign posted by Applicant