

REZONING REPORT

▶ **FILE #:** 6-K-23-RZ

AGENDA ITEM #: 13

AGENDA DATE: 6/8/2023

▶ **APPLICANT:** DAVID BUCKNER

OWNER(S): David Buckner

TAX ID NUMBER: 69 E A 028, 027

[View map on KGIS](#)

JURISDICTION: City Council District 5

STREET ADDRESS: 0 & 112 SHIPMAN DR

▶ **LOCATION:** South side of Shipman Dr, west of Old Broadway

▶ **APPX. SIZE OF TRACT:** 0.69 acres

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via Shipman Drive, a local street with a 20-ft pavement width within a 33-ft to 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: First Creek

▶ **PRESENT ZONING:** RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

▶ **ZONING REQUESTED:** O (Office), HP (Hillside Protection Overlay)

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

▶

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Single-family residential - RN-4 (General Residential Neighborhood)

South: Single-family residential - RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

East: Single-family residential - C-G-2 (General Commercial)

West: Single-family residential, agriculture/forestry/vacant - RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: This property is in a transitional area between single-family residences and an office and commercial node to the east.

STAFF RECOMMENDATION:

▶ **Approve O (Office) zoning because it is consistent with the sector plan and surrounding development. The HP (Hillside Protection Overlay) will be retained.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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. The subject property is located between RN-2 (Single-Family Residential Neighborhood) zoning to the west and C-G-2 (General Commercial) zoning to the east. The proposed rezoning from the RN-4 (General Residential Neighborhood) district to the O (Office) district provides an appropriate transition of land use intensities at this location.
2. The O zoning district is compatible with surrounding development, which includes two office buildings in close proximity to the east along Old Broadway.

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

1. The O zoning district is intended for an environment of low intensity office and service uses, mixed with residential uses. The O district may additionally serve as a transition between single-family residential areas and more intensely developed commercial or industrial areas.
2. The subject property is adjacent to single-family residences to the west and north, and commercial and office uses to the east and northeast. This is the type of transitional location for which the O zoning district is intended.

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 subject parcel is comprised of an unoccupied single-family home and a vacant lot. Any development on the parcel would require a Class B landscape buffer yard with a minimum width of 20 feet where the property abuts residential properties.
2. There are no adverse impacts anticipated to occur with the rezoning from the RN-4 district to the O district.

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 Central City Sector Plan's land use classification for this area is MU-SD, CC7 (Mixed Use-Special District, Broadway). Office development is among the recommended land uses for this designation.
2. The proposed rezoning is not in conflict with the General Plan, or any other adopted plans.

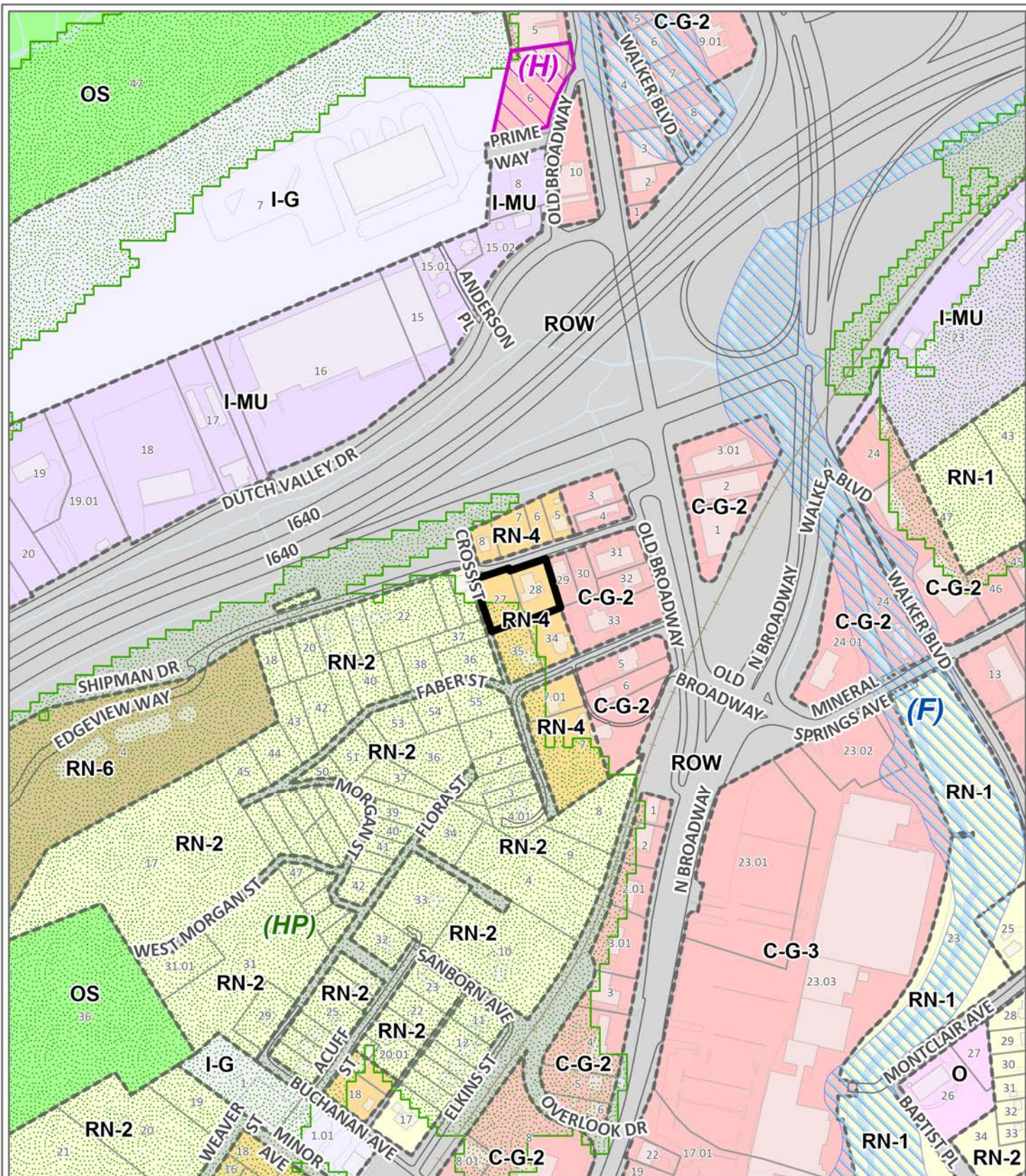
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. This property is located in a developed area that should have adequate infrastructure capacity for the generally light uses permitted in the O zoning district.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 7/11/2023 and 7/25/2023. 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.



REZONING

6-K-23-RZ

Petitioner: David Buckner

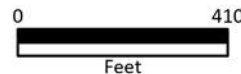


From: RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)
To: O (Office);HP (Hillside Protection Overlay)

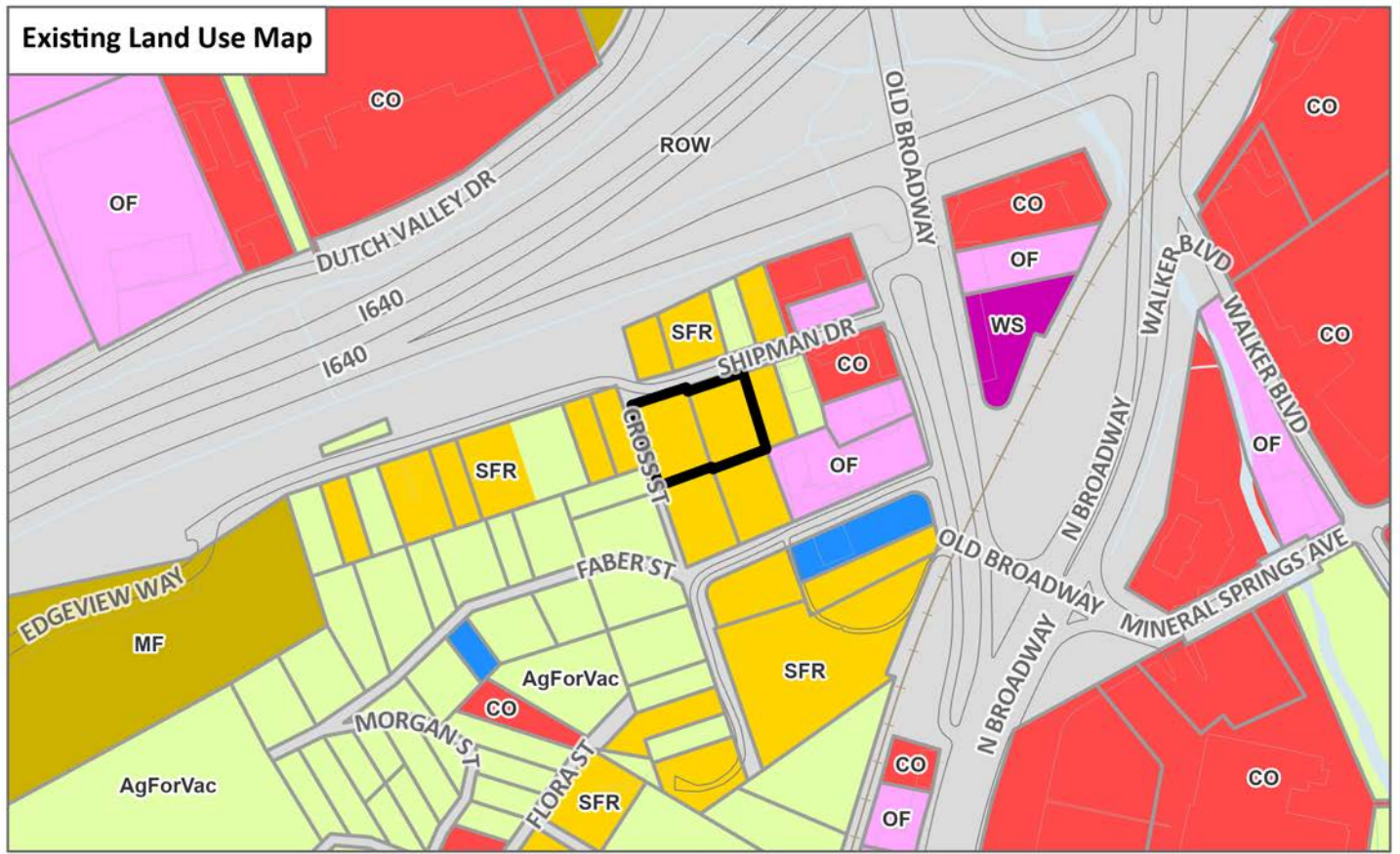
Map No: 69
Jurisdiction: City

Original Print Date: 5/15/2023

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



Existing Land Use Map



Aerial Map

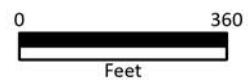


CONTEXTUAL MAPS

6-K-23-RZ



Case boundary





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

David Buckner

Applicant Name

Affiliation

4/25/2023

Date Filed

6/8/2023

Meeting Date (if applicable)

6-K-23-RZ

File Number(s)

CORRESPONDENCE

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

David Buckner

Name / Company

112 Shipman Dr Knoxville TN 37918

Address

865-712-3958 / dlbuckner14@gmail.com

Phone / Email

CURRENT PROPERTY INFO

David Buckner

Owner Name (if different)

112 Shipman Dr Knoxville TN 37918

Owner Address

865-712-3958 / dlbuckner14@g

Owner Phone / Email

0 SHIPMAN DR / 112 SHIPMAN DR

Property Address

69 E A 028,027

Parcel ID

0.69 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

South side of Shipman Dr, west of Old Broadway

General Location

City

Council District 5

RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)

Single Family Residential

County

District

Zoning District

Existing Land Use

Central City

Planning Sector

MU-SD (Mixed Use Special District), HP (Hillside Protectio

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 _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change O (Office);HP (Hillside Protection Overlay)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	\$1,000.00	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS	Fee 3	
<input type="checkbox"/> COA Checklist (Hillside Protection)		
<input type="checkbox"/> Design Plan Certification (Final Plat)		
<input type="checkbox"/> Site Plan (Development Request)		
<input type="checkbox"/> Traffic Impact Study		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan)		

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 associated materials are being submitted with his/her/its consent.

Applicant Signature	David Buckner	4/25/2023
	Please Print	Date

Property Owner Signature	David Buckner	4/25/2023
	Please Print	Date

(1) Download and fill out this form at your convenience.
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



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

David Buckner

Owner

Applicant Name

Affiliation

4/24/23

File Number(s)

Date Filed

Meeting Date (if applicable)

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

David Buckner

Name

Company

112 Shipman Dr

Knoxville

TN

37918

Address

City

State

ZIP

865-712-3958

dbuckner14@gmail.com

Phone

Email

CURRENT PROPERTY INFO

David Buckner, Johnny Hackney, Diane Hackney

112 Shipman Dr

865-712-3958

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

112 Shipman Dr & 0 Shipman Dr

069EA028 & 069EA027

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

August 29, 2022

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

Combine Parcels
 Divide Parcel

Unit / Phase Number

Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

-Rezone to Office for office/work space use for students and business professionals

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

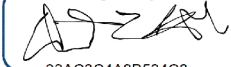
ADDITIONAL REQUIREMENTS

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

Fee 1	Total
Fee 2	
Fee 3	

AUTHORIZATION

DocuSigned by:



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Applicant Signature

David Buckner

4/24/23

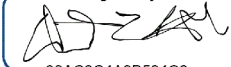
Please Print

Date

865-712-3958

dbuckner14@gmail.com

DocuSigned by:



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Property Owner Signature

Email

David Buckner

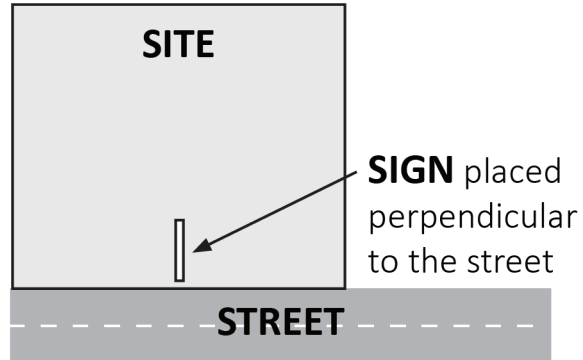
4/24/23

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.

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:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: David Buckner

Date: 4/25/2023

File Number: 6-K-23-RZ

- Sign posted by Staff
- Sign posted by Applicant