

# REZONING REPORT

▶ **FILE #:** 11-B-23-RZ

**AGENDA ITEM #:** 23

**AGENDA DATE:** 11/9/2023

▶ **APPLICANT:** ZIGGURAT DEVELOPMENT LLC/JANET PLONT

OWNER(S): Salvatore Plont, Janet Plont, and Dawn Green

TAX ID NUMBER: 38 N B 006

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 3710 NEAL DR

▶ **LOCATION:** South side of Neal Dr, west of Maynardville Pike

▶ **APPX. SIZE OF TRACT:** 0.99 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Neal Drive a local road with a 23 ft pavement width within a 52-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** PC (Planned Commercial)

▶ **ZONING REQUESTED:** OB (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant land, office

▶  
EXTENSION OF ZONE: No, it is not an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Office - PC (Planned Commercial)

South: Commercial - I (Industrial)

East: Agriculture/forestry/vacant - PC (Planned Commercial)

West: Commercial, office - PC (Planned Commercial)

NEIGHBORHOOD CONTEXT: This street in Halls is comprised mostly of small contractors' offices. There are some industrial uses to the south and new residential subdivisions to the north. Maynardville Pike is just to the east, which is a major commercial corridor.

## STAFF RECOMMENDATION:

▶ **Approve the OB (Office, Medical, and Related Services) zone because it is consistent with the sector plan and consistent with the surrounding development.**

## COMMENTS:

The request is to rezone a 1-acre lot which is PC (Planned Commercial) to OB (Office, Medical, and Related Services). The lot has frontage on Neal Dr just west of Maynardville Pike.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, ARTICLE 6.1.3: 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 COUNTY GENERALLY:

1. Since 1982, Cunningham Road to the north and Neal Drive to the west have been transitioning from agricultural and commercial uses to residential uses. These subdivisions are a mix of single family residential and multifamily residential uses. Office uses typically are more appropriate near residential uses and act as a buffer between residential and commercial.

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

1. The OB (Office, Medical, and Related Services) zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods. The proposed zone is consistent with development along Neal Drive.
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 CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. Despite the PC zoning on Neal Dr, the majority of the street has few intensive uses and is comprised of office uses more than commercial uses.
2. Access is via Neal Dr, which is located off Maynardville Pike, a major arterial road with a capacity for high volumes of traffic.
3. This parcel is in the School Parental Responsibility Zones of Halls Middle and Halls High Schools. Sidewalks may be required along the front of the property.
4. There is a cemetery located on the frontage of Neal Drive on this property. If a cemetery is determined to be present on the property, there are obligations a landowner/developer MUST meet. For example, construction crews are required to leave a ten-foot buffer around the perimeter of a grave(s) and in the case of a crypt, a five-foot buffer (T.C.A. 46-8-103). Also, landowners must remember that family members have a right to visit the graves of ancestors, even if they are located on private property—this precedent is set under Tennessee Case Law. Furthermore, owners or future buyers of a land tract have an obligation to protect graves from disturbance when a cemetery is shown on a deed.

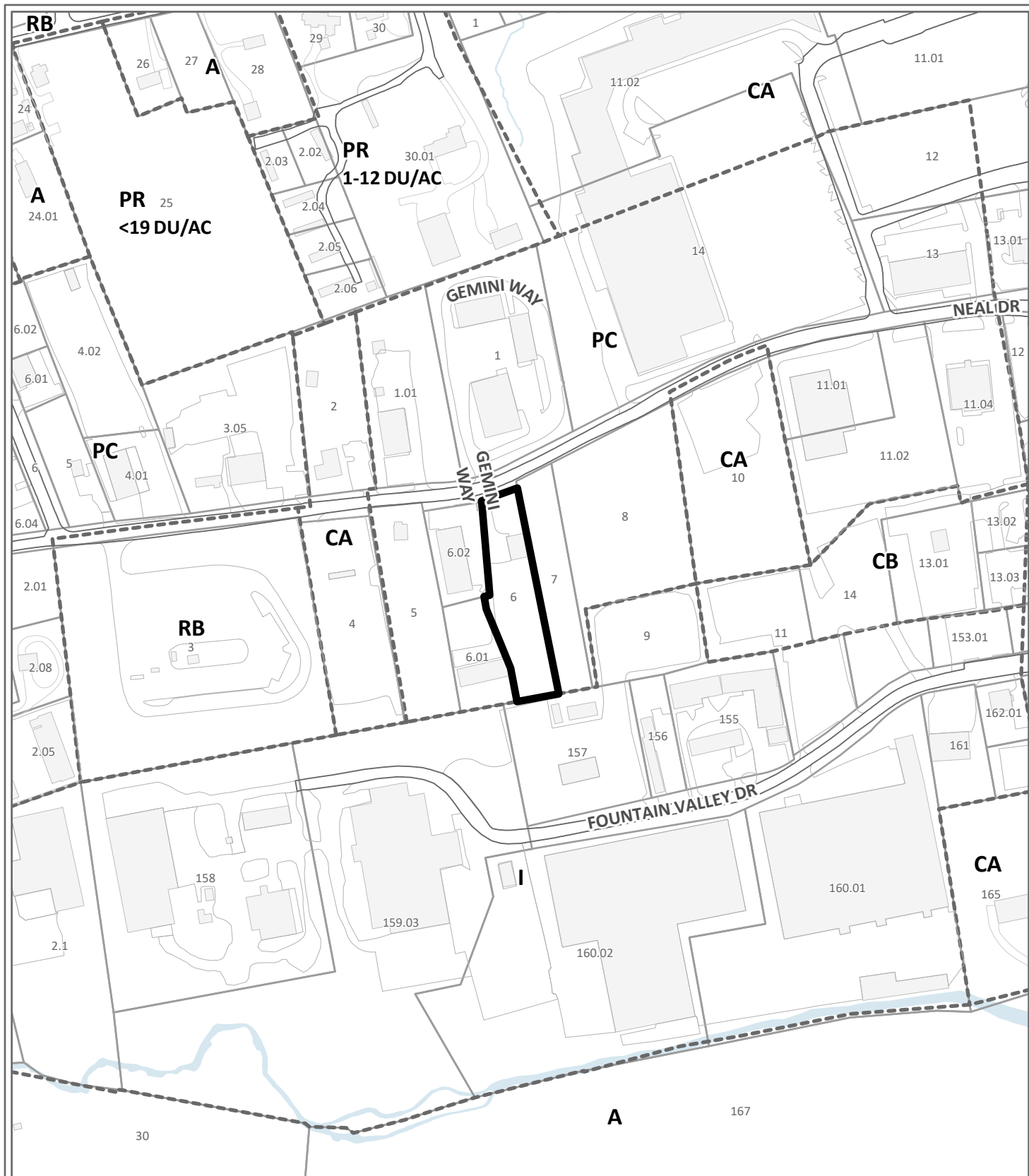
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed OB zone is consistent with the North County Sector Plan's Office land use designation.
2. Per General Plan (9.2) - Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat. The majority of the property is cleared with a treelined buffer to the rear of the property adjacent to commercial uses.
3. This recommended OB zone does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 12/18/2023. 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.



**REZONING**

**11-B-23-RZ**

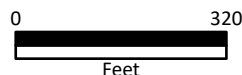
**Petitioner:** Ziggurat Development LLC/  
Janet Plott



**From:** PC (Planned Commercial)  
**To:** OB (Office, Medical, and Related Services)

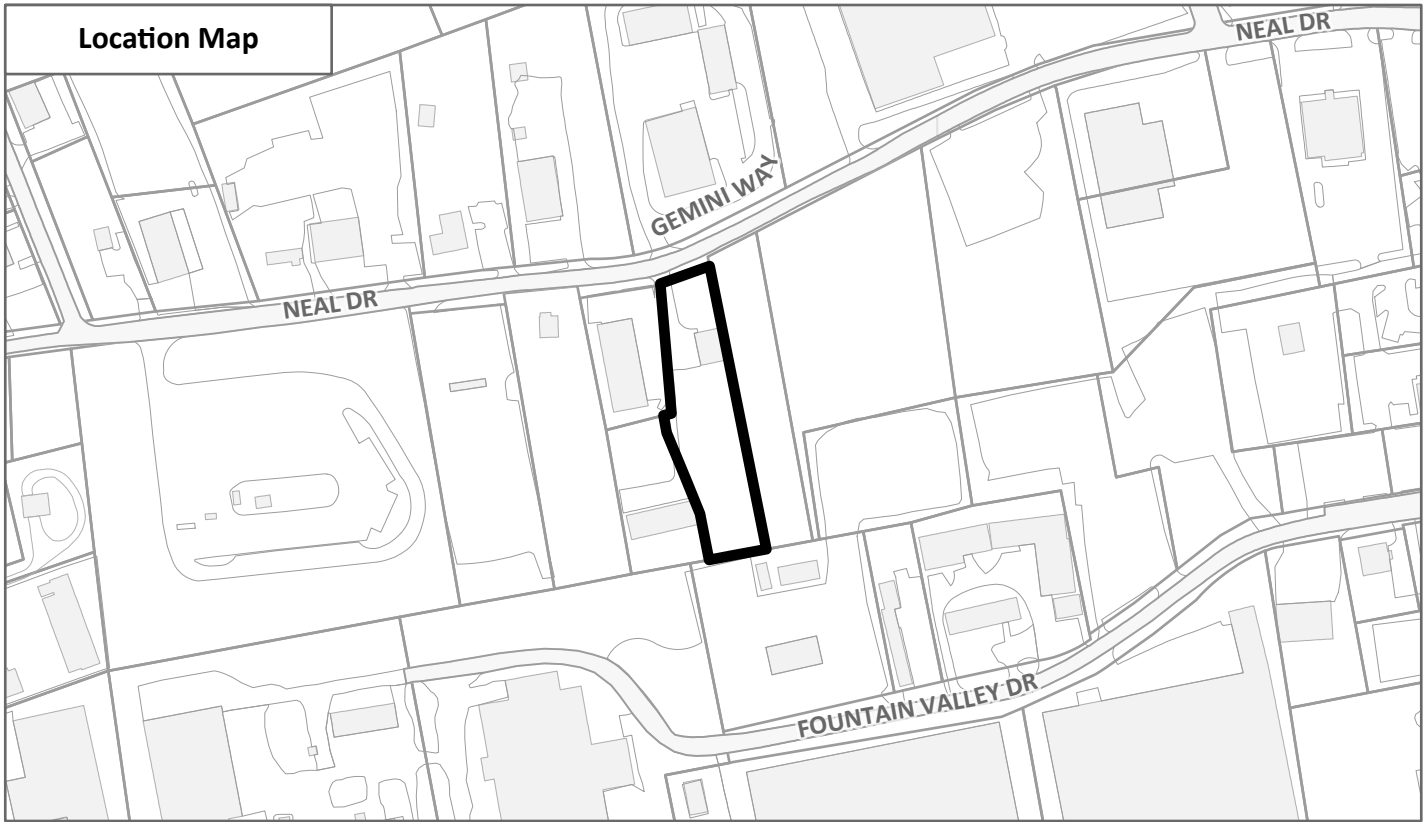
**Map No:** 38  
**Jurisdiction:** County

**Original Print Date:** 10/4/2023  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



# Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

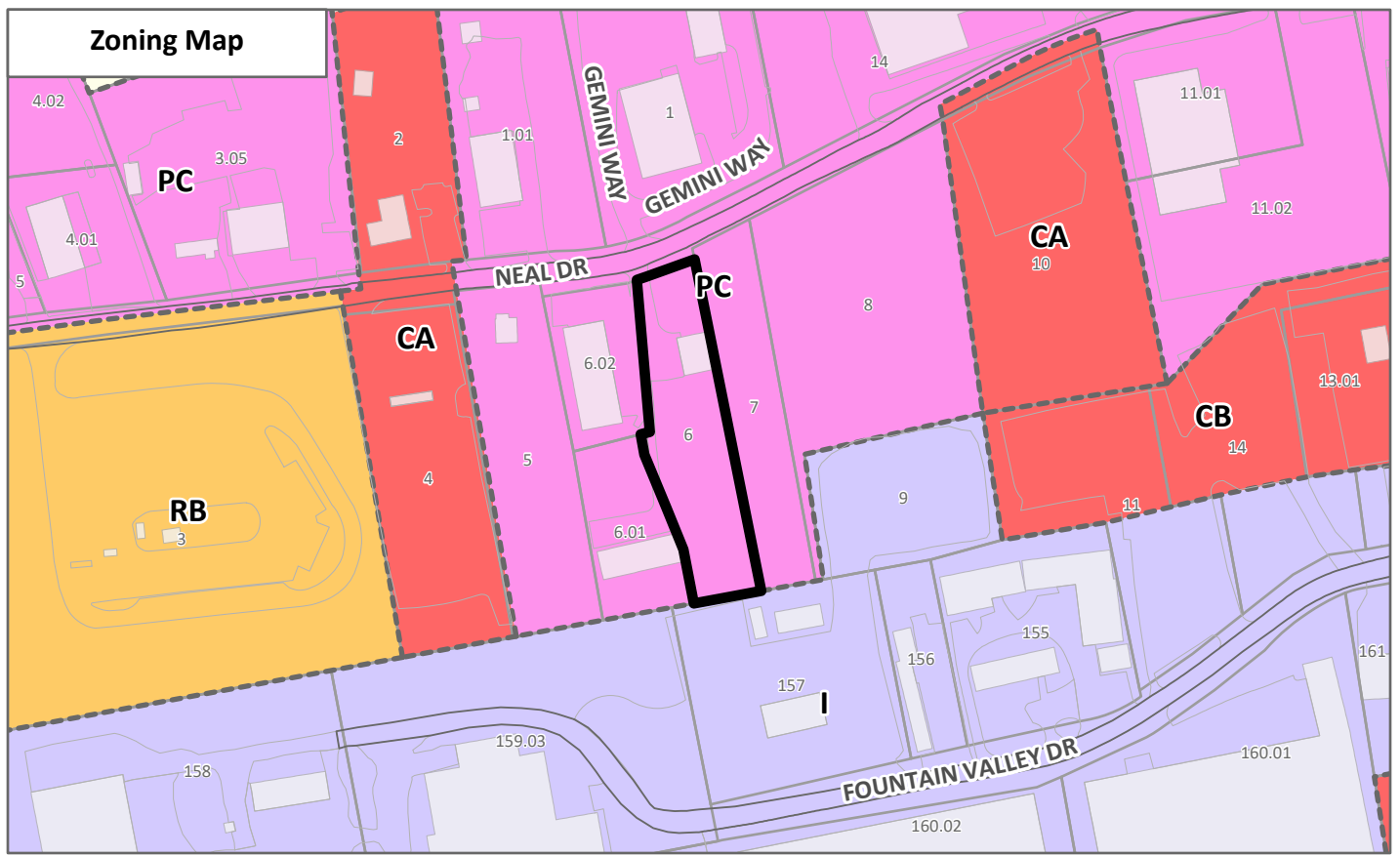
11-B-23-RZ



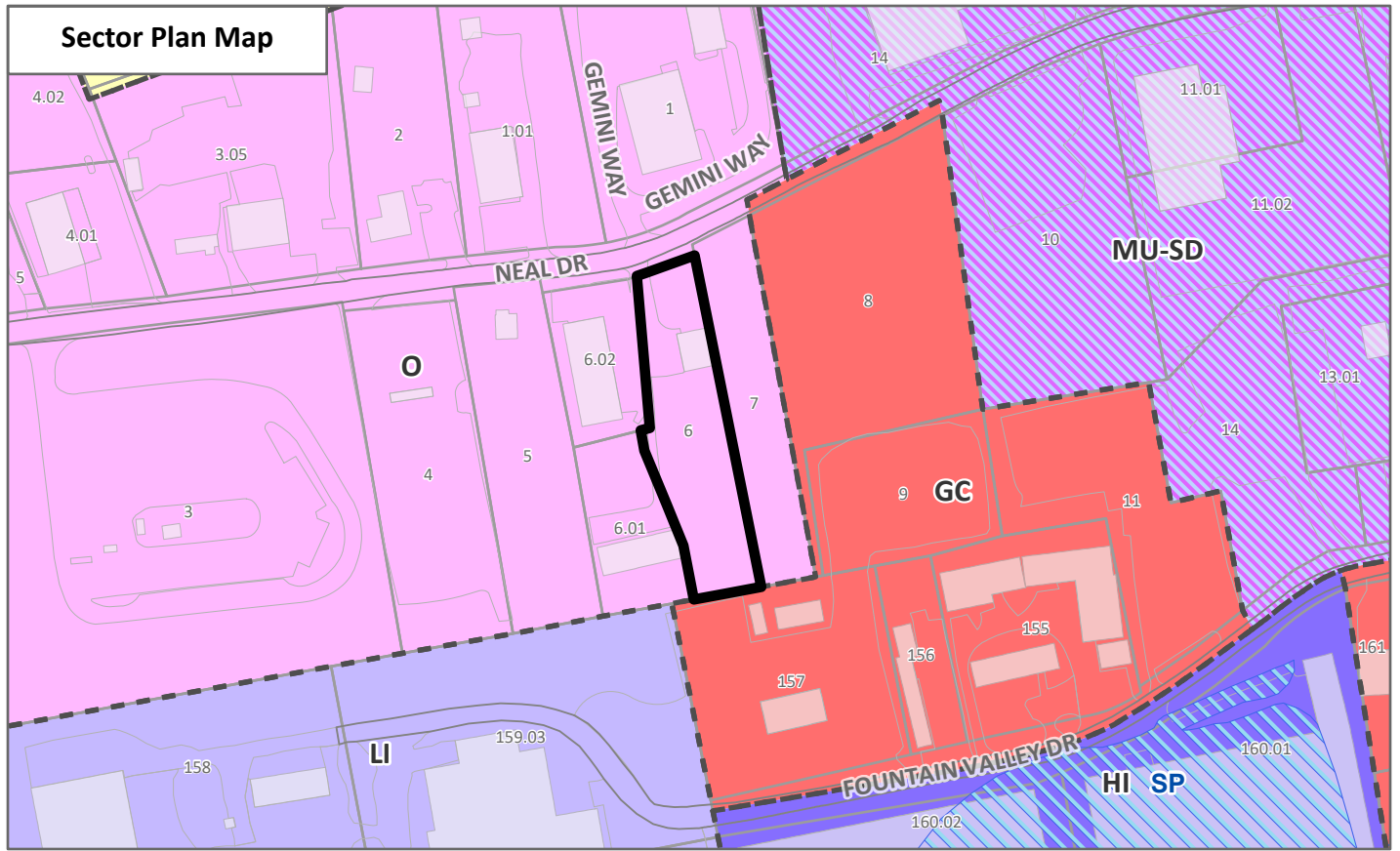
Case boundary



**Zoning Map**



**Sector Plan Map**

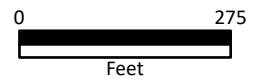


**CONTEXTUAL MAPS 2**

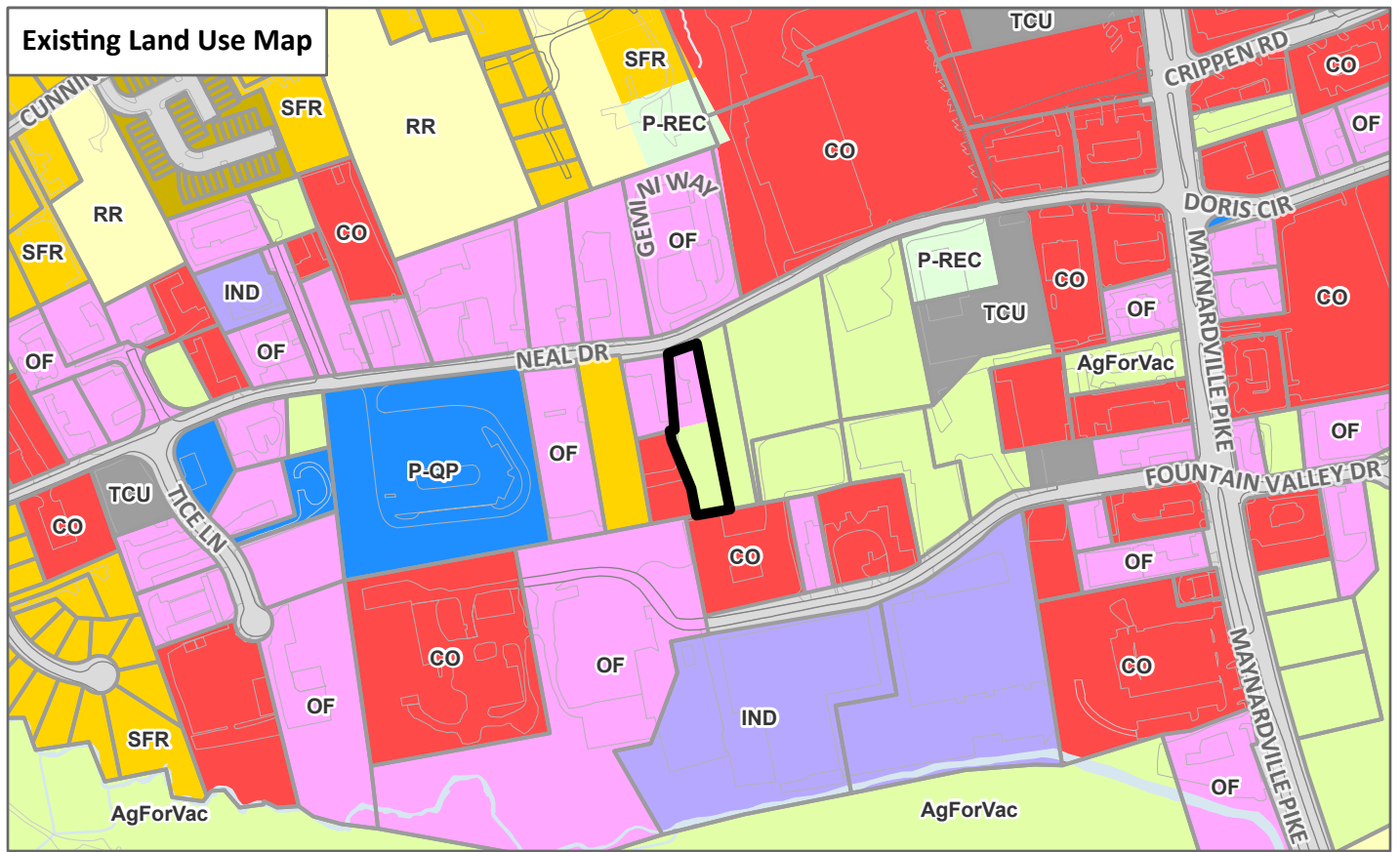
**11-B-23-RZ**



Case boundary



Existing Land Use Map

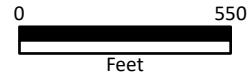


CONTEXTUAL MAPS 3

11-B-23-RZ



Case boundary





**Planning**  
KNOXVILLE | KNOX COUNTY

OR email it to applications@knoxplanning.org

# Development Request

Reset Form

**DEVELOPMENT**

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

**SUBDIVISION**

- Concept Plan
- Final Plat

**ZONING**

- Plan Amendment
- SP  OYP
- Rezoning

Ziggurat Development LLC

Janet Plont

Applicant Name

Affiliation

07/14/2023

File Number(s)

Date Filed 09/05/2023

Meeting Date (if applicable) 11/09/2023

11-B-23-RZ

**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

Salvatore & Janet Plont & DAWN GREEN

Name

Company

3710 Neal Drive

Knoxville

TN

37918

Address

City

State

ZIP

865-789-9874

sal@zdcontracting.com

Phone

Email

**CURRENT PROPERTY INFO**

Property Owner Name (if different)

Salvatore Plont  
Janet Plont  
Dawn Green

Property Owner Address

3710 Neal Drive  
Knoxville TN

Property Owner Phone

865-279-6767

Property Address

3710 Neal Drive  
Knoxville TN 37918

Parcel ID

038NB006

Sewer Provider

Halls-Dale Powell

Water Provider

Halls-Dale Powell

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

May 1, 2023

## DEVELOPMENT REQUEST

Related City Permit Number(s)

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

Home Occupation (specify)

Other (specify) *OB-Office*

## SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number    Combine Parcels    Divide Parcel   Total Number of Lots Created

- Other (specify)  
 Attachments / Additional Requirements

## ZONING REQUEST

Pending Plat File Number

- Zoning Change   rezone from PC-Planned Commercial to an OB-Office  
Proposed Zoning  
 Plan Amendment Change   OB-Office, Medical, and Related Services Zone  
Proposed Plan Designation(s)

Proposed Density (units/acre)   Previous Rezoning Requests

Other (specify)

## STAFF USE ONLY

### PLAT TYPE

- Staff Review    Planning Commission

Fee 1	<i>0801</i>	<i>\$650.00</i>	Total
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### ATTACHMENTS

- Property Owners / Option Holders    Variance Request

Fee 2		<i>\$650.00</i>	
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### ADDITIONAL REQUIREMENTS

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

Fee 3			
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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

*Janet Plant*  
Applicant Signature

Ziggurat Development LLC  
Please Print

*7/14/23*  
Date

*865-789-9874*  
Phone Number

*Janet@2DContracting.com*  
Email

*Dawn Green*  
*Janet Plant*  
Property Owner Signature

*Dawn Green*  
*Janet Plant*  
Please Print

Date Paid   *09/06/2023, SG*

*SALVATORE LONT*





# 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

### Ziggurat Development LLC/Janet Plont

Applicant Name Affiliation

<b>9/6/2023</b>	<b>11/9/2023</b>	<b>11-B-23-RZ</b>
Date Filed	Meeting Date (if applicable)	File Number(s)

### CORRESPONDENCE

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

### Salvatore Plont, Janet Plont, and Dawn Green

Name / Company

### 3710 Neal Dr Knoxville TN 37918

Address

### 865-279-6767 / janet@2Dcontracting.com

Phone / Email

### CURRENT PROPERTY INFO

<b>Salvatore Plont, Janet Plont, and Dawn</b>	<b>3710 Neal Dr Knoxville TN 37918</b>	<b>865-279-6767 / janet@2Dcontr</b>
Owner Name (if different)	Owner Address	Owner Phone / Email

### 3710 NEAL DR

Property Address

<b>38 N B 006</b>	<b>0.99 acres</b>
Parcel ID	Tract Size

Part of Parcel (Y/N)?	Septic (Y/N)
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<b>Hallsdale-Powell Utility District</b>	<b>Hallsdale-Powell Utility District</b>	
Sewer Provider	Water Provider	Septic (Y/N)

### STAFF USE ONLY

### South side of Neal Drive, North of Fountain Valley Drive

General Location

<input type="checkbox"/> City	<b>Commission District 7</b>	<b>PC (Planned Commercial)</b>
<input checked="" type="checkbox"/> County	District	Zoning District
		<b>Agriculture/forestry/vacant land, office</b>
		Existing Land Use

<b>North County</b>	<b>O (Office)</b>	<b>Planned Growth Area</b>
Planning Sector	Sector Plan Land Use Classification	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	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>OB (Office, Medical, and Related Services)</b>	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

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
<b>\$650.00</b>	
Fee 2	
Fee 3	

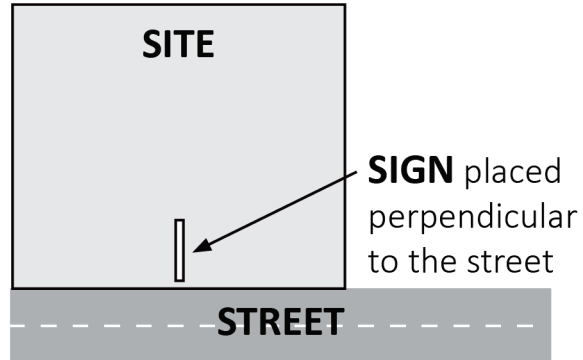
## AUTHORIZATION

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	<b>Ziggurat Development LLC/Janet Plont</b> Please Print	<b>9/6/2023</b> Date
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Phone / Email	<b>Salvatore Plont, Janet Plont, and Dawn Green</b> Please Print	<b>9/6/2023</b> Date
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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:*

\_\_\_\_\_ 10/27/2023 \_\_\_\_\_ and \_\_\_\_\_ 11/10/2023 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Synergy Golf Group, LLC

Date: 09/25/2023

File Number: 11-G-23-RZ\_11-A-23-SP

- Sign posted by Staff
- Sign posted by Applicant

# Knoxville NEWS SENTINEL

PART OF THE USA TODAY NETWORK

KNOX CTY METRO PLAN COMMIS  
 400 W MAIN ST # 403  
 KNOXVILLE TN 37902--242

<u>Account</u>	<u>AD#</u>	<u>Order Amount</u>	<u>Tax Amount</u>	<u>Total Order Amount</u>	<u>Payment Method</u>	<u>Order Payment Amount</u>	<u>Order Amount Due</u>
1317419	0005839542	\$390.96	\$0.00	\$390.96	Invoice	\$0.00	\$390.96

Sales Rep: KSchmidt

Order Taker: KSchmidt

Order Created 10/03/2023

<u>Product</u>	<u># Ins</u>	<u>Start Date</u>	<u>End Date</u>
KNS-knoxnews.com	1	10/06/2023	10/06/2023
KNS-Knoxville News Sentinel	1	10/06/2023	10/06/2023

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

**PUBLIC NOTICE**

Knoxville-Knox County Planning Commission will consider the items specified below on November 9, 2023 at 1:30 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. For detailed information related to these items, visit [KnoxPlanning.org/agenda](http://KnoxPlanning.org/agenda) or call (865) 215-2500. Full copies of each application can be viewed on the website or at the Knoxville-Knox County Planning offices located at 400 Main St., Suite 403, Knoxville, TN. Copies of the preliminary meeting agenda are also available at each Knox County branch library approximately three weeks before the meeting. Planning does not discriminate on the basis of disability in its provision of services, programs, activities, or benefits. If you need assistance or accommodation for a disability, please contact Planning at (865) 215-2500, and we will work with you to satisfy any reasonable request. A review meeting on these items will be held November 7 at 11:30 a.m. in the Main Assembly Room of the City County Bldg.

**STREET / ALLEY CLOSURES**

11-A-23-SC - ANDREW BYRD - Request closure of unnamed St. between Richmond Avenue and Joseph Schofield Street.

**STREET NAME CHANGES**

11-A-23-SNC -CITY OF KNOXVILLE - Request to change the street name of a portion of Pelham Rd. to Rock Pointe Dr. between Rutledge Pike and the current western terminus of Rock Pointe Dr.

**PLAN**

**AMENDMENTS/REZONINGS**

11-A-23-RZ - JOHN SEVIER JOINT VENTURE & RED DOOR HOMES - 0 E GOVERNOR JOHN SEVIER HWY (2 PARCELS). Property located southeast side of E Governor John Sevier Hwy, west of Arthur Herman Rd. Proposed rezoning.

11-B-23-RZ - ZIGGURAT DEVELOPMENT LLC/JANET PLONT - 3710 NEAL DR. Proposed rezoning.

11-C-23-RZ - JAN MULLINS - 5030 AND 0 SULLIVAN RD. Proposed rezoning.

11-D-23-RZ - NORTHSHORE CONSTRUCTION, INC. - 4501 LONAS DR. Proposed rezoning.

11-E-23-RZ - SERGIO ALMENDARO - 2414 ROBINSON RD. Proposed rezoning.

11-F-23-RZ - KEITH FOSTER - 1124,1126, 1128 AND 1130 TRIGG ST. Proposed rezoning.

11-A-23-SP AND 11-G-23-RZ - SYNERGY GOLF GROUP, LLC AND RON WATKINS - 913 AND 0 GETTYSVUE DR. Proposed sector plan amendment, proposed rezoning.

11-H-23-RZ - NED FERGUSON - 112 VERTON DR. Proposed rezoning.

11-B-23-SP AND 11-I-23-RZ - NATURE'S BEST ORGANICS OF TN LLC/BRIAN DEVELOPMENT, LLC - 0 W EMORY RD, 0, 8703 AND 8707 JOE DANIELS RD. Proposed sector plan amendment, proposed rezoning.

11-J-23-RZ - RON WORLEY - 6925 BALL RD. Proposed rezoning.

**CONCEPTS AND DEVELOPMENT PLANS**

11-SA-23-C AND 11-B-23-DP - BABELAY SUBDIVISION - 0 (2 PARCELS) AND 6513 BABELAY RD. Proposed concept plan and development plan.

11-SB-23-C AND 11-C-23-DP - ARCADIA - 2482 ARCADIA PENINSULA WAY. Proposed concept plan and development plan.

11-SC-23-C AND 11-D-23-DP - ELA'S PLACE - 4900 E EMORY RD. Proposed concept plan and development plan.

11-SG-23-C - BROWNVUE ROAD DEVELOPMENT - 0 BROWNVUE RD. Property located east side of Brownvue Rd. at its terminus. Proposed concept plan.

**CONCEPTS AND SPECIAL USES**

11-SD-23-C AND 11-C-23-SU - HIGHLANDS AT CLEAR SPRINGS - 0 GLEN CREEK RD. Property located south side of Glen Creek Dr., south of Autumn Creek Dr. Proposed concept plan and special use.

11-SE-23-C - WESTERN HEIGHTS - 1500 FORT PROMISE DR., 1101, 1203 AND 1331 W OLDHAM AVE. Proposed concept plan.

**CONCEPTS AND USES ON REVIEW**

11-SF-23-C AND 11-A-23-UR -

DUTCHTOWN WEST 2 - 9805, 9813 AND 9821 DUTCHTOWN OVERLOOK WAY, 811 AND 817 BOB KIRBY RD. Proposed concept plan and use on review.

**USES ON REVIEW**

11-B-23-JR - SAMUEL HARWARD - 8117 RIVER DR. Proposed use on review.

11-C-23-UR - STEPHEN STEELE - 1733 MARYVILLE PIKE. Proposed use on review.

**SPECIAL USES**

11-A-23-SU - SHANNON HARPER - 0 PARKSIDE DR. Property located southeast side of Parkside Dr., southwest of Wakefield Rd. Proposed special use.

11-B-23-SU - JAY PATEL - 0 LONAS DR. Property located east side of Lonas Dr., south side of Middlebrook Pk., north side of Kim Watt Dr. Proposed special use.

**DEVELOPMENT PLANS**

11-A-23-DP - DAVID HURST - 9900 AND 9902 GEORGE WILLIAMS RD. Proposed development plan.

11-E-23-DP - RETREAT AT HARDIN VALLEY - 2122 SCHAEFFER RD. Proposed development plan.

11-F-23-DP - GARRY BURKE - 0 (2 PARCELS) AND 7717 FREEWAY HEIGHTS DR. Proposed development plan.

11-G-23-DP - KNOX HOUSING PARTNERSHIP - 6011 AND 6010 CLAYBERRY Dr., 7000 WILLOW BEND WAY.

Proposed development plan.

**FINAL SUBDIVISIONS**

11-SA-23-F - CARTER RIDGE PHASE V LOTS 248 TO 269 AND LOT 311 TO 321 - 0 Madison Oaks Rd. Property located southeast of Carter Mill Dr., west of Carter Ridge Dr.

**PLANNED DEVELOPMENTS**

11-A-23-PD - DAVID COCKILL - 1834 BEECH ST. Proposed planned development final plan.

**OTHER BUSINESS**

11-A-23-OB - TRENT STEELE - 1733 MARYVILLE PK. - Proposed Special Use Determination.

11-B-23-OB - KNOXVILLE-KNOX COUNTY PLANNING - Consideration of amendments to the Knoxville-Knox County Subdivision Regulations.