

REZONING REPORT

► **FILE #:** 7-M-24-RZ

AGENDA ITEM #: 16

AGENDA DATE: 7/11/2024

► **APPLICANT:** PRIYANKA PATEL

OWNER(S): Prigemka Pettel

TAX ID NUMBER: 62 211

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 8529 ASHEVILLE HWY

► **LOCATION:** North of Asheville Hwy, east of Cedar Ridge Rd

► **APPX. SIZE OF TRACT:** 9605 square feet

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Asheville Hwy a four-lane median divided highway within a right-of-way of 148-ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Lyon Creek

► **PRESENT ZONING:** A (Agricultural)

► **ZONING REQUESTED:** CA (General Business)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

►
EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND
USE AND ZONING: North: Office - A (Agricultural)

South: Single family residential - A (Agricultural)

East: Office - A (Agricultural)

West: Office - A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is on Asheville Hwy and is 0.25 miles from the commercial node at Asheville Hwy, Strawberry Plains Pike, and Andrew Johnson Hwy in east Knox County and 0.75 miles from Carter Elementary school.

STAFF RECOMMENDATION:

► **Approve the CA (General Commercial) zone because it is consistent with the Knox County Comprehensive Plan and surrounding development.**

COMMENTS:

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 COUNTY GENERALLY:

1. There have been a number of commercial rezonings to CA, CB (Business and Manufacturing), CH (Highway Commercial) in the area along Asheville Hwy since 1986. While this property is not adjacent to the CA zone, Asheville Hwy is largely zoned CA in this area.

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

1. The CA zone is for general retail business and services but not for manufacturing or for processing materials other than farm products. The CA zone is consistent with the existing office and commercial uses in the area.
2. Rezonings 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 COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. Asheville Hwy is a median-divided highway. The East County Community Plan classifies Asheville Hwy and Andrew Johnson Hwy as rural crossroads and development corridors appropriate for growth in East Knox County. Any new access along this road would require entrance permits from Tennessee Department of Transportation.

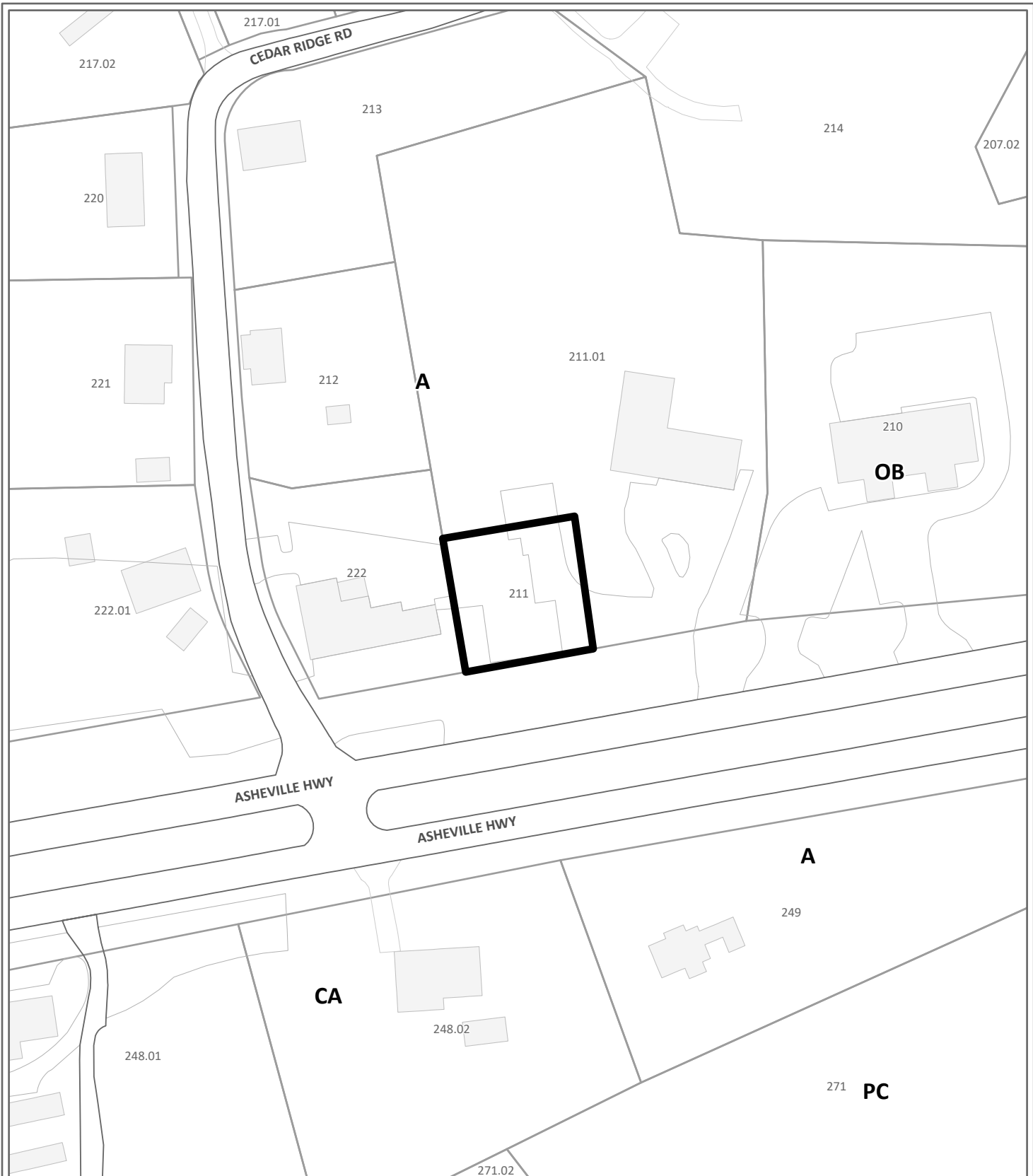
PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. CA is partially related to the Knox County Comprehensive Plan's CMU (Corridor Mixed-use) place type. The primary land use is commercial, and retail uses are recommended to be along major corridors.
2. The Knox County Comprehensive Plan's Implementation Policy 5 calls for creating neighborhoods with a variety of housing types and amenities in close proximity. This area on Asheville Hwy serves as a commercial corridor for the Carter Community, which provides services and amenities to nearby residents.
3. The property is within the Planned Growth Area. The purposes of the Planned Growth Area designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.
4. The CA zone is listed as partially related in the CMU place type per Appendix H (Place Type and Zoning Correspondence Matrix) of the Knox County Comprehensive Plan. Partially related zoning districts may be appropriate but must meet one of three criteria listed in Appendix H. The proposed CA zoning is compatible with the current commercial and office zoning of adjacent sites.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/19/2024. 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

7-M-24-RZ

Petitioner: Priyanka Patel



From: A (Agricultural)

To: CA (General Business)

Original Print Date: 6/3/2024
Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 62
Jurisdiction: County

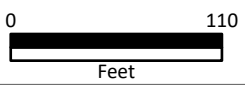
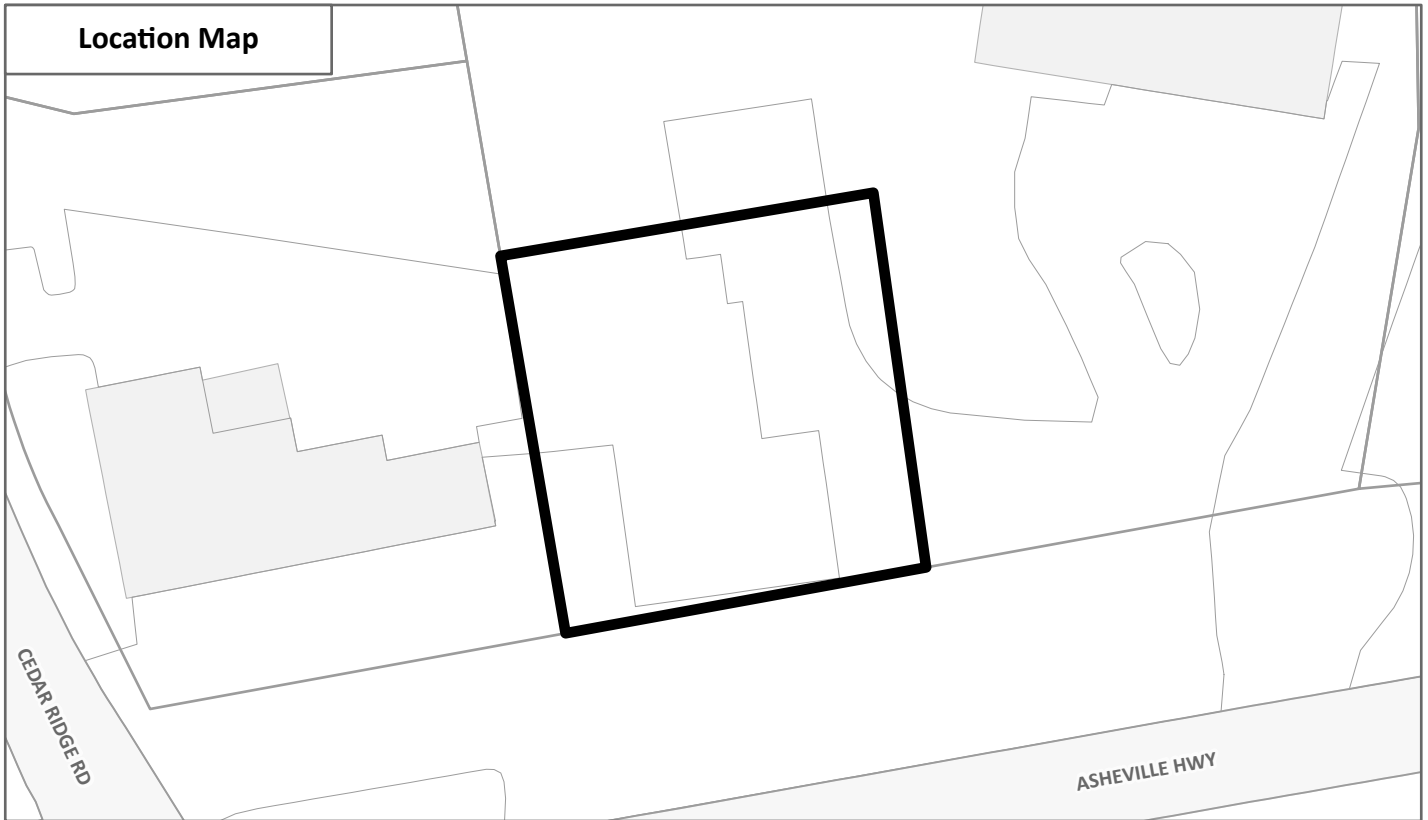


Exhibit A. Contextual Images

Location Map



Aerial Map

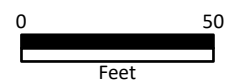


CONTEXTUAL MAPS 1

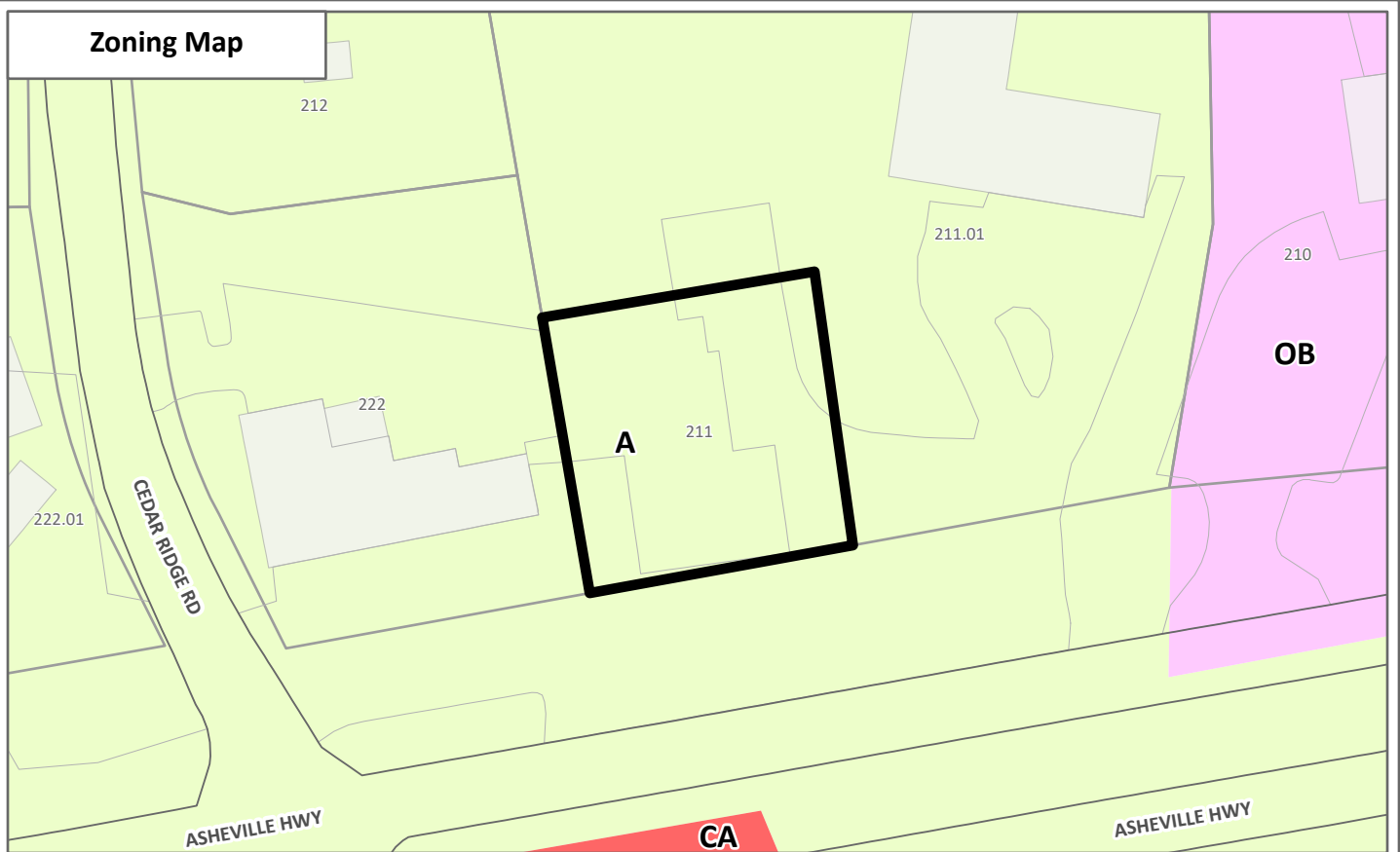
7-M-24-RZ



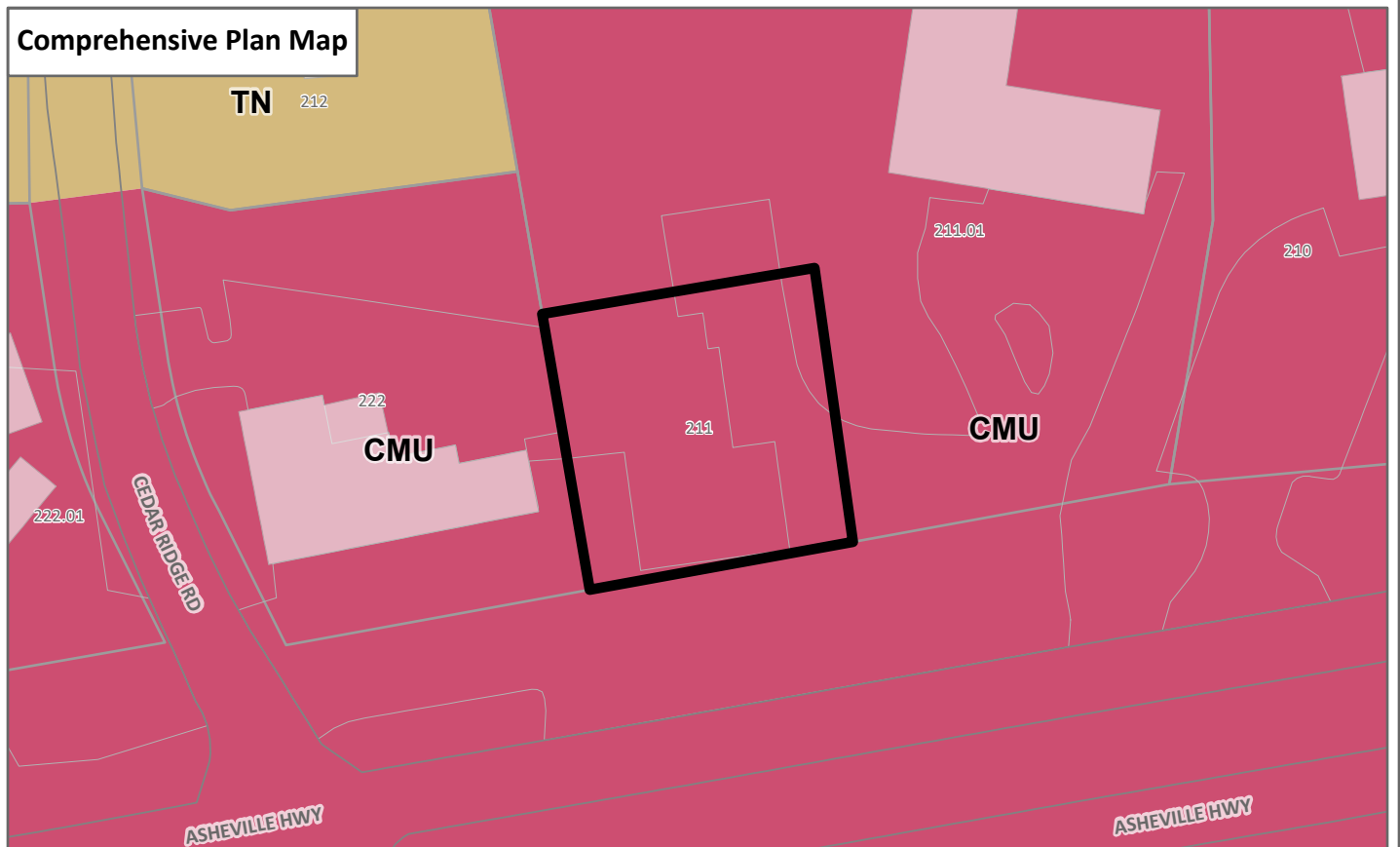
Case boundary



Zoning Map



Comprehensive Plan Map

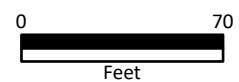


CONTEXTUAL MAPS 2

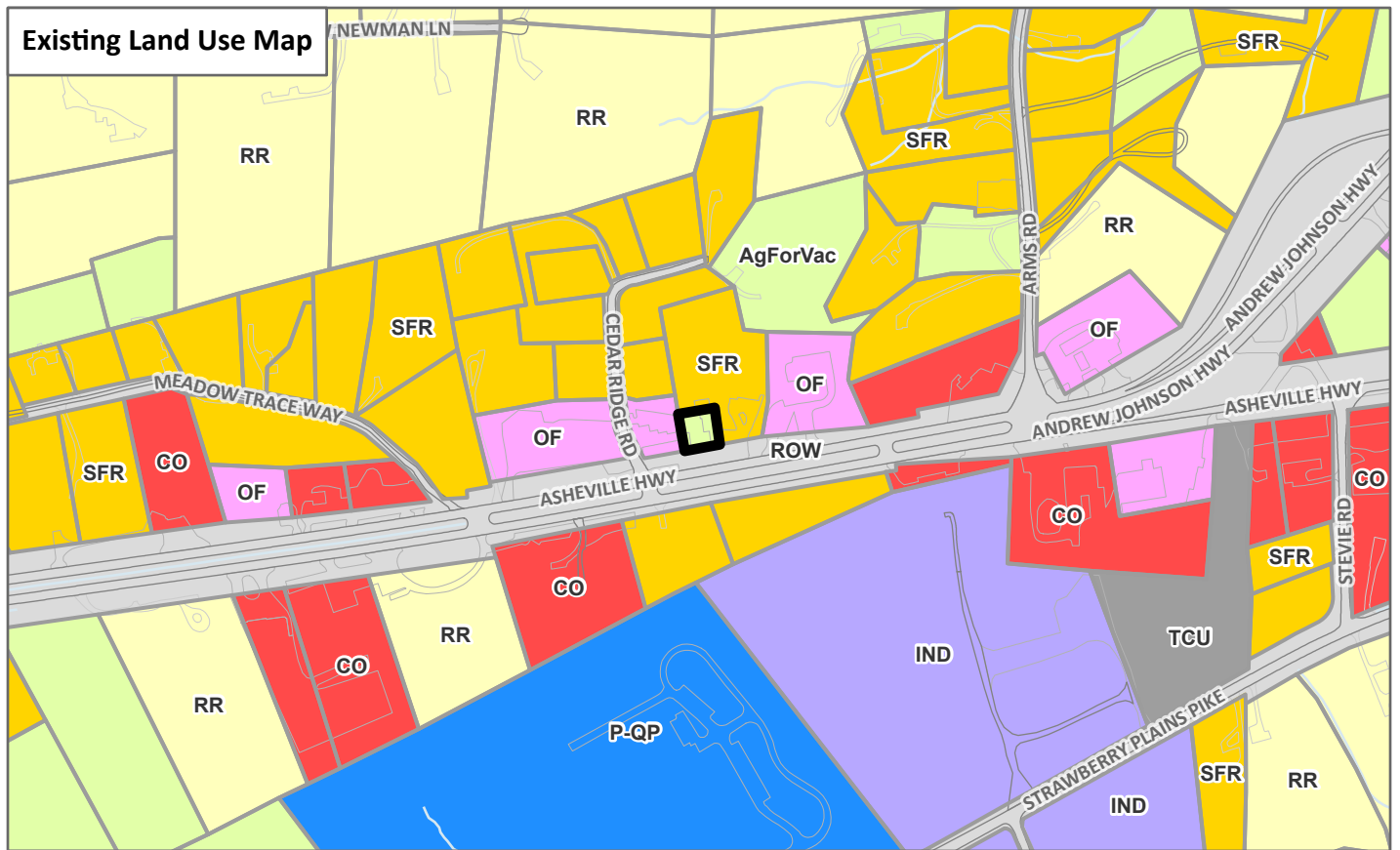
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Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

7-M-24-RZ



Case boundary





Development Request

DEVELOPMENT

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

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Rezoning
☐ Plan Amendment
☐ Sector Plan
☐ City OYP / County Comp Plan

Priyanka Patel

Applicant Name

Affiliation

5/28/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

7-M-24-RZ

File Number(s)

CORRESPONDENCE

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

Prigemka Pettel

Name / Company

5481 Garden Cress Trl Knoxville TN 37914

Address

423-774-7114 / 797kenny@gmail.com

Phone / Email

CURRENT PROPERTY INFO

Prigemka Pettel

Owner Name (if different)

5481 Garden Cress Trl Knoxville TN 37914

Owner Address

423-774-7114 / 797kenny@gmail.com

Owner Phone / Email

8529 ASHEVILLE HWY

Property Address

62 211

Parcel ID

9605 square feet

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

STAFF USE ONLY

North of Asheville Hwy, east of Cedar Ridge Rd

General Location

☐ City Commission District 8 A (Agricultural)
☒ County District Zoning District

Agriculture/Forestry/Vacant Land
Existing Land Use

East County

CMU (Corridor Mixed-use)

Planned Growth Area

Planning Sector

Land Use (City)/Place Type (County)

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	CA (General Business)	Pending Plat File Number
	Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
Proposed Density (units/acre) Previous Rezoning Requests		
Additional Information		

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1	Total
\$1,000.00	
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.

	Priyanka Patel	5/28/2024
Applicant Signature	Please Print	Date

Phone / Email

	Prigemka Pettel	5/28/2024
Property Owner Signature	Please Print	Date

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

OR email it to applications@knoxplanning.org
Knoxville-Knox County Planning offices

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 ☐ PA
☒ Rezoning

Bojermke Patel

Applicant Name

Affiliation

5/24/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

File Number(s)

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

Bojermke Patel

Name

Company

5481 Garden Cross Trail, Knoxville

Address

City

TN

State

37919

ZIP

423 774 7114

Phone

797kenny@gmail.com

Email

CURRENT PROPERTY INFO

Bojermke Patel

Property Owner Name (if different)

5481 Garden Cross Trail, Knoxville, TN

Property Owner Address

4237747114

Property Owner Phone

8589 Asheville Hwy, Knoxville, TN

Property Address

062 211

Parcel ID

KOB

Sewer Provider

KOB

Water Provider

NO

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type
CITY COUNTY

Growth Policy Plan Designation

DEVELOPMENT REQUEST☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA☐ Residential ☒ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) Plat 8/4/02☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☐ Zoning Change Commercial CA zone
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☐ Amendment Request (*Comprehensive Plan*)**ADDITIONAL REQUIREMENTS**☐ Use on Review / Special Use (*Concept Plan*)☐ Traffic Impact Study☐ COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

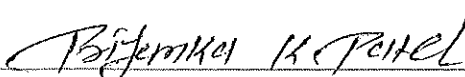
Fee 3

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



Please Print

5/25/2024

Date

Phone Number

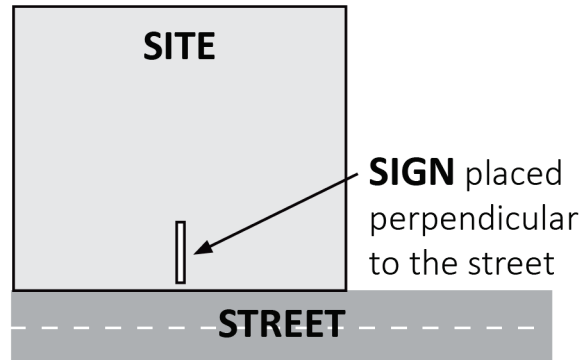
Email

Property Owner Signature

Please Print

Date Paid

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 28, 2024 _____ and _____ July 12, 2024 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Priyanka Patel

Date: 5/28/2024

File Number: 7-M-24-RZ



Sign posted by Staff



Sign posted by Applicant