

# REZONING REPORT

► **FILE #:** 7-R-24-RZ

**AGENDA ITEM #:** 47

**AGENDA DATE:** 7/11/2024

► **APPLICANT:** JENNIFER SCATES

OWNER(S): Vicki Summers Estate of Jeanette Tucker by Vicki Summers

TAX ID NUMBER: 94 C S 007

[View map on KGIS](#)

JURISDICTION: City Council District 6

STREET ADDRESS: 911 W BAXTER AVE

► **LOCATION:** Northwest side of W Baxter Ave, south of Beaumont Ave

► **APPX. SIZE OF TRACT:** 8816 square feet

SECTOR PLAN: Central City

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

ACCESSIBILITY: Access is via W Baxter Avenue, a local road with a pavement width of 25 ft within a right-of-way that varies from 42 ft to 52 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Third Creek

► **PRESENT ZONING:** RN-4 (General Residential Neighborhood)

► **ZONING REQUESTED:** C-N (Neighborhood Commercial)

► **EXISTING LAND USE:** Transportation/Communications/Utilities

►  
EXTENSION OF ZONE: Yes, this will be an extension from the north and east sides.

HISTORY OF ZONING: In 1985, the property was rezoned from R-2 to R-1A as part of a governmental rezoning for a larger area (8-A-85-RZ).

SURROUNDING LAND USE AND ZONING: North: Commercial - C-N (Neighborhood Commercial)

South: Public/quasi public land (Knoxville Engineering Department) - I-H (Heavy Industrial)

East: Commercial - C-N (Neighborhood Commercial)

West: Public/quasi public land (church) - RN-4 (General Residential Neighborhood)

NEIGHBORHOOD CONTEXT: This area north of the Mechanicsville neighborhood has a mix of commercial, office, and single family residential uses. Knoxville Engineering Department is located on the opposite side of the subject property.

## STAFF RECOMMENDATION:

► **Approve the C-N (Neighborhood Commercial) zoning district because it is consistent with surrounding development and eliminates the inconsistency with the sector plan.**

## COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, 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. This area has experienced significant infrastructure enhancements, including a redesign of the I-275 Interstate ramps on Baxter Avenue (completed in 2008), accessibility improvements on Baxter Avenue and Boyd Street (completed in 2023), and the \$5.5-million road expansion and improvement project from Fifth Avenue to Baxter Avenue (completed between 2022-2024). The latter incorporated a new multipurpose trail (Second Creek Greenway).
2. Historically, the subject parcel has been used for non-residential purposes for the last 30 years. Approval of the C-N district would allow expansion of this established commercial node that primarily accommodates auto-oriented services.

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

1. The C-N district is intended to provide for an environment of integrated residential development and small-scale commercial and service uses, predominantly serving nearby residential neighborhoods. Low-intensity mixed-use is encouraged within the C-N District, with dwellings permitted above the ground floor, as well as multi-family and townhouse development located alongside select commercial uses.
2. This area has a mix of residential, commercial, office, and public-quasi public uses, and the property's location meets the proposed district's intent.
3. 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. The property abuts commercial uses on two sides by properties zoned C-N, and by a church on the western side on a property zoned RN-4. The proposed amendment is not expected to have any significant adverse impact on the surrounding area that is an established commercial node.
2. The C-N district has design standards pertaining to façade, fenestration and potential commercial development, which address aesthetic and functional compatibility with the surrounding area.

**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 existing RN-4 district is not consistent with the property's NC land use classification. Approval of the rezoning request will align the zoning district with the land use classification here.
2. The General Plan's Development Policy 8.2 recommends locating neighborhood commercial uses in a way so that it will enhance, rather than hinder, the stability of residential areas. The property's location at the edge of a neighborhood next to existing commercial and other non-residential uses is consistent with the policy.
3. The property's location at a node with access to the interstate highway is also consistent with the General Plan's Development Policy 9.11 which encourages to locate community-serving commercial areas where they can be easily shared by several neighborhoods.

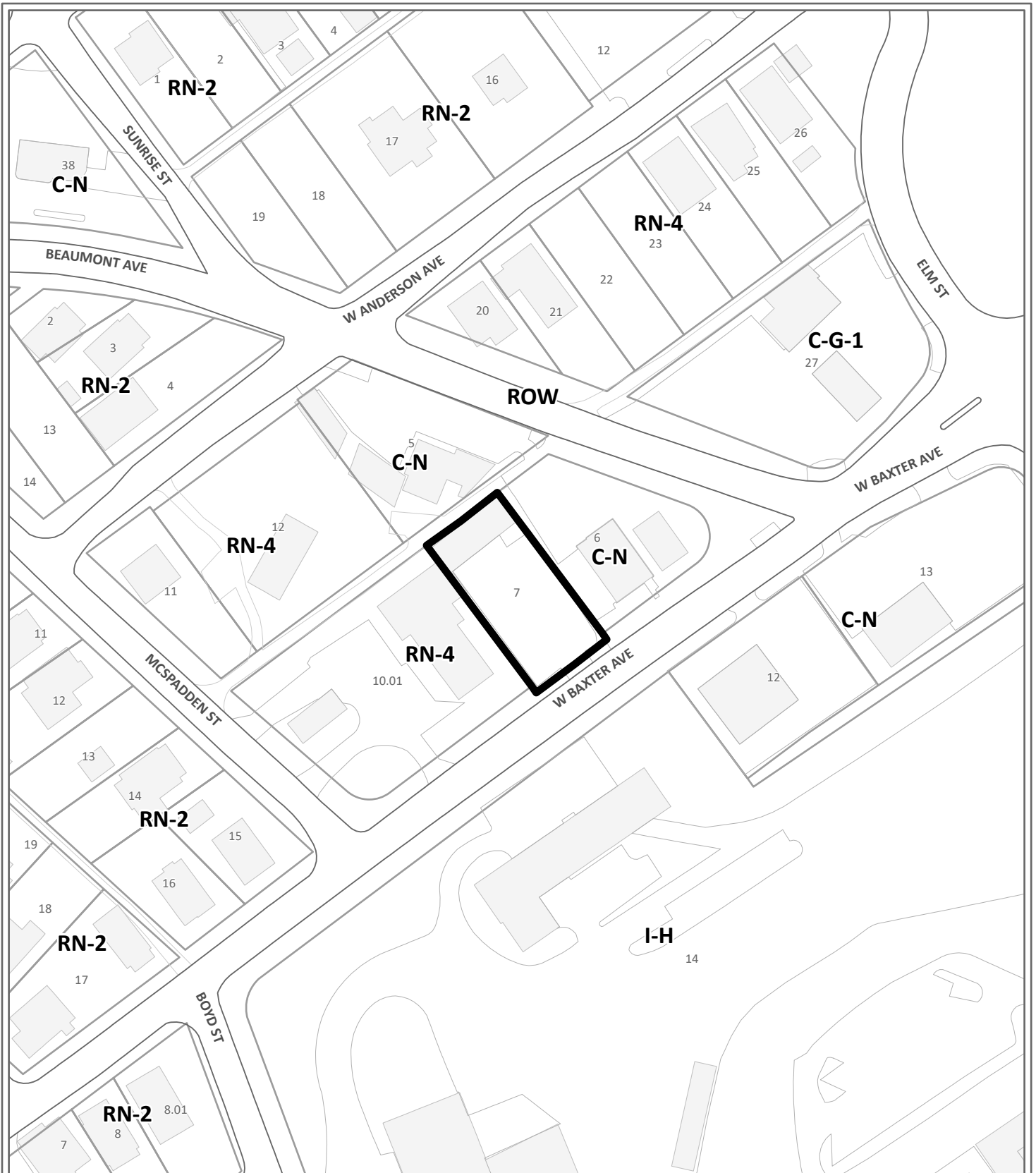
**ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:**

1. There is ample utility infrastructure in this area to support a range of redevelopment opportunities.
2. If a residential development were pursued, it would be supported by the sidewalk connection to Beaumont Magnet Academy and transit route along Beaumont Avenue.

**ESTIMATED TRAFFIC IMPACT:** Not required.

**ESTIMATED STUDENT YIELD:** Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 8/6/2024 and 8/20/2024. 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

**7-R-24-RZ**

**Petitioner:** Jennifer Scates



**From:** RN-4 (General Residential Neighborhood)

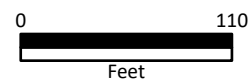
**To:** C-N (Neighborhood Commercial)

**Original Print Date:** 6/3/2024

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

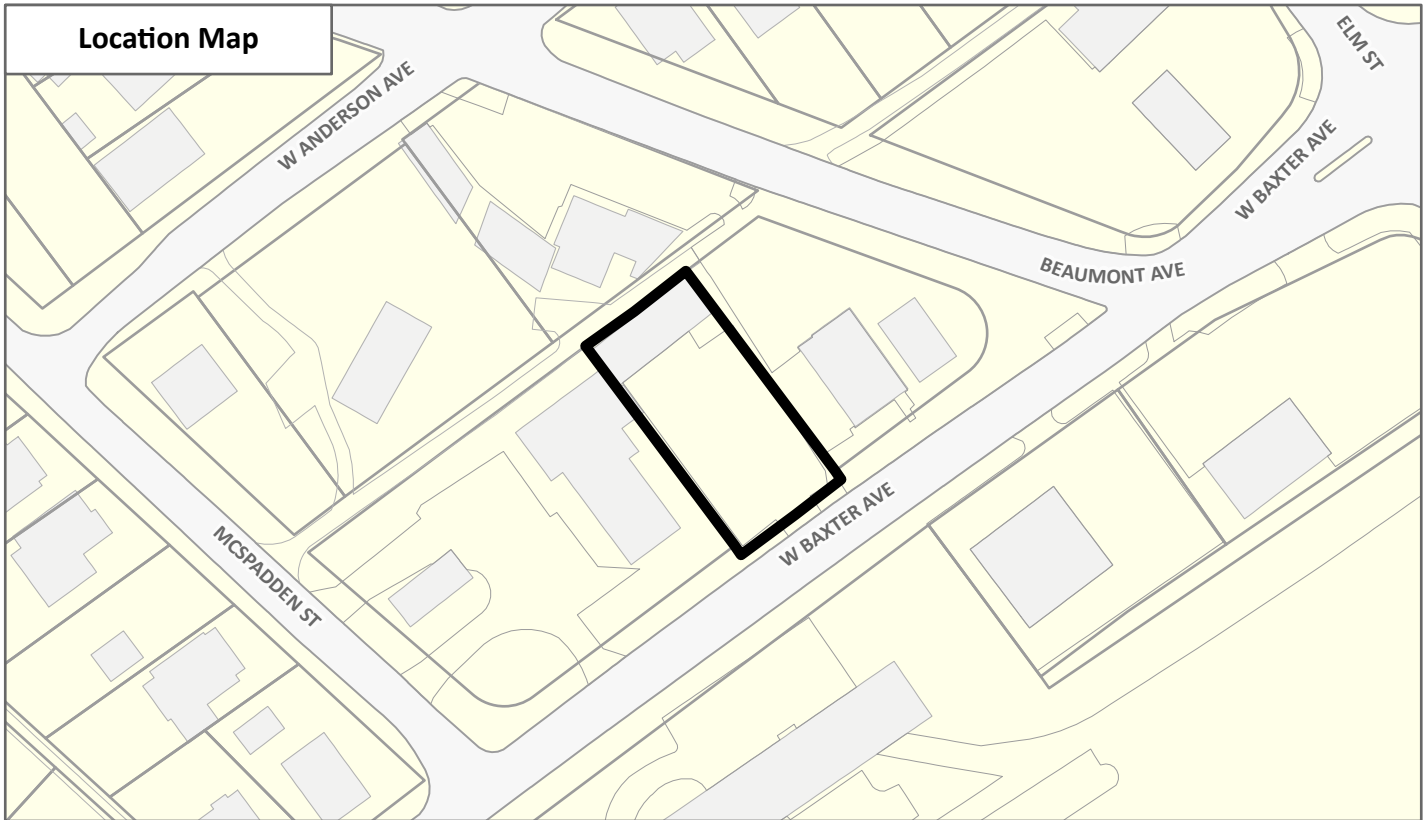
**Map No:** 94

**Jurisdiction:** City



## Exhibit A. Contextual Images

Location Map



Aerial Map

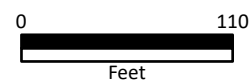


CONTEXTUAL MAPS 1

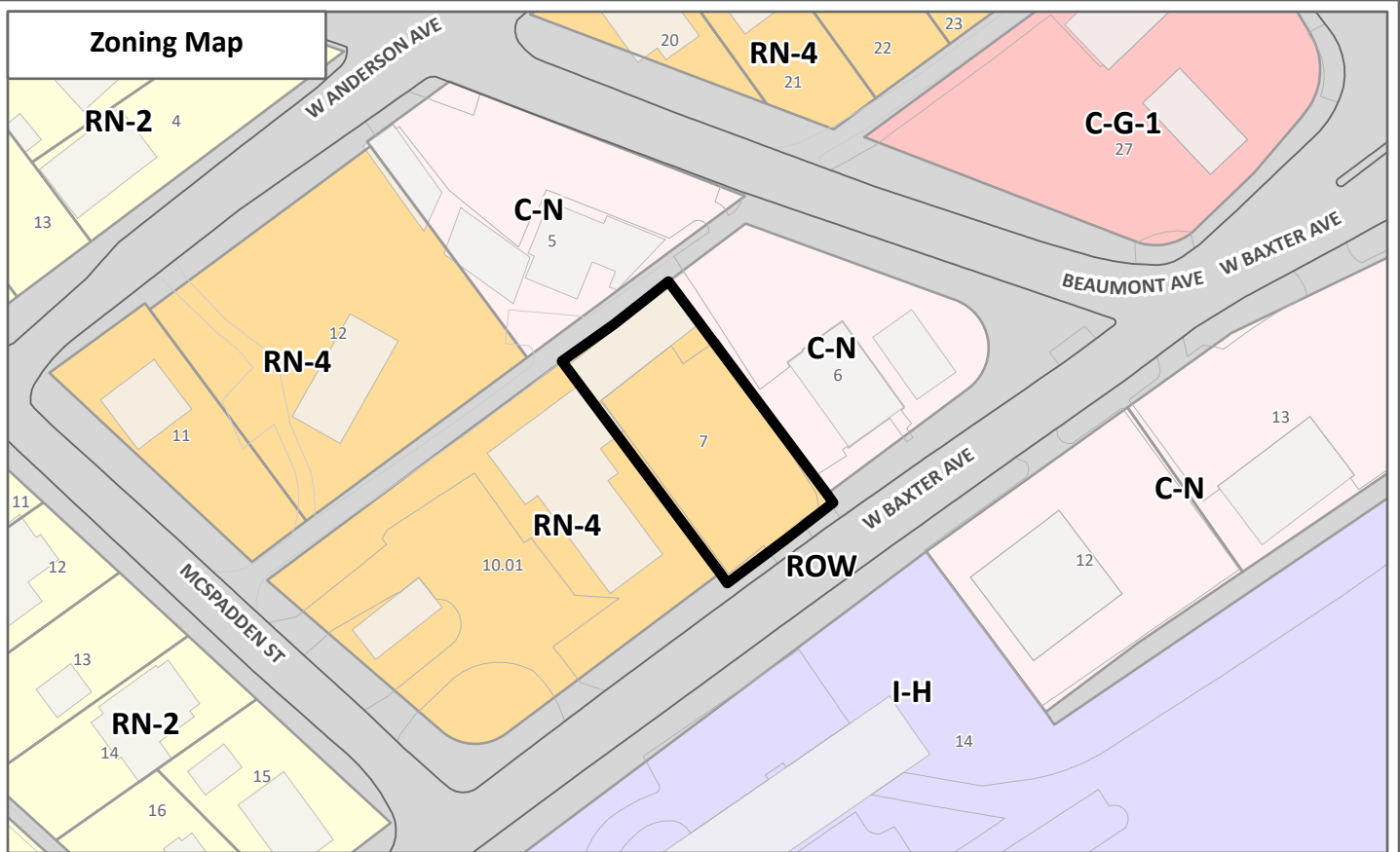
7-R-24-RZ



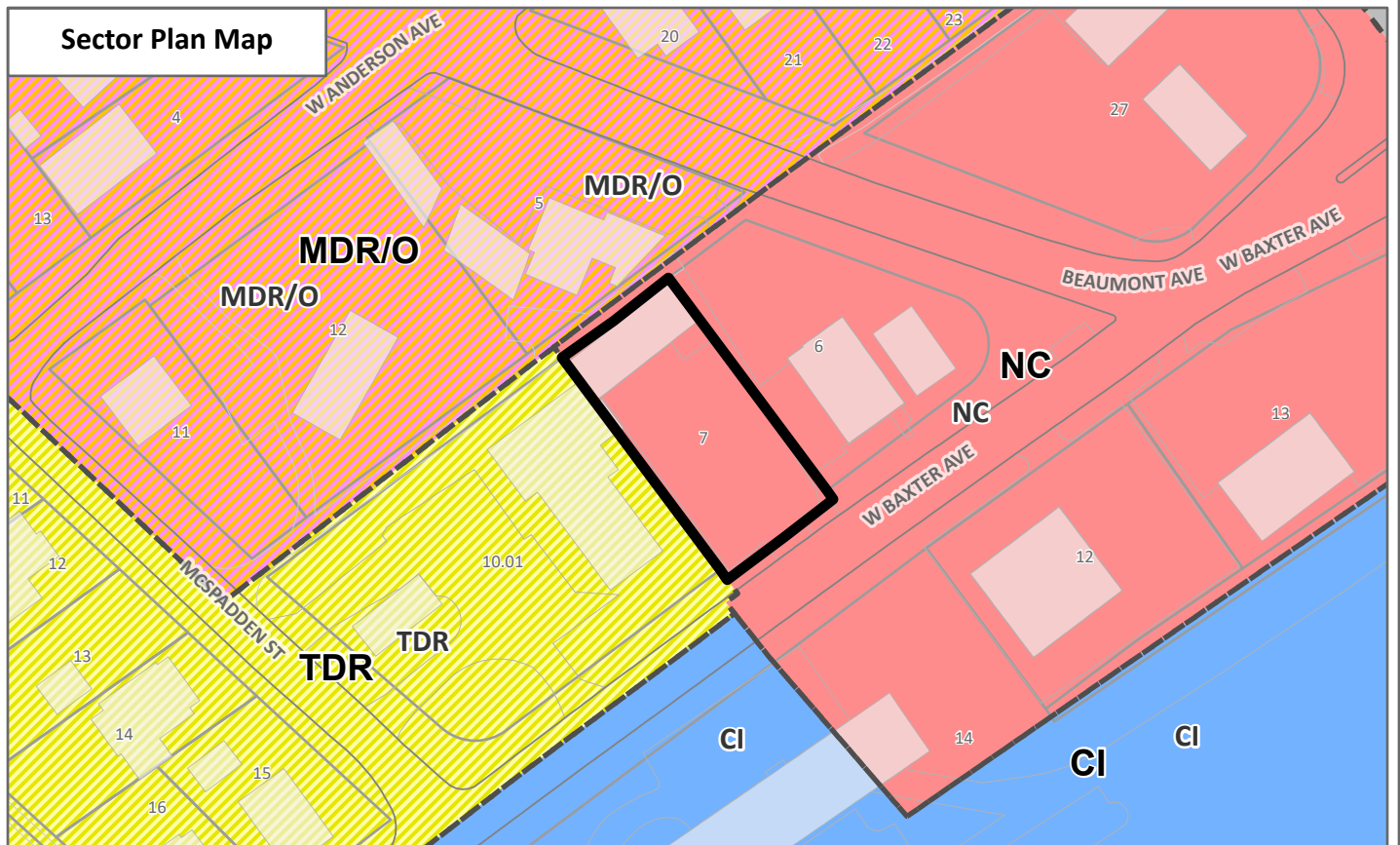
Case boundary



### Zoning Map



### Sector Plan Map

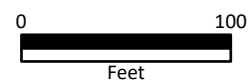


### CONTEXTUAL MAPS 2

7-R-24-RZ

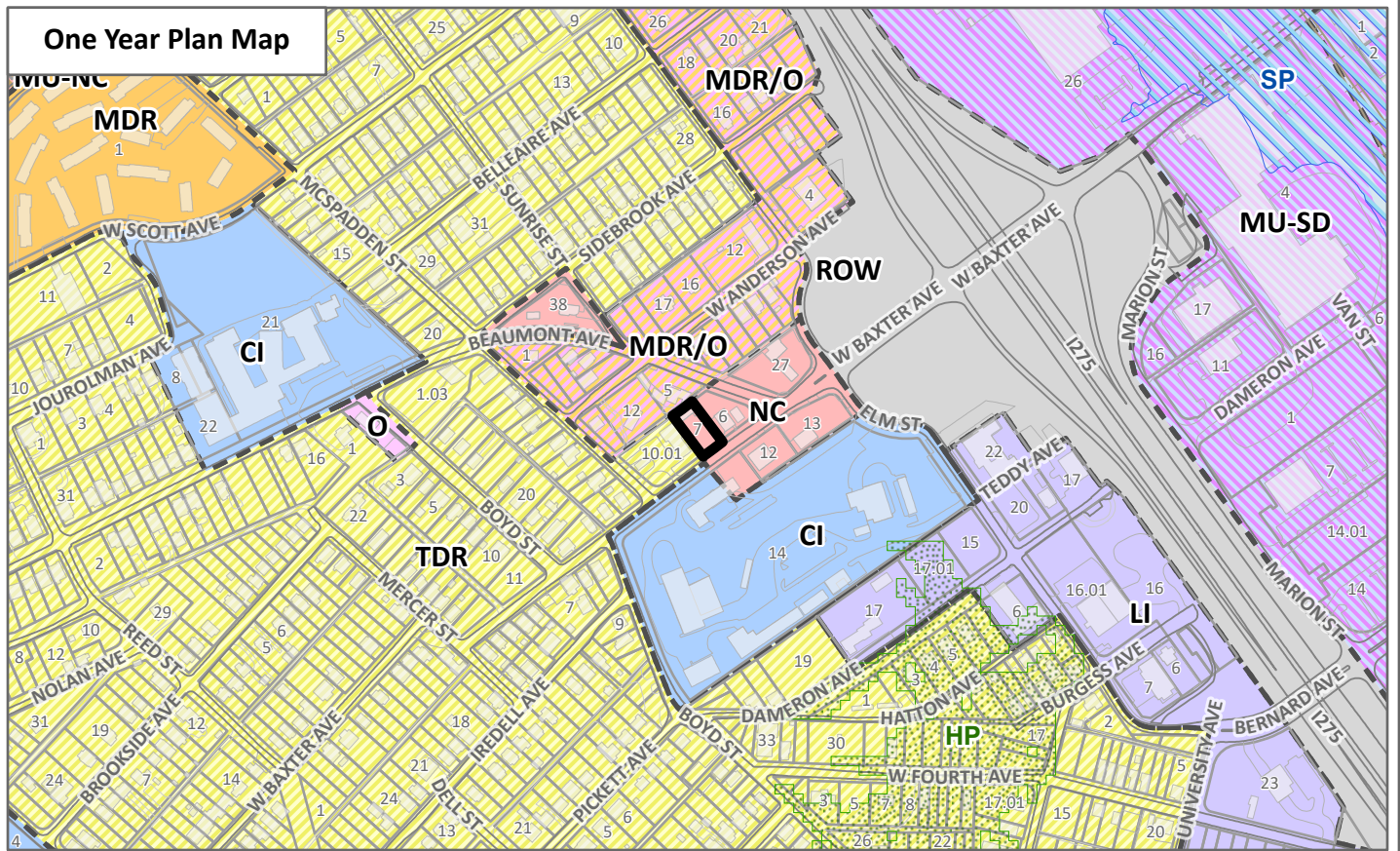


Case boundary

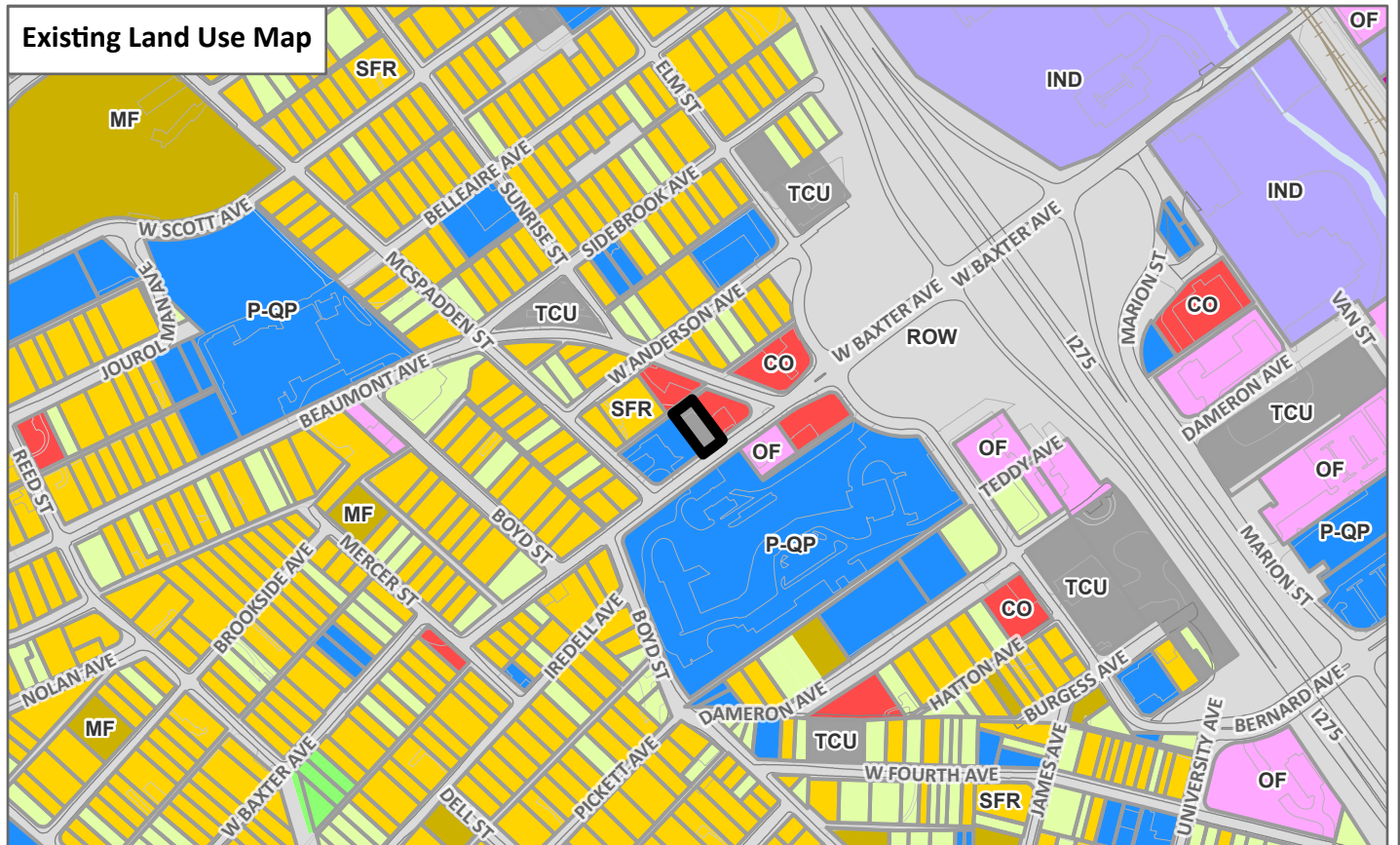




**One Year Plan Map**



**Existing Land Use Map**



**CONTEXTUAL MAPS 3**

**7-R-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

Jennifer Scates

Applicant Name

Affiliation

5/29/2024

Date Filed

7/11/2024

Meeting Date (if applicable)

7-R-24-RZ

File Number(s)

## CORRESPONDENCE

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

Vicki Summers Estate of Jeanette Tucker by Vicki Summers

Name / Company

7421 Lawford Rd Knoxville TN 37919

Address

865-765-3522 / vicksumm@aol.com

Phone / Email

## CURRENT PROPERTY INFO

Vicki Summers Estate of Jeanette Tucker 7421 Lawford Rd Knoxville TN 37919

Owner Name (if different)

Owner Address

865-765-3522 / vicksumm@aol.

Owner Phone / Email

911 W BAXTER AVE

Property Address

94 C S 007

Parcel ID

Part of Parcel (Y/N)?

8816 square feet

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

Septic (Y/N)

## STAFF USE ONLY

Northwest side of W Baxter Ave, south of Beaumont Ave

General Location

☒ City Council District 6 RN-4 (General Residential Neighborhood)

☐ County District Zoning District

Transportation/Communications/Utilities

Existing Land Use

Central City NC (Neighborhood Commercial)

Planning Sector Land Use (City)/Place Type (County)

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

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

## 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   **C-N (Neighborhood Commercial)**  
Proposed Zoning

Pending Plat File Number

- ☐ 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

**\$1,000.00**

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.

Jennifer Scates

5/29/2024

Applicant Signature

Please Print

Date

Phone / Email

Vicki Summers Estate of Jeanette Tucker by Vicki Summers

5/29/2024

Property Owner Signature

Please Print

Date





**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME  
MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Jeanette Tucker	5605 Cypress Tree Lane Knoxville, TN 37918	

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(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](mailto: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

Jennifer Scates

Broker- Wallace Real Estate

Applicant Name

Affiliation

May 28, 2024

July 11, 2024

Date Filed

Meeting Date (if applicable)

File Number(s)

7-R-24-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

Estate of Jeanette Tucker by Vicki Summers

Name

Company

7421 Lawford Rd

Knoxville

TN

37919

Address

City

State

ZIP

865-765-3522

vicksumm@aol.com

Phone

Email

## CURRENT PROPERTY INFO

Jeanette Tucker

5605 Cypress Tree Lane (old address)

n/a

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

911 W. Baxter Ave

094CS007

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

May 1, 2023

**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) \_\_\_\_\_☐ Attachments / Additional Requirements

Related Rezoning File Number

**ZONING REQUEST**☒ Zoning Change

C-N (Neighborhood Commercial)

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**☒ 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



Jennifer Scates

5/28/2024

Applicant Signature

Please Print

Date

404-403-9855

JScates@wallacetn.com

Phone Number

Email

05/29/2024, SG



Estate of Jeanette Tucker by Vicki Summer

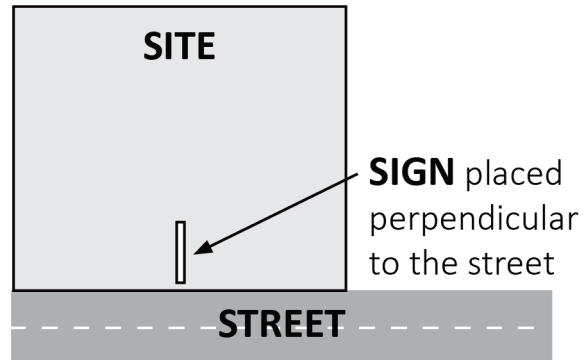
~~5/28/2024~~

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:*

\_\_\_\_\_ **06/28/2024** \_\_\_\_\_ and \_\_\_\_\_ **07/12/2024** \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

**Applicant Name:** Jennifer Scates

**Date:** 05/29/2024

**File Number:** 7-R-24-RZ



Sign posted by Staff



Sign posted by Applicant