



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 5-D-25-RZ

AGENDA ITEM #: 28

5-B-25-PA

AGENDA DATE: 6/12/2025

POSTPONEMENT(S): 5/8/2025

► **APPLICANT:** THOMAS BRANDON

OWNER(S): Thomas Brandon

TAX ID NUMBER: 62 251

[View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 8606 ASHEVILLE HWY

► **LOCATION:** South side of Asheville Hwy where it meets Andrew Johnson Hwy, west of Stevie Rd

► **TRACT INFORMATION:** 3.07 acres

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Asheville Highway, a major arterial divided highway with a pavement width which varies from 26 ft to 35 ft within a right-of-way which varies between 145 ft and 200 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Lyon Creek

► **PRESENT PLAN DESIGNATION/ZONING:** TCMU (Town Center Mixed-use) / A (Agricultural), CA (General Business)

► **PROPOSED PLAN DESIGNATION/ZONING:** MHI (Mining and Heavy Industrial) / I (Industrial)

► **EXISTING LAND USE:** Commercial

EXTENSION OF PLAN DESIGNATION/ZONING: This would not be an extension of the plan designation or zoning.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Office, commercial - TCMU (Town Center Mixed Use) - CA (General Business), CB(k) (Business and Manufacturing, with conditions)

South: Industrial (Manufacturing), transportation/communications/utilities - CMU (Corridor Mixed Use) - A (Agricultural), PC (Planned Commercial)

East: Transportation/communications/utilities - TCMU (Town Center

Mixed Use) - A (Agricultural) CB (Business and Manufacturing)

West: Industrial (manufacturing), commercial - CMU (Corridor Mixed Use) - PC (Planned Commercial), CA (General Commercial)

NEIGHBORHOOD CONTEXT: This area is characterized by auto-oriented commercial and office uses at the intersection of Asheville Highway and Andrew Johnson Highway. There are residential dwellings set back from the intersection on the north side as well as interspersed between the commercial and office uses in the area.

STAFF RECOMMENDATION:

- Postpone for 30 days to the July 10, 2025 Planning Commission meeting per the applicant's request.

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COMMENTS:

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 7/21/2025. 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.



Request to Postpone • Table • Withdraw

Thomas Brandon

June 5, 2025

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

June 12, 2025

Scheduled Meeting Date

File Number(s)

5-B-25-PA and 5-D-25-RZ

POSTPONE

☒ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: ☒ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the July 10, 2025 Planning Commission Meeting.

WITHDRAW

☐ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

Benjamin C. Mullins, by Jmk
Applicant Signature

Benjamin C. Mullins

Please Print

bmullins@fmsllp.com

865-546-9321

Phone Number

Email

STAFF ONLY

Shelley Gray
Staff Signature

Shelley Gray

Please Print

06/05/2025

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address

October 2022



Request to Postpone • Table • Withdraw

Thomas Brandon

4-30-2025

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

May 8, 2025

Scheduled Meeting Date

File Number(s)

5-D-25-RZ; 5-B-25-PA

POSTPONE

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Benjamin C. Mullins

Please Print

865-546-9321

bmullins@fmsllp.com

Phone Number

Email

STAFF ONLY

Shelley Gray

Staff Signature

Shelley Gray

Please Print

05/01/2025

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

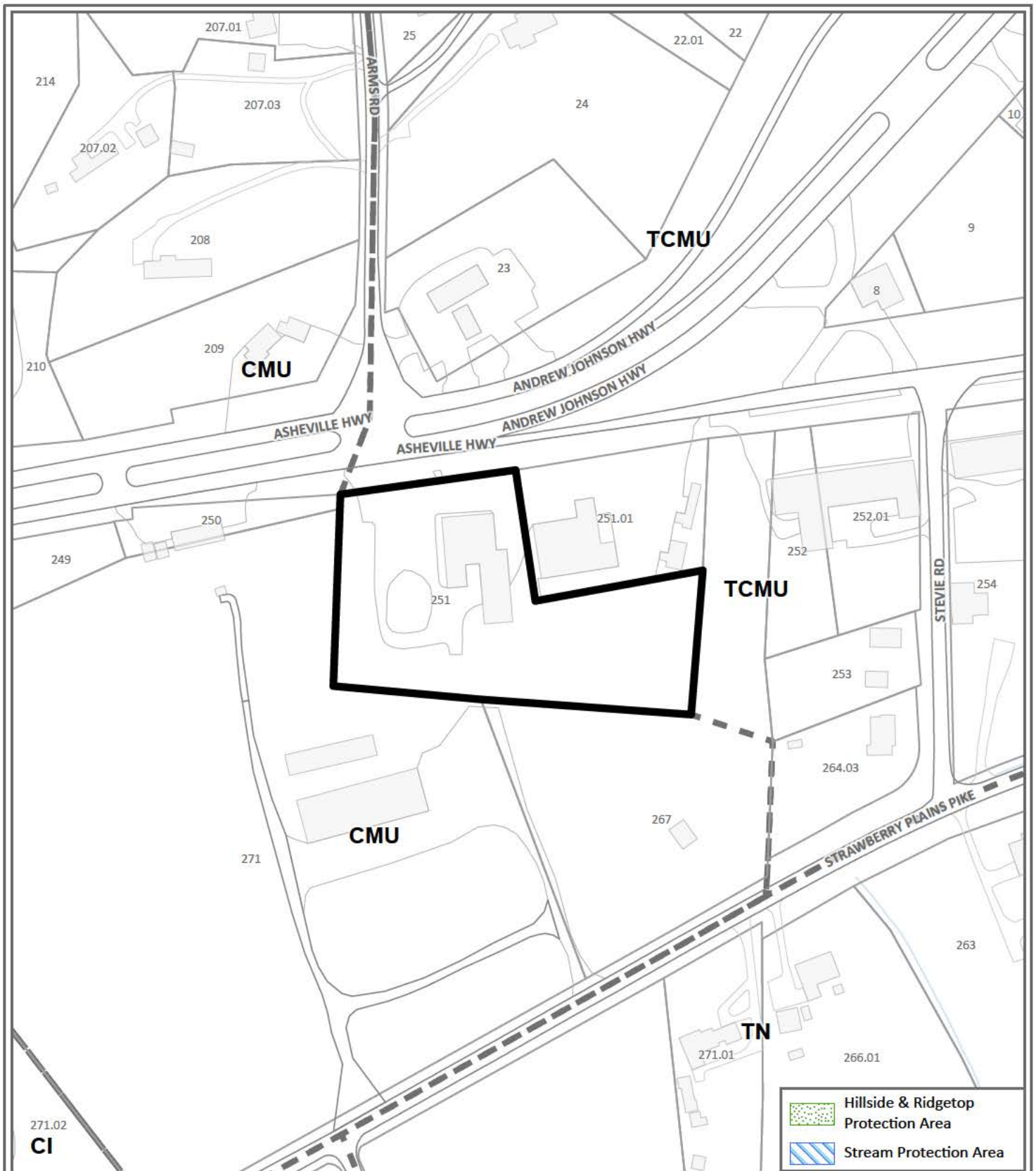
Date:

Payee Name

Payee Phone

Payee Address

October 2022



**5-B-25-PA
COMPREHENSIVE LAND USE PLAN MAP**

Petitioner: Thomas Brandon

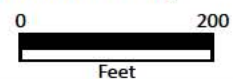


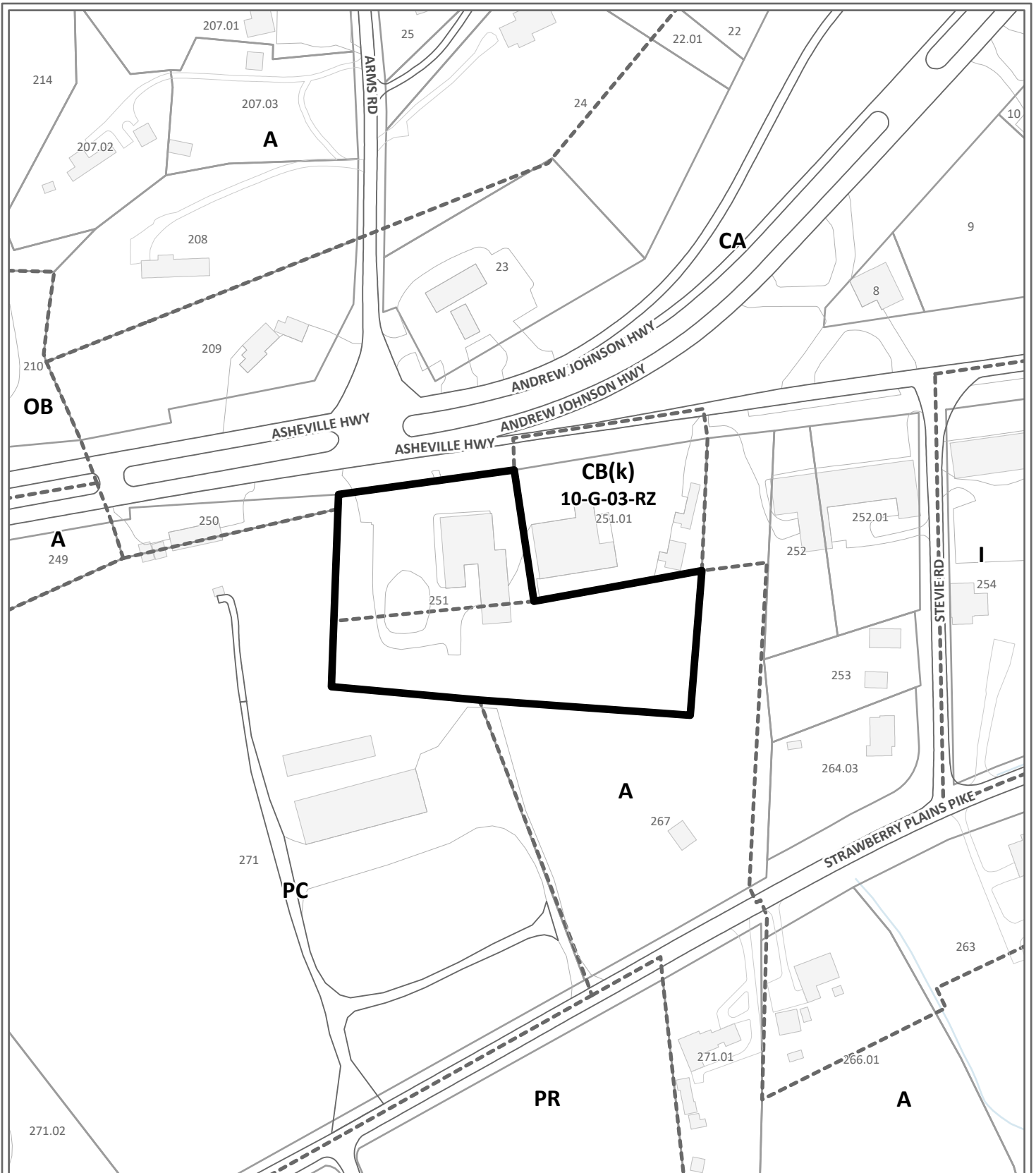
From: TCMU (Town Center Mixed-use)
To: MHI (Mining and Heavy Industrial)

Map No: 62

Jurisdiction: County

Original Print Date: 4/3/2025
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902





REZONING

5-D-25-RZ

Petitioner: Thomas Brandon



From: A (Agricultural), CA (General Business)

To: I (Industrial)

Map No: 62

Jurisdiction: County

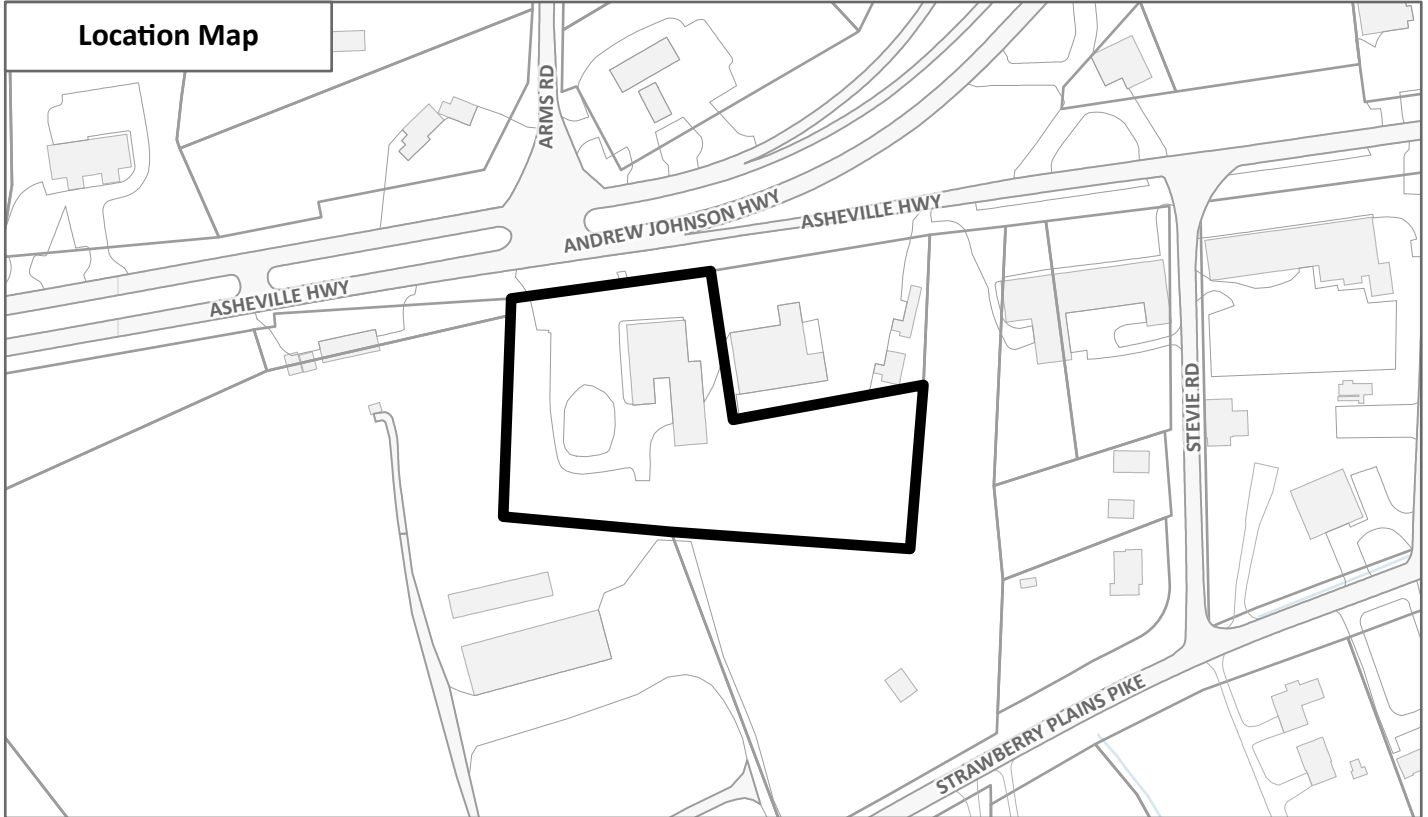


Original Print Date: 3/28/2025

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

Exhibit A. Contextual Images

Location Map



Aerial Map

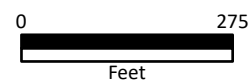


CONTEXTUAL MAPS 1

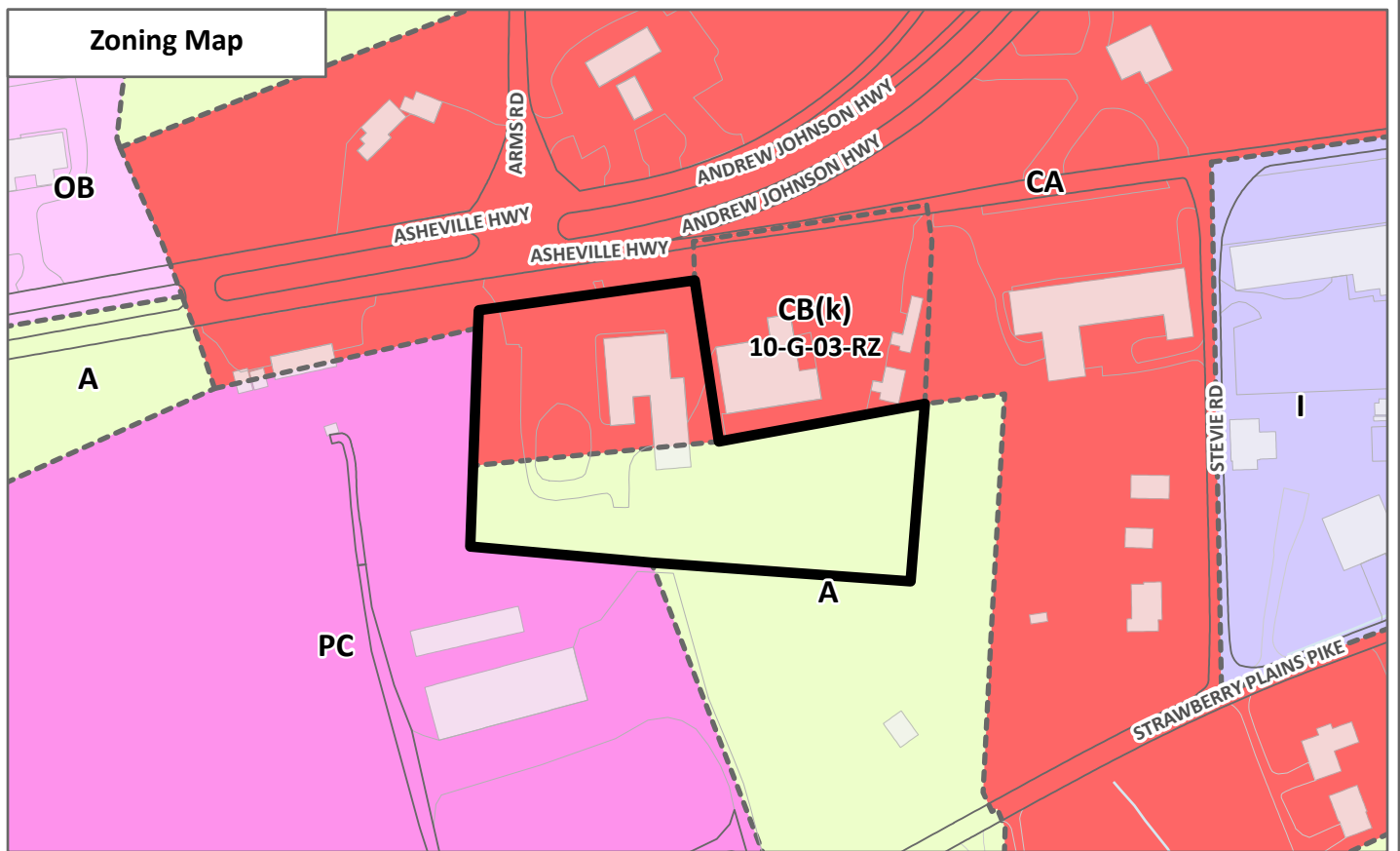
5-B-25-PA / 5-D-25-RZ



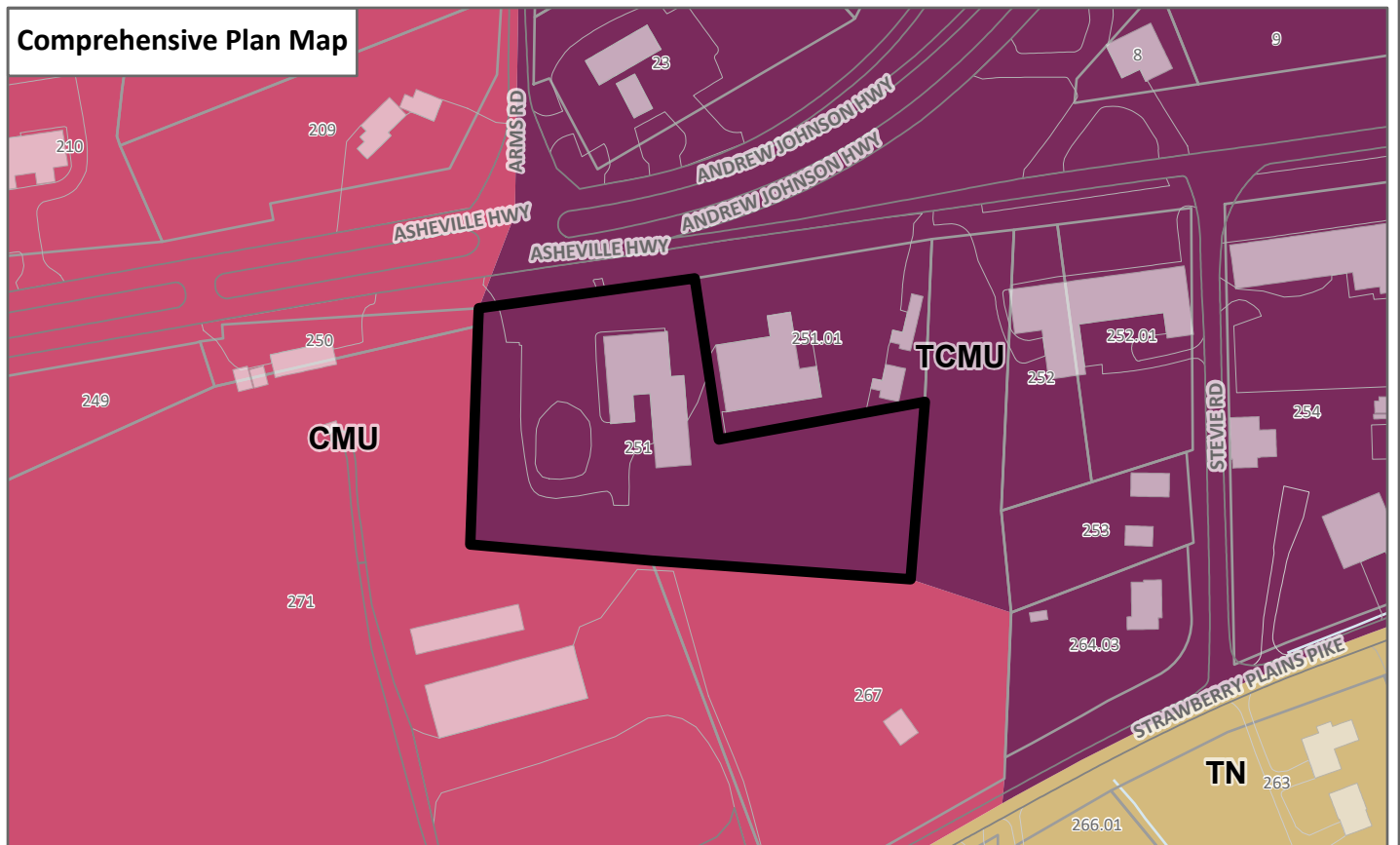
Case boundary



Zoning Map



Comprehensive Plan Map

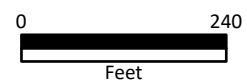


CONTEXTUAL MAPS 2

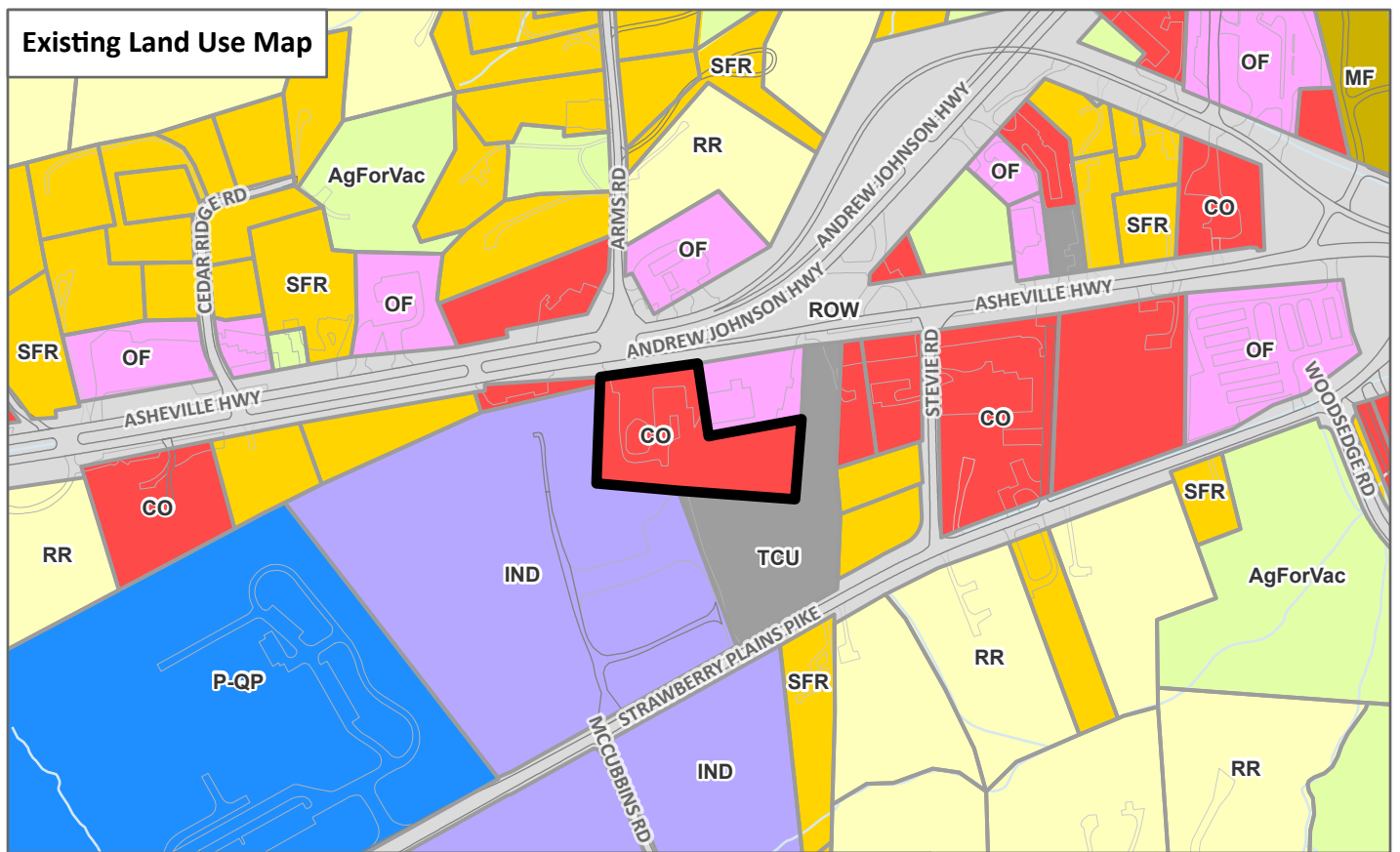
5-B-25-PA / 5-D-25-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

5-B-25-PA / 5-D-25-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
☐ SP ☐ PA
☒ Rezoning

Thomas Brandon

Applicant Name

Affiliation

3-16-25

Date Filed

May 8, 2025

Meeting Date (if applicable)

File Number(s)

5-D-25-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

DAVID HARBIN BATSON HINES HORVELL POE

Name

Company

4334 Papermill Rd Knoxville TN 37909

Address

City

State

ZIP

865-588-6472

Phone

Email

CURRENT PROPERTY INFO

3109 Stephens Landing Way
Knoxville, TN 37932

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

6604 ASHEVILLE HWY

Property Address

0602 251

Parcel ID

Sewer Provider

Water Provider

no

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). We require applicants to acknowledge their role in this process.

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 ChangeProposed Zoning Industrial (I)☒ Plan Amendment ChangeProposed Plan Designation(s) Mining & Heavy Industrial (MHI)

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

\$1,650.00

Fee 3

AUTHORIZATION

By signing below, 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. If there are additional owners or options
holders, each additional individual must sign the Property Owners/Option Holders Form.

Applicant Signature

DAVID HARBIN

Print Name / Affiliation

3.6.25

Date

Phone Number

Email

Property Owner Signature

Please Print

Date Paid

03/13/2025, SG

MAR 11 '25



All requests to amend the Knox County Comprehensive Land Use and Transportation Plan must include justification for the changes as part of the application process.

The applicant must provide justification per Implementation Action IM.6, demonstrating:

Either

- ☐ There is an obvious or significant error or omission in the Plan

OR

2 or more of the following criteria apply

- ☐ **Conditions Have Changed** Changes of conditions, such as surrounding land uses, zoning, uncontrolled natural forces/disasters, etc.
- ☐ **New Utilities / Projects** Introduction of significant new utilities or local/state/federal road projects that were not anticipated in the Plan and make development more feasible
- ☒ **New Data** New data regarding trends or projections, population, housing conditions, or traffic growth that warrant reconsideration of the original Plan
- ☒ **Proposed Changes Support Plan** The proposed changes support the Policies and Actions, goals, objectives, and criteria of the Plan

PLEASE EXPLAIN

AERIAL VIEW SUPPORTS ZONING TO BE REZONED INDUSTRIAL INASMUCH AS THE DOMINANT CURRENT USE OF LAND IS NOT TRENDING TO BUSINESS COMMERCIAL. RATHER, AREA IS TRENDING TOWARD BUSINESS INDUSTRIAL WITH OUTSIDE ^{STORAGE} BEING A NECESSITY FOR THE CONDUCT OF BUSINESS IN THE AREA TRENDING TOWARD OUTSIDE STORAGE.

THOMAS BRAXTON

Property Owner Signature

Kenneth W. Holbert, Attorney
John Dwyer

Print Name

MAR 11 '25

Date

By signing above, you certify that criteria for a Plan Amendment have been met and that any information to justify such action is specified above.

5-D-25-RZ_5-B-25-PA

FILE NUMBER



Public Notice and Community Engagement

Sign Posting and Removal

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.

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.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

04/25/2025

05/09/2025

Date to be Posted

Date to be Removed

Applicant Signature

DAVID HARBIN

Applicant Name

36-25

Date

Have you engaged the
surrounding property owners
to discuss your request?

☐ Yes ☒ No

☐ No, but I plan to prior to the
Planning Commission meeting

5-D-25-RZ_5-B-25-PA

FILE NUMBER