

12501 Coral Reef Circle
Knoxville, TN 37922

March 4, 2026

Knoxville-Knox County Planning
City County Building
400 S. Main Street, Suite 403
Knoxville, TN 37902

Via email to: contact@knoxplanning.org

Re: Zoning Request - 3-A-26-UR - 1615 Choto Rd

Commissioners,

Based on the following points, I wish to object to the proposed Use on Review for the subject property.

1) Compatibility with the CN zoning. Under 5.38.02., restaurants fall under Uses Permitted on Review. Approval is not required but is permitted on review. In this case, the applicant is proposing more than a restaurant. They will provide multiple forms of outdoor entertainment including athletic courts, video screens and amplified sound, along with an outdoor bar and seating. None of the "permitted uses" or "uses on review" listed in the CN zoning are compatible with the kind of outdoor activity or entertainment indicated in this proposal. Section 5.38.02 indicates the purpose of the regulation is to allow, "limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods..." That same paragraph goes on to say, "Development should be compatible with the character of the adjacent neighborhood." I would argue that the kinds of outdoor activity being proposed here are neither "limited retail" or "services" but instead outdoor entertainment, and that these outdoor activities are not an essential part of a restaurant operation. This project is not consistent with the CN zoning regulations and would cause harm to the very residences the CN regulations were intended to protect. This project would create not just a nuisance for surrounding residences but also depress home prices in those neighborhoods.

2) Under 5.38.04. Building size regulations - "No commercial establishment shall have a floor area exceeding five thousand (5,000) square feet." It's important to note, none of the "permitted" or "uses permitted on review" under the CN zoning regulations indicate outdoor activity or entertainment. The staff recommendation indicates the project would include, "3,100 sq ft of gross floor area and 6,700 sq ft of outdoor use area. In effect, the applicant is attempting to flaunt the CN zoning regulations by using outdoor space for their business purpose, more than doubling the area intended for commercial use under the regulation. The CN regulation is intended to minimize any impact on the surrounding neighborhoods, hence why no outdoor activity is indicated in either the approved uses or the uses permitted upon review. Bocci and Pickleball Courts, outdoor video screens, amplified sound, and outdoor bars and seating are not essential elements to a restaurant, as envisioned in the CN Use on Review provisions. This project is unsuitable for development under the CN zoning regulation due to the size of the commercial footprint.

3) Knox County's Noise Ordinance allows noise until 10:00pm at a level of 80db at the subject property boundary. They've indicated athletic courts will close at 6:00 but that is merely a promise. There is nothing in zoning regulations or county ordinances that would prevent them from extending those hours once open. The outdoor athletic courts, video screen and amplified sound could continue until 10:00pm nightly. Some of the surrounding residential homes are just thirty-five feet from the subject property line. Eighty decibels at the project property's border with surrounding residences would be a certain nuisance for surrounding neighborhoods full of families with small children. This is inconsistent with the CN zoning regulations.

In summary, I wish to appeal the Planning Commission staff's approval recommendation for this project. As proposed, the project is inconsistent with both the intent behind the CN zoning regulations and the very language of the regulations. Further, the applicant has attempted to manipulate the regulation's size restrictions by creating outdoor commercial spaces not supported by the CN zoning regulations. I believe the project will create a nuisance for neighboring residents and depress the value of homes in the surrounding areas. I urge denial of the application.

Sincerely,

Stephen Arnold