

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 11-Q-24-RZ      **Related File Number:** 11-C-24-PA  
**Application Filed:** 9/30/2024      **Date of Revision:**  
**Applicant:** WILLIAM TODD DANIEL

## PROPERTY INFORMATION

**General Location:** Heiskell Rd and Rayworth Trl  
**Other Parcel Info.:**  
**Tax ID Number:** 46 20701 (PART OF)      **Jurisdiction:** County  
**Size of Tract:** 1.56 acres  
**Accessibility:** Access is via Heiskell Road, a minor arterial street with a pavement width of 19 ft within a 50 ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:**  
**Planning Sector:** North County      **Plan Designation:** SR (Suburban Residential), HP (Hillside Ridgetop Protection)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is primarily single family residential among large agricultural and forested tracts. There are also single family and multi-family subdivisions on this part Heiskell Road.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 8303 HEISKELL RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RA (Low Density Residential)  
**Former Zoning:** CA (General Business), A (Agricultural)  
**Requested Zoning:** CN (Neighborhood Commercial)  
**Previous Requests:** 4-R-23-RZ  
**Extension of Zone:** No, this is not an extension.  
**History of Zoning:** This part of the parcel was rezoned from A (Agricultural) and CA (General Business) to RA (Low Density Residential) in 2023 (4-R-23-RZ).

## PLAN INFORMATION (where applicable)

**Current Plan Category:** SR (Suburban Residential), HP (Hillside Protection)

Requested Plan Category: SMR (Suburban Mixed Residential), HP (Hillside Protection)

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:  
No. of Lots Proposed: No. of Lots Approved: 0  
Variances Requested:  
S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Whitney Warner  
Staff Recomm. (Abbr.): Deny the CN (Neighborhood Commercial) zone because the location is inconsistent with the intent of the CN zone.

Staff Recomm. (Full):

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 is not a change of conditions in the area that would warrant a rezoning to the CN zone. The 1.5 acres associated with this rezoning request was rezoned from CA and A to RA last year (4-R-23-RZ). The subject property is adjacent to CA zoning to the west. Only the child day care at Copeland Dr and Heiskell Rd intersection is a commercial use. The other parcels remain vacant or are single family homes.

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

1. The CN zone is intended to provide for the recurring shopping and personal service needs of nearby residential areas, and development should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. While the property is on an arterial, it is not at an intersection or on the edge of a residential neighborhood. There is residential development in the area, but not of sufficient density to support additional commercial development so close to a commercial corridor.  
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. The CN zone development standards are required for compatibility between commercial and adjacent residential uses. This includes greater setbacks when adjacent to residential zones, landscaping, and sidewalk installation requirements.

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. The proposed CN zone is not a zone that can be considered in the current SR (Suburban Residential) place type.  
2. The CN zone at this location is inconsistent with Implementation Policy 4, which prefers commercial development to consist of walkable mixed-use centers, corridors, and neighborhood nodes. This corridor is neither a mixed-use center, a walkable corridor, nor a walkable neighborhood node. The nearest sidewalks are along E Emory Road to the south.  
3. While there is CA zoning to the west, it has not been developed. This site is between large forested

and agricultural tracts and 0.15 miles from the Rural Area boundary of the growth plan. Single-family subdivisions are nearby, but no sidewalks, bike lanes, or greenways exist in this area.

4. The requested zoning district at this location is not in conflict with any other adopted plans.

**Action:** Approved **Meeting Date:** 11/14/2024

**Details of Action:** Approve the CN (Neighborhood Commercial) zone because the location is consistent with the intent of the CN (Neighborhood Commercial) zone.

**Summary of Action:** Approve the CN (Neighborhood Commercial) zone because the location is consistent with the intent of the CN (Neighborhood Commercial) zone.

**Date of Approval:** 11/14/2024 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:** ☐ **Action Appealed?:**

## ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 12/9/2024

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**