



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 3-I-25-RZ **AGENDA ITEM #:** 11
3-A-25-SP **AGENDA DATE:** 3/13/2025

► **APPLICANT:** DANIEL LEVY
OWNER(S): Jack F Llewellyn, Jr. Llewellyn Properties Inc

TAX ID NUMBER: 109 A C 008, 009, 010, 017, 018, 019, 021, 022 [View map on KGIS](#)

JURISDICTION: Council District 1

STREET ADDRESS: 2201 ATCHLEY ST (2209, 2215 ATCHLEY ST; 0, 0, 0, 0, 0 CARMICHAEL ST)

► **LOCATION:** Southwest side of Atchley St, north and east sides of Carmichael St

► **TRACT INFORMATION:** 2.85 acres

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via Atchley street, a local street with a pavement width which varies between 25 ft and 30 ft within a 45-ft right-of-way. Access is also via Carmichael street, a local street with a pavement width of 20 ft within a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Tennessee River

► **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential), MU-SD, SC-2 (Mixed Use Special District, Potential Addition to the South Waterfront District), HP (Hillside Protection) / I-G (General Industrial), HP (Hillside Protection Overlay)

► **PROPOSED PLAN DESIGNATION/ZONING:** SWMUD II (South Waterfront Mixed Use District Type 2), HP (Hillside Protection) / I-MU (Industrial Mixed-Use), HP (Hillside Protection Overlay)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Office, Industrial

EXTENSION OF PLAN DESIGNATION/ZONING: Not an extension of the sector plan designation of zoning district.

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, North: Single family residential, multifamily residential, agriculture/forestry/vacant land - MU-SD, SC-1 (Mixed Use Special District, South Waterfront District), HP (Hillside Protection) - SW-3 (South Waterfront, Sevier Avenue), HP (Hillside Protection Overlay)

ZONING	South:	Agriculture/forestry/vacant land, single family residential - LDR (Low Density Residential), HP (Hillside Protection) - I-G (General Industrial), RN-2 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
	East:	Commercial, office - MU-SD, SC-2 (Mixed Use Special District, Potential Addition to the South Waterfront District) - I-G (General Industrial)
	West:	Agriculture/forestry/vacant land, multifamily residential - MU-SD, SC-2 (Mixed Use Special District ""), HP (Hillside Protection) - RN-4 (General Residential Neighborhood), RN-5 (General Residential Neighborhood), HP (Hillside Protection Overlay)
NEIGHBORHOOD CONTEXT:	This area of the South Waterfront community is comprised of a mix of legacy industrial, commercial, single family and multifamily uses among steep, forested slopes.	

STAFF RECOMMENDATION:

- **Approve the SWMUD II (South Waterfront Mixed Use District Type 2) land use classification because it is consistent with surrounding development and aligns land use plans. The HP (Hillside Protection) area would be retained.**
- **Approve the I-MU (Industrial Mixed-Use) district because it is consistent with the intent of the district and adopted plans for the area. The HP (Hillside Protection Overlay) would be retained.**

COMMENTS:

PURSUANT TO THE GENERAL PLAN, PLANNING FRAMEWORK CHAPTER, THE PLANNING COMMISSION RESERVES THE AUTHORITY TO RECOMMEND LAND USE PLAN CHANGES BASED ON SUBSTANTIALLY CHANGED CONDITIONS. SUBSTANTIALLY CHANGED CONDITIONS INCLUDE (may meet any of these):

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. The Sevier Avenue Roadway Project is currently under construction. It will provide a new intersection roundabout, a railroad crossing, and drainage and streetscape improvements. This will be paired with the Sevier Avenue Utility Conduit & Duct Bank Project to transition overhead utilities underground. These capital improvements will benefit the South Waterfront area, which includes the subject property.
2. These major public infrastructure projects support the requested SWMUD II (South Waterfront Mixed Use Special District Type 2) land use classification, which is intended to allow a diverse range of uses and development intensities as an extension of the South Waterfront Form-Based Code (Article 7.1).

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The South City Sector Plan and the One Year Plan are currently not aligned on this property. Most of the subject property is designated as MU-SD, SC-2, which is a Mixed-Use Special District for a "Potential Addition to the South Waterfront District," and two of the lots are designated as LDR (Low Density Residential). The One Year Plan classification for the entire property is SWMUD II, which is a more contemporary classification for the expansion of South Waterfront development. The requested sector plan amendment will correct this misalignment.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

1. The SWMUD II land use classification reflects the City's decision to accommodate more intensive development in the South Waterfront community commensurate with infrastructure improvements and growing amenities.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. The South Waterfront community is one of the fastest developing areas of the City. This is due in part to the form-based code, which emphasizes building design and mixed-use pedestrian orientation consistent with the South Waterfront Vision Plan over specific uses.

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. The South Waterfront community is one of the fastest growing areas of the City in terms of population increase and building construction. What has historically been a center of industrial activity utilizing the Tennessee River is transitioning rapidly with more residential and service-oriented commercial development. The adoption of the South Waterfront Vision Plan in 2006 and the creation of a form-based code to implement it has had a major influence on the transition away from industrial uses.
2. The requested downzoning from the I-G (General Industrial) district to the I-MU (Industrial Mixed-Use) district is consistent with this area's overall shift from legacy industrial activity towards more intensive residential and commercial development.

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

1. The I-MU district is intended to provide for a mix of light industrial uses and a variety of compatible commercial uses such as entertainment, amusement and retail establishments. This mix is designed to promote the reuse of older, character-giving structures that may no longer be suitable for their original industrial purposes, but that can accommodate a variety of alternative types of uses. Residential uses are also permitted in the I-MU District, both above the ground floor in mixed-use development, and in multi-family dwellings.
2. The subject property is comprised of eight lots, the largest two of which have operated as a construction company for many decades. The historic brick Roehl Construction Company office building remains on Atchley Street and aligns with the architecturally significant commercial and office buildings across the street. The subject property is otherwise surrounded by single-family and duplex residences. This context is consistent with the intent of the I-MU district as a way to retain industrial structures while transitioning to lighter commercial and residential uses compatible with surrounding development.

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 existing I-G district permits a range of uses that could have an adverse impact on surrounding properties with noxious fumes, noise, and trucking activity. This request for a lighter, mixed-use industrial district will better protect the surrounding environment and is not anticipated to have an adverse impact.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE KNOXVILLE-KNOX COUNTY GENERAL PLAN AND ITS COMPONENT PARTS, INCLUDING ADOPTED SECTOR PLANS, CORRIDOR PLANS, AND RELATED DOCUMENTS.

1. The I-MU district is consistent with the One Year Plan's SWMUD II (South Waterfront Mixed Use District Type 2) land use classification and the South City Sector Plan as amended to SWMUD II.
2. This rezoning is also compatible with the South Waterfront Vision Plan's intent to honor its industrial and workforce heritage while developing in a way that will support residential and market expansion.

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:

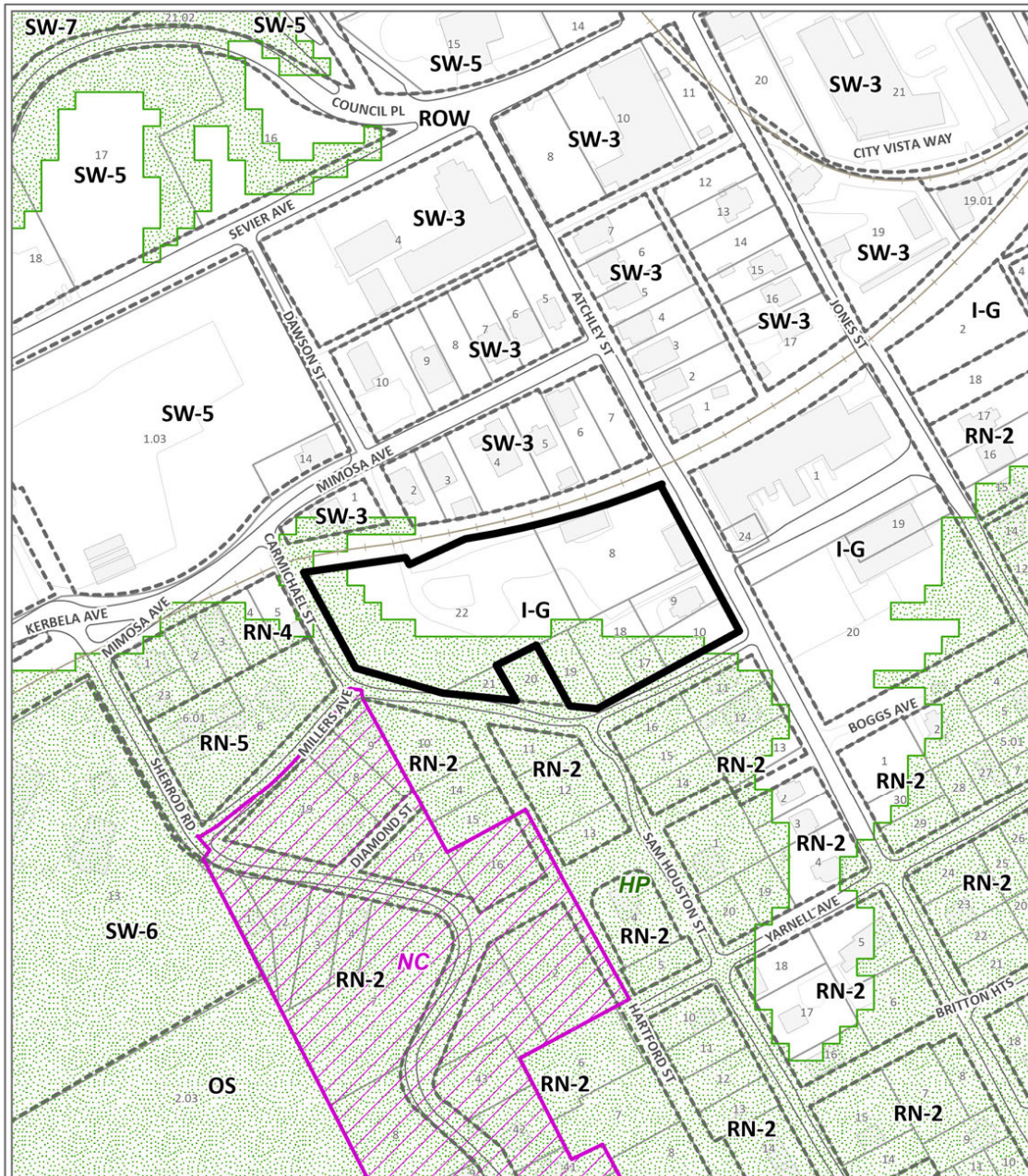
1. This property is in an urbanized area with ample infrastructure capacity to accommodate future development. There are also numerous capital improvements underway to update road and utility infrastructure in this area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: South Knoxville Elementary, South Doyle Middle, and South Doyle High.

If approved, this item will be forwarded to Knoxville City Council for action on 4/1/2025 and 4/29/2025. 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

3-I-25-RZ

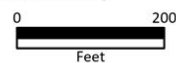
Petitioner: Daniel Levy



From: I-G (General Industrial), HP (Hillside Protection Overlay)
To: I-MU (Industrial Mixed-Use);HP (Hillside Protection Overlay)

Map No: 109
Jurisdiction: City

Original Print Date: 2/4/2025
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902





Location Map



Aerial Map



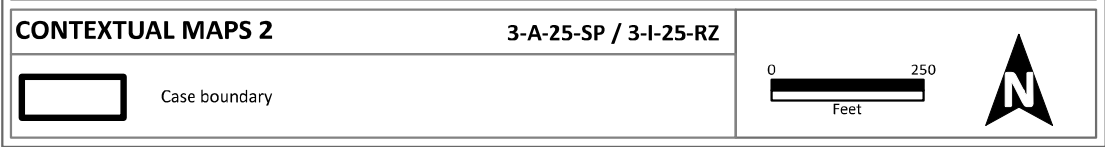
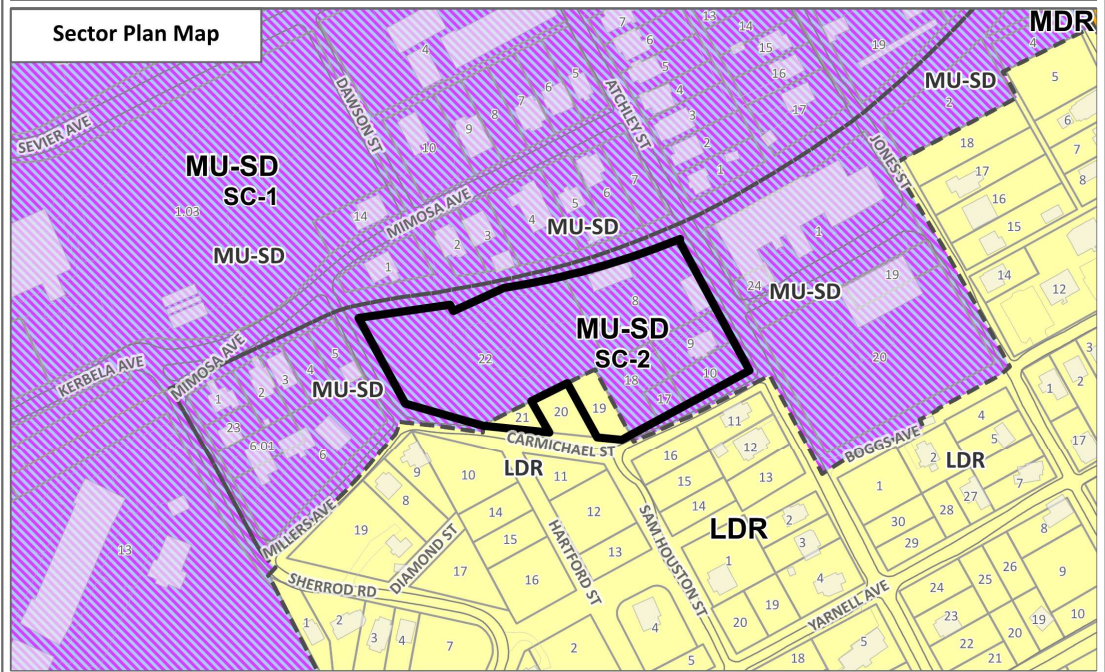
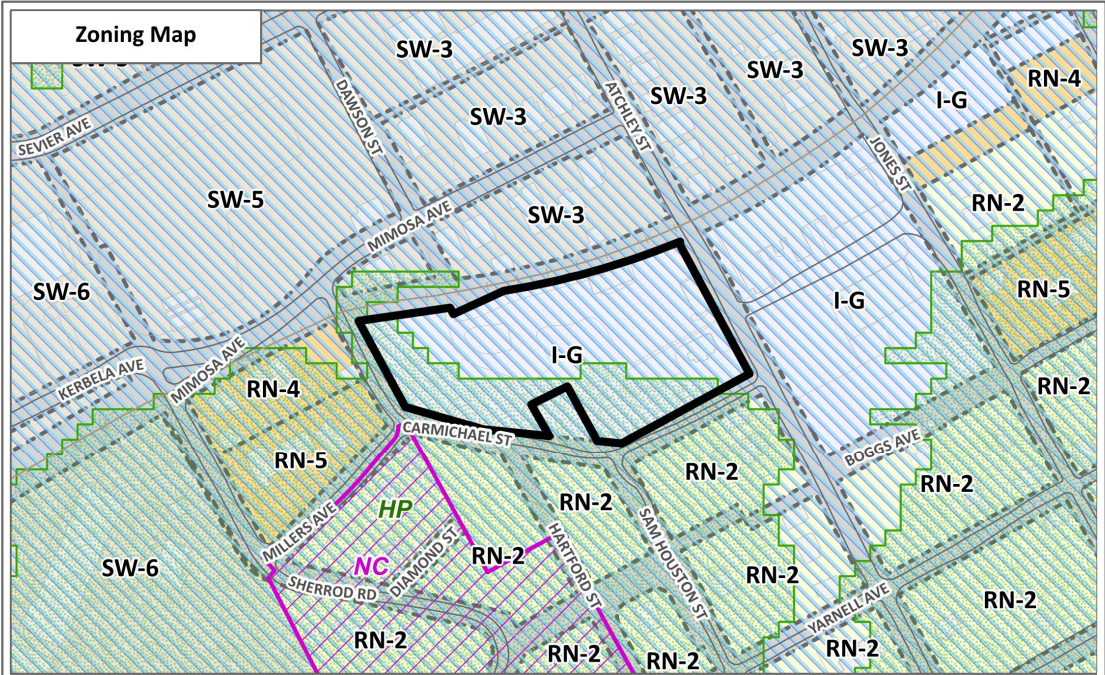
CONTEXTUAL MAPS 1

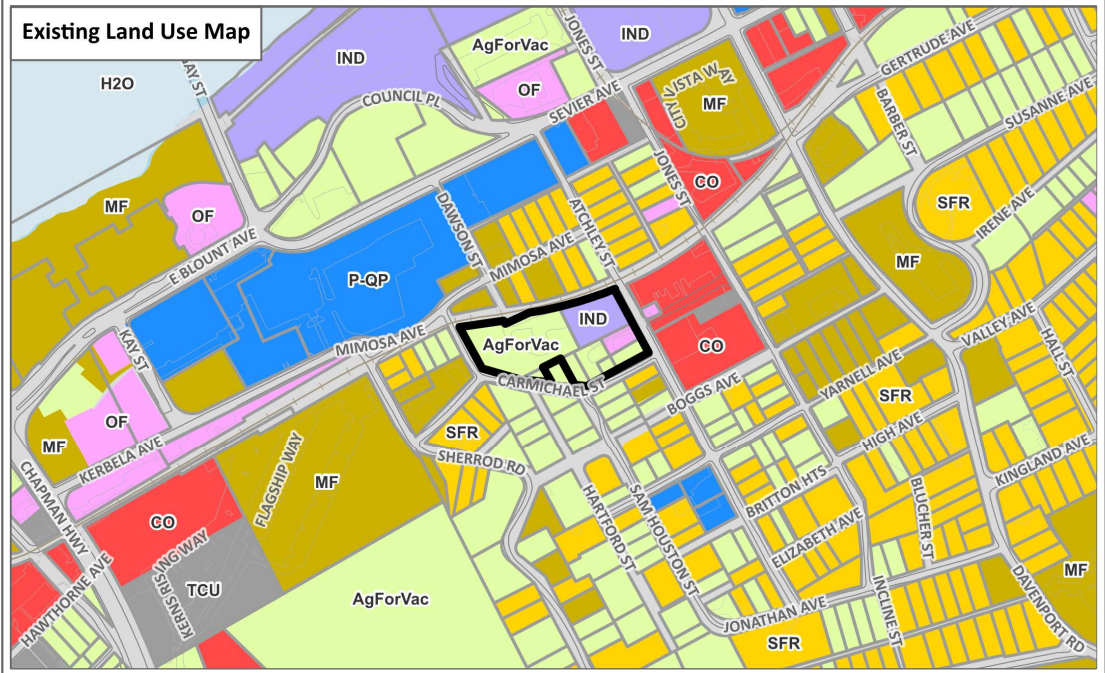
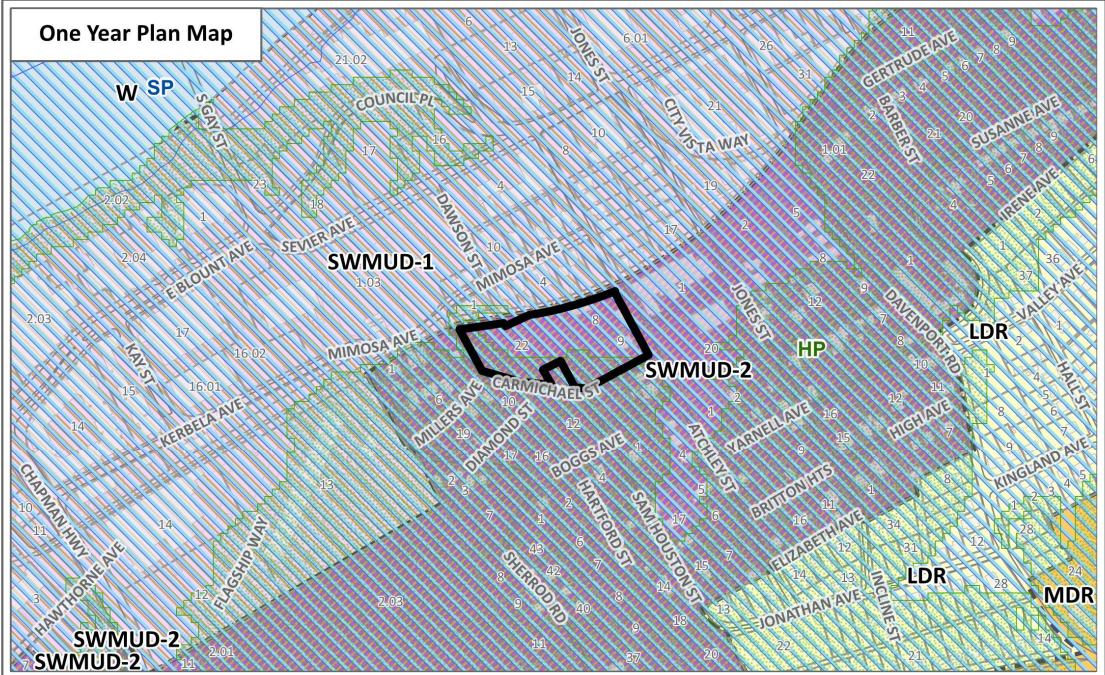
3-A-25-SP / 3-I-25-RZ




Case boundary








CONTEXTUAL MAPS 3 **3-A-25-SP / 3-I-25-RZ**

 Case boundary

0 550
Feet



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	123,954.9	2.85			
Non-Hillside	78,801.2	1.81	N/A		
0-15% Slope	6,831.1	0.16	100%	6,831.1	0.16
15-25% Slope	7,375.9	0.17	50%	3,688.0	0.08
25-40% Slope	15,245.9	0.35	20%	3,049.2	0.07
greater than 40% Slope Ridgelines	15,691.8	0.36	10%	1,569.2	0.04
Hillside Protection (HP) Area	45,153.7	1.04	Recommended disturbance budget within HP Area	15,140.4	0.35
			Percent of HP Area		33.5%



The Planning Commission met in regular session on March 13, 2025, at 1:30 p.m. in the Small Assembly Room of the City County Building.

Item No.

File No.

13. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner	Present	Absent	Arrive late/left early
John Huber, Vice-Chair	✓		
Louis Browning	✓		
Rich Levenson	✓		
Tamara Boyer	✓		
Nancy Barger	✓		Left at 3:25 p.m.
Katie Overton		✓	
Marité Pérez	✓		
Matt Anderson	✓		
Logan Higgins	✓		
Miles Biggs	✓		
Kara Daley	✓		
Nick Gill	✓		
Amy Midis	✓		
Karyn Adams	✓		
Tim Hill, Chair	✓		

CONSENT ITEMS READ

1. MOTION (BOYER) AND SECOND (LEVENSON) WERE MADE TO APPROVE THE CONSENT ITEMS AS READ, WITH THE EXCEPTION OF ITEM #35.

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED

11. DANIEL LEVY

2201, 2209, 2215 Atchley Street; 0 Carmichael Street / Parcel ID 109AC008, 009, 010, 017, 018, 019, 021, 022, Council District 1.

A. SOUTH CITY SECTOR PLAN AMENDMENT**3-A-25-SP**

From LDR (Low Density Residential), MU-SD, SC-2 (Mixed Use Special District, Potential Addition to the South Waterfront District), HP (Hillside Protection) to SWMUD II (South Waterfront Mixed Use District Type 2), HP (Hillside Protection).

1. STAFF RECOMMENDATION

Approve the SWMUD II (South Waterfront Mixed Use District Type 2) land use classification because it is consistent with surrounding development and aligns land use plans. The HP (Hillside Protection) area would be retained.

APPROVED ON CONSENT EARLIER IN THE MEETING

B. REZONING**3-I-25-RZ**

From I-G (General Industrial), HP (Hillside Protection Overlay) to I-MU (Industrial Mixed-Use), HP (Hillside Protection Overlay).

11. STAFF RECOMMENDATION

Approve the I-MU (Industrial Mixed-Use) district because it is consistent with the intent of the district and adopted plans for the area. The HP (Hillside Protection Overlay) would be retained.

APPROVED ON CONSENT EARLIER IN THE MEETING



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

Daniel Levy

Architect

Applicant Name

Affiliation

01.27.2025

March 13 2025

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Daniel Levy

DKLEVY pllc

Name

Company

3523 Maloney Road

Knoxville

TN

37920

Address

City

State

ZIP

865-474-9264

Phone

Email

CURRENT PROPERTY INFO

Llewellyn Jack, Llewellyn Properties inc

3025 HODGES LANDING DR

865-577-3361

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

2201 Atchley St, 2209 Atchley, 2215 Atchley, O Carmichael St

109AC008, 109AC009, 109AC010, 109AC017,
109AC018, 109AC019, 109AC021, 109AC022

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

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.

JULY 2024

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 I-MU
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

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 _____

Daniel Levy Architect

Print Name / Affiliation

01.27.2025

Date

865-474-9264

Phone Number

Email

Property Owner Signature _____

Please Print

Date Paid



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

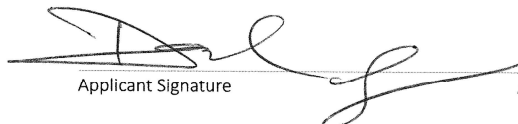
By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

March 1st 2025 March 15th 2025
Date to be Posted Date to be Removed

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

☐ Yes ☐ No

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

 Daniel Leary 1/27/2025
Applicant Signature Applicant Name Date

FILE NUMBER

THANK YOU for your submission!

Your notice has been submitted for publication. Below is a confirmation of your order. You will also receive an email confirmation.

ORDER DETAILS	PREVIEW FOR AD NUMBER LOKR02524300
Order Number: LOKR0252430 Order Status: Submitted Classification: Public Notices Package: General Package Total payment: 137.42 Payment Type: Account Billed User ID: L0013876 External User ID: 676064	PUBLIC NOTICE The following items may be considered by the Knoxville City Council on April 1, 2025, at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. The Knoxville-Knox County Planning Commission may hear these items on March 13, 2025, and make recommendations. For information related to these items, visit KnoxPlanning.org/agenda . If you need assistance or accommodation for a disability, please contact the City ADA coordinator at (865) 215-2104. ORDINANCE AMENDMENTS 8-B-23-OA – R. BENTLEY MARLOW – Consideration of amendments to the Knoxville City Code, Appendix B, Zoning Code, Article 5.3, Table 5-1 Commercial and Office Districts Dimensional Standards. PLANS, STUDIES, REPORTS KNOXVILLE-KNOX COUNTY PLANNING – 2025 One Year Plan update for the City of Knoxville. REZONINGS/PLAN AMENDMENTS 3-C-25-RZ - DAVID VARNER- 107 MEADOW VIEW RD. Proposed rezoning. 3-G-25-RZ - JULIO HERRERA- 413 E INSKIP DR. Proposed rezoning. 3-A-25-SP AND 3-I-25-RZ - DANIEL LEVY- 2201, 2209, 2215 ATCHLEY ST; 0 CARMICHAEL ST. Proposed sector plan amendment, proposed rezoning. PLANNED DEVELOPMENT 12-A-24-PD – HEYOH DESIGN AND DEVELOPMENT – 2805 Delrose Dr. and 0 Riverside Dr. Proposed preliminary plan for a residential development. March 6 2025 LOKR0252430
ACCOUNT INFORMATION Knoxville-Knox County Planning 400 W Main ST # 403 DALLAS DEARMOND Knoxville, TN 37902-2427 865-215-3810 dallas.dearmond@knoxplanning.org Knoxville-Knox County Planning Contract ID: GOVT	<< Click here to print a printer friendly version >>
TRANSACTION REPORT Date March 4, 2025 1:38:13 PM EST Amount: 137.42	
ADDITIONAL OPTIONS 1 Affidavit	
SCHEDULE FOR AD NUMBER LOKR02524300 March 6, 2025 Knoxville News Sentinel	

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THANK YOU for your submission!

Your notice has been submitted for publication. Below is a confirmation of your order. You will also receive an email confirmation.

ORDER DETAILS Order Number: LOKR0259456 Order Status: Submitted Classification: Public Notices Package: General Package Total payment: 145.54 Payment Type: Account Billed User ID: L0013876 External User ID: 676064	PREVIEW FOR AD NUMBER LOKR02594560 PUBLIC NOTICE The following items will be considered by the Knoxville City Council on April 1, 2025, at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. For information related to these items, visit KnoxPlanning.org/agenda . If you need assistance or accommodation for a disability, please contact the City ADA coordinator at (865) 215-2104. ORDINANCE AMENDMENTS 8-B-23-OA – R. BENTLEY MARLOW – Consideration of amendments to the Knoxville City Code, Appendix B, Zoning Code, Article 5.3, Table 5-1 Commercial and Office Districts Dimensional Standards. Planning Commission Action: Approve amendments with minor revisions PLANS, STUDIES, REPORTS 3-A-25-OYP - KNOXVILLE-KNOX COUNTY PLANNING – 2025 One Year Plan update for the City of Knoxville. Planning Commission Action: Approve the One Year Plan as amended REZONINGS/PLAN AMENDMENTS 3-C-25-RZ - DAVID VARNER- 107 MEADOW VIEW RD. Proposed rezoning. Planning Commission Action: Approve RN-4 (General Residential Neighborhood) 3-G-25-RZ - JULIO HERRERA- 413 E INSKIP DR. Proposed rezoning. Approve O (Office) 3-A-25-SP AND 3-I-25-RZ - DANIEL LEVY- 2201, 2209, 2215 ATCHLEY ST; 0 CARMICHAEL ST. Proposed sector plan amendment, proposed rezoning. Approve Sector Plan Amendment to SWMUD II (South Waterfront Mixed Use District Type 2) and HP (Hillside Protection) and rezoning to I-MU (Industrial Mixed-Use) and HP (Hillside Protection Overlay) March 18 2025 LOKR0259456
ACCOUNT INFORMATION Knoxville-Knox County Planning 400 W Main ST # 403 DALLAS DEARMOND Knoxville, TN 37902-2427 865-215-3810 dallas.dearmond@knoxplanning.org Knoxville-Knox County Planning Contract ID: GOVT	
TRANSACTION REPORT Date March 14, 2025 10:31:18 AM EDT Amount: 145.54	
ADDITIONAL OPTIONS 1 Affidavit	
SCHEDULE FOR AD NUMBER LOKR02594560 March 18, 2025 Knoxville News Sentinel	

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