

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 1-G-23-RZ  
Application Filed: 11/3/2022  
Applicant: KEITH STEWART

Related File Number:  
Date of Revision:

## PROPERTY INFORMATION

**General Location:** West side of Dry Gap Pike, south of E. Beaver Creek Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 47 236 **Jurisdiction:** County  
**Size of Tract:** 4.76 acres  
**Accessibility:** Access is via Dry Gap Pike, a major collector, with a median-divided 70-ft pavement width within a right-of-way width of 100-ft.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:** **Density:**  
**Sector Plan:** North County **Sector Plan Designation:** GC (General Commercial)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is adjacent to the commercial node at the intersection with E. Beaver Creek Drive and Dry Gap Pike and primarily surrounded by low density residential.

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

**Street:** 1633 DRY GAP PIKE  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** CA (General Business)  
**Former Zoning:**  
**Requested Zoning:** CB (Business and Manufacturing)  
**Previous Requests:** 8-K-08-RZ  
**Extension of Zone:** Yes, CB is adjacent.  
**History of Zoning:** 8-K-08-RZ: A to CA

## PLAN INFORMATION (where applicable)

**Current Plan Category:** GC (General Commercial)  
**Requested Plan Category:**

**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:

Liz Albertson

Staff Recomm. (Abbr.):

Approve the CB (Business and Manufacturing) zone because it is an extension of existing commercial node, subject to one condition:

Staff Recomm. (Full):

1) Provide a vegetated buffer consisting of a "Type B" landscape screen of 20-ft in depth adjacent to the PR and A zoned parcels on the south and west perimeters of the subject property.

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 CITY/COUNTY GENERALLY:

1. This area has been transitioning from large agricultural and forested areas to single family residential neighborhoods beginning in the early 1990s. Significant additional growth in residential development has also occurred since Brickey McCloud Elementary school was completed in 2003, which is located within 0.5 miles from this intersection of E Beaver Creek Drive and Dry Gap Pike.

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

1. CB zoning is intended to provide for a wide range of business and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic and to have adverse effects on surrounding properties. Staff is recommending an additional vegetated buffer yard to mitigate potential impacts to the adjacent residential zoned properties.

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. CB zoning is adjacent to this parcel at the intersection of E Beaver Creek Drive and Dry Gap Pike. Existing commercial uses at this node include a gas station, a self-storage facility, an auto repair facility, a fitness studio and a hair salon, within the CA and CB zone districts.
- 2. A condition for a vegetated buffer along the perimeter of the subject property adjacent to the A and PR zoned areas is also recommended to reduce the potential for adverse impacts related to the more intensive commercial uses allowed under the CB zone district.
- 3. The property is bisected by a blue line stream that will have to be buffered when the site is developed.

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 proposed CB zoning is consistent with the sector plan.
- 2. The proposed rezoning is not in conflict with the General Plan or any other adopted plans for this area.

Action:

Approved with Conditions

Meeting Date: 1/12/2023

Details of Action:

Summary of Action:

Approve the CB (Business and Manufacturing) zone because it is an extension of existing commercial node, subject to one condition:

Date of Approval:

1/12/2023

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:** 2/21/2023

**Ordinance Number:**

**Disposition of Case:** Approved with Conditions

**If "Other":**

**Amendments:**

Added 2 additional conditions reflecting adherence to lighting and noise standards

**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:**