

# CASE SUMMARY

APPLICATION TYPE: DEVELOPMENT PLAN

PLANNING COMMISSION



**File Number:** 10-A-23-DP                      **Related File Number:**  
**Application Filed:** 8/21/2023                      **Date of Revision:**  
**Applicant:** MICHAEL A. BRABSTON, BRABSTON TRUCKING INC.

## PROPERTY INFORMATION

**General Location:** West side of Harris Rd, north of Parker Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 60 07908                      **Jurisdiction:** County  
**Size of Tract:** 3.33 acres  
**Accessibility:** Access is via Harris Road, a minor collector road with 20-ft of pavement within a 50-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land  
**Surrounding Land Use:**  
**Proposed Use:** Trucking office and repair facility.                      **Density:** N/A  
**Sector Plan:** Northeast County                      **Sector Plan Designation:** O (Office)  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** The property is located in an area with a mix of uses which include single family residential to the west, and a mix of commercial and industrial uses located on the east side of Rutledge Pike.

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

**Street:** 1455 HARRIS RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC(k) (Planned Commercial)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** The property was rezoned in 2019 from RB to PC (10-I-19-RZ)

## PLAN INFORMATION (where applicable)

**Current Plan Category:** O (Office)  
**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:

Naomi Hansen

Staff Recomm. (Abbr.):

Approve the development plan for an 9,375 sqft office and trucking repair facility and a 37,500 sqft outdoor storage yard to the rear of the property, subject to 9 conditions. Meeting all applicable requirements of the Knox County Zoning Ordinance.

Staff Recomm. (Full):

1. Meeting all requirements of Article 4, Section 4.102 (Standards for the use-on-review approval of contractor’s storage yards) in the Knox County Zoning Ordinance, with the exception of a 15 ft setback on the northern property line. .
2. Providing a detailed landscape plan during permitting for review and approval by Planning Commission staff. Trees planted within KUB powerline and utility easements must be approved by KUB or moved to another location outside of the easement but adjacent to the parking lot.
3. The proposed trees along the residential homes to the rear must be outside of the utility easements. The landscape plan shall detail the species and trunk diameter of the existing trees to remain and the species of any new plantings to meet the Type A landscape screening guidelines that are required along the shared lot line with adjacent residential uses per the zoning condition placed on the PC (Planned Commercial) zoning by Knox County Commission (10-I-19-RZ).
4. Installing all required landscaping within six months of issuance of an occupancy permit for the project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.
5. Providing an opaque fence on all sides of the outdoor storage area with a minimum height of 8 feet.
6. All site lighting fixtures, pole mounted and attached to the building, shall be full cut-off fixtures or have housing shields to direct the light toward the ground and to restrict the light source from being visible from the adjacent residential properties. The revised lighting plan must be reviewed and approved by Planning Commission staff before building permits are issued.
7. Meeting all relevant requirements of the Knox County Department of Engineering and Public Works.
8. Meeting all applicable requirements of the Knox County Zoning Ordinance.
9. Extending the stone façade around the right and left elevations with the windows.

With the noted conditions, this plan meets the requirements for approval in the PC (Planned Commercial) district and the criteria for approval of a use-on-review development plan review.

Comments:

The proposal is for a new office, maintenance shop, and storage yard for Brabston Trucking, which provides site preparation, site utility installation, and heavy equipment transport services. The proposal was previously approved subject to 8 conditions in September 2021 (Case # 9-A-21-UR). The applicant has since decided to increase the building size from 7,500 sqft to 9,375 sqft with 2,067 sqft of covered space.

The function of the building will act as Brabston’s office & repair facility and the gravel area will house Brabston’s equipment and storage for their operations.

In 2019, the property was rezoned (10-I-19-RZ) from RB (General Residential) to PC(k) (Planned Commercial) with the condition that a "Type A" landscaping screen be installed along any shared boundaries with residential zoning (see Exhibit A).

Contractor’s storage yards have standards for use-on-review in the supplemental regulations of the Knox County zoning ordinance (Article 4, Section 4.102) that are specific to the CR (Rural Commercial) and CA (General Business) zones, but these can be used in other zones when the Planning Commission determines it is appropriate. There is a residential neighborhood to the rear of this property and in the Planning staff’s opinion, applying the supplemental regulations in this location is appropriate to ensure the adjacent residential is adequately protected and the proposal meets the same standards as similar proposals in commercial zone districts that are also appropriate next to residential districts.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE PC(k) (Planned Commercial) with conditions.

A) The PC (Planned Commercial) zone is intended for a unified grouping of commercial buildings which do not require or desire a central business district location. It is the objective of this zone to achieve the highest quality site design, building arrangement, landscaping and traffic circulation patterns possible.

B) Knox County Commission placed a condition on the PC zoning for this site that requires a Type A landscape screening along the shared property line with adjacent residential uses. This screening is being provided along the rear property line.

C) With the required conditions, the contractor's storage yard meets the zoning standards and the condition of a 15 ft minimum setback along the northern property line.

D) The administrative procedures for the PC zone require the Planning Commission to approve revised development plans for any changes, alterations, amendments, or extensions to the development plan. Approval of such changes may be granted if, in the opinion of the planning commission, the requested changes would be in keeping with the intent and provisions of this resolution. (Section 5.33.13 Administration (d).)

2) GENERAL PLAN - DEVELOPMENT POLICIES

a) General Plan, Policy 8.4: Protect residential areas from encroaching commercial development and other incompatible uses. - - The building will be 24-ft high, similar to a two-story single-family residential home. Design elements are incorporated to soften the appearance of the building.

B) General Plan, Policy 8.12: When commercial uses abut residential property, ordinance provisions or use-on-review conditions requiring fencing, landscaping screens, earth berms, height restrictions and/or deeper than usual building setbacks can improve land use transitions. - - The abutting residential homes will be screened with a Type A landscape buffer consisting of 23 Foster Holly evergreen trees and existing trees with a trunk caliper of 3" or more.

3) NORTHEAST COUNTY SECTOR PLAN

a) The property is designated O (Office) on the Northeast County Sector Plan. The O (Office) land use has the following description: This land use includes business and professional offices and office parks.

B) For this Use on Review application to be approved in the Office land use classification, the Planning Commission must find that the proposed use is consistent with, and not in conflict with the sector plan.

C) The PC (Planned Commercial) zone is permissible with covenants in the O (Office) land use classification. Covenants have not been created for this development since an overall business park has not been approved. The PC zone requires approval of all changes to a site to be approved by the Planning Commission via the development review process.

D) The size of the proposed structure is similar to an office building but the exterior will have an industrial look. To help soften the appearance of the structure, the exterior will be a combination of smooth-faced CMU and split faced CMU at the base of the building, and metal panels on the upper portion (see sheet A501).

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

a) The property is within the urban grown area and is in close proximity to a wide range of zoning districts including residential, commercial, and industrial uses.

B) A type A landscaping buffer is required along the rear property line abutting residential homes.

**Action:** Approved with Conditions **Meeting Date:** 10/5/2023

**Details of Action:**

**Summary of Action:** Approve the development plan for an 9,375 sqft office and trucking repair facility and a 37,500 sqft outdoor storage yard to the rear of the property, subject to 9 conditions. Meeting all applicable requirements of the Knox County Zoning Ordinance.

**Date of Approval:** 10/5/2023 **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:** **Date of Legislative Action, Second Reading:**

**Ordinance Number:** **Other Ordinance Number References:**

**Disposition of Case:** **Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**