

# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



**File Number:** 10-D-19-UR                      **Related File Number:**  
**Application Filed:** 8/23/2019              **Date of Revision:**  
**Applicant:** GARRETT DEVELOPMENT & CONSTRUCTION, LLC

## PROPERTY INFORMATION

**General Location:** North side of E. Emory Rd., Southwest side of Cedarcrest Rd.  
**Other Parcel Info.:** This request also includes 047 117  
1317 E. Emory Rd.  
**Tax ID Number:** 47 C D 012 OTHER: & 047 117                      **Jurisdiction:** County  
**Size of Tract:** 0.42 acres  
**Accessibility:** Access is via Cedarcrest Road, a local street with 50 ft right-of-way, 26 ft pavement & two traffic lanes, and connects to E Emory Road, a major arterial with approximately 100 ft right-of-way (per the Major Road Plan), 60 ft pavement, & four lanes with a two-way left-turn lane.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Additional Parking in a more restrictive zone                      **Density:**  
**Sector Plan:** North County                      **Sector Plan Designation:** LDR (Low Density Residential) & O (Office)  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This property is located in the Powell community that includes a mix of commercial, office, and residential land uses, and is a buffer between the residential neighborhood and commercial along E Emory Road.

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

**Street:** 7605 Cedarcrest Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RA (Low Density Residential) & CA (General Business)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

Current Plan Category:

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:                      Tarren Barrett

Staff Recomm. (Abbr.):                      APPROVE the request for additional parking in a more restrictive zone as shown on the development plan subject to the 5 conditions

Staff Recomm. (Full):                      1. Meeting all applicable requirements of the Knox County Zoning Ordinance  
2. Prior to obtaining a grading permit, combine this site (47 C D 012) with the adjoining commercial property (047 117) by approval and recording of a final plat.  
3. Meeting all applicable requirements of the Knox County Department of Engineering.  
4. Installation of landscaping as shown on the development plan within six months of the approval date or posting a bond with Knox County Department of Engineering and Public Works to guarantee such installation. Landscaping shall be installed as to not interfere with the sight triangles and visibility along public streets.  
5. Installation of the parking lot pervious pavement as shown on the development plan.

With the conditions noted, this request meets the requirements for approval in the RA & CA zones and the criteria for approval of a use on review.

Comments:                                      The Knox County Zoning Ordinance (Appendix A, Article 3.51.10) states that the "Planning Commission may approve required off-street parking as a use on review in any zone which is more restrictive than that required for the major land use that it is intended to serve." In this case, the RA zoned parcel is more restrictive than the adjoining CA property on which a coffee shop is operating. Access to the proposed parking lot will be through the commercial site as required by the Zoning Ordinance. Landscaping will be put in place to buffer the lot from the adjoining residential uses.

There are 17 existing parking spaces (including one ADA van space), and the applicant would like to add 12 more parking spaces for a total of 29 parking spaces (including 2 ADA spaces) to meet the current demand.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE**

- 1. Public utilities are available to serve the property.
- 2. With the addition of a landscape buffer and access restriction, the parking lot will be compatible with the surrounding development and zoning pattern.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

- 1. With the recommended conditions, the proposal meets all relevant requirements of the RA zoning district as well as the general criteria for approval of a use on review.
- 2. The proposed development with the recommended conditions is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. With the recommended landscape screening, the use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas, since no additional access driveways will be created for this proposed parking addition. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The North County Sector Plan proposes LDR (Low-Density Residential) for this site. The proposed additional parking, which is allowed by the zoning ordinance, is in conformity with the Sector Plan with the recommended conditions.
2. The property is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Denied **Meeting Date:** 11/14/2019

**Details of Action:**

**Summary of Action:** DENY the request for additional parking in a more restrictive zone.

**Date of Approval:** **Date of Denial:** 11/14/2019 **Postponements:** 10/10/2019

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

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

**Legislative Body:** Knox County Board of Zoning Appeals

**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":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**