

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 10-I-23-RZ **Related File Number:**
Application Filed: 8/21/2023 **Date of Revision:**
Applicant: CORRYTON A SERIES LLC OF DELTA PROPERTIES LLC

PROPERTY INFORMATION

General Location: North side of E. Emory Rd, east of Tazewell Pike
Other Parcel Info.:
Tax ID Number: 21 104 PART OF **Jurisdiction:** County
Size of Tract: 1.38 acres
Accessibility: Access is via E Emory Rd, a major arterial with a pavement width ranging from 37-48 ft within a right-of-way range of 71-86 ft.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** MU-SD (Mixed Use Special District), NE-CO1 (Har
Growth Policy Plan: Planned Growth Area
Neighborhood Context: Harbison Crossroads, located at the intersection of Tazewell Pike and Emory Road, is the primary commercial area for the greater Gibbs community.

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

Street: 7509 E EMORY RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests:
Extension of Zone: Yes, this is an extension of the zone.
History of Zoning: In 2004, the east side of the property (7513 E Emory Rd) was rezoned from A (Agricultural) to CA (General Business) (6-R-04-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District), NE-CO1 (Harbison Crossroads)

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:

Whitney Warner

Staff Recomm. (Abbr.):

Approve the CA zone because it is consistent with the sector plan and surrounding development, subject to two conditions.

Staff Recomm. (Full):

- 1) Installation of a "Type A" landscaping screen, as found in the Landscaping Screening Design Guidelines along any shared boundaries with residential zoning.
- 2) Installation of sidewalks at the front of this property since it is in the School Parental Responsibility Zone.

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. Rezoning in the area over the last two decades have created a commercial node nearby. The proposed CA zoning would serve as a minor extension of the zone, which is sandwiched between CA to the west and east.
2. Additionally, historical aerials show that within the last five years, Tazewell Pike and Emory Road were widened at their intersection just west of this location. Both were previously two-lane roads that now consist of four lanes at their intersection, including separate right turn and protected left turn lanes.

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

1. This zone is for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed. Provide statement affirming this rezoning would be consistent with the description.

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 surrounding area has developed into a variety of commercial uses zoned CA.
2. This parcel is bordered by residential uses to the north. Therefore, landscaped screening should be provided as buffer. The "Type A", 15 ft wide landscape screen in the Landscape Screening Design Guidelines is designed for boundaries between commercial and adjoining residential areas.
3. The front of this parcel is in the School Parental Responsibility Zones of Gibbs Middle and Gibbs High Schools. Sidewalks will be required along the front of the property.

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. CA is compatible with the sector plan's MU-SD NECO-1 (Mixed Use-Special District, Northeast County-1, Harbison Crossroads) land use designation, which is primarily commercial.
2. "Type A" landscaping screen, as found in the Landscaping Screening Design Guidelines, should be installed along any shared boundaries with residential zoning. Per General Plan (8.12) - When commercial uses abut residential property, ordinance provisions or use-on-review conditions requiring fencing, landscaping screens, earthberms, height restrictions, and/or deeper than usual building setbacks can improve land use transitions.
3. The proposed zone change is not in conflict with any other adopted plans.

Action:

Approved with Conditions

Meeting Date: 10/5/2023

Details of Action:

Summary of Action: Approve the CA zone because it is consistent with the sector plan and surrounding development, subject to two conditions.

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: 11/20/2023

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: