

# CASE SUMMARY

APPLICATION TYPE: REZONING

## NORTHEAST COUNTY SECTOR PLAN AMENDMENT



**File Number:** 11-O-20-RZ      **Related File Number:** 11-F-20-SP  
**Application Filed:** 9/30/2020      **Date of Revision:**  
**Applicant:** BENJAMIN C. MULLINS O/B/O ELEVATION FOODS PROPERTIES, LLC

### PROPERTY INFORMATION

**General Location:** East side of Harris Road, west of Rutledge Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 60 080, 079.05, & 079.06      **Jurisdiction:** County  
**Size of Tract:** 8.8 acres  
**Accessibility:** The properties have frontage and access from Harris Road and Rutledge Pike. Harris Road is a minor collector with a 19.6-ft pavement width inside a 60-ft right-of-way. Rutledge is a major arterial with a -ft pavement width inside a right-of-way of ft.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Elevations Foods facilities and a former Jehovah's Witness Church  
**Surrounding Land Use:**  
**Proposed Use:**      **Density:** N/A  
**Sector Plan:** Northeast County      **Sector Plan Designation:** LDR (Low Density Residential) / GC (General Com  
**Growth Policy Plan:** Urban Growth Area  
**Neighborhood Context:** These properties are bordered by low-density single-family residential on the north and west and a commercial business to the south. Harris Road has a rural feel with mostly large-lot single family detached houses, though these lots and the adjacent commercial property to the south form a commercial node on its southern end where it meets Rutledge Pike.

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

**Street:** 1702 & 1600 Harris Road and 5811 Rutledge Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** RB (General Residential) / CB (Business and Manufacturing)  
**Former Zoning:**  
**Requested Zoning:** PC (Planned Commercial)  
**Previous Requests:** 9-H-20-RZ  
**Extension of Zone:** Yes, PC zoning is across the street to the west  
**History of Zoning:** A request to rezone 1702 Harris Road was withdrawn in September 2020.

### PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential) / GC (General Commercial)

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

### **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:** Michelle Portier

**Staff Recomm. (Abbr.):** Approve PC (Planned Commercial) zoning because it allows the Planning Commission to review and condition improvements to the site that will mitigate potential adverse impacts of the existing business on the adjacent residential properties.

**Staff Recomm. (Full):**

**Comments:**

REZONING REQUIREMENTS FROM ZONING ORDINANCES (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. There have been no changes to conditions to warrant a rezoning. However, two of the properties contain existing businesses that will remain. Rezoning the three parcels in this proposal to PC allows the Planning Commission to review the site plan proposal as part of the site plan review process since any changes to the site would require Planning Commission review and approval. Issues with access and landscaping buffers would be addressed at that time.

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

1. The proposed amendment to PC (Planned Commercial) zoning 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.

2. In general, uses permitted shall include office, commercial services and light distribution centers. ...Since some permitted uses may be incompatible with others the developer of a planned commercial complex shall provide the planning commission with a list of uses permitted in the development which shall be compatible with each other and neighboring uses as authorized under restrictive covenants [§ 5.33.02]. The applicant has provided a deed restriction listing the uses that would be allowed in this PC zone.

3. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. Commercial zoning exists to the south on Harris Road at its connection to Rutledge Pike.

2. There are single family homes adjacent to the north on Harris Road. If the rezoning were approved, the planned changes to the development which have necessitated this rezoning request would require approval by the Planning Commission as part of the PC zone requirements. This provides an opportunity for the Planning Commission to ensure development that minimizes potential adverse impacts for the residential properties. The Planned Commercial zone has requirements for a peripheral boundary, landscaping, building coverage, and building height that make it more palatable than other commercial zones. Site improvements such as the access points, parking locations, buffers, etc. would be included on the site plan for review.

3. Depending on the site plan, either a "Type A" or "Type B" landscape buffer would be required along shared property lines with residential uses [§ 4.10.11 (A) and (B)].

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 PC zone would require a plan amendment for 1702 Harris Road in order to be consistent with the sector plan. The other two properties already have GC land use and would not require a plan amendment. However, the applicant is requesting a plan amendment for all three parcels to the O (Office) designation since it is the least intense land use that allows the PC zone and is typically utilized as a transition between commercial and residential land uses. In this instance, there is GC land use to the south and LDR to the north.

**Action:** Approved

**Meeting Date:** 11/12/2020

**Details of Action:**

**Summary of Action:**

Approve PC (Planned Commercial) zoning because it allows the Planning Commission to review and condition improvements to the site that will mitigate potential adverse impacts of the existing business on the adjacent residential properties.

**Date of Approval:** 11/12/2020

**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:** 12/21/2020

**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:**