

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 12-A-21-RZ    **Related File Number:**  
**Application Filed:** 10/6/2021    **Date of Revision:**  
**Applicant:** ESTATE OF CARSON H. WILKERSON

## PROPERTY INFORMATION

**General Location:** South side of E. Emory Road, southwest of Taggart Lane  
**Other Parcel Info.:**  
**Tax ID Number:** 47 09702 (PART OF)    **Jurisdiction:** County  
**Size of Tract:** 1.3 acres  
**Accessibility:** Access is via E. Emory Rd, a major arterial road with 65-ft of pavement width within an 80-ft right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Transportation/Communications/Utilities  
**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 primarily a mix of commercial and office uses extending along E. Emory Road from the I-75 interchange.

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

**Street:** 0 E. Emory Rd.  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** CB (Business and Manufacturing)  
**Previous Requests:**  
**Extension of Zone:** Yes, the rear half of this property and adjacent properties to the east, west, and south are zoned CB.  
**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: Levan King Cranston

Staff Recomm. (Abbr.): Approve CB (Business and Manufacturing) zoning because it is an extension of existing CB zoning on this property and adjacent properties and is consistent with the existing development along E. Emory Rd.

Staff Recomm. (Full):

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 property is the only agricultural property remaining along this stretch of E. Emory Road.
- 2. CB zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.

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

- 1. The proposed amendment to CB zoning provides for a wide range of business and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic which may have adverse effects on surrounding properties. Hence, they are not properly associated with, nor compatible with residential or institutional uses or with other uses that require an environment free of noise, odors and congestion. Uses permitted in the CB, Business and Manufacturing Zone are intensive users of roads, sewers and other public facilities.
- 2. This area has sufficient infrastructure including roads and utilities that can support an expansion of commercial development on this property.

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. This area along E. Emory Rd has steadily transitioned to commercial zoning for a number of years.
- 2. It is not anticipated that this amendment will cause any adverse effects because the rear portion of this property and adjacent properties to the east, west, and south are currently zoned CB.

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. CB zoning is compatible with the existing GC (General Commercial) Sector Plan land use classification and is not in conflict with any other plans.

Action: Approved

Meeting Date: 12/9/2021

Details of Action:

Summary of Action: Approve CB (Business and Manufacturing) zoning because it is an extension of existing CB zoning on this property and adjacent properties and is consistent with the existing development along E. Emory Rd.

Date of Approval: 12/9/2021

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:** 2/22/2022

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**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:**