

# CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 4-Y-25-RZ

Related File Number:

Application Filed: 3/15/2025

Date of Revision:

Applicant: BRAD PRUITT

## PROPERTY INFORMATION

**General Location:** North side of Asheville Hwy across from its intersection with E Governor John Sevier Hwy, north side of the River Turn Rd and Riverview Crossing Dr intersection.

**Other Parcel Info.:**

**Tax ID Number:** 71 001 (PART OF)

**Jurisdiction:** County

**Size of Tract:** 113.79 acres

**Accessibility:** Access is via Asheville Highway, a median-divided, major arterial road with a right-of-way width that varies from 150 ft to 230 ft, River Turn Road, a local street with a pavement width that varies from 20 ft to 40 ft within an 82-ft right-of-way, and Riverview Crossing Drive, a local street with 30 ft of pavement width within a right-of-way width that varies from 52 ft to 55 ft.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture/Forestry/Vacant Land

**Surrounding Land Use:**

**Proposed Use:**

**Density:**

**Planning Sector:** East County

**Plan Designation:** CC (Corridor Commercial)/HP (Hillside Protection)/SP (Stre

**Growth Policy Plan:** Urban Growth Area (Outside City Limits)

**Neighborhood Context:** The surrounding area features a mix of commercial, residential, and office uses along Asheville Highway, interspersed with undeveloped land. The subject property is approximately 0.65 miles from the I-40 interchange to the west, and the antebellum Moses Armstrong House lies directly to the south. There is an active quarry across the river to the west.

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

**Street:** 6125 RIVERVIEW CROSSING DR

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** PC(k) (Planned Commercial) with conditions

**Former Zoning:**

**Requested Zoning:** PC (Planned Commercial)

**Previous Requests:** 2-F-79-RZ

**Extension of Zone:** No, it is not an extension.

**History of Zoning:** In 1979 the property was rezoned from A (Agricultural)/I (Industrial) to PC (Planned Commercial) with conditions; applicant requested CA (General Business) (2-F-79-RZ).

## 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: Mike Reynolds

Staff Recomm. (Abbr.): Approve the PC (Planned Commercial) zone without conditions because it is consistent with Knox County Comprehensive Plan and due to the change of conditions in the area.

Staff Recomm. (Full):

Comments: This request is to remove the zoning conditions imposed on the property when it was rezoned to PC (Planned Commercial) in 1979 (2-F-79-RZ). The conditions were in response to the desire to construct a regional shopping center (mall) but they did not provide an alternative if the mall was not constructed. If approved as requested, the existing PC zoning boundary would be retained, with the sole change being the removal of the conditions, which will allow the site to be used for any permissible use within the PC zone.

There is an associated development plan application (3-I-25-DP) that was postponed at the March 13, 2025, Planning Commission meeting until the May 8, 2025, meeting to allow the Planning Commission to consider this rezoning application first. If the Planning Commission approves the rezoning as requested, the development plan can be included on the May 8th agenda for consideration of approval, subject to the approval of the Knox County Commission for the rezoning.

In 1996, the Riverview Crossing shopping center and associated public roads were approved by the Planning Commission (8-SB-96-C/8-E-96-UR), prior to a partial annexation into the City in 1997 (6-W-97-RZ). The associated staff reports did not mention the zoning conditions. However, it is noted that the site was a former landfill. Confirmation of the landfill's location must be provided with future development plan application(s). Staff will work with the applicant to provide any available information related to the current development plan application, 3-I-25-DP, which is a master plan that establishes allowed uses and outlines the general site plan. However, each proposed use will require a separate development plan application and approval by the Planning Commission before building permits are issued.

ZONING CONDITIONS APPROVED IN 1979 (see Exhibit B)

- (1) A regional shopping center with one full-line department store with operations in four other metropolitan areas and three states and one full-line department store in another metropolitan area,
- (2) A minimum gross leasable area in Phase I development of 300,000 square feet,
- (3) Not more than three points of entry to the site from Asheville Highway, one of which shall be right turn in and out only,
- (4) An interior ring road serving the site, which is curbed and guttered along both sides with access to parking areas to be placed a minimum of 112 feet apart [County Commission removed the requirement of curbing on the interior of the rear portion of the ring road],
- (5) A maximum of two free-standing signs identifying the center with individual tenant signs located on the façade of the building,
- (6) All requirements of the Planned Commercial Zone. The Protective Covenants shall be placed on record at the Knox County Courthouse and with the Metropolitan Planning Commission upon approval of development plans by MPC and prior to issuance of any building permits for the site,
- (7) In the event of any future residential zoning approvals on the western edge of the site, such property would be excluded from the covenants in all instances except access via the ring road.

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. The zoning conditions placed on the property were in response to a specific development proposal for the site in 1979, which was never constructed.
2. The removal of the conditions will permit the property to be used for any permitted use in the PC zone. The Planning Commission must approve a development plan for the proposed use(s) before building permits are issued.

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

1. The PR 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.
2. The "uses permitted" section of the PC zone states, "it is not the intent of this zone to restrict potential development by limiting uses. In general, uses permitted shall include office, commercial services and light distribution centers."
3. Removal of the conditions restricting the use of the site is consistent with the intent of the PC zone.

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. Removal of the zoning conditions will not alter the site's ability to be developed but will allow consideration of uses other than a regional shopping center and multi-family residential.
2. A transportation impact study has been provided with the development plan application, 3-I-25-DP, which outlines the road improvement recommendations associated with the proposed uses.
3. Environmental studies may be required with development plan and/or permit reviews.

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 property is located within the CC (Corridor Commercial) place type. The PC zone is a directly related zoning district.
2. CC areas are situated along major transportation corridors that are suitable for a mix of commercial development, including shopping centers, large-format retail, and auto-oriented uses. Development is composed of primarily one story, large footprint buildings, but may include a variety of building sizes, including multi-story hotels. These areas have an auto-oriented design but should be well-connected with pedestrian accommodations.
3. Removal of the zoning conditions will enable new development proposals to be reviewed under the current community characteristics, consistent with Knox County Comprehensive Plan Implementation Policy 2, ensuring that development is sensitive to the existing community character.
4. The rezoning is aligned with the property's location in the Urban Growth Boundary of the Growth Policy Plan.

**Action:** Approved **Meeting Date:** 4/10/2025

**Details of Action:**

**Summary of Action:** Approve the PC (Planned Commercial) zone without conditions because it is consistent with Knox County Comprehensive Plan and due to the change of conditions in the area.

**Date of Approval:** 4/10/2025 **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:** 5/12/2025

**Ordinance Number:**

**Disposition of Case:**

**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:**