

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 7-T-23-RZ **Related File Number:** 7-F-23-SP
Application Filed: 5/31/2023 **Date of Revision:**
Applicant: STEVE DRUMMER

PROPERTY INFORMATION

General Location: Northwest side of E Emory Rd, southwest of Ogg Rd, northeast of Cedarcrest Rd
Other Parcel Info.:
Tax ID Number: 47 124 **Jurisdiction:** County
Size of Tract: 2.34 acres
Accessibility: Access is via E Emory Road, a major arterial with a center turn lane and 59 ft of pavement width within a right-of-way that varies from 68 to 89 ft in width.

GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: North County **Sector Plan Designation:** MDR/O (Medium Density Residential/Office), HP (**Growth Policy Plan:** Planned Growth Area
Neighborhood Context: This parcel is located adjacent to a small commercial node at the intersection of E Emory Road and Dry Gap Pike. Surrounding properties consist of multifamily developments and small-lot, single-family subdivisions off of side streets, and large lots with single family homes off of E Emory Road.

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

Street: 1513 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) & OB (Office, Medical, and Related Services)
Previous Requests:
Extension of Zone: Yes, OB and CA are both adjacent to the west.
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: MDR/O (Medium Density Residential/Office), HP (Hillside Protection)

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:

Michelle Portier

Staff Recomm. (Abbr.):

Approve the CA (General Business) zone for the front half of the parcel, and the OB (Office, Medical, and Related Services) zone for the rear half of the parcel, because both are minor extensions and are not anticipated to create any adverse impacts, subject to one condition.

Staff Recomm. (Full):

1. Provision of a Type A Dense Landscape Screen along shared lot lines between the CA zoned portion of the property and the adjacent residential zones.

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 GENERALLY:

1. As mentioned previously, this area has transitioned away from residential zones towards the CA zone since the 1980s.

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

1. This request to extend both zones to the subject properties is consistent with the zone descriptions: The CA (General Business) zone is intended to provide for general retail business and services but not for manufacturing or for processing materials other than farm products. The OB (Office, Medical, and Related Services) zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The extension of the OB zone on the back half of the parcel maintains a transitional relationship between commercial zoning along the street and the single family residential uses adjacent to the north. The extension of the CA zone builds upon an existing commercial node and would provide the opportunity for additional commercial services at this location to support the surrounding residential development.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The extension of the OB zone onto the rear of the property is not anticipated to cause adverse impacts for surrounding properties. This is a transitional zone that allows less intense uses than commercial zones. As such, it provides a buffer between the requested commercial zone at the front of the property and the single family residential neighborhood to the rear.

2. This stretch of E Emory Road currently consists predominantly of commercial uses. This would be considered a minor extension of the CA zone onto the front of this property, and it is buffered from the single family residential neighborhood to the rear of the property by the requested OB zone.

3. The County's zoning ordinance has requirements for a landscape buffer between commercial and residential uses, and Planning has added a condition for the County's Type A Dense Landscape Screen to be installed between the portion of the parcel to be zoned commercial and the adjacent residential property on E Emory Rd. The OB zoning to the rear and the required landscape screen for the residential property to the northeast should mitigate any potential adverse impacts for the surrounding properties.

3. Part of the subject property is in the HP (Hillside Protection) Overlay District, and there are steep slopes on the back half of the site. The development will be required to comply with the Stormwater Ordinance to mitigate potential impacts from stormwater runoff.

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 proposed amendment to the North County Sector Plan amending this parcel to the GC land use classification would support the requested CA zone. The existing MDR/O land use class that is to remain on the back half of the parcel supports the requested OB zone.
2. The North County Sector Plan recognized the commercial node at the interchange of I-75 and E Emory Road and the likelihood of the mix of non-residential uses expanding (p. 37).
3. Appendix A of the North County Sector Plan summarizes public comments. One of these was to "keep intense commercial development along Emory Road to the existing commercial (p. 37). This expansion is within the existing commercial node and meets this standard.
4. Sub-section 9.11 of the General Plan Development Policies section recommends locating community-serving commercial areas where they can be easily shared by several neighborhoods. The surrounding properties around the commercial node contain single family and multifamily residential uses.

Action: Approved with Conditions **Meeting Date:** 7/13/2023

Details of Action:

Summary of Action: Approve the CA (General Business) zone for the front half of the parcel, and the OB (Office, Medical, and Related Services) zone for the rear half of the parcel, because both are minor extensions and are not anticipated to create any adverse impacts, subject to one condition.

Date of Approval: 7/13/2023 **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: 8/28/2023

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: