

# CASE SUMMARY

**APPLICATION TYPE: REZONING**



**File Number:** 9-C-19-RZ                      **Related File Number:**  
**Application Filed:** 8/7/2019                      **Date of Revision:**  
**Applicant:** DUSTIN LATHAM / INTEGRATION TECHNOLOGY, LLC

## PROPERTY INFORMATION

**General Location:** East side of Tazewell Pike due north of E. Emory Road  
**Other Parcel Info.:**  
**Tax ID Number:** 21 069                      **Jurisdiction:** County  
**Size of Tract:** 0.9 acres  
**Accessibility:** Tazewell Pike is a minor arterial with a pavement width of 36 feet and a right-of-way width of 51 feet. It consists of one lane of travel heading north and south and a center turn lane.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Single family residential; one home sits vacant on the property  
**Surrounding Land Use:**  
**Proposed Use:** Convert existing building to commercial structure                      **Density:** n/a  
**Sector Plan:** Northeast County                      **Sector Plan Designation:** MU-SD NECO-1, Mixed Use-Special District, North  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** Tazewell Pike to the north is a rural area, though there are pockets of planned residential zoning behind the parcels fronting Tazewell Pike. A commercial node begins on the north side of the Tazewell Pike and Emory Road intersection and spreads south. Nearby businesses include a restaurant, a bank, a major pharmacy, and two convenience stores/gas stations.

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

**Street:** 7508 Tazewell Pike  
**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:** None noted for this property  
**Extension of Zone:** Yes, CA abuts this property to the south  
**History of Zoning:** None noted for this property

## 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:** Michelle Portier

**Staff Recomm. (Abbr.):** Approve CA (General Business) zoning, subject to two conditions.

**Staff Recomm. (Full):** Staff recommends approval of the requested CA (General Business) zoning subject to two conditions - that a "Type A" landscaping screen, as found in the Landscaping Screening Design Guidelines, be installed along any shared boundaries with residential zoning, and that sidewalks be installed at the front of this property since it is in the School Parental Responsibility Zone.

**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.The property is located in the Planned Growth Area of the Growth Policy Plan.
- 2.Rezonings in the area over the last two decades have created a commercial node nearby.
- 3.Historical aerials show that within the last two years, Tazewell Pike and Emory Road were widened at their intersection just south 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.The proposed amendment to CA (General Business) zoning is to provide general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.
- 2.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.CA is compatible with the sector plan's MU-SD NECO-1 (Mixed Use-Special District, Northeast County-1, Harbison Crossroads) land use designation.
- 2.The surrounding area within the MU-SD NECO-1 designation has already developed into a variety of commercial uses zoned CA (nearby businesses include a restaurant, a bank, a major pharmacy, and two convenience stores/gas stations).
- 3.This parcel is bordered by residential uses to the north and east. Therefore, landscaped screening should be provided as buffer. The "Type A" screen in the Landscape Screening Design Guidelines is designed for boundaries between commercial and adjoining residential areas and would be appropriate to use in this location.
- 4.The property is in the HP (Hillside and Ridgetop Protection) area, but only a very small part of the property has a slope ranging from 15% to 40%. The existing buildings (house and two small accessory buildings) on the site are expected to remain. The house would be retrofitted for commercial use.
- 5.The front of this parcel is in the School Parental Responsibility Zones of Gibbs Middle and Gibbs High Schools. As such, sidewalks would be required at 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.According to the Northeast County Sector Plan, the recommended uses along this stretch of

Tazewell Pike are "commercial and office" uses. The plan leaves it rather vague as to what would be included in those uses specifically, but a wide variety of commercial establishments would be compatible with the area given the mix of uses already present.  
2. The sector plan recognizes the development pattern of this area. According to the plan, "The current form and function of this special district is strip commercial with future development and redevelopment likely to occur in the same manner." – (Northeast County Sector Plan, p. 29)  
3. The proposed amendment is consistent with all other plans.

**Action:** Approved with Conditions **Meeting Date:** 9/12/2019

**Details of Action:**

**Summary of Action:** Approve CA (General Business) zoning, subject to two conditions.

**Date of Approval:** 9/12/2019 **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:** 10/28/2019

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved with Conditions

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**