

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 9-I-19-RZ
Application Filed: 7/29/2019
Applicant: STAN SOREY

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Northwest side of E. Emory Road at intersection of E. Emory Road & Dry Gap Pike
Other Parcel Info.: RA to OB for approximately 6 acres at the rear of the property zoned RA
Tax ID Number: 47 123 (PART OF) **Jurisdiction:** County
Size of Tract: 6 acres
Accessibility: Access is via E. Emory Road (State Route 131), a four lane major arterial, with a pavement width of 60 feet within a right-of-way of 100 feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: None noted **Density:**
Sector Plan: North County **Sector Plan Designation:** MDR/O
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The area is within 1.5 miles of the I-75 interchange with Emory Road. It is a commercial, office and medium density residential node with Dry Gap Pike, near Brickey McCloud Elementary School. Single family residential neighborhoods surround the commercial node.

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

Street: 1509 E. Emory Rd.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
Former Zoning:
Requested Zoning: OB (Office, Medical, and Related Services)
Previous Requests:
Extension of Zone: No
History of Zoning: 6-G-86-RZ: CA and A to RA

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: Liz Albertson

Staff Recomm. (Abbr.): Approve OB (Office, Medical, and Related Services) zoning.

Staff Recomm. (Full): Staff recommends approval of the OB zoning since it is consistent with the North County Sector Plan designation of MDR/O (Medium Density Residential / Office) for the property and the office zoning will provide a transition zone between the existing commercial zoning along E. Emory Road and the single family residential neighborhood to the north.

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 existing land use of the property is rural residential with a residence on a large lot.
2. The adjacent property fronting on E. Emory Road (Parcel ID: 047 122) is a commercially zoned business, and is presently under the same ownership as the subject property (Parcel ID: 047 123).
3. Adjacent to the north and west of property are single family residential neighborhoods.
4. This rezoning to office will provide a buffer between the existing commercial uses along E. Emory Road and the adjacent single family residential neighborhoods.
5. The sector plan identified the need for this transition land use in the 2012 update for North County.

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

1. The OB 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 intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.

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

1. OB is consistent with creating a transition between the more intense commercial zoning along E. Emory Road and the nearby single family residential zoned neighborhoods.
2. OB also allows uses permitted in the RB zone, except height regulations are limited to 45 feet in the OB zone.
3. The subject property (Parcel ID: 047 123) and the adjacent property fronting on E. Emory Road (Parcel ID: 047 122) is a commercially zoned business, and is presently under the same ownership. The applicant is aware of the need for TDOT compliant access for the subject property at the Dry Gap Pike intersection, since the existing subject parcel frontage is inadequate for TDOT standards.
4. This rezoning does not adversely affect any other part of the county.

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. This property is designated (MDR/O) Medium Density Residential/Office in the North County Sector Plan, which lists the OB zone as one of the recommended zones in the Planned Growth Area.
2. The proposed zoning is consistent with and not in conflict with the other aforementioned plans.

Action: Approved

Meeting Date: 9/12/2019

Details of Action:

Summary of Action: Approve OB (Office, Medical, and Related Services) zoning.
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 **Disposition of Case, Second Reading:**
If "Other": **If "Other":**
Amendments: **Amendments:**
Date of Legislative Appeal: **Effective Date of Ordinance:**