

REZONING REPORT

▶ **FILE #:** 10-F-19-RZ

AGENDA ITEM #: 23

AGENDA DATE: 10/10/2019

▶ **APPLICANT:** CALTON DEVELOPMENT, LLC

OWNER(S): Samuel & Reva Mullins

TAX ID NUMBER: 47 076, 077 & 07701

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 723 E. Emory Road

▶ **LOCATION:** North side of E. Emory Road, south of Bishop Road

▶ **APPX. SIZE OF TRACT:** 6 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E. Emory Road, a 4-lane median separated major arterial, with a pavement width of 68 feet within a right-of-way width of 100 feet.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural)

▶ **ZONING REQUESTED:** CA (General Business)

▶ **EXISTING LAND USE:** SFR (Single Family Residential) & RR (Rural Residential)

▶ **PROPOSED USE:** Commercial development

EXTENSION OF ZONE: Yes, CA zoning is adjacent to the west, and PC zoning is adjacent to the east.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Industrial, public/quasi-public - A, I

South: Industrial, commercial - CB

East: Office, vacant - PC, CB

West: Vacant, office, multifamily - CA, OB

NEIGHBORHOOD CONTEXT: This area is primarily a mix of commercial and office uses extending along E Emory Road from the I-75 interchange.

STAFF RECOMMENDATION:

▶ **Approve PC (Planned Commercial) zoning (Applicant requested CA).**

Staff recommends PC zoning for this site. The PC zone will provide staff and the Planning Commission with an opportunity to review a development plan for this location and address connectivity, access and riparian issues during the use-on-review process (see Exhibit A map).

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 area is largely a mix of commercial and office uses along this section of E Emory Road.
2. This site is one of the few under-developed properties in this stretch of the corridor.
3. Planned Commercial (PC) zoning will ensure that the development of additional commercial activities at this location will address existing and forecasted conditions at this location.

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

1. The PC 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. 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.
2. A development plan for the planned commercial complex shall be submitted to the planning commission for approval as a use permitted on review.

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. The PC zoning will allow for review of a development plan to ensure that issues may be addressed via the use-on-review process.

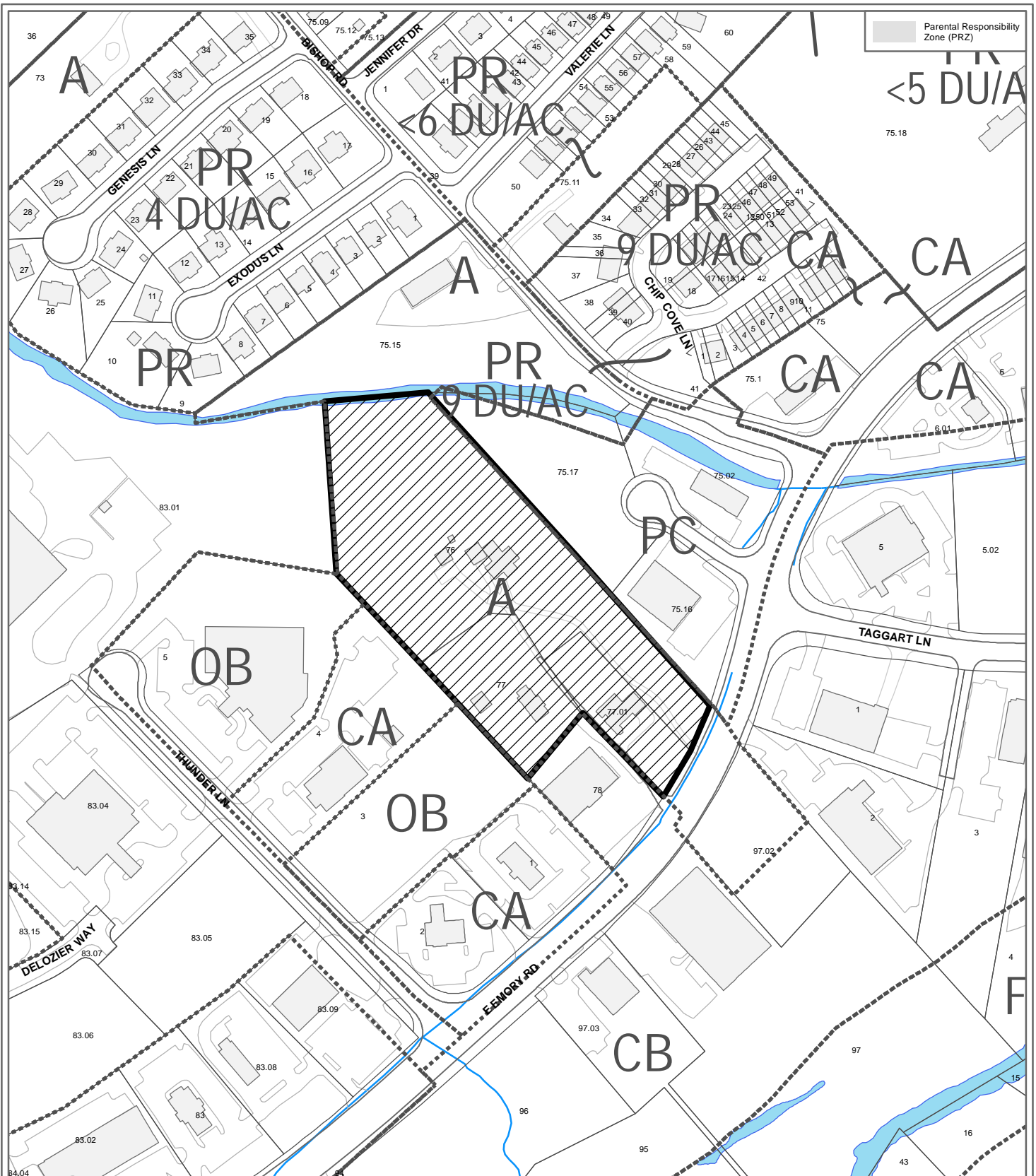
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. This PC rezoning is consistent with the existing GC sector plan designation for this property.
2. This area is within the Planned Growth Area of the Growth Policy Plan.
3. This rezoning is consistent with all other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 11/18/2019. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



**10-F-19-RZ
REZONING**

From: A (Agricultural)

To: CA (General Business)



Petitioner: Calton Development, LLC

Map No: 47

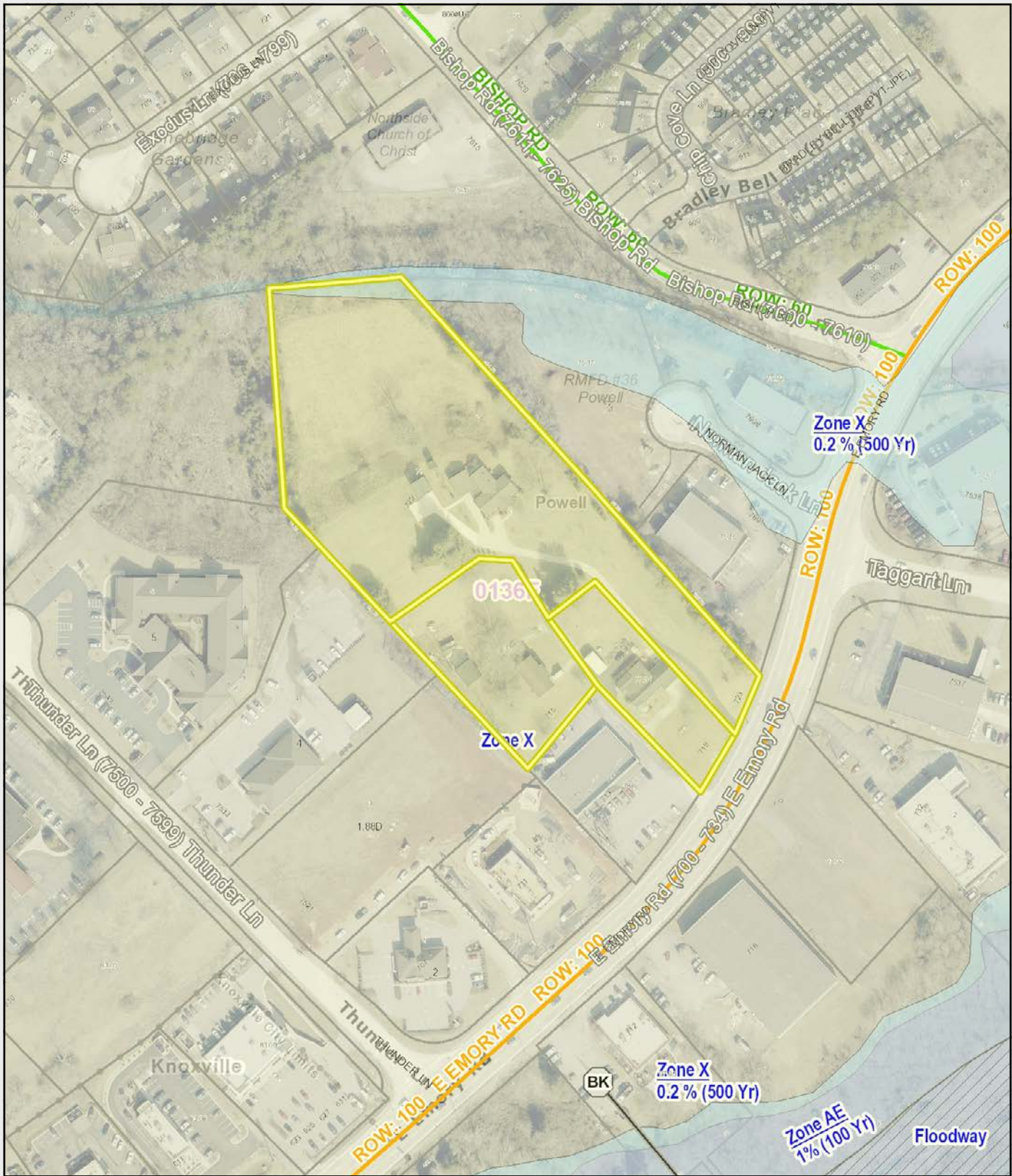
Jurisdiction: County




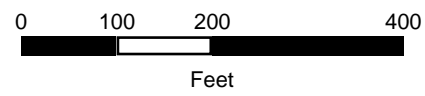
Original Print Date: 9/17/2019

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902




Exhibit A. 10-F-19-RZ
 2018 aerial photo and FEMA map
 Subject area showing floodplain and adjacent connectivity and access opportunities.



KGIS makes no representation or warranty as to the accuracy of this map and its information, nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.



DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Knoxville-Knox County Planning and Zoning
- Rezoning

CALTON DEVELOPMENT, LLC
Applicant

8/20/19 Date Filed 10/10/19 @ 1:30 pm. Meeting Date (if applicable) 10-F-19-RZ File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

GARRETT JERNIGAN Name CALTON DEVELOPMENT, LLC Company

2017 AILOR AVE Address KNOXVILLE City TN State 37921 Zip

865.567.9663 Phone GARRETTJ@GRAYSTANRE.COM Email

CURRENT PROPERTY INFO

Samuel and Reva Mullins Owner Name (if different) 719 E Emory Rd Knoxville TN 37938 Owner Address N/A Owner Phone

723, 719, 715 E. Emory Rd Property Address 047 077, 047 076, 047 077.01 Parcel ID

N/3 E Emory Rd due/s Bishop Rd General Location 6 ac +/- Tract Size

7 Jurisdiction (specify district above) City County A Zoning District

North Country Planning Sector GC Sector Plan Land Use Classification Planned Growth Policy Plan Designation



Rural Residential Existing Land Use N Septic (Y/N) KUB Sewer Provider KUB Water Provider

REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential <input type="checkbox"/> Home Occupation (specify): _____ <input type="checkbox"/> Other (specify): _____
SUBDIVISION	<input type="checkbox"/> Proposed Subdivision Name: _____ Unit / Phase Number: _____ <input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____ <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements
ZONING	<input checked="" type="checkbox"/> Zoning Change: <u>CA</u> Proposed Zoning <input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) <u>Commercial Development</u> <u>n/a</u> Proposed Density (units/acre) Previous Rezoning Requests <input type="checkbox"/> Other (specify): _____

STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1:	TOTAL:
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	1580.00
	ADDITIONAL REQUIREMENTS: <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <input type="checkbox"/> Traffic Impact Study	FEE 3:	1580.00

AUTHORIZATION


 Staff Signature	M. Payne Please Print	8/20/2019 Date
 Applicant Signature	GARRET JEANISAL Please Print	08/20/2019 Date

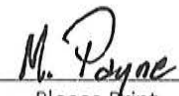
REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan	<input type="checkbox"/> Use on Review / Special Use
	<input type="checkbox"/> Residential	<input type="checkbox"/> Non-Residential
SUBDIVISION	<input type="checkbox"/> Home Occupation (specify): _____	
	<input type="checkbox"/> Other (specify): _____	
	<input type="checkbox"/> Proposed Subdivision Name: _____	Unit / Phase Number: _____
	<input type="checkbox"/> Parcel Change	
	<input type="checkbox"/> Combine Parcels	<input type="checkbox"/> Divide Parcel
ZONING	Total Number of Lots Created: _____	
	<input type="checkbox"/> Other (specify): _____	
	<input type="checkbox"/> Attachments / Additional Requirements	
	<input checked="" type="checkbox"/> Zoning Change: <u>CA</u>	Proposed Zoning: _____
	<input type="checkbox"/> Plan Amendment Change: _____	Proposed Plan Designation(s): _____
	<u>Commercial Development</u>	<u>N/A</u>
	<input type="checkbox"/> Proposed Property Use (specify)	Proposed Density (units/acre)
	<input type="checkbox"/> Other (specify): _____	Previous Rezoning Requests


STAFF USE ONLY	PLAT TYPE	FEE 1:	TOTAL:
	<input type="checkbox"/> Staff Review	<input type="checkbox"/> Planning Commission	
	ATTACHMENTS		
	<input type="checkbox"/> Property Owners / Option Holders	<input type="checkbox"/> Variance Request	
ADDITIONAL REQUIREMENTS:			
<input type="checkbox"/> Design Plan Certification (Final Plat only)			
<input type="checkbox"/> Use on Review / Special Use (Concept Plan only)			
<input type="checkbox"/> Traffic Impact Study			
		<u>1580.00</u>	
		<u>X</u>	
		<u>X</u>	<u>1580.00</u>


AUTHORIZATION

 Staff Signature

 Please Print

8/20/2019 Date

 Applicant Signature

 Please Print

08/20/2019 Date

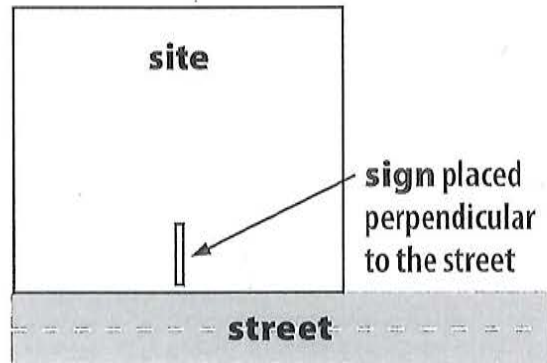
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

9/25/19 and 10/10/19
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: *Garrett Jeanigan*

Printed Name: Garrett Jeanigan

Phone: 865-567-9663 Email: GARRETJ@GRAYSTAN/RE.COM

Date: 09/20/19

MPC File Number: 10-F-19-RZ