

REZONING REPORT

► **FILE #:** 9-C-19-RZ

AGENDA ITEM #: 22

AGENDA DATE: 9/12/2019

► **APPLICANT:** DUSTIN LATHAM / INTEGRATION TECHNOLOGY, LLC

OWNER(S): Dustin Latham / Integration Technology, LLC

TAX ID NUMBER: 21 069

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 7508 Tazewell Pike

► **LOCATION:** East side of Tazewell Pike due north of E. Emory Road

► **APPX. SIZE OF TRACT:** 0.9 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

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.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

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

► **EXISTING LAND USE:** Single family residential; one home sits vacant on the property

► **PROPOSED USE:** Convert existing building to commercial structure

DENSITY PROPOSED: n/a

EXTENSION OF ZONE: Yes, CA abuts this property to the south

HISTORY OF ZONING: None noted for this property

SURROUNDING LAND USE AND ZONING: North: RR (Rural Residential) - A (Agricultural)

South: O (Office) - CA (General Business)

East: SFR (Single Family Residential) - A (Agricultural)

West: RR (Rural Residential) - CA (General Business)

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.

STAFF RECOMMENDATION:

► **Approve the requested CA (General Business) zoning, subject to two conditions.**

Staff recommends approval of 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. Rezoning 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. Rezoning 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.

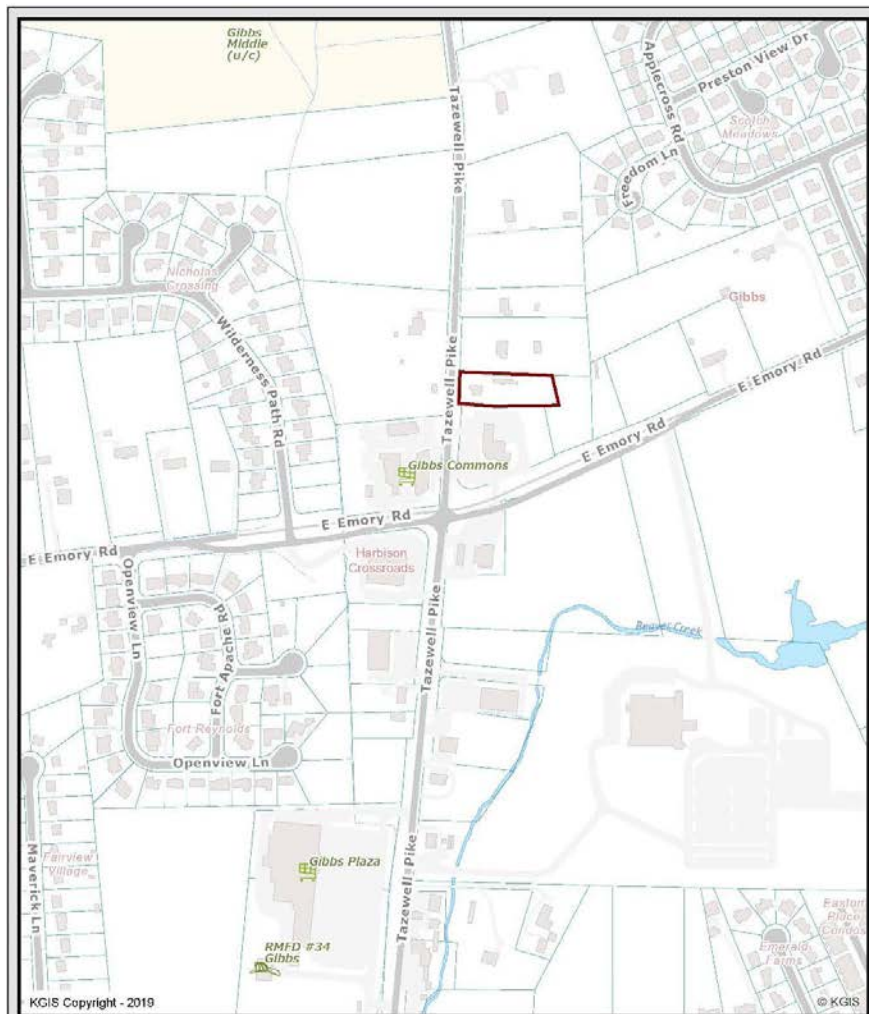
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/28/2019. 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.

9-C-19-RZ

EXHIBIT A. Contextual Images



9-C-19-RZ: Location Map
7508 Tazewell Pike

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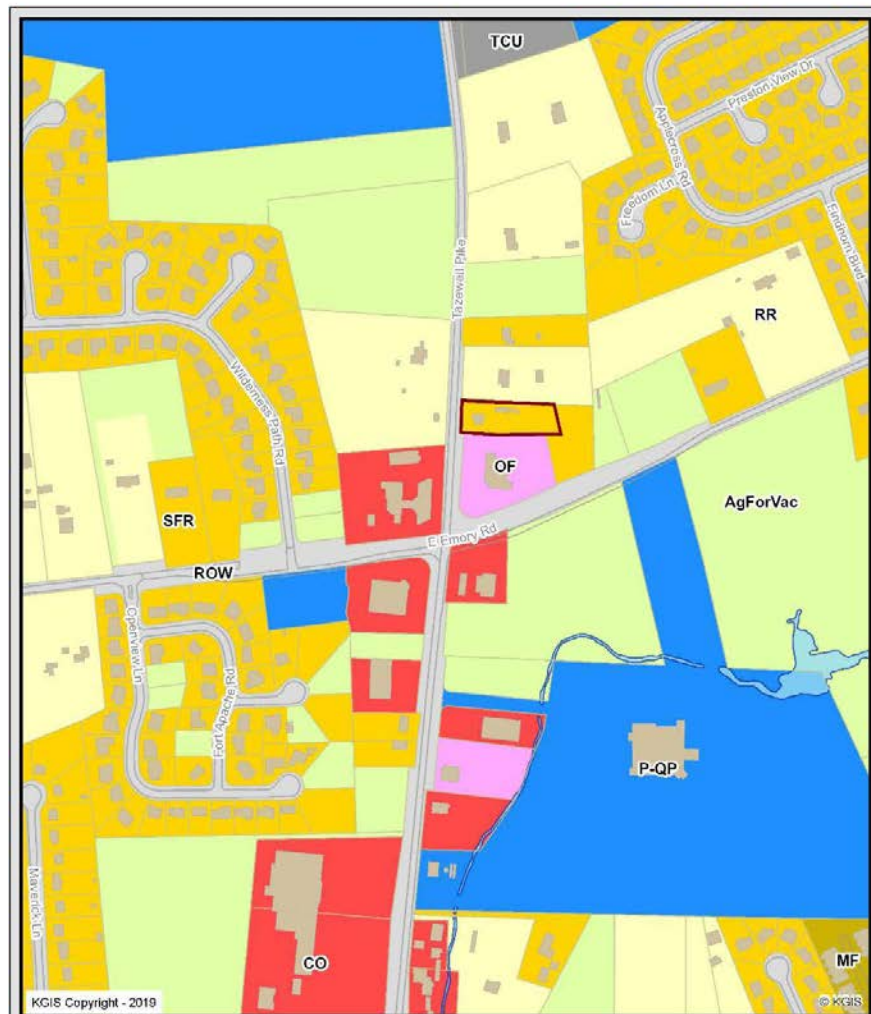
9-C-19-RZ: Aerial Map
7508 Tazewell Pike

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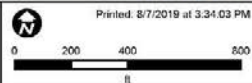
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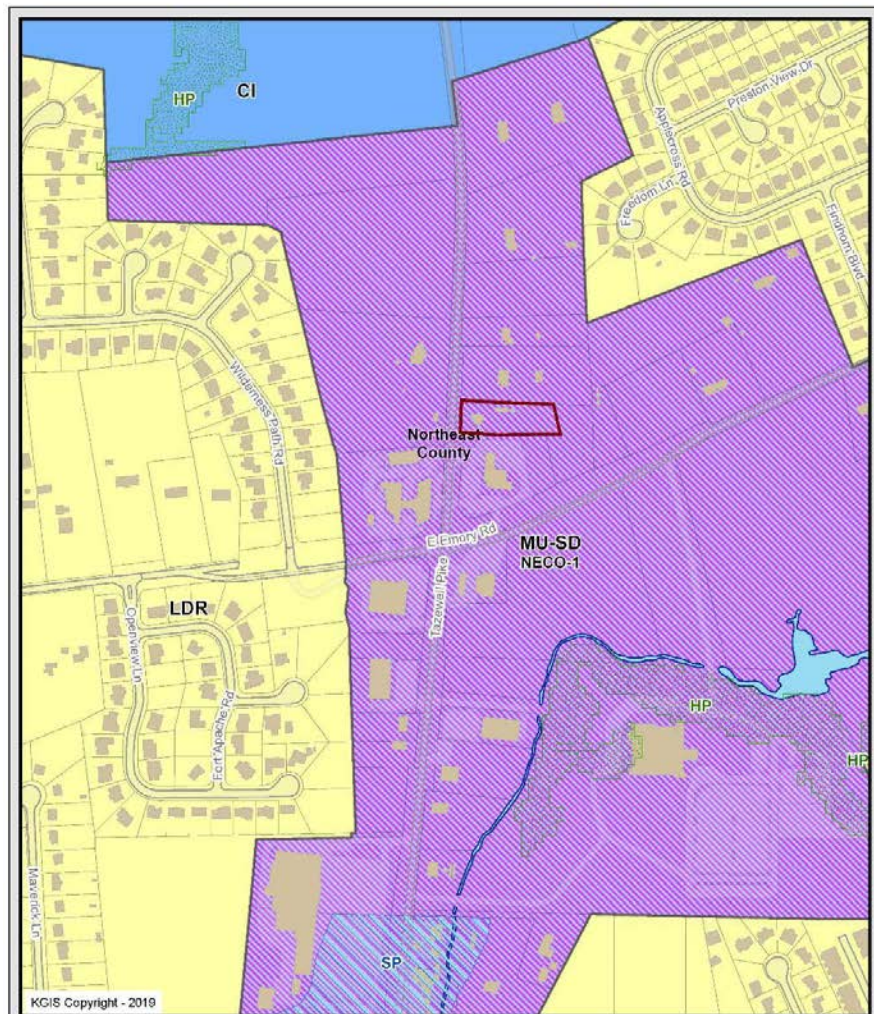
EXHIBIT A. Contextual Images



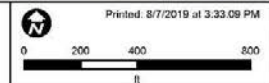
9-C-19-RZ: Existing Land Use Map
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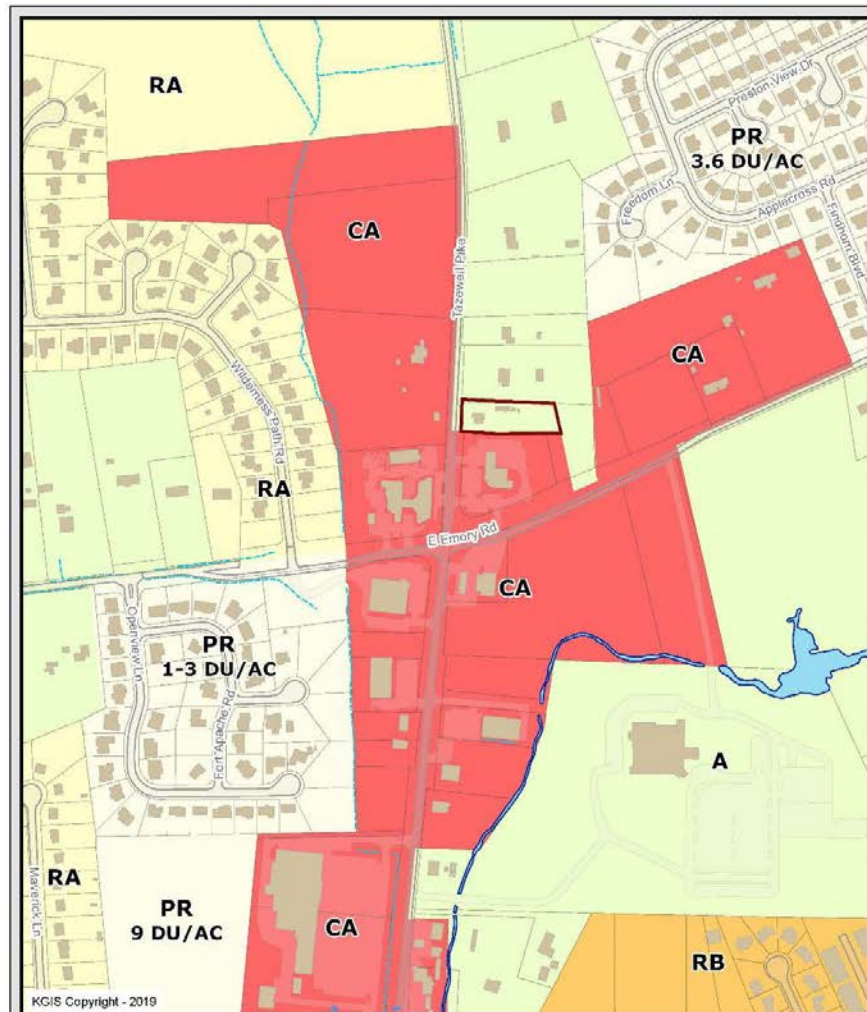
9-C-19-RZ: Sector Plan Map
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EXHIBIT A. Contextual Images

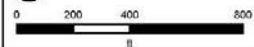


9-C-19-RZ: Zoning Map
7508 Tazewell Pike

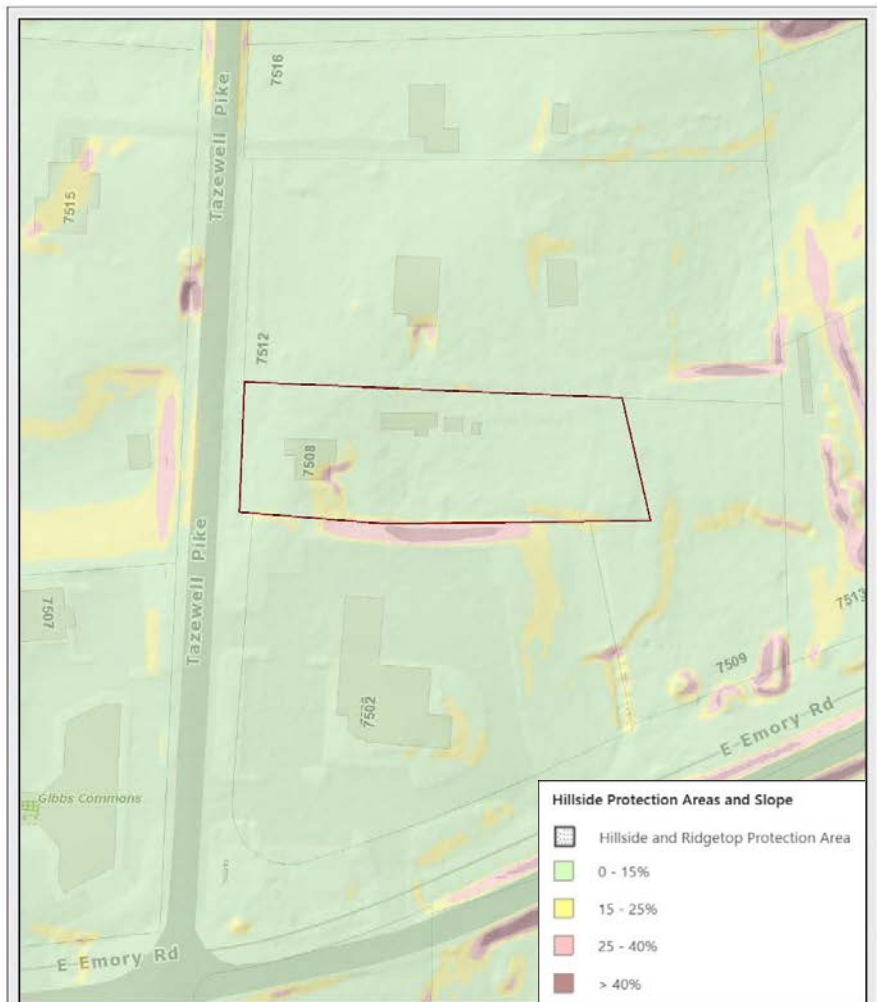
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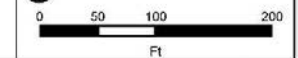
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9-C-19-RZ: Hillside and Ridgetop Protection Map
7508 Tazewell Pike



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DEVELOPMENT REQUEST

DEVELOPMENT

- ☐ Development Plan
☐ Use on Review / Special Use

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☒ Rezoning

RECEIVED

JUL 23 2019

Knoxville-Knox County
Planning

DUSTIN LATHAM
Applicant

7/23/19
Date Filed

9/12/19
Meeting Date (if applicable)

9-C-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

DUSTIN LATHAM
Name

Integration Technology LLC
Company

5310 McGinnis rd.
Address

Corryton
City

TN
State

37721
Zip

865-599-3411
Phone

dustin.latham@intechtn.com
Email

CURRENT PROPERTY INFO

SAME
Owner Name (if different)

SAME
Owner Address

SAME
Owner Phone

7508 Tazewell Pke
Property Address

021 069
Parcel ID

E/S Tazewell Pke Due N E EMORY Rd
General Location

.90 ac +/- (No Recorded Survey)
Tract Size

County 8th District
Jurisdiction (specify district above) ☐ City ☒ County

A
Zoning District

Northeast County
Planning Sector

MU-SD NECO-1
Sector Plan Land Use Classification

Planned
Growth Policy Plan Designation

House (vacant)
Existing Land Use

N
Septic (Y/N)

Hallsdale Powell
Sewer Provider

NE Knox
Water Provider

REQUEST

DEVELOPMENT

☐ Development Plan ☐ Use on Review / Special Use

☐ Residential ☐ Non-Residential

☐ Home Occupation (specify): _____

☐ Other (specify): _____

SUBDIVISION

☐ Proposed Subdivision Name _____ Unit / Phase Number _____

☐ Parcel Change

☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created: _____

☐ Other (specify): _____

☐ Attachments / Additional Requirements

ZONING

☒ Zoning Change: From A to CA
Proposed Zoning

☐ Plan Amendment Change: N/A
Proposed Plan Designation(s)

☒ Proposed Property Use (specify) Convert existing building (residence) to Commercial Structure Proposed Density (units/acre) (None) Previous Rezoning Requests

☐ Other (specify): _____

STAFF USE ONLY

PLAT TYPE

☐ Administrative ☐ Meeting

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat only)

☐ Use on Review / Special Use (Concept Plan only)

☐ Traffic Impact Study

FEE 1:

1,000.00

FEE 2:

X

FEE 3:

X

TOTAL:

1,000.00

AUTHORIZATION

Staff Signature

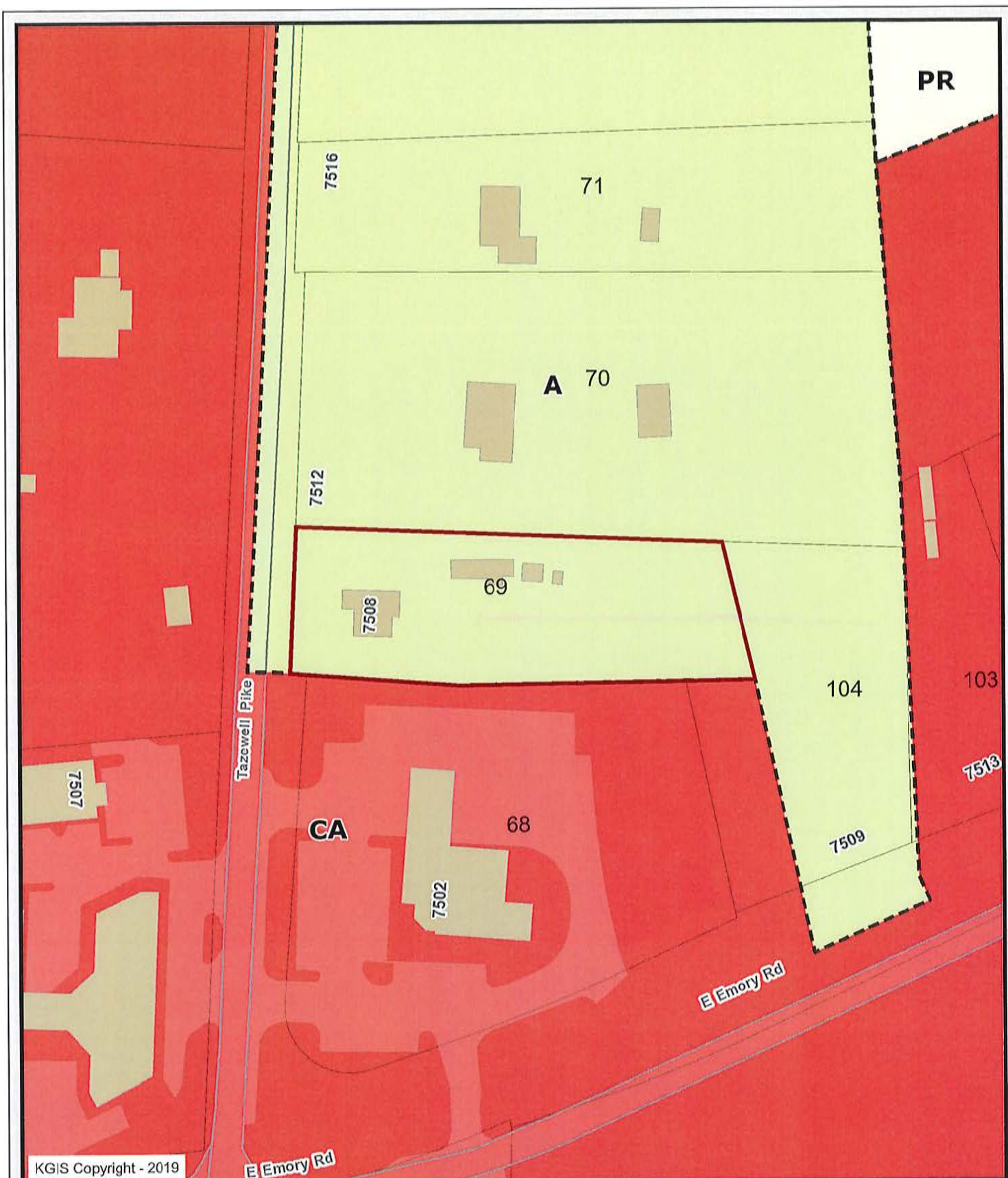
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Date

Applicant Signature

Please Print

Date



7508 Tazewell Pike

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LDR



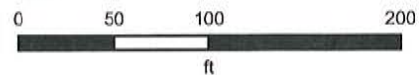
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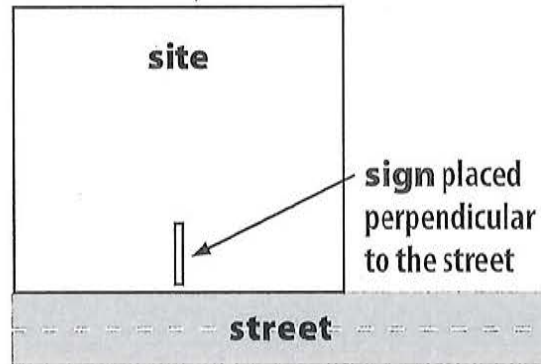
REQUIRED SIGN POSTING AGREEMENT

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:

8/29/19

(15 days before the MPC meeting)

and

9/13/19

(the day after the MPC meeting)

Signature: _____

Printed Name: _____

DUSTIN LATHAM

Phone: 865-599-3411

Email: dustinlatham@intechm.com

Date: _____

7/23/19

MPC File Number: _____

9-C-19-RZ