

REZONING REPORT

▶ **FILE #:** 9-I-19-RZ

AGENDA ITEM #: 27

AGENDA DATE: 9/12/2019

▶ **APPLICANT:** STAN SOREY
OWNER(S): Flonze & Yvonne Sorey

TAX ID NUMBER: 47 123 (PART OF) [View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 1509 E. Emory Rd.

▶ **LOCATION:** Northwest side of E. Emory Road at intersection of E. Emory Road & Dry Gap Pike

▶ **APPX. SIZE OF TRACT:** 6 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

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.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** RA (Low Density Residential)

▶ **ZONING REQUESTED:** OB (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Vacant

▶ **PROPOSED USE:** None noted

EXTENSION OF ZONE: No

HISTORY OF ZONING: 6-G-86-RZ: CA and A to RA

SURROUNDING LAND USE AND ZONING: North: Single family residential - RA

South: Commercial - CA

East: Rural residential - A

West: Single family residential - CA

NEIGHBORHOOD CONTEXT: The area is within 1.5 miles of the I-75 interchange with Emory Road. It at 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.

STAFF RECOMMENDATION:

▶ **Approve OB (Office, Medical, and Related Services) zoning.**

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 transistion 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 transistion 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.

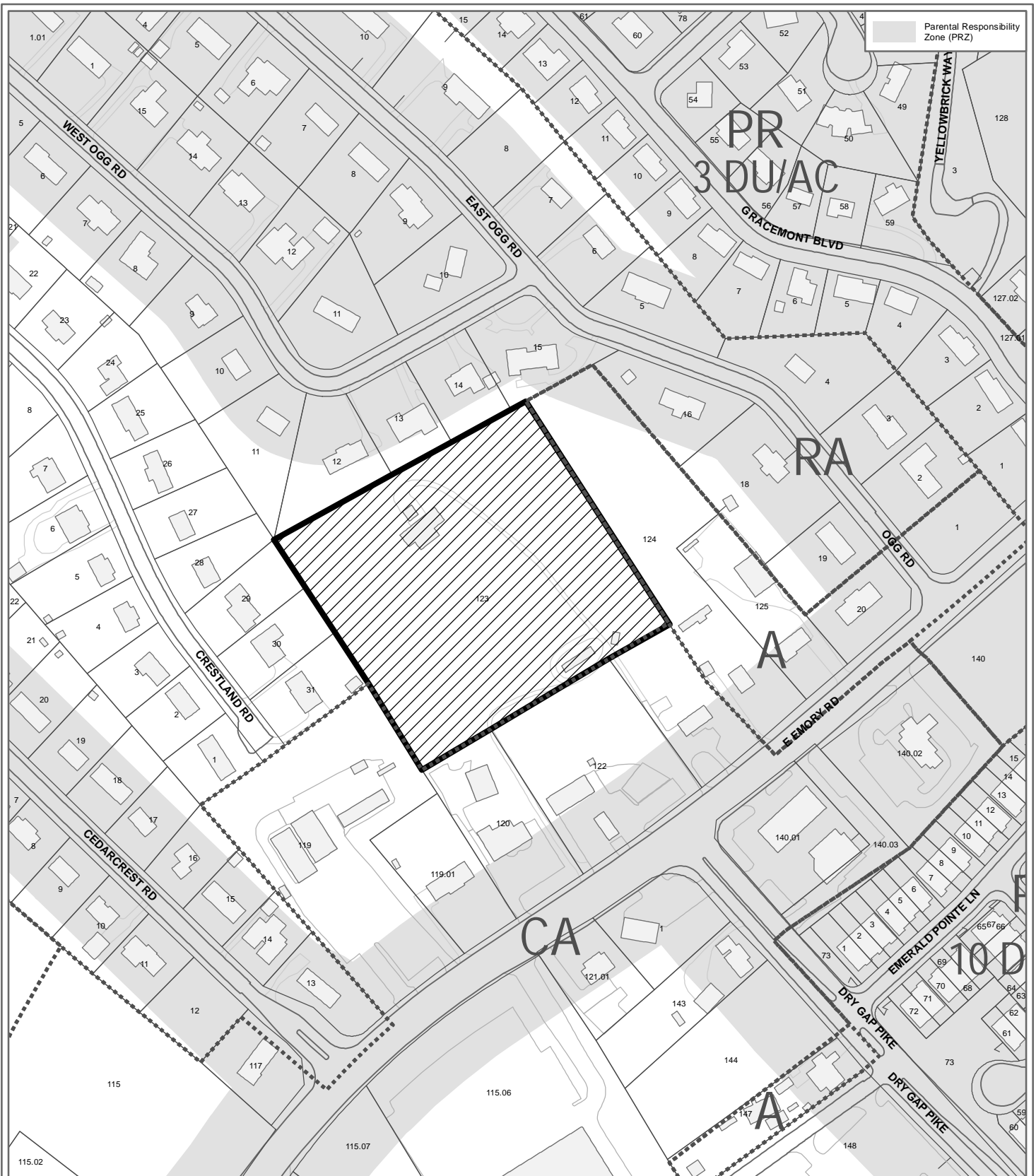
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

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.

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-I-19-RZ
REZONING**

From: RA (Low Density Residential)

To: OB (Office, Medical, and Related Services)



Petitioner: Sorey, Stan

Map No: 47

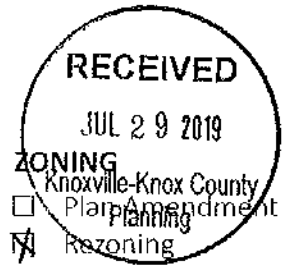
Jurisdiction: County



Original Print Date: 8/19/2019 Revised: 8/19/19
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

Stan Sorey
Applicant

7/29/19
Date Filed

9/12/19
Meeting Date (if applicable)

9-I-19-RZ
File Numbers(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

David Harbin
Name

Batson, Himes, Norvell, & Poe
Company

4334 Papermill Drive
Address

Knoxville
City

TN
State

37909
Zip

865-588-6472
Phone

harbin@bhn-p.com
Email

CURRENT PROPERTY INFO

Fionze & Yvonne Sorey
Owner Name (if different)

1503 E Emory Rd, Knoxville, TN 37938
Owner Address

Owner Phone

1509 E Emory Rd, Knoxville, TN 37938
Property Address

map 47 parcel 123
Parcel ID

NW side of E Emory Rd @ intersection of E Emory Rd and Dry Gap Pike
General Location

6 ac
Tract Size

7
Jurisdiction (specify district above) City County

RA & CA
Zoning District

North County
Planning Sector

MDR/O & GC
Sector Plan Land Use Classification

planned growth
Growth Policy Plan Designation

RR
Existing Land Use

N
Septic (Y/N)

HPUD
Sewer Provider

HPUD
Water Provider

REQUEST

DEVELOPMENT
SUBDIVISION
ZONING

- Development Plan Use on Review / Special Use
 - Residential Non-Residential
- Home Occupation (specify):
- Other (specify):

- Proposed Subdivision Name _____ Unit / Phase Number _____
- Parcel Change
 - Combine Parcels Divide Parcel Total Number of Lots Created: _____
- Other (specify):
- Attachments / Additional Requirements

- Zoning Change: RA to OB for approx. 6 acres at rear of property
Proposed Zoning
- Plan Amendment Change: _____
Proposed Plan Designation(s)
- Proposed Property Use (specify) _____ Proposed Density (units/acre) _____ Previous Rezoning Requests _____
- Other (specify):

SPECIALTY

- 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

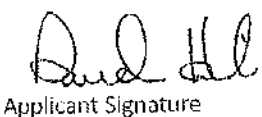
FEE 1: TOTAL:
\$1,600
FEE 2: \$1,600
FEE 3:

AUTHORIZATION


Staff Signature

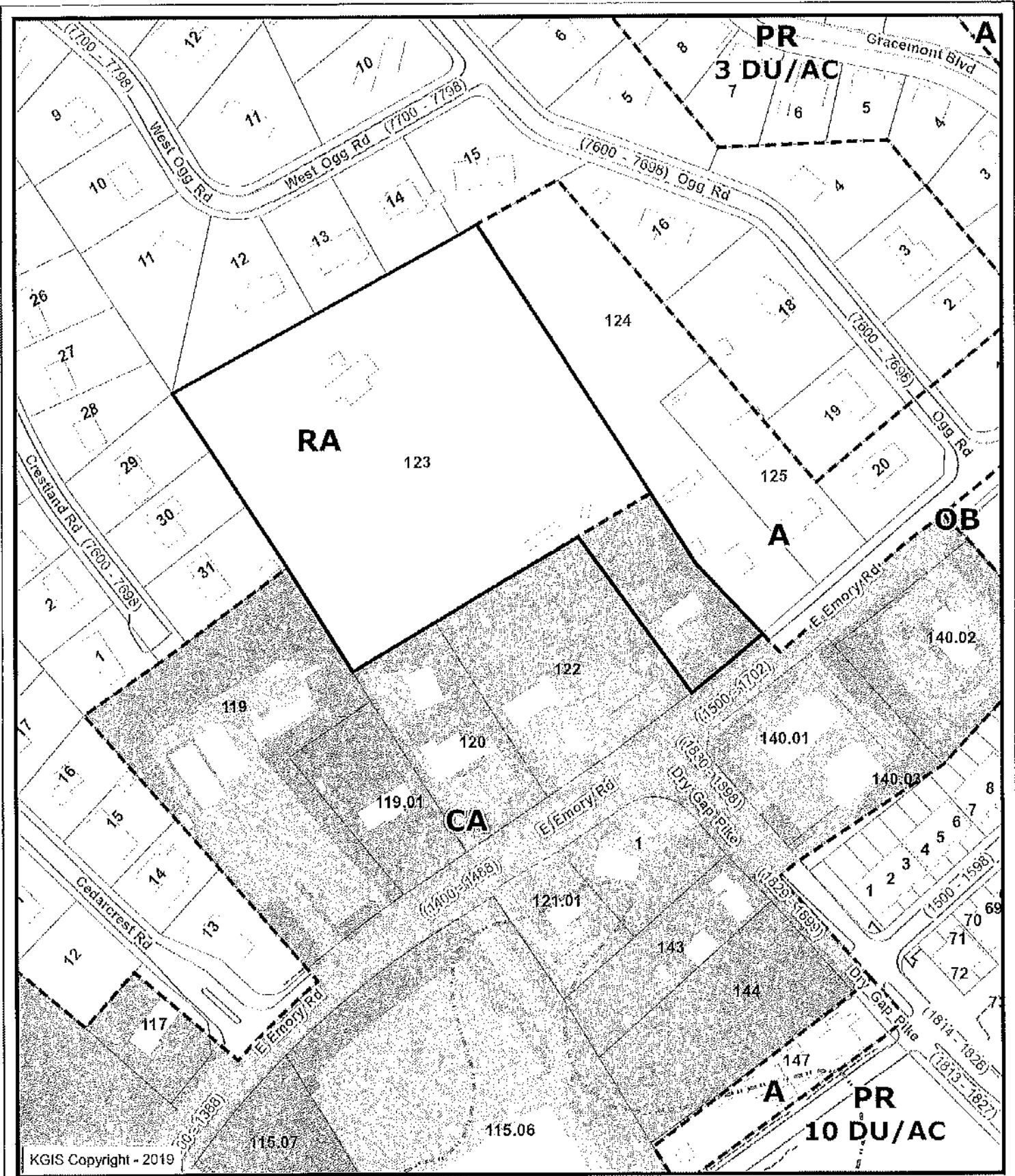
James Reed
Please Print

7/29/19
Date


Applicant Signature

David Hill
Please Print

7/29/19
Date

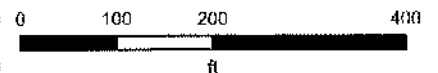


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Letter Portrait



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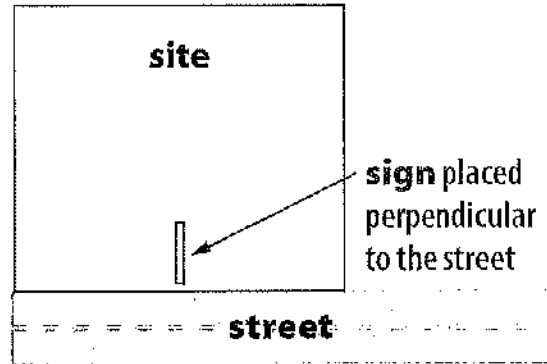
REQUIRED SIGN POSTING AGREEMENT

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:

(Wed) Aug 28th (15 days before the MPC meeting) and (Fri) Sept 13th (the day after the MPC meeting)

Signature: Stan Stony

Printed Name: Stan Stony

Phone: 388-9005 Email: _____

Date: 7/29/19

MPC File Number: 9-I-19-RZ