

# REZONING REPORT

▶ **FILE #:** 5-G-20-RZ

**AGENDA ITEM #:** 13

**AGENDA DATE:** 5/14/2020

▶ **APPLICANT:** TRACY HEARD

OWNER(S): Tracy Heard

TAX ID NUMBER: 56 14804 & 14805

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 1714 & 1716 W. Emory Rd.

▶ **LOCATION:** Southeast side of W. Emory Rd., east of Brickyard Rd.

▶ **APPX. SIZE OF TRACT:** 1.5 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via W. Emory Road, a major collector with a pavement width of 21.7 feet within a right of way width of 70 feet.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** I (Industrial)

▶ **ZONING REQUESTED:** CN (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Commercial

▶ EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Right of Way and Office - CA (General Business)

South: Commercial - I (Industrial)

East: Public / Quasi-Public - I (Industrial)

West: Office, Industrial - I (Industrial)

NEIGHBORHOOD CONTEXT: This area is part of the Historic Powell Center and is mostly a mix of commercial, office and some industrial uses adjacent to W. Emory Road. The areas north of W. Emory Road are largely single family residential. This property is adjacent to the Powell Community Center and sits between Powell High School and Powell Elementary School.

**STAFF RECOMMENDATION:**

▶ Staff recommends approval of CN (Neighborhood Commercial) because it is consistent with the MU-SD NCO-2 (Mixed Use Special District) sector plan designation for the Historic Powell Center.

**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 Knoxville-Knox County Growth Policy Plan.
2. The area is located within the Historic Powell Center and is part of the MU-SD NCO-2 (Mixed Use Special District) on the sector plan.
3. Community revitalization efforts are occurring in the historic downtown Powell area.

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

1. The (CN) Neighborhood Commercial zone is intended to provide for the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for the recurring shopping and personal service needs of nearby residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. The range of permitted uses is limited to those that are generally patronized on a frequent basis by neighborhood residents. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential use

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 CN zone district allows limited commercial activities compatible with neighboring residential properties. More intensive neighborhood commercial uses provided in the zone require a use-on-review process to address potential impacts through the design review process.

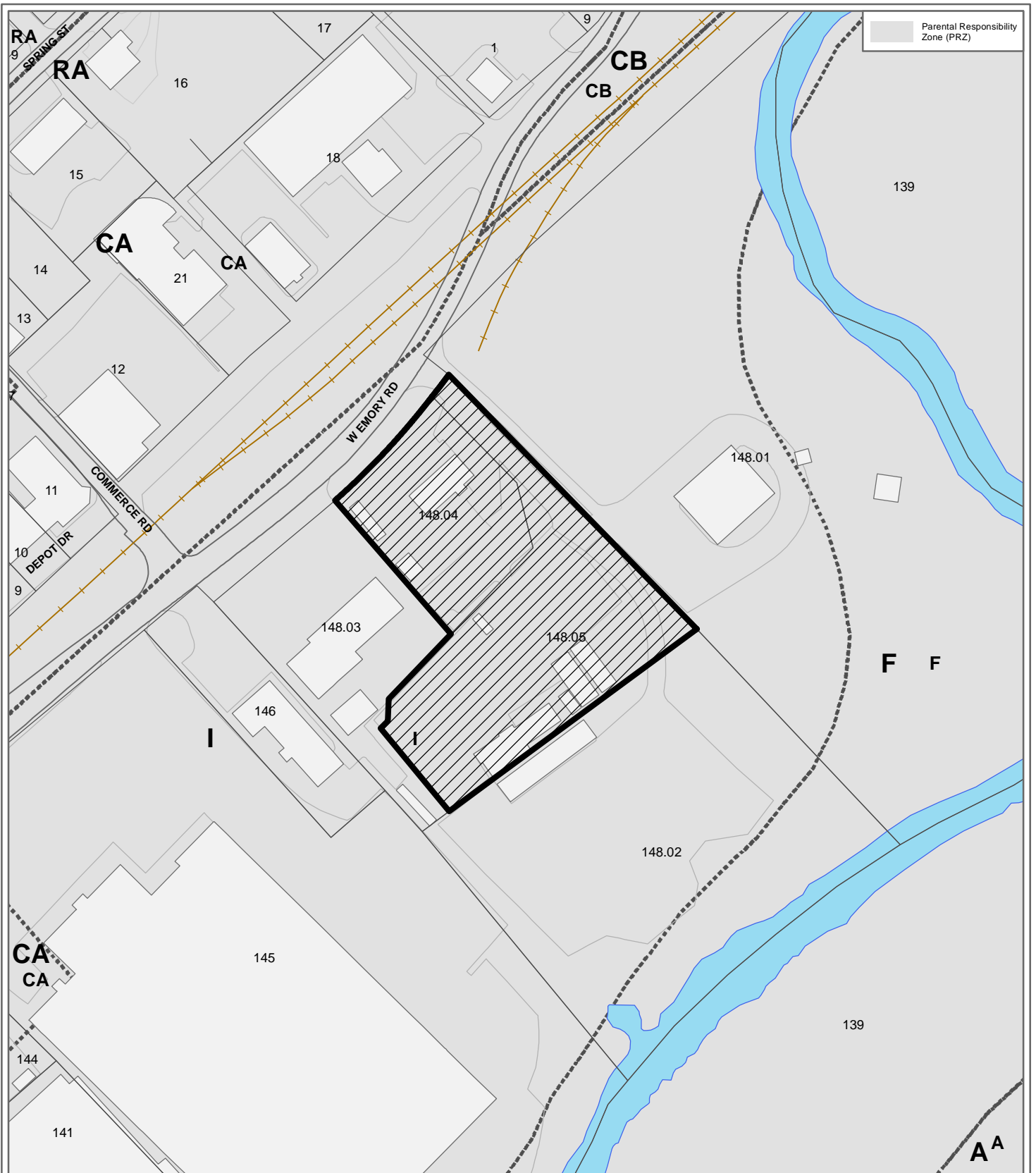
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. This rezoning is consistent with the MU-SD NCO-3 (Mixed Use Special District) designation for the North County Sector Plan.
2. This request is not in conflict with the General Plan or any 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 6/22/2020. 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.



**5-G-20-RZ  
REZONING**

From: I (Industrial)

To: CN (Neighborhood Commercial)



Petitioner: Heard, Tracy

Map No: 56

Jurisdiction: County

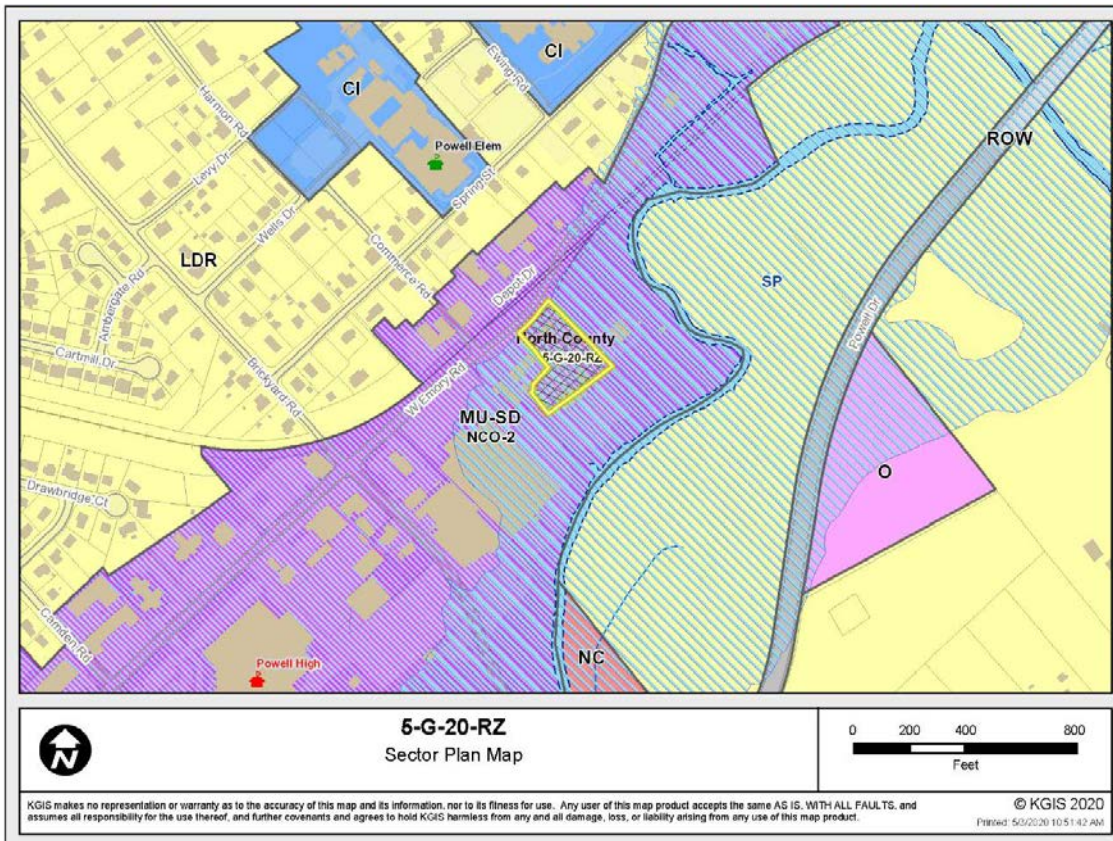
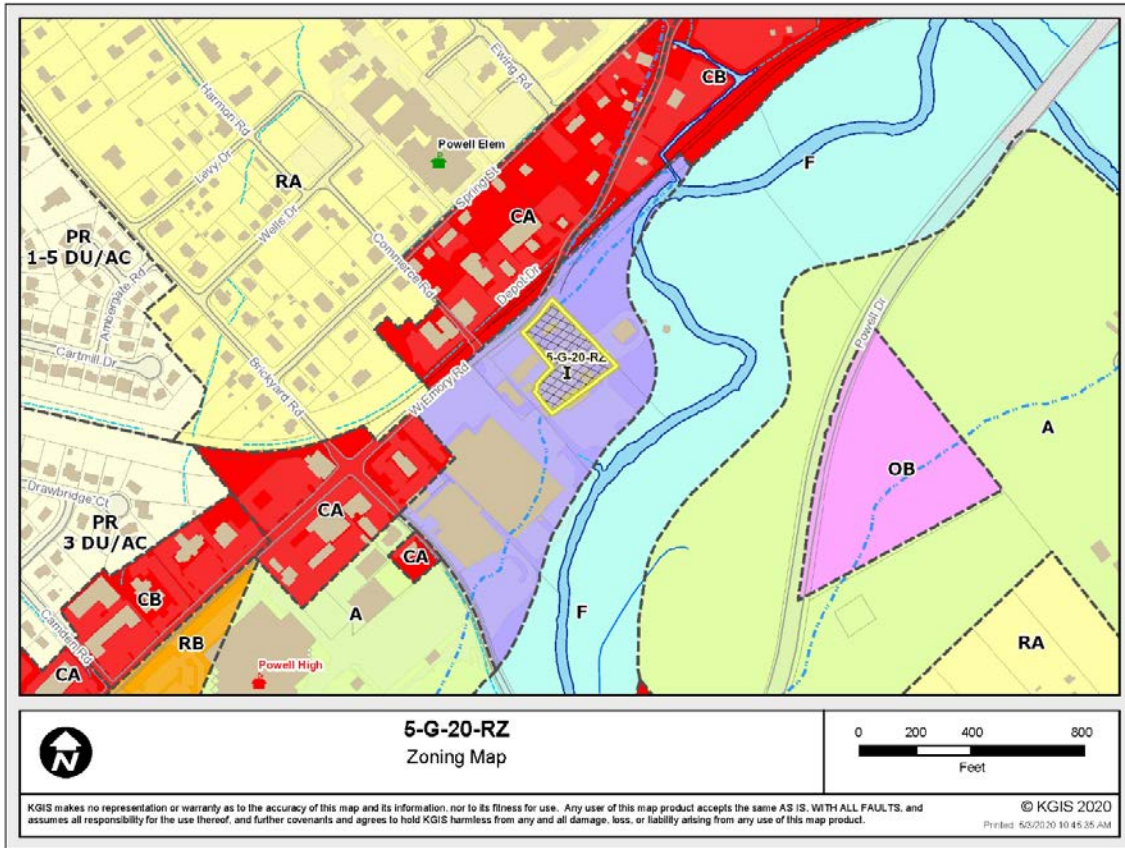


Original Print Date: 4/6/2020

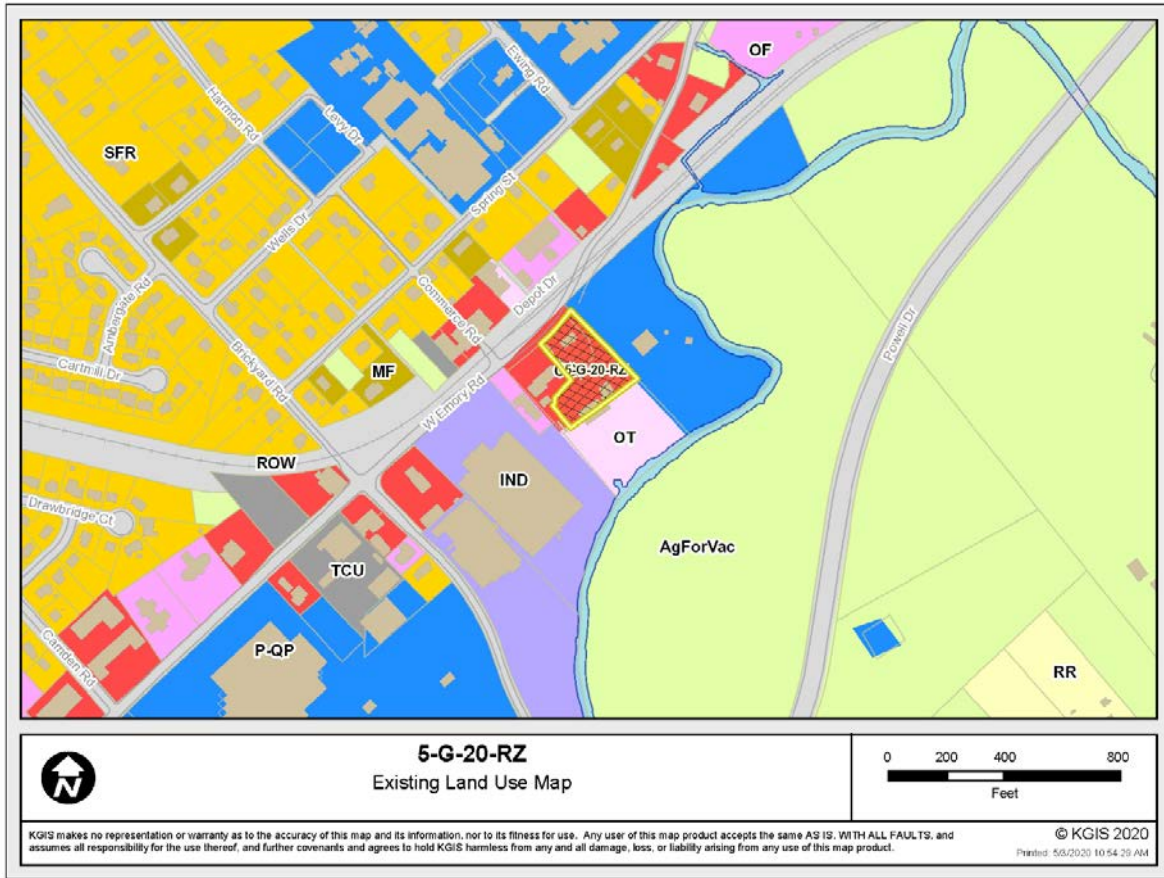
Revised:

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

5-G-20-RZ: Exhibit A – Contextual Images



5-G-20-RZ: Exhibit A – Contextual Images





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By Elizabeth Albertson at 2:06 pm, Mar 20, 2020

DEVELOPMENT REQUEST

DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

Tracy Heard

Applicant Name	Affiliation
20 March 2020	14 May 2020
Date Filed	Meeting Date (if applicable)
	File Numbers(s)
	<b>5-G-20-RZ</b>

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

Tracy Heard

Name	Company		
326 Hickory Stone Ln	Powell	TN	37849
Address	City	State	Zip
865-310-4262	heardphotos@comcast.net		
Phone	Email		

CURRENT PROPERTY INFO

Owner Name (if different)	Owner Address	Owner Phone
1714 and 1716 W. Emory Rd, Powell, TN 37849	#05614804 and #05614805	
Property Address	Parcel ID	
SE/S W. Emory Rd Southside of W. Emory Rd	E of Brickyard Rd	1.5 acres
General Location	Tract Size	
Knox 7	Industrial	
Jurisdiction (specify district above)	<input type="checkbox"/> City <input checked="" type="checkbox"/> County	Zoning District
North County	<b>&amp; SP (Stream Protection)</b> NCO-2 Mixed Use Special District	Planned Growth
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation
Commercial	N HDPUD	HDPUD
Existing Land Use	Septic (Y/N)	Sewer Provider
		Water Provider

**REQUEST**

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By Elizabeth Albertson at 2:07 pm, Mar 20, 2020

<b>DEVELOPMENT</b>	<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): _____
<b>SUBDIVISION</b>	<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    Total Number of Lots Created: _____
	<input type="checkbox"/> Other (specify): _____
<b>ZONING</b>	<input type="checkbox"/> Attachments / Additional Requirements
	<input checked="" type="checkbox"/> Zoning Change: <b>CN-Neighborhood Commercial</b>
	Proposed Zoning _____
	<input type="checkbox"/> Plan Amendment Change: _____
	Proposed Plan Designation(s) _____
Proposed Density (units/acre) _____ Previous Rezoning Requests _____	
<input type="checkbox"/> Other (specify): _____	

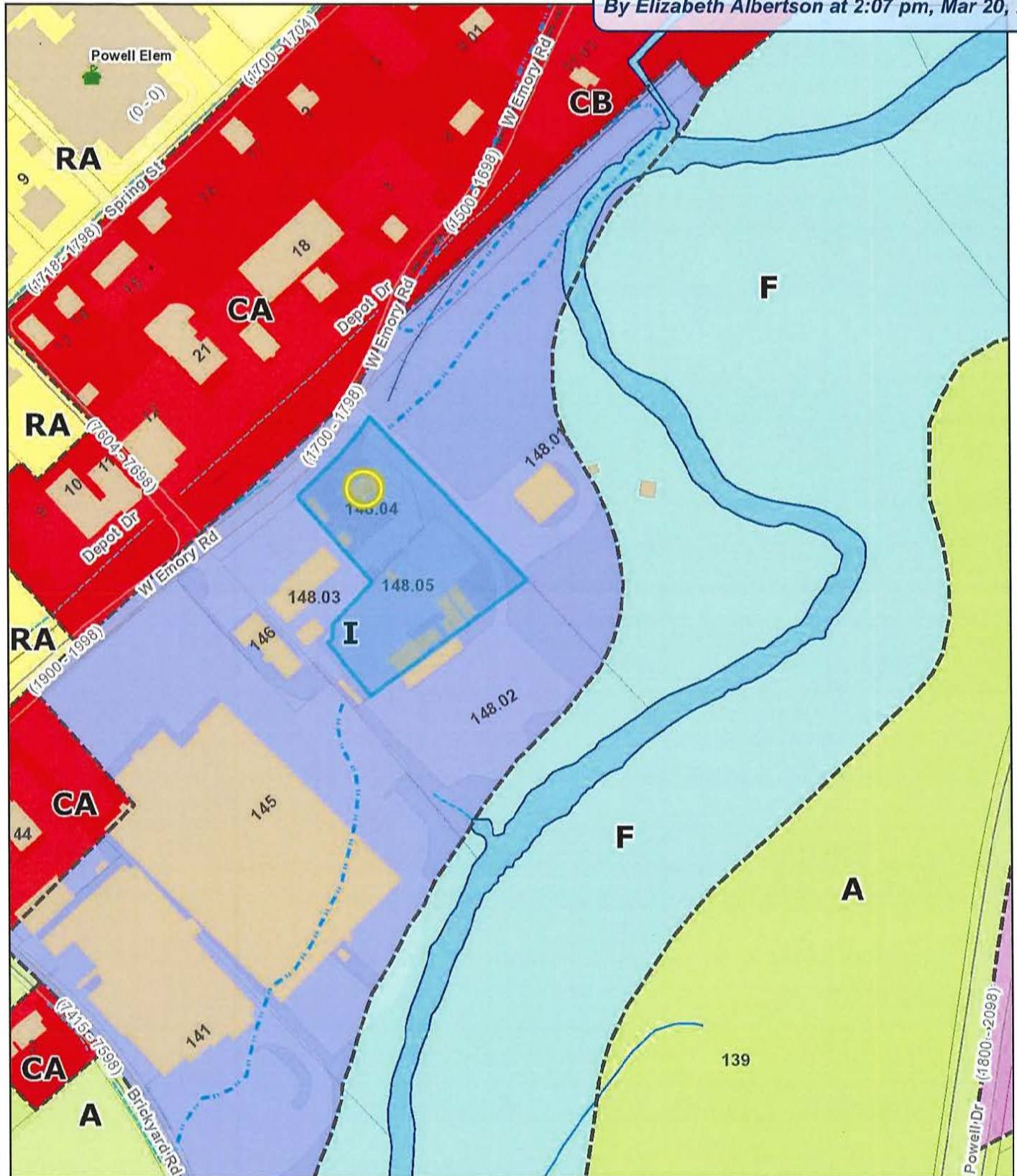
<b>STAFF USE ONLY</b>	<b>PLAT TYPE</b>	<b>FEE 1:</b>	<b>TOTAL:</b>
	<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	0326 <b>\$1,000</b>	<b>\$1,000</b>
	<b>ATTACHMENTS</b>	<b>FEE 2:</b>	
	<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
<b>ADDITIONAL REQUIREMENTS</b>	<b>FEE 3:</b>		
<input type="checkbox"/> Design Plan Certification ( <i>Final Plat only</i> )			
<input type="checkbox"/> Use on Review / Special Use ( <i>Concept Plan only</i> )			
<input type="checkbox"/> Traffic Impact Study			

**AUTHORIZATION** By signing below, I certify I am the property owner, applicant or the owners authorized representative.

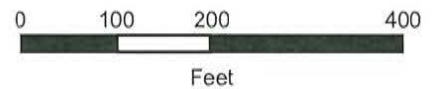
	Tracy L Heard	20 March 2020
Applicant Signature	Please Print	Date
865-310-4262	heardphotos@comcast.net	
Phone Number	Email	
	Elizabeth Albertson	3/20/20
Staff Signature	Please Print	Date

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By Elizabeth Albertson at 2:07 pm, Mar 20, 2020



Tracy Heard  
5-G-20-RZ  
Zoning Map



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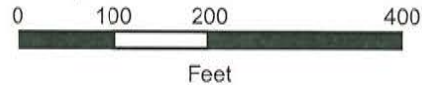


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Tracy Heard  
5-G-20-RZ  
Sector Plan Map



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