

REZONING REPORT

► **FILE #:** 12-A-21-RZ

AGENDA ITEM #: 9

AGENDA DATE: 12/9/2021

► **APPLICANT:** ESTATE OF CARSON H. WILKERSON

OWNER(S): Estate of Carson H. Wilkerson

TAX ID NUMBER: 47 09702 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 0 E. Emory Rd.

► **LOCATION:** South side of E. Emory Road, southwest of Taggart Lane

► **APPX. SIZE OF TRACT:** 1.3 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E. Emory Rd, a major arterial road with 65-ft of pavement width within an 80-ft right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

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

► **ZONING REQUESTED:** CB (Business and Manufacturing)

► **EXISTING LAND USE:** Transportation/Communications/Utilities

► **EXTENSION OF ZONE:** Yes, the rear half of this property and adjacent properties to the east, west, and south are zoned CB.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Office - CB (Business and Manufacturing), PC (Planned Commercial)

South: Commercial - CB (Business and Manufacturing)

East: Office - CB (Business and Manufacturing)

West: Commercial - CB (Business and Manufacturing)

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 CB (Business and Manufacturing) zoning because it is an extension of existing CB zoning on this property and adjacent properties and is consistent with the existing development along E. Emory Rd.**

COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6:30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. This property is the only agricultural property remaining along this stretch of E. Emory Road.
2. CB zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.

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

1. The proposed amendment to CB zoning provides for a wide range of business and manufacturing uses. The nature of such businesses is to attract large volumes of automobile and truck traffic which may have adverse effects on surrounding properties. Hence, they are not properly associated with, nor compatible with residential or institutional uses or with other uses that require an environment free of noise, odors and congestion. Uses permitted in the CB, Business and Manufacturing Zone are intensive users of roads, sewers and other public facilities.
2. This area has sufficient infrastructure including roads and utilities that can support an expansion of commercial development on this property.

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. This area along E. Emory Rd has steadily transitioned to commercial zoning for a number of years.
2. It is not anticipated that this amendment will cause any adverse effects because the rear portion of this property and adjacent properties to the east, west, and south are currently zoned CB.

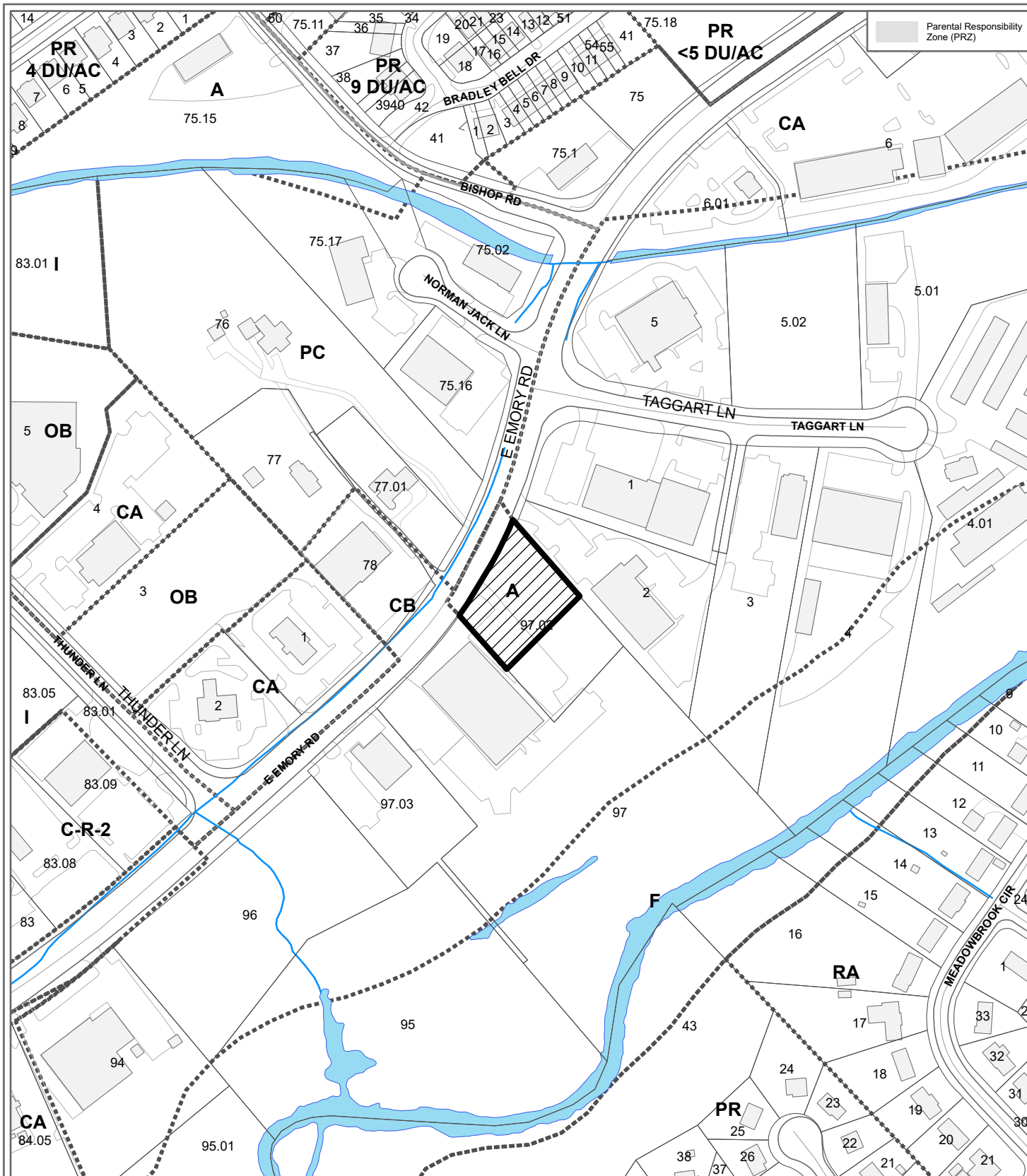
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. CB zoning is compatible with the existing GC (General Commercial) Sector Plan land use classification and is not in conflict with any other plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

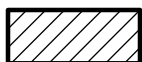
If approved, this item will be forwarded to Knox County Commission for action on 1/24/2022. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



12-A-21-RZ REZONING

From: A (Agricultural)

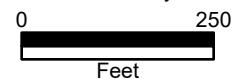
To: CB (Business and Manufacturing)



Petitioner: Estate of Carson H. Wilkerson

Map No: 47

Jurisdiction: County



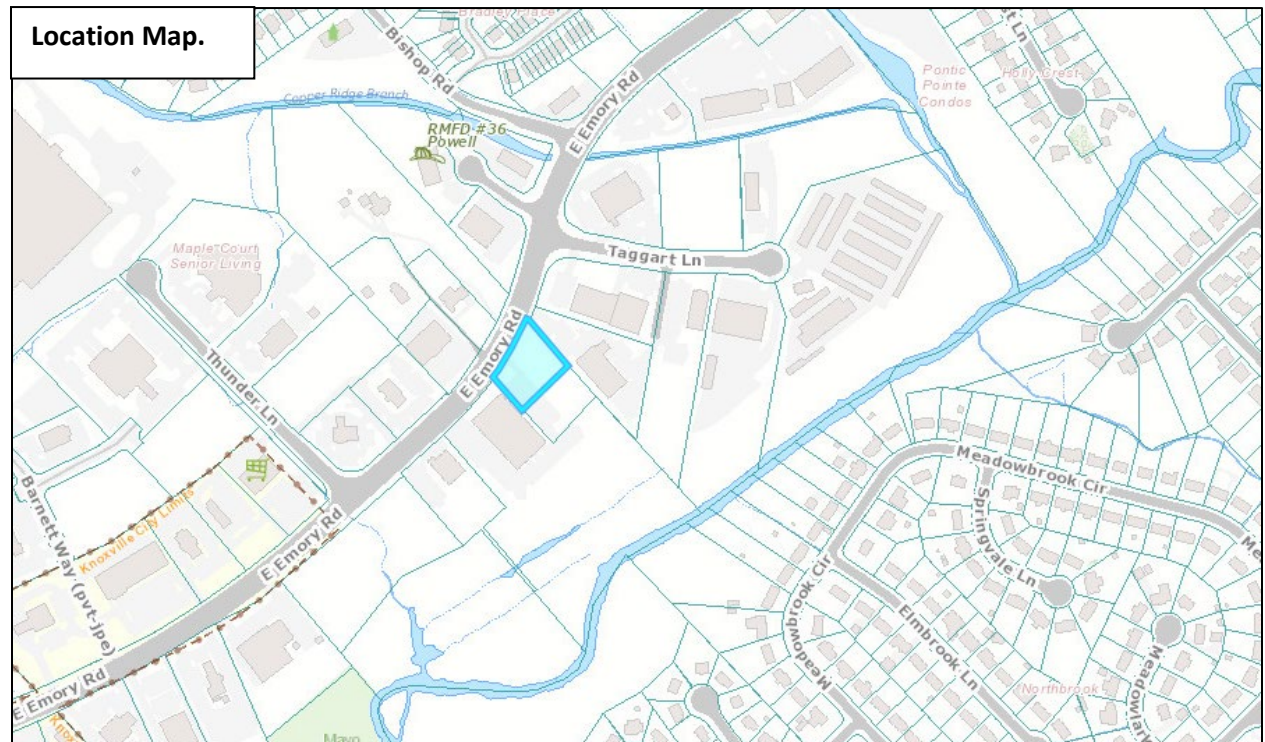
Original Print Date: 11/15/2021

Revised:

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

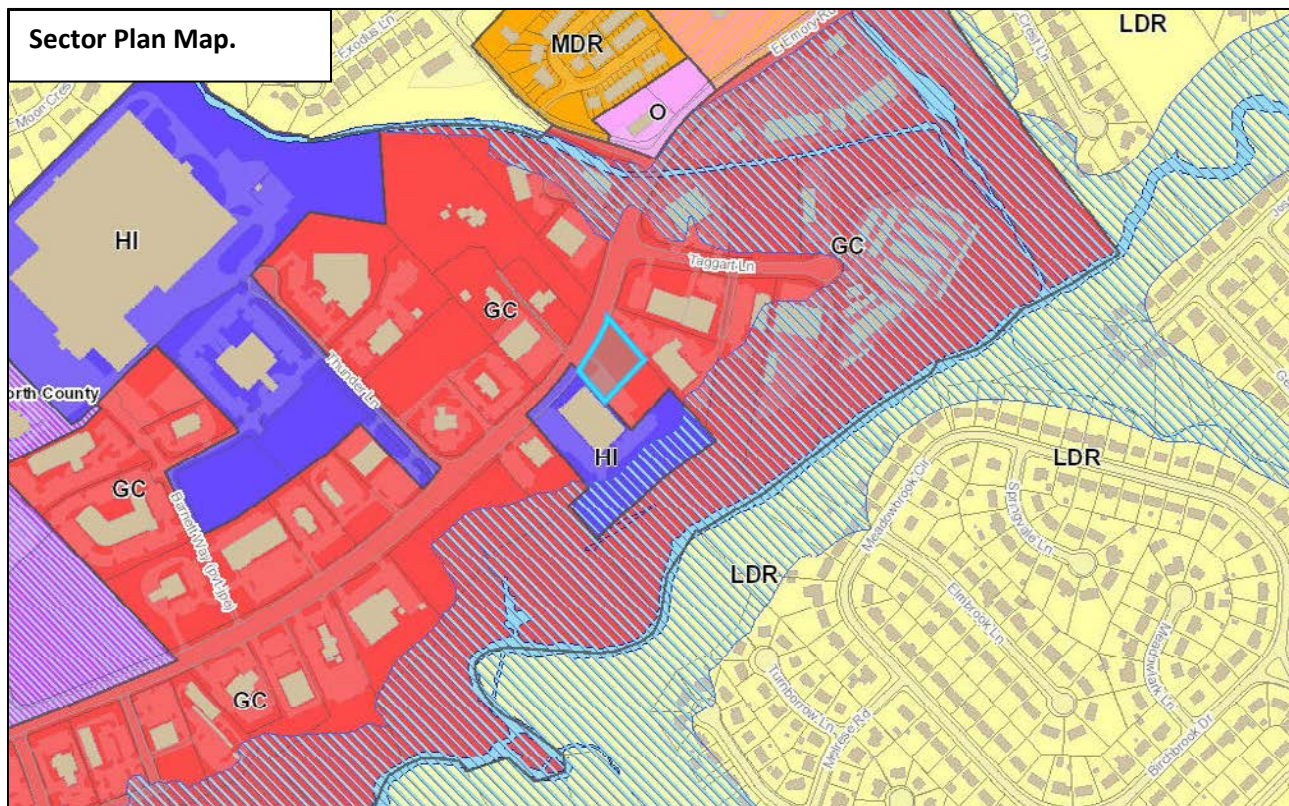
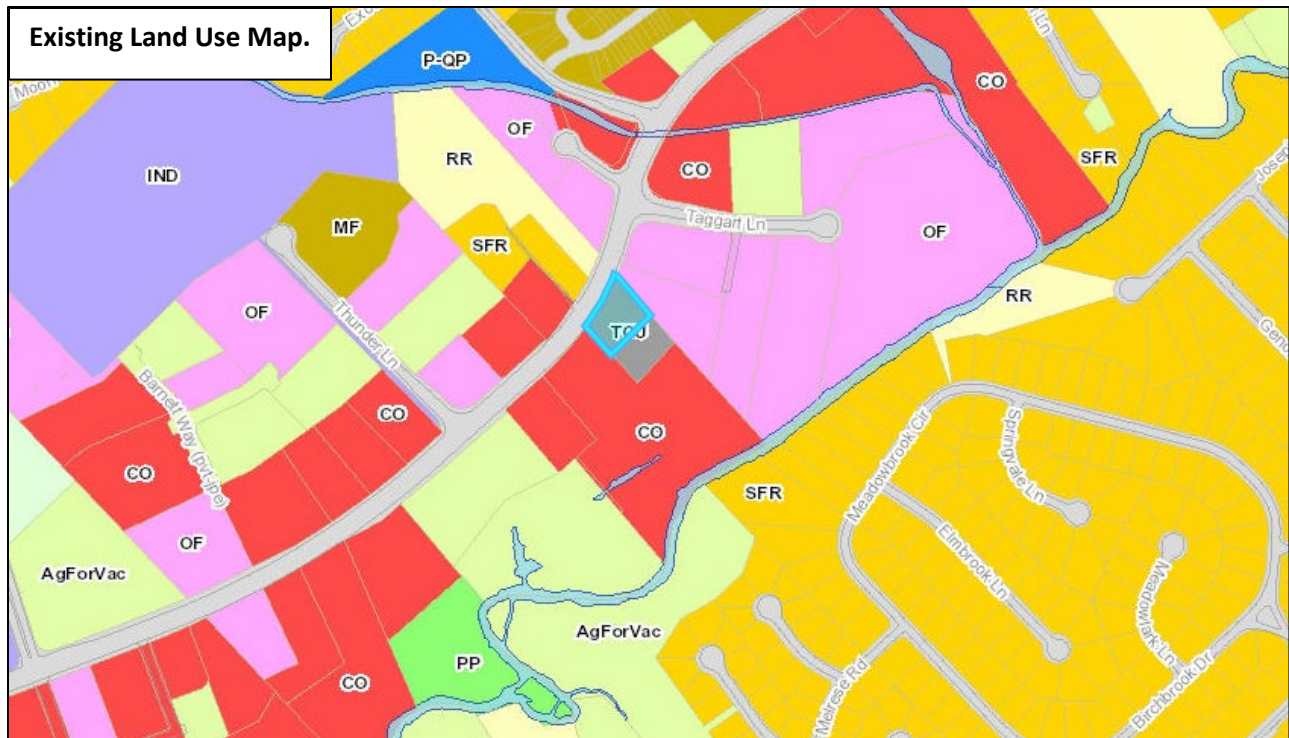
12-A-21-RZ

EXHIBIT A. Contextual Images



12-A-21-RZ

EXHIBIT A. Contextual Images





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☒ Rezoning

Estate of Carson H. Wilkerson

Applicant Name

Affiliation

10/6/21

Date Filed

Dec 9, 2021

Meeting Date (if applicable)

File Number(s)

12-A-21-RZ

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

Carol W. Cruze

Name

Trustee of Estate / Daughter

Company

11716 Couch Mill Rd.

Address

Knoxville

City

TN

State

37932

ZIP

865.661.4436

Phone

~~CCRUZE53@gmail.com~~ CCRUZE53@gmail.com

Email

CURRENT PROPERTY INFO

Estate of Carson H. Wilkerson (same as above)

Owner Name (if different)

Owner Address

Owner Phone

Ø. E. Emory Rd

Property Address

047-09702 (part of)

Parcel ID

Halls - Dale Powell

Sewer Provider

SAME

Water Provider

N

Septic (Y/N)

STAFF USE ONLY

S/S E. Emory Rd, SW of Taggart Ln.

General Location

1.30 acres

Tract Size

☐ City ☒ County

7th

District

A

Zoning District

TCU

Existing Land Use

North County

Planning Sector

G-C

Sector Plan Land Use Classification

Planned Growth

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA
☐ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Unit / Phase Number _____

☐ Combine Parcels☐ Divide Parcel

Total Number of Lots Created _____

☐ Other (specify) _____☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST☒ Zoning ChangeProposed Zoning CB☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

☐ Other (specify) _____

Pending Plat File Number

STAFF USE ONLY**PLAT TYPE**☐ Staff Review☐ Planning Commission**ATTACHMENTS**☐ Property Owners / Option Holders☐ Variance Request**ADDITIONAL REQUIREMENTS**☐ Design Plan Certification (Final Plat)☐ Use on Review / Special Use (Concept Plan)☐ Traffic Impact Study☐ COA Checklist (Hillside Protection)

Fee 1

Fee 2

Fee 3

Total

0326 | 1,000.00

#1,000.00

AUTHORIZATION

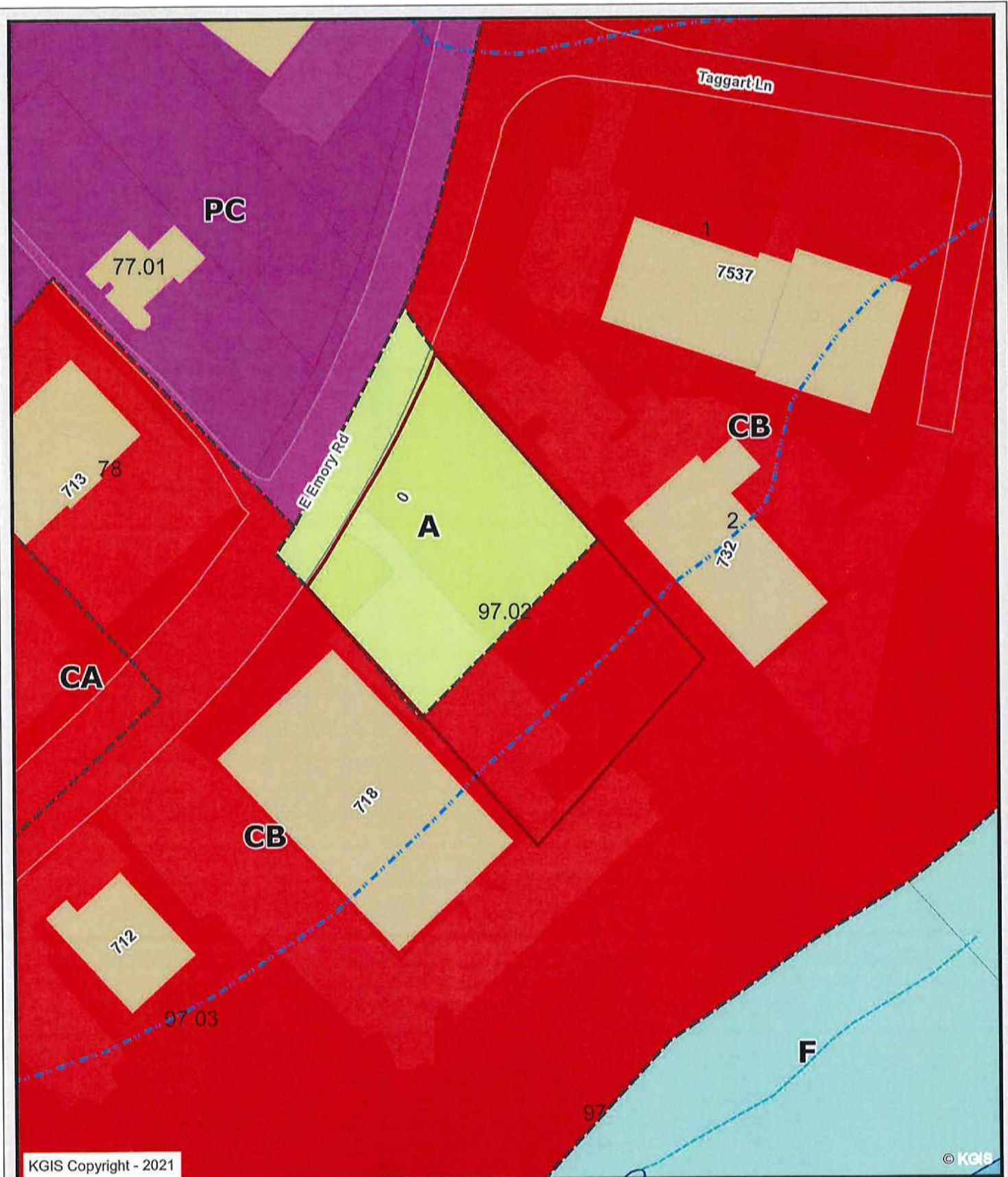
By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Carol W. Cruz
Applicant SignatureCarol W. Cruz
Please Print10/6/2021
Date

Phone Number

Email

Sherry Muchienzi
Staff SignatureSHERRY MUCHIENZI
Please Print10/6/2021
Date

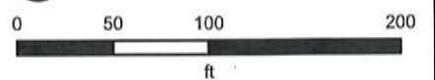


zoning

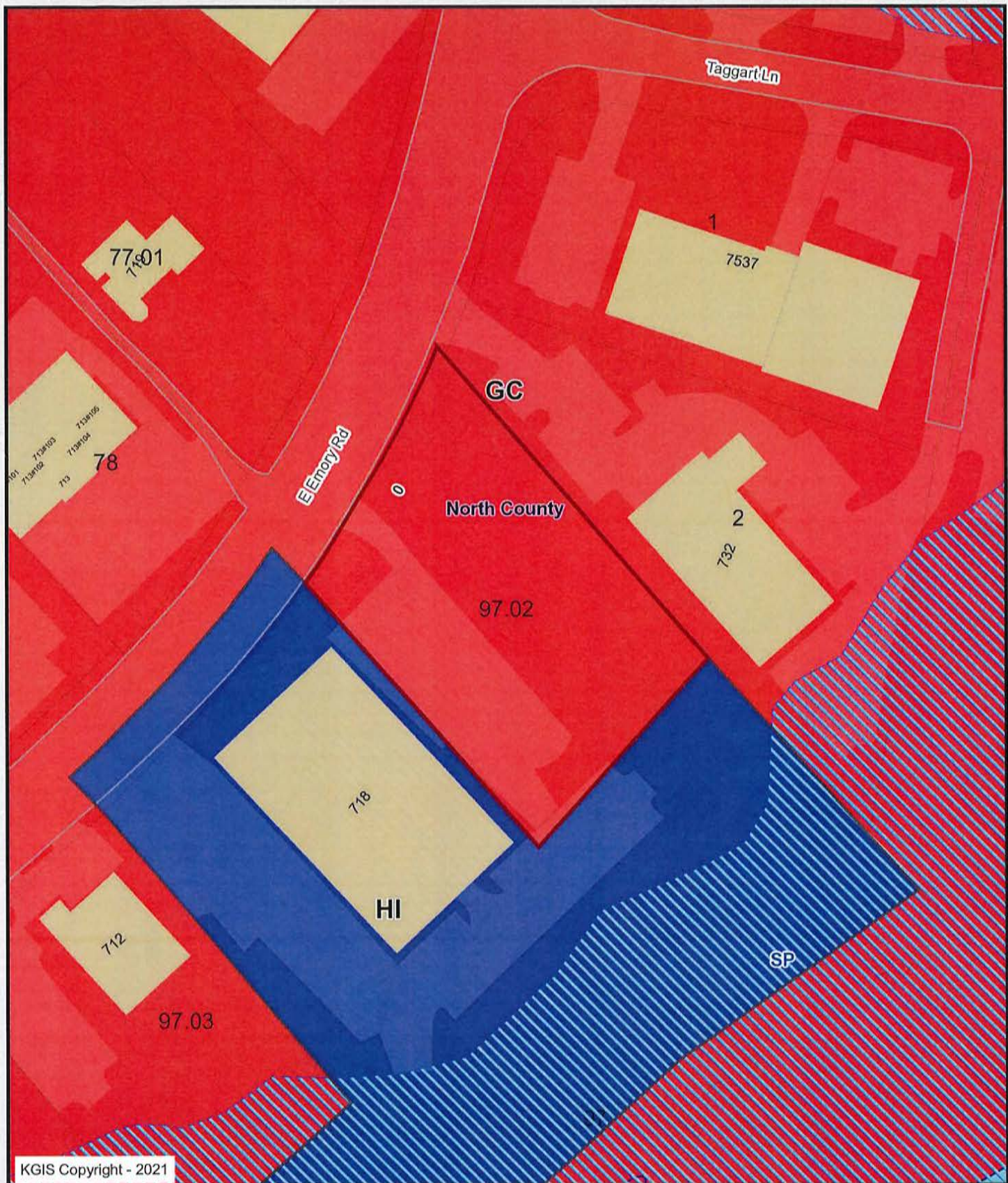
Knoxville - Knox County - KUB Geographic Information System



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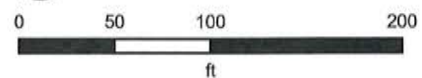


sector plan

Knoxville - Knox County - KUB Geographic Information System

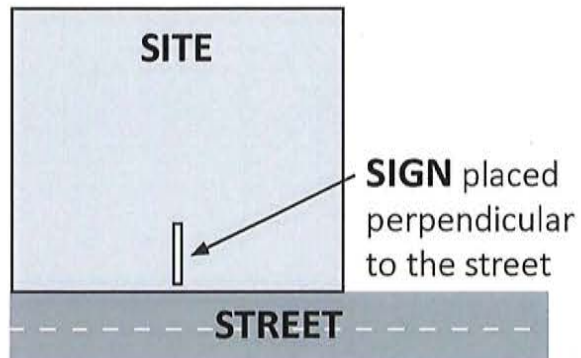


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

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

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

Nov. 24th (Wed) and Dec 10th (Fri)
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Cand W. C.
 Date: 10/6/2021
 File Number: 12-A-21-TRZ

☐ Sign posted by Staff
☒ Sign posted by Applicant