

REZONING REPORT

▶ **FILE #:** 1-E-22-RZ

AGENDA ITEM #: 14

AGENDA DATE: 1/13/2022

▶ **APPLICANT:** BENJAMIN C. MULLINS

OWNER(S): Leslie McGill, Karen Pfost & James Bright

TAX ID NUMBER: 21 066

[View map on KGIS](#)

JURISDICTION: County Commission District 8

STREET ADDRESS: 0 E. Emory Rd.

▶ **LOCATION:** **South of E. Emory Road near intersections of Tazewell Pike and Findhorn Boulevard**

▶ **APPX. SIZE OF TRACT:** 23.49 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via E. Emory Rd, a major arterial, with a pavement width of 22-ft within a right-of-way width of 100-ft.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Northeast Knox Utility District

WATERSHED: Beaver Creek

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

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant

▶ **DENSITY PROPOSED:** up to 12 du/ac

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Rural residential, single family residential, agriculture/forestry/vacant - CA (General Business)

South: Agriculture/forestry/vacant - A (Agricultural)

East: Single family residential, agriculture/forestry/vacant, rural residential - A (Agricultural)

West: Public/quasi-public - CA (General Business)

NEIGHBORHOOD CONTEXT: This is a mixed use node, referred to as Harbison Crossroads, at the intersection of E. Emory Road and Tazewell Pike. Single family residential primarily surrounds the commercial and office uses adjacent to the intersection.

STAFF RECOMMENDATION:

▶ **Approve PR (Planned Residential) zoning up to 9 du/ac because of the infrastructure improvements in the area and it is consistent with the Northeast County Sector Plan.**

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. Improvements to the intersection at E. Emory Road and Tazwell Pike occurred in 2017 and future improvements to widen E. Emory Road are proposed for 2030.
2. Gibbs Middle School was completed in 2018 and this parcel falls within the Parental Responsibility Zone for Gibbs Elementary, Middle and High School, which will require sidewalk improvements.

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

1. The proposed amendment to PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

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. It is not anticipated that the additional residential development opportunity created by this rezoning will adversely affect this area.
2. This area was shown as part of the MU-SD NECO-1 Harbinson Crossroads Mixed Use Special District which anticipated that as the transportation improvements and the new middle school were completed that the area would likely foster additional development activity and that sidewalks and greenway connectivity should be pursued connecting the residential land uses to the schools.

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. The proposed rezoning request is consistent with the sector plans's MU-SD NECO-1 (Mixed Use Special District, Harbinson Crossroads) which recommends medium density residential or office as a transition to the established neighborhoods.
2. The proposed amendment is not in conflict with any adopted plans.

ESTIMATED TRAFFIC IMPACT: 2416 (average daily vehicle trips)

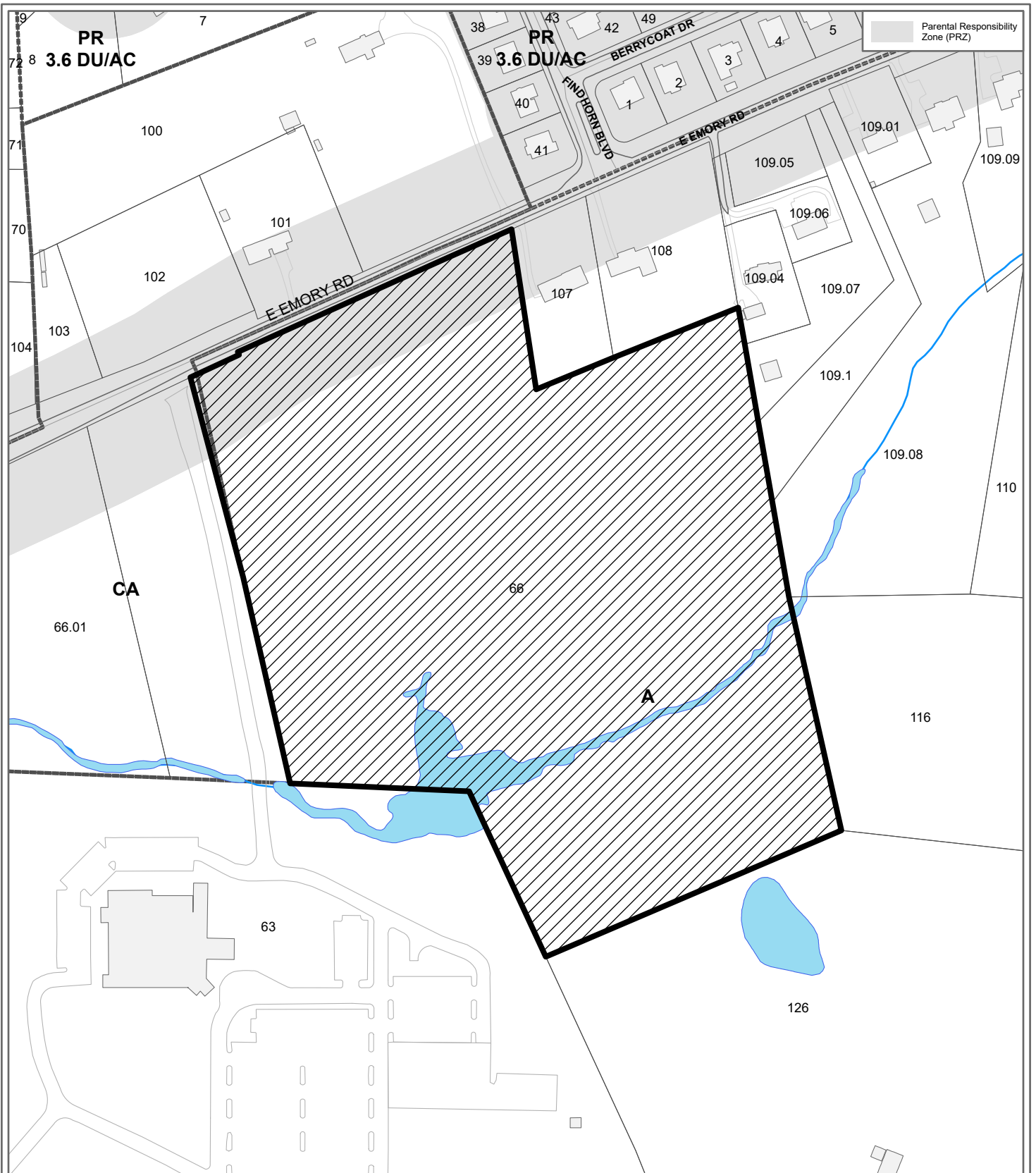
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 40 (public school children, grades K-12)

Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 2/22/2022. 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.



**1-E-22-RZ
REZONING**

From: A (Agricultural)
To: PR (Planned Residential)



Petitioner: Mullins, Benjamin C.

Map No: 21

Jurisdiction: County

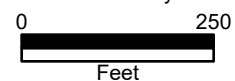


Exhibit A. 1-E-22-RZ Contextual Images

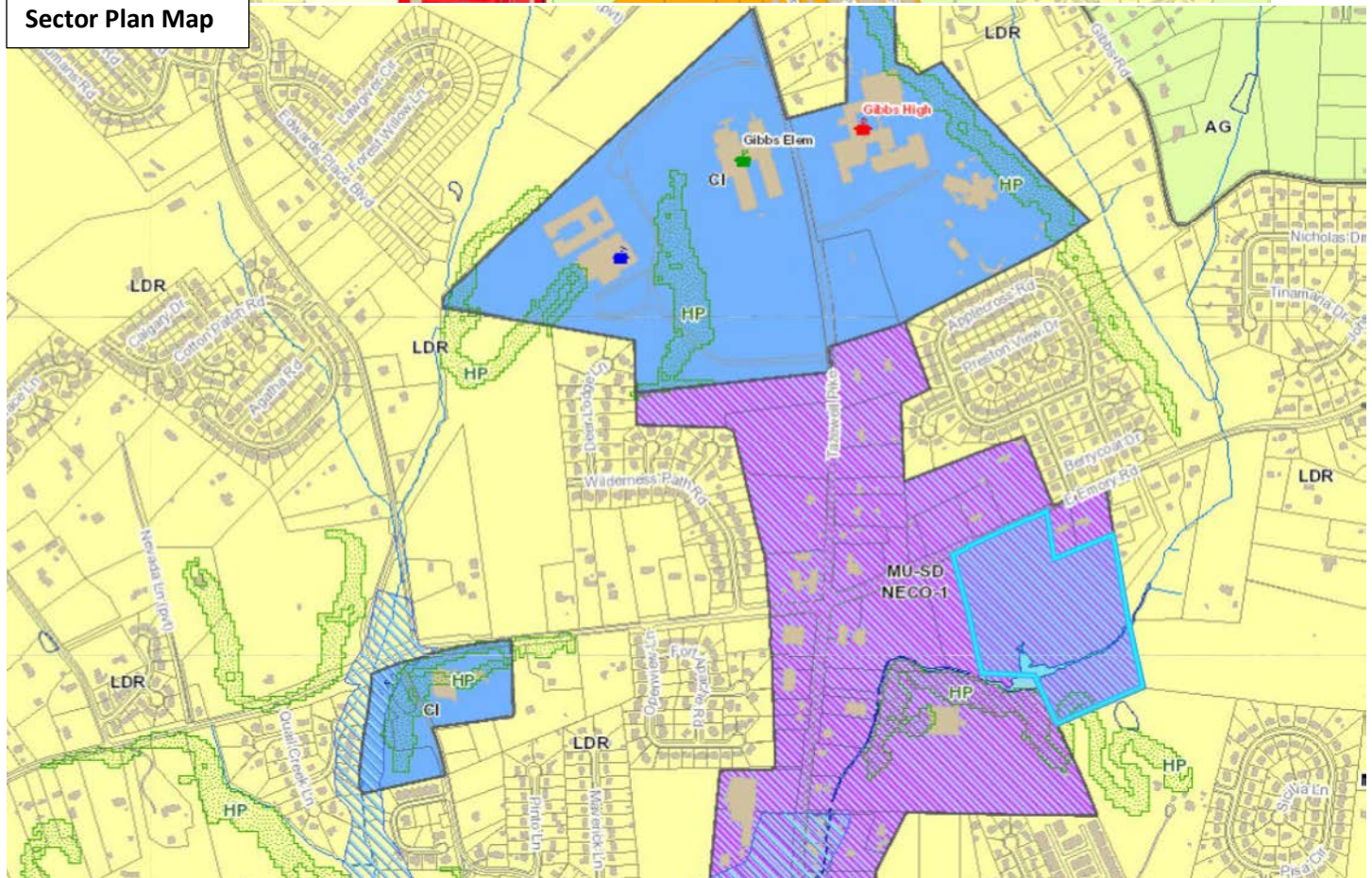
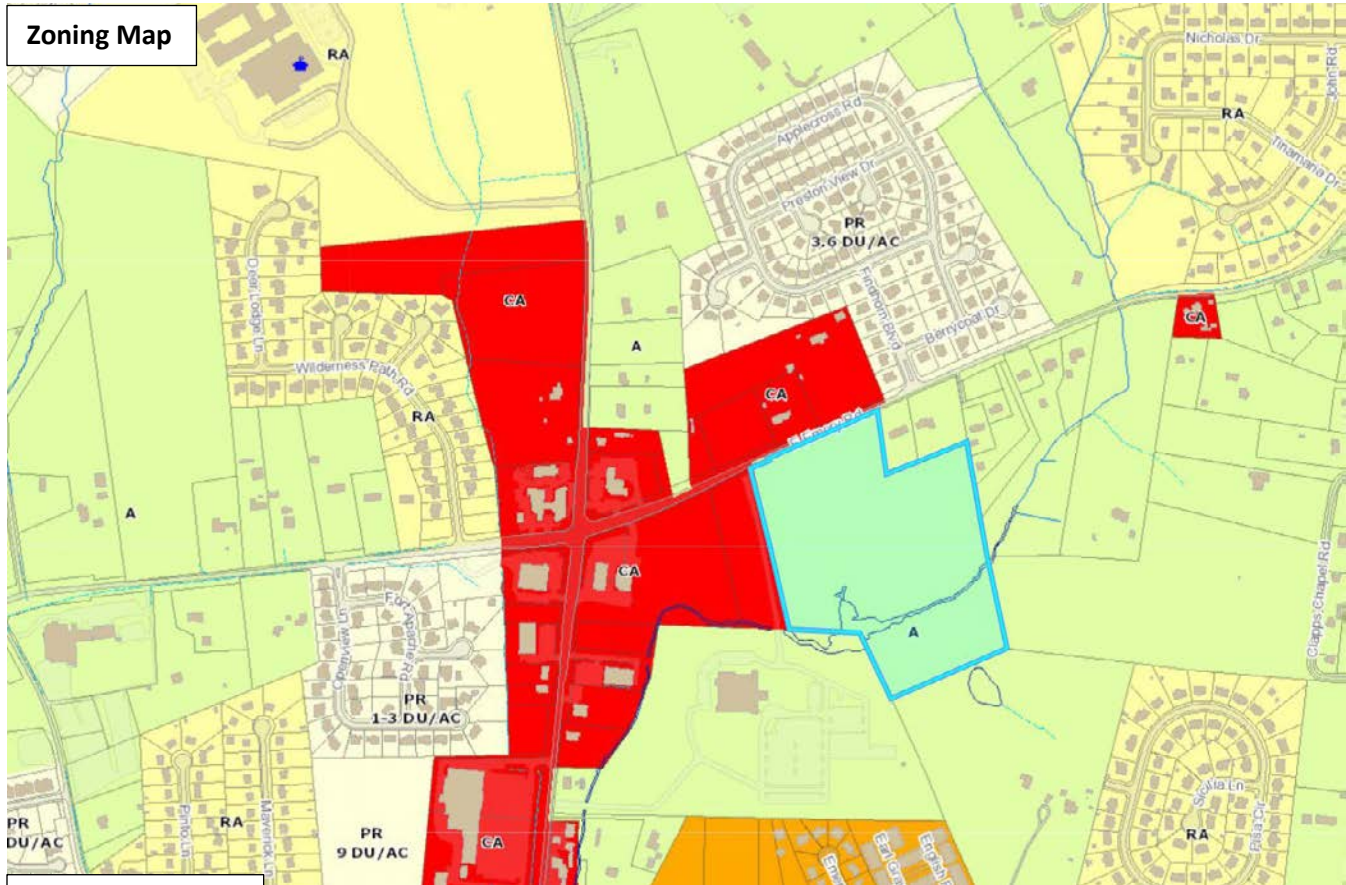
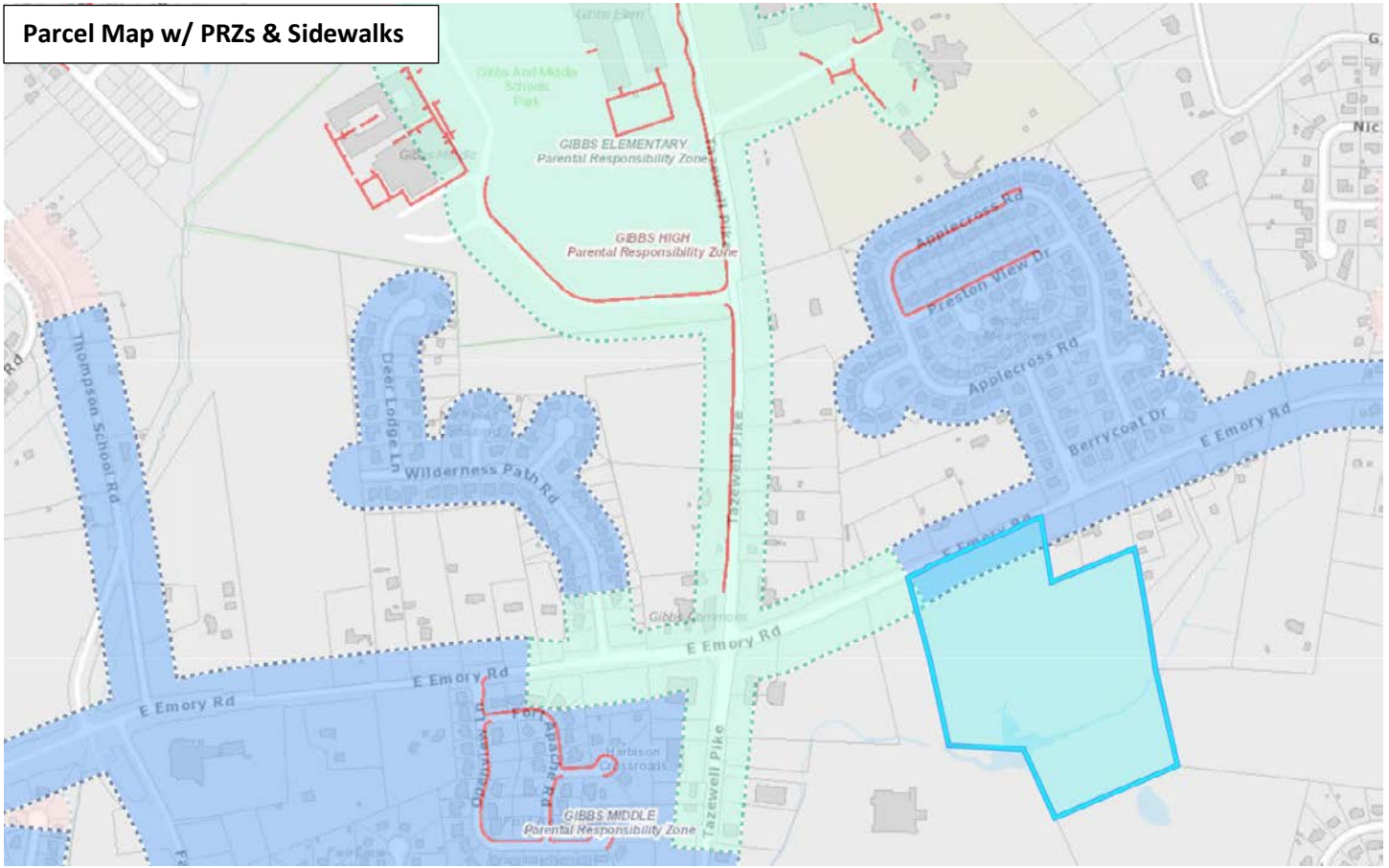
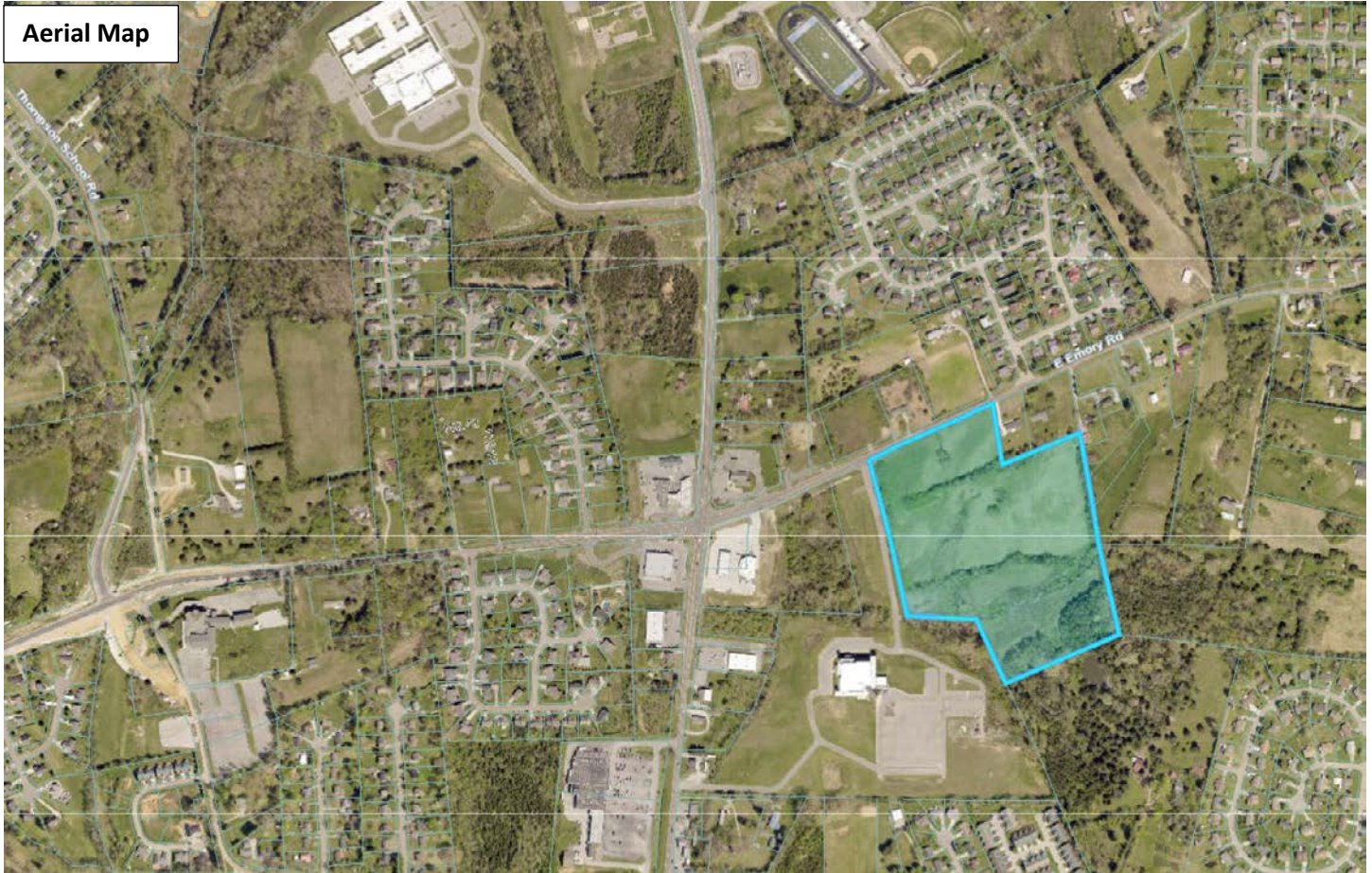


Exhibit A. 1-E-22-RZ Contextual Images

Parcel Map w/ PRZs & Sidewalks



Aerial Map





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

Benjamin C. Mullins

Attorney/Applicant

Applicant Name

Affiliation

11/17/2021

01/13/2022

File Number(s)

Date Filed

Meeting Date (if applicable)

1-E-22-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

Benjamin C. Mullins

Frantz, McConnell & Seymour, LLP

Name

Company

550 West Main Street, Suite 500

Knoxville

TN

37902

Address

City

State

ZIP

865-546-9321

bmullins@fmsllp.com

Phone

Email

CURRENT PROPERTY INFO

Leslie McGill, Karen Pfof, James Bright

4047 Hickory Fairway Dr., Woodstock, GA N/A

Owner Name (if different)

Owner Address

Owner Phone

0 E. Emory Road, Corryton, Tennessee 37721

021 066

Property Address

Parcel ID

HPUD

NEKUD

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

S. of E. Emory Road near intersections of Tazewell Pk (w) and Findhord Blvd (e) +/- 23.49 acres

General Location

Tract Size

City County

8

A

AgForVac

District

Zoning District

Existing Land Use

Northeast County

MU-SD NECO-1

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential Home Occupation (specify) _____ Other (specify) _____	Related City Permit Number(s)
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SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
_____ <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Unit / Phase Number _____ Total Number of Lots Created _____ <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change PR (Planned Residential) Proposed Zoning _____ <input type="checkbox"/> Plan Amendment Change Proposed Plan Designation(s) _____ Up to 12 du/ac N/A Proposed Density (units/acre) Previous Rezoning Requests _____ <input type="checkbox"/> Other (specify) _____	Pending Plat File Number
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STAFF USE ONLY

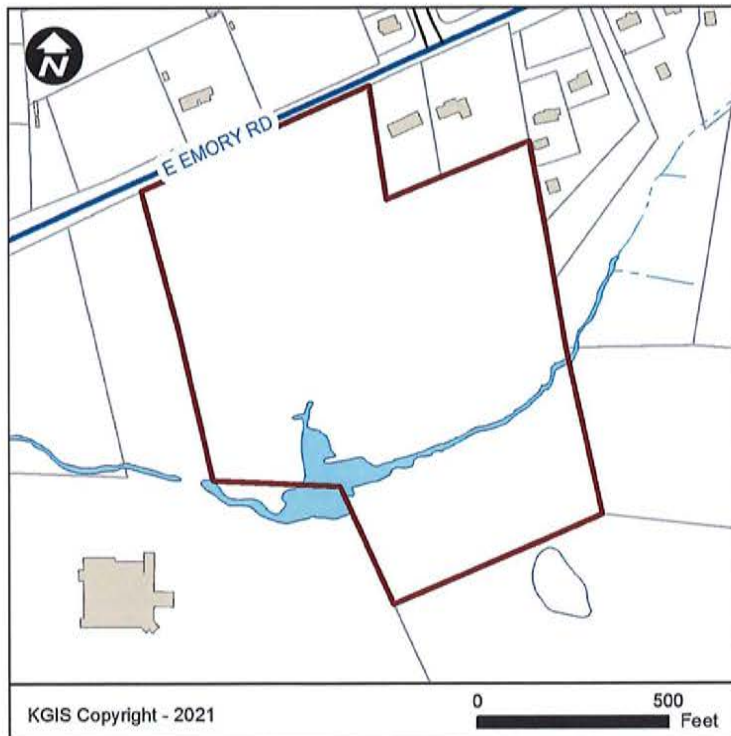
PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (<i>Final Plat</i>) <input type="checkbox"/> Use on Review / Special Use (<i>Concept Plan</i>) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (<i>Hillside Protection</i>)	<table border="1"> <tr> <td>Fee 1</td> <td></td> <td>Total</td> </tr> <tr> <td>0325</td> <td>1774.50</td> <td></td> </tr> <tr> <td>Fee 2</td> <td></td> <td></td> </tr> <tr> <td>Fee 3</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td>\$1774.50</td> </tr> </table>	Fee 1		Total	0325	1774.50		Fee 2			Fee 3					\$1774.50
Fee 1		Total														
0325	1774.50															
Fee 2																
Fee 3																
		\$1774.50														

AUTHORIZATION

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

 Applicant Signature 865-546-9321 Phone Number	Benjamin C. Mullins Please Print bmullins@fmsllp.com Email	11/17/2021 Date
 Staff Signature	SHERRY MUCHIENZI Please Print	11/17/2021 Date 

Parcel 021 066 - Property Map and Details Report



Property Information

Parcel ID: 021 066
 Location Address: 0 E EMORY RD
 CLT Map: 21
 Insert:
 Group:
 Condo Letter:
 Parcel: 66
 Parcel Type: NORMAL
 District: N8
 Ward:
 City Block:
 Subdivision: GREENBELT APP #A-4027
 Rec. Acreage: 0
 Calc. Acreage: 23.49
 Recorded Plat: -
 Recorded Deed: 20200326 - 0063648
 Deed Type: Deed:Gift Deed
 Deed Date: 3/26/2020

Address Information

Site Address: 0 E EMORY RD
 CORRYTON - 37721
 Address Type: UNUSED LAND
 Site Name:
 Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Jurisdiction Information

County: KNOX COUNTY
 City / Township:

Political Districts

Voting Precinct: 81
 Voting Location: Gibbs Elementary School
 7715 TAZEWELL PIKE
 TN State House: 19 Dave Wright
 TN State Senate: 6 Becky Duncan Massey
 County Commission: 8 Richie Beeler
 (at large seat 10) Larsen Jay
 (at large seat 11) Justin Biggs
 School Board: 8 Mike McMillan
 Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Owner Information

MCGILL LESLIE B & PFOST KAREN B
 4047 HICKORY FAIRWAY DR
 WOODSTOCK, GA 30188
 The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Important Note: Owner information on this report reflects data entered into the Property Assessor's System as of Aug. 6, 2021. The Property Assessor's Office is undergoing a major software system upgrade and owner information has yet to be updated on KGIS. For the most accurate owner information on any recent ownership transfer please contact the Property Assessor's Office at 865-215-2365.

Other Information

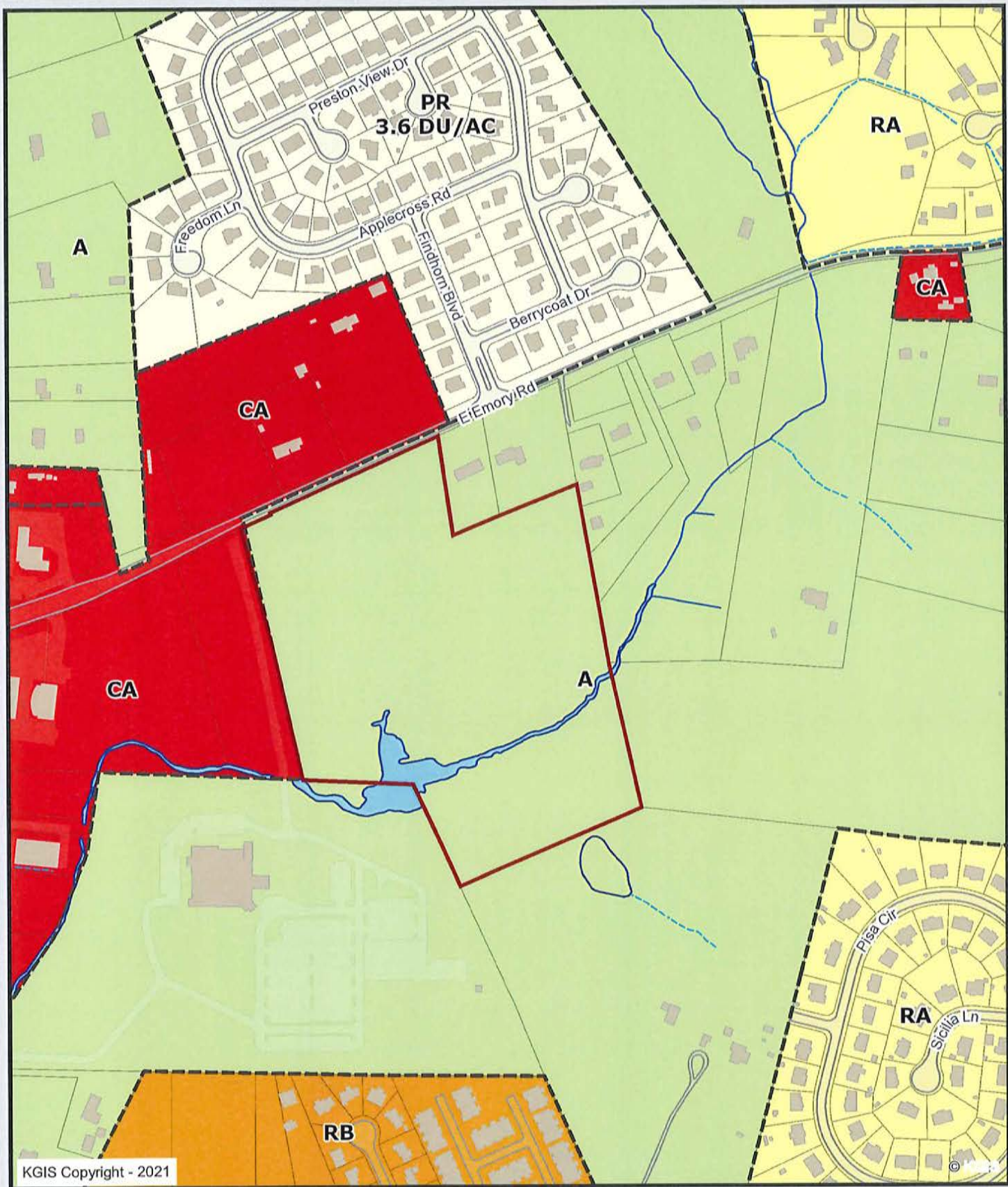
Census Tract: 64.03
 Planning Sector: Northeast County
 Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

School Zones

Elementary: GIBBS ELEMENTARY
 Intermediate:
 Middle: GIBBS MIDDLE
 High: GIBBS HIGH
 Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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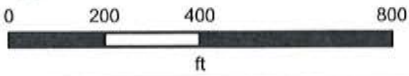


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0 E. Emory Rd (PID: 021 066)
Zoning

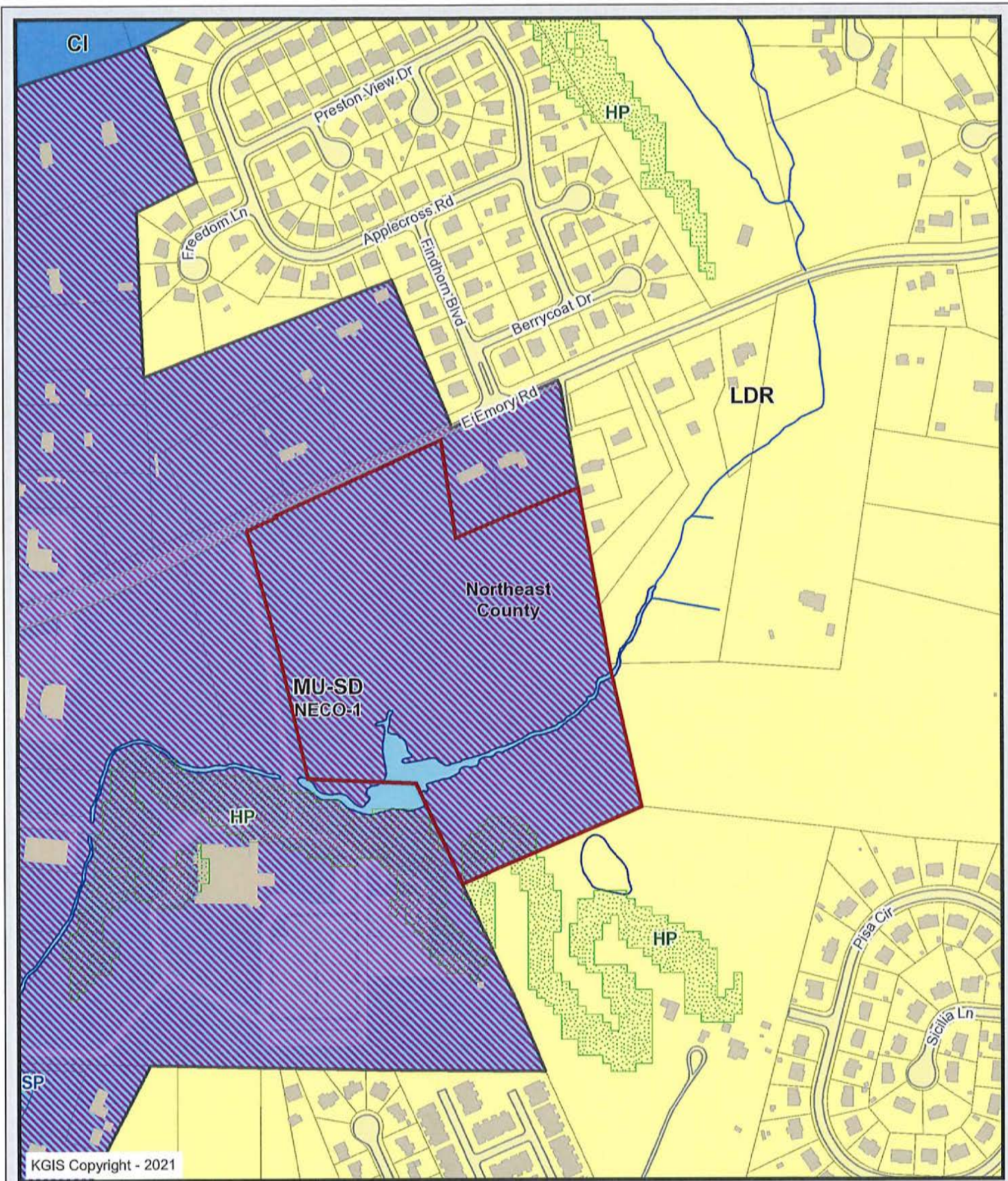


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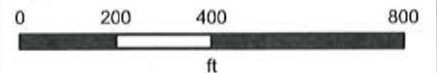


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0 E. Emory Rd (PID: 021 066)
Sector Plan

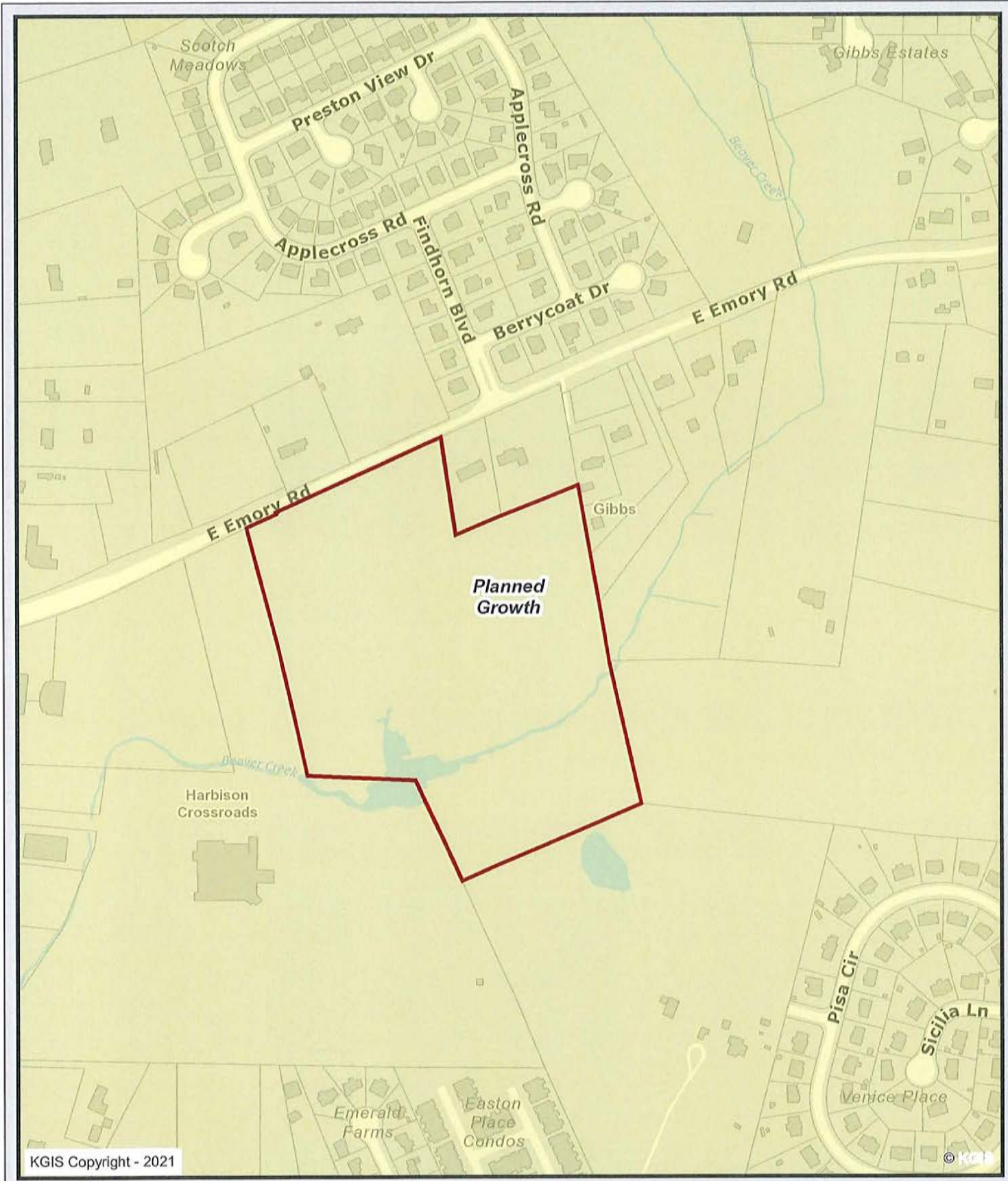


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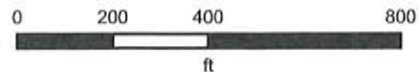
0 E. Emory Rd (PID: 021 066)

Growth Policy Plan

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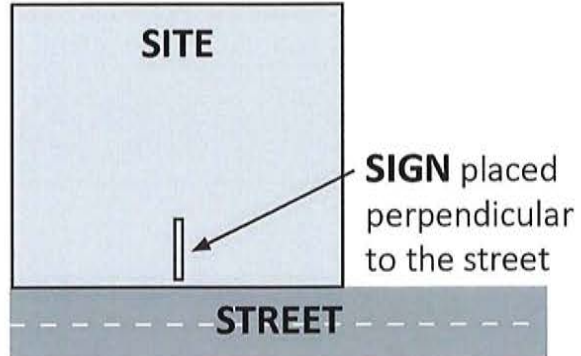


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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, 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:

Dec 29th and Jan 14th
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Ben Mullins
 Date: 11/17/21
 File Number: 1-E-22-RZ

- Sign posted by Staff
- Sign posted by Applicant