

My name is Taylor Harris, and I am the president of the Old Concord Residents Association. I'm writing to the planning commissioners and staff concerning Use on Review case 6-B-24-UR bordering the Historic Village of Concord. There are a number of issues that should prevent this plan from being approved. Our neighbors and other concerned citizens have already made many of their comments public to voice that this development would be disruptive and incompatible with the Historic Village of Concord. I would like to raise some additional red flags and show that not only is this proposal unwanted by the community but that it's objectively inappropriate and by Knox County's own zoning rules and Knox County Planning's own evaluation process should not be approved.

THIS CASE IS UNIQUE

There are currently very few CN zoned areas in Knox County. Most of these zones are very small, sometimes a single property, and usually surrounded by agriculture or industrial properties. [See KGIS screenshots of other CN zoned areas here.](#) **Very few, possibly none, are directly adjacent to an HZ overlay.** This is a unique case, one that may set precedent for future cases, and thus it warrants extra attention from the planning office and commission.

ZONING CODE

As a reminder, *CN zoning code* mandates that developments should provide limited retail and service *"in a manner convenient to and yet not disruptive to established residential neighborhoods"* and that the *"Development should be compatible with the character of the adjacent neighborhood."* ([5.38. - CN Neighborhood Commercial Zone](#))

This proposed EZ Stop would go directly against the zoning code for Neighborhood Commercial developments as it would be:

1. **Inconvenient:** Increased traffic within neighborhood and on Concord Road would make living and commuting to and from the neighborhood more difficult and dangerous. (**Visual**)
2. **Disruptive:** Light pollution from the bright gas station lights, fume pollution from the fuel, and noise pollution from the cars, supply trucks, and the drive-thru would be constant disruptions to everyone who lives nearby.
3. **Incompatible** with the character of the neighborhood: Village of Concord is a historic village established in 1854 with a historic zoning overlay that lays out specific guidelines for how the village should be preserved. It seems odd to have to say it but a 7,000 sq ft gas station, convenience store, and drive-thru restaurant is absolutely NOT compatible with the character of this neighborhood. Furthermore - the proposed location for this EZ Stop development is directly abutting the village cemetery with graves dating back to the 1800s. The proposed development is currently 25 feet from the nearest headstones. Imagine attending a funeral service here and hearing someone ordering through a drive-thru in the background.

HZ OVERLAY AND HISTORIC GUIDELINES

[Link to full historic guidelines on Knox County Planning's website here](#)

Village of Concord has a historic overlay and guidelines with specifics on how the buildings and the village as a whole must be preserved. Please see page 7 of our historic guidelines for the following excerpt where narrow streets and mature landscaping are specifically called out as crucial historic elements of the village:

“Much of the impression of history present in the Village of Concord comes from the details found in the street layout, placement of buildings on lots, and design of the streets, as well as from details like stone walls, narrow streets, carriage blocks, and mature landscaping typical of historic development.”

This proposed EZ Stop would strip a large portion of the village of mature trees and widen a road that is intentionally narrow to preserve the character of our historically protected neighborhood. Our historic zoning overlay was put into place decades ago and is enforced by Knox County. Representatives of that same county cannot approve a project that directly contradicts them.

The historic guidelines for the Village of Concord also state:

“To preserve and enhance the setting of the Village of Concord, it is important that the setting of the buildings be retained, even when new development is proposed.

- 1. The original grid system should be extended into land proposed for future development or redevelopment.*
- 2. Pavement widths should be continued into any proposed development.*
- 3. Streets should not be finished with curbs and gutters, which are not the traditional way of dealing with storm water runoff in the Village. Instead, grassy or stone lined drainage ditches should be provided in the same manner as those existing in older portions of the Village.*
- 4. Setbacks for new buildings should respect the setbacks already established by the location of historic buildings in the Village.”*

The widening of the neighborhood entrance at Second Drive proposed in the case, 6-B-24-UR, is in direct contradiction with the neighborhood guidelines as is the overall footprint of this development.

SIZE AND SCOPE

Special attention and consideration should also be paid to the scope of this project. This case involves three use reviews (fuel, restaurant, and drive-thru) and is proposing to combine these uses into one single building.

It is clearly stated in [zoning code 5.38.04](#) Building size regulations. B. *“No individual building or commercial establishment shall have a floor area exceeding five thousand (5,000) square feet.”* Yet this project is clearly **7015** square feet. It appears this plan is trying to make it seem as if it is two separate building. An EZ Stop and Calloway’s Kitchen. However please consider that

the restaurant space could not operate independently as a business as there are not separate restrooms. This means that the EZ Stop building would only be under 5000 square feet when the restaurant is not open and the adjoining doors were to be closed. It is clear that this is one building and the intention is for the entire development to function as one establishment and it is nowhere close to being compliant with zoning codes.

YOUR RESPONSIBILITY AS A PLANNING COMMISSION

According to the [Knox County Planning Commission's Use on Review procedure \(linked here\)](#) there are four questions that should be asked in order to approve this use as appropriate.

Use On Review requests should

- Be compatible with the character of the neighborhood including the size and location of buildings in the vicinity (Per the aforementioned [historic guidelines for Village of Concord](#), **it is not X**)
- Be consistent with the General Plan, the One Year Plan, Sector Plans, and other adopted plans (Per Knox County's approved [Comprehensive Land Use and Transportation Plan](#) and [Map](#), **it is not X**)
- Not significantly injure the value of adjacent properties (The majority of the village will be able to see, hear, and even smell this development from their porches. **It absolutely will decrease the value of adjacent properties. X**)
- Not substantially increase the level of traffic into the neighborhood when the project is complete. ([Per this visual](#), the proposed outlet onto Second Drive intentionally funnels traffic into the neighborhood which **would blatantly increase traffic levels into the neighborhood on a daily basis. X**)

This proposed plan has three separate and distinct uses on review for the commission to consider according to 5.38.03 of the zoning code - Uses permitted on review.

C. Restaurants (NAICS 722).

D. Fueling service stations with or without convenience stores (NAICS 447110).

E. Any permitted use listed above, which includes drive-through or drive-in facilities.

Each of these uses should be evaluated through the aforementioned list of requirements to determine if the proposed plan is appropriate. When doing so you will find that all together a drive-thru facing the neighborhood will diminish value of homes and be incompatible with a historic setting. The noise from speakers and idling cars will flood in the neighborhood and be heard throughout the village. There is no way to make a drive-thru compatible with this neighborhood.

A dine-in restaurant in the area on its own, especially if it was to be only 2235 square feet is one thing. However combining this into a 7015 square foot building is inappropriate and again is not compatible with our historic village. **The addition of a drive-thru is absolutely out of the question and inappropriate for this setting.**

When considering the fueling station, historically there have been fueling stations at the border the village, however these have never been more than 1 or 2 pumps. Seven gas pumps would be incompatible with the history of the village. Further more the EZ Stop design is incompatible with the Village guidelines for commercial buildings.

Advance Knox - Approved Land Use Plan

As mentioned above, it should also be considered by the planning department that this property is in the recently adopted Advance Knox plan. This property has been designated as Suburban Mixed Residential along with all of Lake Ridge Drive (within the historic overlay) and adjoining properties along Concord Road. This plan does not seem to be cohesive with future plans for this area. Having finally gotten this contentious plan passed it would be a shame to let this project disrupt the progress that has been made.

I hope you enforce the zoning codes and historic guidelines put into place by Knox County and deny this proposal. We know this land will eventually be developed but zoning codes and historic guidelines dictate that it should be something consistent with the current neighborhood such as small shops, cafes, or restaurants - certainly not a 7,000 square foot fuel station, convenience store, and drive-thru restaurant.

Thank you,

Taylor Harris