

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTHWEST COUNTY SECTOR PLAN AMENDMENT

File Number: 1-D-14-RZ Related File Number: 1-D-14-SP
Application Filed: 11/20/2013 Date of Revision:
Applicant: ORLINO BALDONADO

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
w w w • k n o x m p c • o r g

PROPERTY INFORMATION

General Location: North side Hardin Valley Rd., east of Cherahala Blvd.
Other Parcel Info.:
Tax ID Number: 104 00602 Jurisdiction: County
Size of Tract: 1 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residential
Surrounding Land Use:
Proposed Use: Commercial uses Density:
Sector Plan: Northwest County Sector Plan Designation: TP
Growth Policy Plan: Planned Growth Area
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 10513 Hardin Valley Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: BP (Business and Technology) / TO (Technology Overlay)
Former Zoning:
Requested Zoning: CA (General Business) / TO (Technology Overlay)
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: TP (Technology Park)
Requested Plan Category: GC (General Commercial)

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that County Commission APPROVE CA (General Business) / TO (Technology Overlay) zoning.

Staff Recomm. (Full):

CA/TO zoning is an extension of zoning from the southwest and continues the trend for commercial development on the north side of this section of Hardin Valley Rd.

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. CA/TO zoning is compatible with the scale and intensity of the surrounding development and zoning pattern in the area.
2. The proposed CA/TO zoning is a logical extension of zoning from the southwest.
3. This proposal continues the trend for commercial zoning along the north side of this section of Hardin Valley Rd.
4. This proposed amendment of the zoning map will not adversely affect any other part of the County, and the site plan approval required by the Tennessee Technology Corridor Development Authority (TTCDA) provides that no direct or indirect adverse effects will result from the change of zoning.

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

1. The requested CA zoning district is for general retail business and services, but not for manufacturing or for processing materials.
2. Based on the above description and intent of CA zoning, this property is appropriate to be rezoned to CA, as requested.
3. Site plans will be subject to review and approval of a development plan by the Tennessee Technology Corridor Development Authority (TTCDA), since it is located within the TO overlay.

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 proposal will have no impact on schools, and the traffic impact will depend on the type of use that is proposed.
2. CA zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.
3. Public water and sanitary sewer utilities are available to serve the site.
4. The TO overlay zone, which will be retained on the zoning, will require the review of a development plan and approval of a Certificate of Appropriateness by TTCDA prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, landscaping, layout, signage, drainage and other potential development concerns. It will also give the opportunity for public comment at the TTCDA meeting.

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. With the recommended amendment to the Northwest County Sector Plan to general commercial, the requested CA zoning is consistent with the sector plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The proposal does not present any apparent conflicts with any other adopted plans.
4. Because of the property's location within the TO overlay, a Certificate of Appropriateness for the

rezoning must also be approved by TTCDA. This request is scheduled to be considered by TTCDA on January 6, 2014 (1-A-14-TOR).

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved **Meeting Date:** 1/9/2014

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission approve CA (General Business) / TO (Technology Overlay)

Date of Approval: 1/9/2014

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 2/24/2014

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: