

CASE SUMMARY

APPLICATION TYPE: REZONING

EAST COUNTY SECTOR PLAN AMENDMENT

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

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File Number: 1-E-15-RZ **Related File Number:** 1-B-15-SP
Application Filed: 11/20/2014 **Date of Revision:**
Applicant: FRALEY & SCHILLING, INC.

PROPERTY INFORMATION

General Location: South side Region Ln., southeast of Strawberry Plains Pike
Other Parcel Info.:
Tax ID Number: 72 PT OF 279 & 08501 **OTHER:** PORTIONS ZONED A O **Jurisdiction:** County
Size of Tract: 18.4 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land / agricultural
Surrounding Land Use:
Proposed Use: Overflow trailer parking **Density:**
Sector Plan: East County **Sector Plan Designation:** Agricultural
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 7220 Strawberry Plains Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CB (Business and Manufacturing)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: A (Agricultural)
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 CB (Business and Manufacturing) zoning only on the portion of parcel 279 northwest of Swan Pond Creek, zoned F (Floodway). (See attached 'MPC staff recommendation' map.)

Staff Recomm. (Full): The zoning recommendation is consistent with the sector plan proposal for the area, which recommends that commercial uses not be extended southeast beyond Swan Pond Creek. CB zoning for the recommended portion is compatible with the surrounding and zoning pattern, and is consistent with the sector plan proposal for the site.

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. No significant changes have occurred in the area that warrant the requested change in zoning southeast of the creek. CB zoning is recommended only for the portion of the site that is currently designated for general commercial uses.
2. Staff recognizes that the commercial zoning on adjacent sites extends southeast of the creek. However, this zoning pattern is not recognized on the sector plan map. With the exception of a TDOT facility to the northeast, no commercial development has occurred on the southeast side of Swan Pond Creek, despite the commercial zoning.
3. There are several commercially zoned parcels adjacent to the site, which are underutilized for commercial purposes. This commercial zoning is sufficient to allow businesses that may be needed in the area.

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

1. The requested 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 and 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.
2. Based on the above description and intent of CB zoning, the recommended portion of the property is appropriate to be rezoned to CB.

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. As recommended, CB zoning is appropriate for this site and will not adversely affect any adjacent properties or other parts of the County.
2. The extension of CB zoning southeast of the creek is not warranted or necessary and would not be consistent with the sector plan proposal for the area.
3. Swan Pond Creek provides a natural boundary between commercial and agricultural uses. The sector plan appropriately calls for commercial uses not to extend southeast of the creek.

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 requested plan amendment to the general commercial land use classification, CB zoning would be consistent with the East County Sector Plan. However, staff is recommending that the current sector plan designation be maintained. CB zoning is only recommended on the portion of the site that is already designated for commercial uses.
2. The site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut

Growth Policy Plan map.

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:** 1/8/2015
Details of Action: RECOMMEND that County Commission APPROVE CB (Business and Manufacturing) zoning, as requested.
Summary of Action: RECOMMEND the Knox County Commission APPROVE CB (Business and Manufacturing) zoning
Date of Approval: 1/8/2015 **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: 2/23/2015 **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:**