

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.):

DENY CA (General Business) zoning.

Staff Recomm. (Full):

CA zoning allows uses that would be out of character with surrounding development and zoning.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. No significant changes have occurred in the area that warrant the requested change in zoning. These same requests were recommended for denial by MPC on June 12, 2008 by a vote of 9 to 4. Nothing has changed in the surrounding area since then. Staff had recommended denial and there was opposition to the requests at that time.
2. The surrounding area is developed with primarily agricultural and rural residential uses, under A zoning. CA zoning would not be compatible with those uses.
3. Approval of this site for commercial uses would permit incompatible businesses in close proximity to residential uses.
4. The small CB zoned site to the west was rezoned specifically for a billboard many years ago, prior to sector plan amendments being required with rezoning requests. A billboard does exist on the adjacent site. If the subject property were approved for CA zoning, a billboard would be a permitted use on this site also. However, the County has a separation requirement of 1,000 feet between billboards along the interstate. There is not enough interstate frontage available along this site to construct one on the subject property, unless a variance is approved to allow less than the required 1,000 feet separation. There is also some CA zoning to the east of the site, along the interstate, which was also zoned specifically for billboards, prior to sector plan amendment requirements.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested CA zoning is for general retail businesses and services, but not for manufacturing or for processing materials. The proposed storage facility may be considered as a use on review in the CA zone.
2. Based on the above description and intent of CA zoning, this property is not appropriate to be rezoned to CA, because of compatibility concerns with surrounding residential land uses.

THE EFFECTS OF THIS PROPOSAL

1. Public water is available to the site. Sewer utilities are available in the general area, but may have to be extended to serve this site.
2. The proposal would have no impact on schools. Depending on how the property were developed, the street could be negatively impacted with additional traffic generated from a commercial use.
3. Commercial uses can have detrimental impacts on residential properties with the potential for increased noise, lighting, signage and traffic.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East County Sector Plan's proposal for low density residential uses is appropriate for this site. The Plan should not be amended to allow commercial development at this location. The proposal does not meet any of the general plan criteria regarding changes of conditions warranting amendment of the land use plan.
2. This site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Allowing commercial use of the subject property could lead to future requests for commercial in the area, promoting further intrusion into the existing rural residential area.

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. New law 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: Denied **Meeting Date:** 1/14/2010

Details of Action:

Summary of Action: DENY CA (General Business) zoning.

Date of Approval: **Date of Denial:** 1/14/2010 **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 10/9/2009

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**