

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: 10-B-11-RZ **Related File Number:** 10-A-11-SP
Application Filed: 8/11/2011 **Date of Revision:**
Applicant: CELINE NGUYEN

PROPERTY INFORMATION

General Location: Southeast side Strawberry Plains Pike, northeast of Huckleberry Ln.
Other Parcel Info.:
Tax ID Number: 73 046 **Jurisdiction:** County
Size of Tract: 0.96 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Residence and contractor's office **Density:**
Sector Plan: East County **Sector Plan Designation:** MDR/O
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 7620 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: LDR (Low Density Residential)
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.):

DENY CB (Business & Manufacturing) zoning.

Staff Recomm. (Full):

CB zoning at this location would be an incompatible spot zoning. Surrounding properties would not have the same range of uses that would be allowed on this site.

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.
2. Three sides of the property are developed with rural and low density residential uses, under A zoning. CB zoning would not be compatible with those uses.
3. Staff recognizes that there is significant commercial development and zoning located southwest of the site around the interstate interchange and that there is commercial zoning across the street. However, much of the commercially-zoned property is under-utilized. About 60 acres of vacant C-6 zoned land is available directly across Strawberry Plains Pike from the site. Also, the commercial zoning on the southeast side of Strawberry Plains Pike currently ends about 400 feet to the southwest of the subject property.

CONSISTENCY WITH INTENT AND PURPOSE OF THE 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, this property is not appropriate to be rezoned to CB.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available in the area, but may have to be extended to serve the site.
2. Establishment of CB zoning at this location would adversely impact surrounding residential properties.
3. CB zoning allows a wide range of uses that would not be compatible with surrounding land uses and zoning. If this site were approved for CB zoning, it could set a precedent that could lead to future expansion of commercial uses in the area. The applicant should look for a location in an established commercial or industrial area for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the requested amendment to GC, CB zoning would be consistent with the East County Sector Plan. However, staff is recommending that the current sector plan designation and zoning be maintained for compatibility with surrounding land uses and zoning. The East County Sector Plan was recently updated, with adoption by County Commission on June 27, 2011. The plan proposes that the end of the commercial uses associated with the interchange should be Huckleberry Ln. on this side of Strawberry Plains Pike.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future rezoning and plan amendment requests for commercial development in the immediate area, on properties zoned residential or agricultural. The current sector plan proposes low density residential uses and slope protection for this site and all surrounding properties. The closest GC designated area on the sector plan is over 400 feet southwest on the west side of Huckleberry Ln. This site is zoned C-3 and is in the City Limits of Knoxville.

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:** 10/13/2011

Details of Action:

Summary of Action: DENY CB (Business & Manufacturing) zoning.

Date of Approval: **Date of Denial:** 10/13/2011 **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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:**