

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST CITY 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-12-SP **Related File Number:**
Application Filed: 8/31/2012 **Date of Revision:**
Applicant: METROPOLITAN PLANNING COMMISSION

PROPERTY INFORMATION

General Location: Southwest side Primus Rd., northwest of Murray Dr.
Other Parcel Info.:
Tax ID Number: 68 04201, 085 **OTHER:** PORTION OF 43 ZONED C-3 **Jurisdiction:** City and County
Size of Tract: 9.5 acres
Accessibility: Access is via Primus Rd., a local street with 21' of pavement width within 100' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial uses and a church
Surrounding Land Use:
Proposed Use: Commercial uses **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area (Inside and Outside City Limits)
Neighborhood Context: This site is on Primus Rd, which runs parallel to I-75 with various businesses and a church, zoned C-3, CA and A.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-3 (General Commercial), A (Agricultural) and CA (General Business)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone: Yes, extension of Commercial sector plan designation from the northwest and southeast.
History of Zoning: The parcel to the southeast at the corner of Primus Rd. and Murray Dr. was amended to commercial on September 13, 2012 (9-B-12-SP).

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)
Requested Plan Category: C (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.):

ADOPT RESOLUTION #10-B-12-SP, amending the Northwest City Sector Plan to C (Commercial) and recommend that Knox County Commission and Knoxville City Council also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)

Staff Recomm. (Full):

Commercial use in this area is an extension of the existing commercial use to the northwest and southeast. There are commercial uses and zones along Primus Rd. adjacent to I-75, that are not currently recognized on the sector plan. A rezoning to CA and sector plan amendment to commercial were approved by MPC last month (9-B-12-RZ/9-B-12-SP) for parcel 84 to the southeast on the corner of Primus Rd. and Murray Dr.

Comments:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made to Primus Rd. or Murray Dr. in the vicinity of this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The Northwest City Sector Plan does not currently recognize commercial uses and zoning that are in place along Primus Rd. It is staff's opinion that commercial use of these sites is appropriate, and this sector plan amendment will correct the situation. It will allow for commercial rezoning requests without the need for a sector plan amendment.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There are established commercial uses and zoning along Primus Rd., not recognized on the current sector plan. The presence of the commercial zoning demonstrates that the City Council and County Commission have deemed this area as appropriate for commercial uses.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The development trend along this Primus Rd. corridor is for non-residential uses. The road runs parallel and adjacent to I-75, and sites have exposure to drivers on the interstate.

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.

If the County portion of this request is approved, it will be forwarded to Knox County Commission for action on 11/19/2012. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.

If the City portion of this request is approved, it will be forwarded to Knoxville City Council for action on 11/13/2012 and 11/27/2012. If denied, MPC's action is final, unless the action to deny is appealed to

Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.

Action: Approved **Meeting Date:** 10/11/2012
Details of Action:
Summary of Action: C (Commercial)
Date of Approval: 10/11/2012 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: 11/19/2012

Date of Legislative Action, Second Reading: 11/27/2012

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

COUNTY COMMISSION approved county portion

CITY COUNCIL approved city portion

Date of Legislative Appeal:

Effective Date of Ordinance: