

# CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

NORTHWEST COUNTY SECTOR PLAN AMENDMENT



File Number: 10-C-19-SP                      Related File Number: 10-C-19-RZ  
Application Filed: 8/2/2019                      Date of Revision: 8/13/2019  
Applicant: IGOR CHEBAN

## PROPERTY INFORMATION

**General Location:** West side of Clinton Highway, north of Pleasant Ridge Road  
**Other Parcel Info.:** Property is in the Hillside Protection Area  
**Tax ID Number:** 67 PARTS OF 207 AND 20703                      **Jurisdiction:** County  
**Size of Tract:** 6.53 acres  
**Accessibility:** Access is via Clinton Highway, a 4-lane seperated major arterial with a pavement width of 63 feet and within a right-of-way of 100 feet.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** CO (Commercial)  
**Surrounding Land Use:**  
**Proposed Use:** Warehouse, Storage for HVAC business                      **Density:**  
**Sector Plan:** Northwest County                      **Sector Plan Designation:** LDR (Low Density Residential) / HP (Hillside Prote  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This is a small commercial area adjacent to Clinton Highway, characterized by forested, vacant steep slopes surrounding businesses located on the highway.

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

**Street:** 6939 Clinton Highway  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural) and CB (Business and Manufacturing)  
**Former Zoning:**  
**Requested Zoning:** CB (Business and Manufacturing)  
**Previous Requests:** N/A  
**Extension of Zone:** Across from GC on Clinton Highway  
**History of Zoning:** None noted.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential) / HP (Hillside Protection)  
**Requested Plan Category:** GC (General Commercial) / HP (Hillside Protection)

## **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.:

## **PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Liz Albertson

Staff Recomm. (Abbr.):

Adopt resolution #10-C-19-SP amending the Northwest County Sector Plan to GC (General Commercial) per attached resolution, Exhibit A.

Staff Recomm. (Full):

The requested GC (General Commercial) sector plan designation is recommended as an obvious omission in the plan. The sector plan update in 2016 should have recognized the existing commercial uses and zoning on the west side of Clinton Highway at this location.

Comments:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There are no changes of conditions in the area, however, the area should have been recognized for the existing conditions/uses and zoning in this area during the 2016 Northwest County Sector Plan update.

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

1. There are no new roads or utilities that make development more feasible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is an obvious error in the Northwest County Sector Plan at this location that should have acknowledged the existing CB zoning and commercial uses on the west side of Clinton Highway at this location, particularly, the flatter, previously graded areas adjacent to the roadway.  
2. The North County Sector Plan recognized similar commercial uses on the east side of Clinton Highway at this location and the Northwest County Sector Plan should've reflected the existing conditions on the west side of the highway also.

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

1. There are no new trends in development, population or traffic warranting reconsideration of the original plan proposal.

State law regarding amendments of the general plan (which includes 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: 10/10/2019

Details of Action:

Summary of Action:

Adopt resolution #10-C-19-SP amending the Northwest County Sector Plan to GC (General Commercial) per attached resolution, Exhibit A.

Date of Approval:

10/10/2019

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:** 11/18/2019

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

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

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**