

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**NORTH 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:** 11-A-08-SP                      **Related File Number:** 11-E-08-RZ  
**Application Filed:** 10/2/2008              **Date of Revision:**  
**Applicant:** DANIEL BRUCE CROWE

## PROPERTY INFORMATION

**General Location:** Northeast side Dry Gap Pike, southeast side Cunningham Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 47 E B 022                      **Jurisdiction:** County  
**Size of Tract:** 0.44 acres  
**Accessibility:** Access is via Dry Gap Pike, a three lane major collector street and Cunningham Rd. a major collector street within a 70' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Any use permitted by CA zone                      **Density:**  
**Sector Plan:** North County                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is in a rural residential area that has developed under A and CA zoning and has recently seen expansion of commercial and residential uses within CA and PR zones.

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

**Street:** 1632 Dry Gap Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural)  
**Former Zoning:**  
**Requested Zoning:** CA (General Business)  
**Previous Requests:** None noted  
**Extension of Zone:** Property to the south and west, across Dry Gap Pike, is designated for commercial use.  
**History of Zoning:** None noted for this site; however, property to the south, across Dry Gap Pike, has been rezoned CA for commercial development.

## 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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE RESOLUTION 11-A-08-SP, amending the North County Sector Plan and recommend County Commission approve the amendment.

Staff Recomm. (Full): Commercial expansion of this site is consistent with the existing commercial development that has occurred on the other three quadrants of this intersection. The resolution is attached as Exhibit A.

Comments: SECTOR PLAN SPECIFIC COMMENTS:  
CHANGES OF CONDITIONS WARRANTING AMENDMENT  
NEW ROAD OR UTILITY IMPROVEMENTS - Dry Gap Pike and Cunningham Rd. are both classified as major collector streets and can handle the additional traffic generated by development under CA zoning.  
ERROR OR OMISSION IN CURRENT PLAN - The plan proposes LDR uses for this site, but it is located at the intersection of two major collector streets which makes it less appealing for uses allowed under agricultural zoning. There is an automobile repair shop/convenience store located across Dry Gap Pike zoned CA and CB, and in August of 2008, MPC recommended approval to amend the sector plan to commercial on the property to the southwest (8-K-08-RZ/8-F-08-SP).  
CHANGES IN GOVERNMENT POLICY - MPC approved rezoning the property directly across Dry Gap Pike to the southwest to CA in August of 2008 based on the argument that commercial uses are appropriate at this intersection.  
CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS - Being located at the intersection of Dry Gap Pike and Cunningham Rd. with the other three quadrants developed with commercial uses, makes this lot less desirable for agricultural development. Commercial uses would provide for more compatible and marketable use for the property.

REZONING REQUIREMENTS:  
NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA, OR THE COUNTY GENERALLY:  
1. CA zoning is an extension of the CA and CB zoning across Dry Gap Pike from the subject property.  
2. Since the other three corners of the intersection of Dry Gap Pike and Cunningham Rd. are zoned commercial, or operate commercial businesses, the subject property would be more suitable for commercial zoning.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE  
1. The recommended CA zoning is compatible with the scale and intensity of the surrounding zoning pattern. Approval of CA zoning would be consistent with the recently approved CA zoning to the south and the CB zoning to the west across Dry Gap Pike.  
2. The recommended CA zoning allows the commercial use of the property in a manner consistent with the sector plan designation for the site.

THE EFFECTS OF THE PROPOSAL  
1. Public water and sewer utilities are available to serve the site.  
2. The proposal will have no impact on schools. Dry Gap Pike and Cunningham Rd. are both collector streets that have the capacity to handle additional trips that would be generated by commercial development.  
3. Approval of the staff recommendation will result in a logical pattern of retail uses around this intersection and provide a logical boundary to discourage support for additional CA zoning extension to the east along Cunningham Rd. and to the south along Dry Gap Pike.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS  
1. The requested North County Sector Plan amendment would need to be approved to permit the

requested or recommended CA zone change.

2. This 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 sector plan and rezoning requests for CA zoning on nearby properties.

**MPC Action:** Approved

**MPC Meeting Date:** 11/13/2008

**Details of MPC action:**

**Summary of MPC action:** APPROVE Resolution #11-A-08-SP amending the North County Sector Plan to C (Commercial) and recommend the Knox County Commission adopt by resolution the amendment.

**Date of MPC Approval:** 11/13/2008

**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:** 12/15/2008

**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:**