

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

## NORTHEAST COUNTY SECTOR PLAN AMENDMENT

**File Number:** 12-D-15-RZ      **Related File Number:** 12-C-15-SP  
**Application Filed:** 10/26/2015      **Date of Revision:**  
**Applicant:** TIM AND KIM WEBB

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

Suite 403 • City County Building  
4 0 0 M a i n S t r e e t  
Knoxville, Tennessee 37902  
8 6 5 • 2 1 5 • 2 5 0 0  
F A X • 2 1 5 • 2 0 6 8  
w w w • k n o x m p c • o r g

### PROPERTY INFORMATION

**General Location:** Southeast side Tazewell Pike, northeast of Ridgeview Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 39 PART OF 199 OTHER: MAP ON FILE      **Jurisdiction:** County  
**Size of Tract:** 1.2 acres  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:** House and garage  
**Surrounding Land Use:**  
**Proposed Use:** Small business      **Density:**  
**Sector Plan:** Northeast County      **Sector Plan Designation:** Ag/RR & SLPA  
**Growth Policy Plan:** Rural Area  
**Neighborhood Context:**

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

**Street:** 6130 Tazewell Pike  
**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:**  
**History of Zoning:**

### PLAN INFORMATION (where applicable)

**Current Plan Category:** AG/RR (Agricultural/Rural Residential) & SLPA (Slope Protection Area)  
**Requested Plan Category:** GC (General Commercial) & SLPA (Slope Protection Area)

## **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.):** RECOMMEND that County Commission APPROVE CR (Rural Commercial) zoning. (Applicant requested CA.)

**Staff Recomm. (Full):** For this site, CR is the most appropriate commercial zone that is permitted within the Rural Area of the Growth Policy Plan. Several sites in the immediate area are already zoned CA or CB and developed with businesses that have been there for many years, so the impact of this zoning change should be minimal.

**Comments:**

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. CR is the most appropriate commercial zone that can be considered for this site, which is located within the Rural Area designation on the Growth Policy Plan, limiting eligible commercial zones.
2. CR zoning will allow compatible commercial development to occur on this site, consistent with what has occurred on some surrounding parcels.
3. Commercial zoning is already in place on several sites surrounding the subject property, so this commercial area is already established.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The recommended CR zoning district provides the opportunity to locate limited retail and service uses in a manner convenient to outlying rural areas. It is intended to provide for the recurring shopping and personal service needs of nearby rural residential areas. The range of permitted uses is limited to those which are generally patronized on a frequent basis by area residents. Development performance standards are included to maximize compatibility between commercial uses and surrounding rural areas, and to maintain the rural character of these areas.
2. The requested CA zoning is not permitted within the Rural Area designation on the Knoxville-Knox County-Farragut Growth Policy Plan, so staff can not support it. CA zoning is for general retail businesses and services but not for manufacturing or for processing materials.
2. Based on the above descriptions and considering the site's location in the Rural Area on the Growth Policy Plan map, the subject property is appropriate for CR zoning.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could be extended, if necessary, to serve this site.
2. The proposal will have no impact on schools, and the traffic impact will depend on the type of uses that are proposed.
3. CR zoning is compatible with surrounding development and should have a minimal impact on adjacent properties.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to RC, CR zoning would be consistent with the Northeast County Sector Plan. The Northeast County sector plan is currently being updated, but no changes are proposed to the future land use designations for this area, leaving it designated for its current Agricultural/Rural Residential uses.
2. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map, which limits the types of commercial and other zones that can be proposed. CR is a zone that may be considered within the Rural Area.

3. The recommended zoning change does not present any apparent conflicts with any other adopted plans.

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.

**Action:** Approved **Meeting Date:** 12/10/2015

**Details of Action:**

**Summary of Action:** Recommend the Knox County Commission approve CR (Rural Commercial) zoning.

**Date of Approval:** 12/10/2015 **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:** 1/25/2016

**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:**