

# CASE SUMMARY

APPLICATION TYPE: TTCDA

## REZONING



File Number: 2-A-24-TOR                      Related File Number:  
Application Filed: 12/27/2023              Date of Revision:  
Applicant: WALLACE MCCLURE

### PROPERTY INFORMATION

General Location: South side of Dutchtown Rd, east side of Sherrill Blvd  
Other Parcel Info.:  
Tax ID Number: 118 171                      Jurisdiction: County  
Size of Tract: 3.39 acres  
Accessibility: Access is via Dutchtown Rd, a minor arterial, with a pavement width ranging from 63 ft to 72 ft within a right-of-way of 86 ft to 149 ft. Access is via Sherrill Blvd, a major collector, with a pavement width ranging from 66 ft to 57 ft within the Pellissippi Parkway interchange right-of-way.

### GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/forestry/vacant  
Surrounding Land Use:  
Proposed Use: N/A                      Density:  
Sector Plan: Northwest County              Sector Plan Designation: MU-SD, NWCO-2 (Century Park Mixed Use-Special)  
Growth Policy Plan:  
Neighborhood Context:

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

Street: 0 Dutchtown Road  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

### ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural), TO (Technology Overlay)  
Former Zoning:  
Requested Zoning: CA (General Business), TO (Technology Overlay)  
Previous Requests:  
Extension of Zone:  
History of Zoning:

### PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

**WAIVERS AND VARIANCES REQUESTED**

Variations Requested: N/A

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

**TTCDA ACTION AND DISPOSITION**

**Planner In Charge:** Whitney Warner

**Staff Recomm. (Abbr.):**

**Staff Recomm. (Full):** Approve the CA/TO (General Commercial) zone because it is consistent with the sector plan and surrounding development. The TO (Technology Overlay) would be retained.

**Comments:** PURSUANT TO ARTICLE V, SECTION 1 OF THE TTCDA ADMINISTRATIVE RULES AND PROCEDURES, THE DECISION OF THE TTCDA TO APPROVE A REZONING MUST BE BASED ON THE FOLLOWING CRITERIA:

A. CONFORMITY OF THE PROPOSED REZONING WITH THE TTCDA COMPREHENSIVE DEVELOPMENT PLAN (THE EQUIVALENT OF THE TTCDA DESIGN GUIDELINES) AND OTHER PLANS AFFECTING DEVELOPMENT WITHIN THE TECHNOLOGY OVERLAY

1. General Plan:

a. The current General Plan Policy 8.3 calls for focus on design quality and neighborhood compatibility in reviewing development proposals. The Technology Overlay has extensive design guidelines for site plans.

2. Northwest County Sector Plan:

a. CA is compatible with the sector plan's MU-SD NWCO-2 (Mixed Use-Special District, Century Park) land use designation, which locates retail uses along the south side of Dutchtown Road. This mixed use-special district allows consideration of the MU-CC (Mixed Use-Community Center) land use class, which allows commercial uses. CC (Community Commercial) land use classification states that it may also be considered within Mixed Use and Special Districts (p. 70), which the MU-CC land use class is. The Community Commercial land use designation considers CA for infill development. While this is not infill development, the only other opportunity for retail which the sector plan calls for is the PC zone. The PC zone is not preferential because of the 50 ft peripheral setback requirements, which would be difficult on this already uneven shaped property that appears to have some closed contours and right-of-way along both frontages on Dutchtown Rd and Sherrill Blvd.

3. Zoning Ordinance:

a. The CA zone is for general retail business and services but not for manufacturing or for processing materials other than farm products. The CA zone is consistent with the existing office and technology park zoning in the area.

b. All rezonings require Planning Commission approval, and this request will be heard at the February 8, 2024 Planning Commission meeting (Case 2-H-24-RZ).

c. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

B. THE NEED AND JUSTIFICATION FOR THE PROPOSED REZONING

1. While the area east of Pellissippi Parkway on the south side of Dutchtown Road are mostly office land uses, a couple of properties have been rezoned from office and industrial zones to commercial zones to the north and south (cases 8-K-20-RZ and 10-H-21-RZ).

2. Dutchtown Rd was widened from 3 lanes to 5 lanes with sidewalks in 2008.

C. EFFECT OF THE PROPOSED REZONING ON THE SURROUNDING AREA

1. The interchange with Pellissippi Parkway adjacent to office development is an appropriate location for commercial development.

**Action:** Approved

**Meeting Date:** 2/5/2024

**Details of Action:** Approve the CA/TO (General Commercial) zone because it is consistent with the sector plan and surrounding development. The TO (Technology Overlay) would be retained.

**Summary of Action:**

**Date of Approval:** 2/5/2024

**Date of Denial:**

**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:**