CASE SUMMARY

APPLICATION TYPE: REZONING

File Number: 2-C-13-RZ Related File Number:

Application Filed: 12/18/2012 Date of Revision:

Applicant: CARPENTERS CHAPEL CHURCH



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: Southwest side Dogwood Road, southeast side Solway Road

Other Parcel Info.:

Tax ID Number: 89 B D PT. OF 01602 OTHER: MAP ON FILE AT MPC Jurisdiction: County

Size of Tract: 4 acres

Accessibility: Access is via Dogwood Rd., a local street with 23' of pavement width within the large Pellissippi

Parkway right-of-way, or Solway Rd., a minor collector street with 24' of pavement width within 70' of

right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church

Surrounding Land Use:

Proposed Use: Office/warehouse Density:

Sector Plan: Northwest County Sector Plan Designation: Commercial and SLPA

Growth Policy Plan: Planned Growth Area

Neighborhood Context: This area is located just west of the Pellissippi Parkway and Oak Ridge Hwy. interchange. Solway Rd.

is primarily developed with agricultural and rural residential uses under A zoning. There is some commercial development located to the north and east, on properties that front on Oak Ridge Hwy.

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

Street: 10613 Dogwood Rd

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business) with conditions

Former Zoning:

Requested Zoning: CA (General Business)

Previous Requests: 8-I-08-RZ/8-E-08-SP

Extension of Zone: Site is already zoned CA, but with conditions

History of Zoning: MPC approved a sector plan amendment to commercial and rezoning to CA, with conditions, on

11/13/08 (8-I-08-RZ/8-E-08-SP).

PLAN INFORMATION (where applicable)

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Current Plan Category:

Requested Plan Category:

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.): DENY the removal of the conditions on the current CA (General Business) zoning.

Staff Recomm. (Full): The condition to limit the commercial use of this site to uses allowed in the A (Agricultural) zone and a

non-profit thrift store associated with Carpenter's Chapel Church is still valid. Conditions have not changed in the area since the property was rezoned to conditional CA in 2008. MPC staff had recommended denial of CA zoning at that time, but the conditional zoning was recommended by MPC

and approved by Knox County Commission. Staff's position on this matter has not changed.

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. This site, although it is located near Oak Ridge Hwy., does not have direct access to it. It's access is from Dogwood Rd. or Solway Rd. only, both of which are smaller streets that provide access into agricultural and residential areas. The two access streets are not suitable to provide access to unrestricted commercial development. Furthermore, the access to Solway Rd. from Oak Ridge Hwy., where most of the traffic would come from, is very dangerous. This site is not an appropriate location for more intense commercial development.

2. Approval of unconditioned CA zoning at this location would place incompatible commercial uses adjacent to established and future residential uses. The adjacent unconditioned CA zoning and uses to the north and east have minimal adverse impact on nearby residential uses. But approval of unconditioned CA at this site extends the commercial boundary south and west across Solway Rd. and Dogwood Rd. The current boundary between unconditioned CA and residential uses is appropriate.

3. The current conditioned CA zoning and limited commercial use of the site by the church and the location of the church itself currently establish a good transition between residential and non-residential uses in the area. The conditioned CA zoning limits the commercial use of the site to a very specific and less intense commercial use than would be permitted in the proposed unconditioned CA zoning. It also limits the commercial use to something associated with the church, who owns the site.

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

- 1. The requested CA zoning district is for general retail business and services, but not for manufacturing or for processing materials.
- 2. Staff is of the opinion that this site is not appropriate for unconditioned CA uses, because of access and compatibility concerns.

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. The impact of this proposal would depend on the type of commercial development proposed. Certain uses could have a negative impact on the streets and adjacent properties.
- 2. Approval of unconditioned CA zoning would open up the possibility of a significant number of potentially non-compatible and inappropriate uses being developed at this site.
- 3. Public water and sanitary sewer utilities are available to serve the site. No other area of the County will be impacted by this rezoning request.

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:

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- 1. The Northwest County Sector Plan was amended in 2008 to allow consideration of CA zoning and commercial uses for this property. The associated rezoning was approved for limited commercial under CA zoning. The zoning condition limits the use of the site to uses permitted in the A zone and a non-profit thrift store associated with Carpenter's Chapel Church. This is a very specific use that was approved in order to try to accommodate the needs and desires of the church at that time.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
- 3. Approval of this request could lead to future requests for commercial plan designations and zoning, which would not be consistent with the future land use proposals of the sector plan. The conditioned CA zoning and the church, as they currently exist, provide a transitional area between non-residential uses to the north and east and agricultural/residential uses to the south and west.

Denied Meeting Date: 2/14/2013

Details of Action:

Action:

Summary of Action: DENY the removal of the condition on the CA zoning to limit the commercial use of this site to uses

allowed in the A (Agricultural) zone and a non-profit thrift store associated with Carpenters Chapel

Church.

Date of Approval: Date of Denial: 2/14/2013 Postponements:

Date of Withdrawal: Withdrawn prior to publication?: ☐ Action Appealed?: 2/19/2013

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 3/25/2013 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Appeal appraoved. CA no conditions approved.

Date of Legislative Appeal: Effective Date of Ordinance:

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