

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 2-H-24-RZ **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, PART OF **Jurisdiction:** County
Size of Tract: 3.29 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 could also be off of 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 Land
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** MU-SD (Mixed Use Special District) NWCO-2
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: This area consists of single family residential uses on the north side of Dutchtown Road and offices uses and vacant land on the south side of Dutchtown Road. The Century Park office park development is adjacent to the east.

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

Street: 0 DUTCHTOWN RD
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: No
History of Zoning: In 1983, the TO (Technology Overlay) zone was added to this property (12-Z-83-RZ).

PLAN INFORMATION (where applicable)

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Whitney Warner

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

Staff Recomm. (Full):

Comments: PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01:
THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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 COUNTY GENERALLY:

1. While the area east of Pellissippi Parkway on the south side of Dutchtown Road is mostly comprised of office land uses, there is a recent trend of properties being 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 Road was widened from 3 lanes to 5 lanes with sidewalks in 2008.

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

1. 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.
2. Properties in the TO zone also require TTCDA approval of rezoning requests. This request will be heard at the February 5, 2024 TTCDA meeting (Case 2-A-24-TOR).
3. Rezoning 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.

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 interchange with Pellissippi Parkway adjacent to office development is an appropriate location for commercial development.
2. This property is in the Technology Overlay. All developments other than single family residences and duplexes require TTCDA (Tennessee Technology Corridor Development Authority) approval of site plans.

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. 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.
2. 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.
3. The property is within the Urban Growth Boundary. The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.

Action: Approved **Meeting Date:** 2/8/2024

Details of Action:

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

Date of Approval: 2/8/2024 **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: 3/25/2024 **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:**