

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**NORTHWEST 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:** 3-A-16-SP                      **Related File Number:** 3-A-16-RZ  
**Application Filed:** 1/13/2016              **Date of Revision:**  
**Applicant:** ALLOWAY HUNT REAL ESTATE LLC

## PROPERTY INFORMATION

**General Location:** Northeast side of Old Clinton Pike, southeast of W. Beaver Creek Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 67 142 & 105                      **Jurisdiction:** County  
**Size of Tract:** 0.6 acres  
**Accessibility:** Access is via Old Clinton Pike., a minor collector street with 19' of pavement width within 50' of right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Houses  
**Surrounding Land Use:**  
**Proposed Use:** Convenience store with fuel pumps and restaurant use.                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** Medium Density Residential  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with a mix of uses, including residential, office, and commercial uses.

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

**Street:** 7332 Old Clinton Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RB (General Residential)  
**Former Zoning:**  
**Requested Zoning:** CA (General Business)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes  
**History of Zoning:** One of the two parcels was rezoned from RB to CA in 1999, however, a sector plan amendment was not made at that time and is part of this request.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** MDR (Medium 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:** Mike Reynolds

**Staff Recomm. (Abbr.):** ADOPT RESOLUTION #3-A-16-SP, amending the Northwest County Sector Plan from MDR (Medium Density Residential) to C (Commercial) and recommend that Knox County Commission also adopt the sector plan amendment.

**Staff Recomm. (Full):** Commercial uses for this site would be a logical extension of the adjacent plan designation from the north, where an office/commercial corridor is established along Clinton Highway. In addition, one of the two subject properties is currently zoned CA (General Business) and this amendment will bring the sector plan into conformity with the zoning. The proposed plan amendment is justified and is compatible with the surrounding land uses and zoning pattern.

**Comments:** SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. Water and sewer utilities are available to this site.
2. The new Powell Drive intersects with Clinton Highway directly to the north these properties. If combined with the adjacent properties to the north, they would have access from both Clinton Highway and Old Clinton Pike.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. When the North County Sector Plan was updated in 2012, the opposite side of Clinton Highway was designated a special mixed use district (MU-SD NCO-1) that allows office, light manufacturing, commercial and residential uses. The Northwest County Sector Plan is in the process of being updated and currently proposes a similar mix of land uses where the subject properties are located, including commercial uses.
2. Of the two subject properties, the southeast property (7328 Old Clinton Pike) was zoned CA in 1999, before the Northwest County Sector Plan was last amended; however, the property was designated MDR (medium density residential), most likely because the use of the property remained residential. Extending the C (commercial) land use designation to include both properties is justified because if not, the other property (7332 Old Clinton Pike) could be surrounded by commercial uses on all four sides.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

1. The proposed land use is consistent with the policies of the Growth Policy Plan and General Plan, to concentrate commercial development in existing nodes.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. The new Powell Drive intersects with Clinton Highway directly to the north these properties. If combined with the adjacent properties to the north, they would have access from both Clinton Highway and Old Clinton Pike.

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:** 3/10/2016

**Details of Action:**

**Summary of Action:** Adopt Resolution #3-A-16-SP, amending the Northwest County Sector Plan to C (Commercial) and recommend the Knox County Commission also adopt the sector plan amendment.

**Date of Approval:** 3/10/2016 **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:** 4/25/2016 **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:**