

# CASE SUMMARY

## APPLICATION TYPE: PLAN AMENDMENT

### SOUTH COUNTY SECTOR PLAN AMENDMENT



**File Number:** 3-A-19-SP **Related File Number:** 3-D-19-RZ  
**Application Filed:** 1/28/2019 **Date of Revision:** 4/16/2019  
**Applicant:** NADER MUBARAK

#### PROPERTY INFORMATION

**General Location:** Northeast of Chapman Highway, northwest of E. Governor John Sevier Highway  
**Other Parcel Info.:**  
**Tax ID Number:** 137 197 (PART OF) **Jurisdiction:** County  
**Size of Tract:** 0.64 acres  
**Accessibility:** Access is via Chapman Highway, a major arterial, with a pavement width of 77' feet within a 115' feet right of way. Access is also off E. Norton Road, a local street with a pavement width of 17' feet within a 50' foot right of way.

#### GENERAL LAND USE INFORMATION

**Existing Land Use:** Agriculture / Forestry / Vacant  
**Surrounding Land Use:**  
**Proposed Use:** Any use allowed in CA zone **Density:**  
**Sector Plan:** South County **Sector Plan Designation:** MDR/O & HP  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** The area abuts the commercial corridor of Chapman Highway, as well as the low density residential neighborhood of South Ridge Heights to the north.

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

**Street:** 0 Chapman Highway  
**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:**  
**Extension of Zone:** Yes, a minor extension of the CA zoned corridor along Chapman Highway  
**History of Zoning:** None noted

#### PLAN INFORMATION (where applicable)

**Current Plan Category:** MDR/O (Medium Density Residential and Office) / HP (Hillside Protection)

Requested Plan Category: GC (General Commercial) / HP (Hillside Protection)

### **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: Liz Albertson

Staff Recomm. (Abbr.): Adopt Resolution # 3-A-19-SP, amending the South County Sector Plan to GC (General Commercial). (See attached resolution, Exhibit A.)

Staff Recomm. (Full): On April 16, 2019, the applicant modified their request to a smaller area that is approximately 0.64 acres immediately adjacent the existing sector plan designation of the GC (General Commercial) corridor along Chapman Highway. This minor extension of GC, could be considered a omission in the plan, on a small portion of the parcel that allows for commercial development of the property. This still allows for retention of the existing transistional land use designation of MDR/O (Medium Density Residential/Office) on the parcel between the commercial corridor and the residential neighborhood.

Comments: SECTOR PLAN AMENDMENT 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:

No new roads or additional utilities have been introduced in this area since the adoption of the 2012 South County Sector Plan.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

Historically, the existing GC designation along Chapman Highway in this section was drawn to designate an area 200' feet out from the highway right-of-way to create opportunities for commercial development. This minor extension of GC on a small portion of the parcel allows for commercial development of the property, while still protecting the existing transistion land use designation of MDR/O on the parcel between the commercial corridor and the residential neighborhood.

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

There are no apparent new trends in development, population growth or traffic in this area that would warrant amending the sector plan.

State law regarding amendments of the general plan (which includes 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: 8/8/2019

Details of Action:

Summary of Action: Adopt Resolution # 3-A-19-SP, amending the South County Sector Plan to GC (General Commercial) / HP (Hillside Protection). (See attached resolution, Exhibit A)

Date of Approval: 8/8/2019

Date of Denial:

Postponements: 3/14/19, 4/11/19, 5/9/19

Date of Withdrawal:

Withdrawn prior to publication?: ☐ Action Appealed?:

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 9/23/2019

**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:**