

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

## SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

**File Number:** 3-B-17-RZ                      **Related File Number:** 3-B-17-SP  
**Application Filed:** 1/12/2017              **Date of Revision:**  
**Applicant:** MARY C. KAMPAS

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

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:** Southeast side S. Northshore Dr., southwest of Wrights Ferry Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 133 L B 033                      **Jurisdiction:** County  
**Size of Tract:** 7400 square feet  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:** KARM drop-off center                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** NC  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:**

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

**Street:** 7702 S Northshore Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

### ZONING INFORMATION (where applicable)

**Current Zoning:** C-1 (Neighborhood Commercial)  
**Former Zoning:**  
**Requested Zoning:** C-3 (General Commercial)  
**Previous Requests:** None noted  
**Extension of Zone:**  
**History of Zoning:**

### PLAN INFORMATION (where applicable)

**Current Plan Category:** NC (Neighborhood Commercial)  
**Requested Plan Category:** GC (General 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:

Michael Brusseau

Staff Recomm. (Abbr.):

RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning.

Staff Recomm. (Full):

C-3 zoning is consistent with the recommended sector plan amendment to NC. The One Year Plan currently proposes GC uses for the site, consistent with the requested C-3 zoning. C-3 uses will be compatible with the scale and intensity of the surrounding development and zoning pattern.

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. The applicant is requesting this rezoning in order to bring the current use of the property into compliance with zoning. The use is not proposed to be changed at this time. C-3 zoning is compatible with the surrounding development and zoning pattern.
2. With the recommended amendment of the sector plan to GC for this site, C-3 zoning will be consistent with the sector plan. The current One Year Plan proposes GC (General Commercial) uses for the site, consistent with C-3 zoning.
3. The majority of the surrounding commercial uses in the immediate area are developed with uses that are generally more intense than what would be permitted under the property's current C-1 zoning.

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

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate to be rezoned to C-3.

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. Considering the type of commercial development and zoning in the surrounding area, rezoning this site to C-3 should not adversely affect surrounding properties or any other part of the County.
2. Utilities are in place to serve the site.
3. S. Northshore Dr. is classified as a major arterial street, and has the capacity to support C-3 development of this site.
4. The site is rather small (7400 sq. ft.) to allow for typical, more intense C-3 development, so that should limit any potential negative impact on surrounding properties.

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. Staff is recommending approval of an amendment to the Southwest County Sector Plan map to GC, within which C-3 zoning is appropriate. The applicant's requested density of up to 4 du/ac is not consistent with the policies of the Growth Policy Plan.
2. The Knoxville One Year Plan proposes GC (General Commercial) for the site, consistent with the requested C-3 zoning.
3. Approval of this request could lead to future requests for plan amendments and C-3 zoning on other nearby properties that are still zoned C-1.
4. This proposal does not present any apparent conflicts with any other adopted plans.

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 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:** 3/9/2017

**Details of Action:**

**Summary of Action:** C-3 (General Commercial)

**Date of Approval:** 3/9/2017 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 4/11/2017 **Date of Legislative Action, Second Reading:** 4/25/2017

**Ordinance Number:** **Other Ordinance Number References:**

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

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**