

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 3-C-22-RZ **Related File Number:**
Application Filed: 1/24/2022 **Date of Revision:**
Applicant: PAVEL GUSHTYUK & EMILIA GUSHTYUK

PROPERTY INFORMATION

General Location: Southwest side of Roberts Road, northwest side of Rutledge Pike
Other Parcel Info.:
Tax ID Number: 42 029 **Jurisdiction:** County
Size of Tract: 1.34 acres
Accessibility: Access is via Rutledge Pike, a major arterial street with 4 lanes and a center median within 250-ft of right-of-way; and Roberts Rd., a minor arterial with a 22-ft pavement width within a 70-ft of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Single-family-residential
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** NC (Neighborhood Commercial)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area has developed with large-lot single family residential uses and few commercial uses scattered along Rutledge Pike near its intersection with Shiptown Road, a minor collector.

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

Street: 8819 Rutledge Pk.
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CN (Neighborhood Commercial)
Previous Requests:
Extension of Zone: No
History of Zoning: Rezoning from A to CA was denied in 2021 (Case 6-G-21-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: Levan King Cranston

Staff Recomm. (Abbr.): Approve CN (Neighborhood Commercial) zoning because the location of the property meets the intent of the CN zone, and is consistent with the Northeast County sector plan.

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 CITY/COUNTY GENERALLY:

- 1. TDOT is adding a right turn lane on Roberts Road at its intersection with Rutledge Pike.

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

- 1. The CN (Neighborhood Commercial) zone provides the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for the recurring shopping and personal service needs of nearby residential areas. Development should be compatible with the character of the adjacent neighborhood. This zoning should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible. The range of permitted uses is limited to those that are generally patronized on a frequent basis by neighborhood residents. Development performance standards are provided to maximize compatibility between commercial uses and adjacent residential uses.
- 2. This property is at the intersection of two arterials and is adjacent to residential properties to the west and south, which makes this an appropriate location for CN (Neighborhood Commercial) zoning.

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. Rutledge Pike contains a mix of uses along its length. However, this property is in a pocket of single-family homes between Three Points Road and Rutledge Pike. This property meets the intent of the CN zone since it is adjacent to a residential area and is at the same intersection with other CN zoning.
- 2. It is not anticipated that CN zoning will result in any adverse effects because this area is a Neighborhood Commercial node intended to serve nearby residences.

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. The proposed amendment to CN (Neighborhood Commercial) zoning is compatible with the Northeast County Sector Plan designation of NC (Neighborhood Commercial).
- 2. The proposed amendment is not in conflict with any other adopted plans.

Action: Approved

Meeting Date: 3/10/2022

Details of Action:

Summary of Action: Approve CN (Neighborhood Commercial) zoning because the location of the property meets the intent of the CN zone, and is consistent with the Northeast County sector plan.

Date of Approval: 3/10/2022

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: 4/25/2022

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: