

CASE SUMMARY

APPLICATION TYPE: REZONING

SOUTH COUNTY SECTOR PLAN AMENDMENT



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

PROPERTY INFORMATION

General Location: Northeast of Chapman Hwy., Northwest of E. Governor John Sevier Hwy
Other Parcel Info.:
Tax ID Number: 137 PARTS OF 197, 203.01 Jurisdiction: County
Size of Tract: 6.9 acres
Accessibility:

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: LDR, MDR/O
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 0 Chapman Hwy
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: 12-E-RZ: CA and A to SC
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: MDR/O (Medium Density Residential and Office) and LDR (Low Density Residential) and HP (Hillside & Ridgetop Protection Area)
Requested Plan Category: GC (General Commercial) and HP (Hillside & Ridgetop Protection Area)

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.):

Approve CA (General Business) zoning, subject to one condition.

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 CA zoning along Chapman Highway. A minor extension of the existing CA zoning at this location would not negatively impact the adjacent RA (Low Density Residential) zoning because the majority of the parcel's A (Agricultural) remains on the parcel adjacent to the majority of residential neighborhood zoned RA (Low Density Residential). Staff recommends approval of CA zoning on the property subject to one condition:

- 1. Clearing and grading of steep slopes adjacent to the residential properties should be avoided to prevent further erosion of the embankment.

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 property is located in the Urban Growth Boundary on the Growth Policy Plan and the requested sector plan amendment is for GC (General Commercial) uses on the sector plan.

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

- 1. The proposed amendment to CA zoning is limited to a minor extension on the parcel, which allows for general retail business and services but not for manufacturing or for processing materials other than farm products, except that portable sawmills are allowed.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL AND DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

- 1. This minor extension of CA zoning is compatible with the surrounding development and will have minimal impacts on the adjacent low density residential properties.
- 2. The site is located within the Urban Growth Boundary on the Knoxville-Knox County-Farragut Growth Policy Plan map.

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 South County Sector Plan proposes medium density residential and office uses and low density residential uses for this property, but an amendment for GC (General Commercial) for this extension has also been requested, making this proposal consistent with and not in conflict with any other adopted plans.

Action:

Approved

Meeting Date: 8/8/2019

Details of Action:

Planning Commission recommends approval of CA (General Business) zoning, as modified by the Planning Commission, subject to two conditions:

- 1. Clearing and grading of steep slopes adjacent to the residential properties shall be avoided to prevent further erosion of the embankment.
- 2. Any development activity in the CA zoned area shall be reviewed by the Planning Commission.

Summary of Action:

Planning Commission recommends approval of CA (General Business) zoning, as modified by the Planning Commission, subject to two conditions:

1. Clearing and grading of steep slopes adjacent to the residential properties should be avoided to prevent further erosion of the embankment.
2. Any development activity in the CA zoned area shall be reviewed by the Planning Commission.

Date of Approval: 8/8/2019 **Date of Denial:** **Postponements:** 3/14/2019,
4/11/2019

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: