

CASE SUMMARY

APPLICATION TYPE: REZONING

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: 4-E-07-RZ **Related File Number:** 4-C-07-SP
Application Filed: 2/20/2007 **Date of Revision:**
Applicant: JOHN STORY AND CHARLES STORY

PROPERTY INFORMATION

General Location: Northwest side Rutledge Pike, southwest side Apache Rd.
Other Parcel Info.:
Tax ID Number: 51 G A 019, 020 **Jurisdiction:** County
Size of Tract: 2 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant lot
Surrounding Land Use:
Proposed Use: Convenience store/gas station **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street:
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: None noted
Extension of Zone:
History of Zoning:

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.:

MPC ACTION AND DISPOSITION

Planner In Charge:

Kelley Schlitz

Staff Recomm. (Abbr.):

DENY CA (General Business) zoning.

Staff Recomm. (Full):

CA zoning at this site is not appropriate at this time. There is a substantial amount of commercial and industrial zoned property in the area that could be further developed and some sites that could be rezoned to commercial, that would be consistent with the sector plan. Rezoning of this property would be an intrusion into an established subdivision.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. Apache Rd. is a local dead-end street that intersects Rutledge Pike. An existing subdivision uses Apache Rd. as their only access onto Rutledge Pike. Locating a convenience store at this location will generate a substantial amount of traffic and negatively impact residents of that subdivision.
2. There is a 54 acre site to the south of this site that was recently rezoned PR for a residential subdivision (3-SI-06-C/5-J-06-UR). New CA zoning is not appropriate directly adjacent to residential development, especially when there are other commercial sites available in the vicinity.
3. Uses allowed under CA zoning may negatively impact existing and future residential development in the area.
4. CA zoning would be more appropriate to the west of this site at the intersection of two major roads, Rutledge Pike and Ellistown Rd. Commercial development should be concentrated at the intersection of major roads.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools. The type of use being proposed (convenience store/gas station) will impact traffic onto Apache Rd. and Rutledge Pike. Rutledge Pike is a major arterial street that should have the capacity to handle additional trips that would be generated by this development.
3. The proposed zoning is not compatible with the surrounding residential zoning and development and is not consistent with the sector plan proposal for the area.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. If the requested amendment to the Northeast County Sector Plan is approved, then the CA zoning would be consistent with the sector plan. However, staff recommends denial of the plan amendment in order to maintain the current low density residential designation for the site. The Northeast County Sector Plan was last updated in April 2003.
2. The site is located within the Urban Growth Area of the Knoxville-Knox County-Farragut Growth Policy Plan map
3. This request could generate similar requests for CA or other commercial zoning in this area.

MPC Action:

Denied

MPC Meeting Date: 4/12/2007

Details of MPC action:

Summary of MPC action:

DENY CA (General Business)

Date of MPC Approval:

Date of Denial: 4/12/2007

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?: 4/13/2007

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knox County Commission

Date of Legislative Action: 5/29/2007

Date of Legislative Action, Second Reading:

Ordinance Number:

Disposition of Case: Appeal Approved CA(k)
General Business Approved
with conditions below

If "Other":

Amendments:

CA approved (k) conditions- eliminating any possiblilty of
access to Apache Drive, providing fencing and planting 20% of
property with trees.

Date of Legislative Appeal:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: