

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: 5-A-14-RZ **Related File Number:**
Application Filed: 3/10/2014 **Date of Revision:**
Applicant: J. ALLEN MORGAN

PROPERTY INFORMATION

General Location: Northeast side Shipetown Rd., southeast side Rutledge Pike
Other Parcel Info.:
Tax ID Number: 42 056 **Jurisdiction:** County
Size of Tract: 2.31 acres
Accessibility: Access is via Rutledge Pike, a major arterial street with 4 lanes and center median within 250' of right-of-way, or Shipetown Rd., a local street with 20' of pavement width within 40' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Preparation for resale **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** Neighborhood Commercial
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This area is developed with some commercial uses along Rutledge Pike under various zones, with surrounding residential uses, zoned A and RA.

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

Street: 2720 Shipetown Rd
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: None noted
Extension of Zone: Yes, extension of CN zoning from the southwest and extension of more intense CA zoning from the northeast
History of Zoning: None noted

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: Michael Brusseau

Staff Recomm. (Abbr.): RECOMMEND that County Commission APPROVE CN (Neighborhood Commercial) zoning.

Staff Recomm. (Full): CN is an extension of zoning from the southwest on the opposite side of the intersection and is consistent with the sector plan proposal for the property.

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. CN zoning is appropriate for this expansion of the commercial crossroads at this intersection located along a major arterial highway.
2. There are various commercial and light industrial uses and zones in the vicinity of the site, including CA, CB, LI and I zoned properties. CN is a much less intense commercial zone than those that already exist in the area.
3. The proposed CN zoning is consistent with the Northeast County Sector Plan proposal for the site.
4. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.
5. CN is an extension of zoning from the southwest on the opposite side of Shipetown Rd.

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

1. The requested CN zoning district 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 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. The subject property clearly fits the criteria spelled out in the above general description of the CN zone from the Knox County Zoning Ordinance.
3. The development criteria contained within the CN zone are essential to minimize the impacts to adjacent residential uses and lead to compatible development. Staff is not likely to support any BZA variances to these development standards for this site, especially to the landscaping, setback and signage standards, as they would undermine the compatibility with surrounding properties and dilute the effectiveness of the CN zone.

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. Public water and sewer utilities are available in the area, but may need to be extended to serve the site.
2. The proposal will have no impact on schools and the traffic impact will depend on the type of commercial uses that are established.
3. CN zoning is compatible with surrounding development and should have a minimal impact on adjacent properties. Also, the CN zone requires substantial landscaping throughout the perimeter of the site and parking areas, requires sidewalks to connect with adjacent neighborhoods, permits only indirectly illuminated, monument signs and contains criteria to prevent site lighting spillover to adjacent

properties.

4. Many uses allowed within the CN zone, such as restaurants, fueling stations (with or without convenience stores), child day care centers and any use which includes drive-through or drive-in facilities, requires use on review approval by MPC prior to construction. This will provide the opportunity for MPC and County Engineering staff to review the plan and address issues such as traffic circulation, layout, access, landscaping, drainage and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.

5. No other area of the County will be impacted by this rezoning request.

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 Northeast County Sector Plan proposes neighborhood commercial uses for the site, consistent with the requested CN zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of this request may lead to future requests for CN zoning on surrounding properties zoned Agricultural. However, any future requests on adjacent properties would also require an amendment to the sector plan, as all surrounding Agricultural zoned property is designated for low density residential use.
4. The proposal does not present any apparent conflicts with any other adopted plans.

Action: Approved **Meeting Date:** 5/8/2014

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission APPROVE CN (Neighborhood Commercial) zoning.

Date of Approval: 5/8/2014 **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: 6/23/2014

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: