

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**NORTH COUNTY SECTOR PLAN AMENDMENT**

**File Number:** 5-C-03-SP                      **Related File Number:** 5-B-03-RZ  
**Application Filed:** 3/21/2003              **Date of Revision:** 5/19/2003  
**Applicant:** PAUL G. HIBBEN, JR.  
**Owner:**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
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C O M M I S S I O N  
T E N N E S S E E

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## PROPERTY INFORMATION

**General Location:** Southeast side Maynardville Pike, northeast of Old Maynardville Pike  
**Other Parcel Info.:**  
**Tax ID Number:** 29 20, 21                      **Jurisdiction:** County  
**Size of Tract:** 41.5 acres  
**Accessibility:** Access is via Maynardville Pike, a major arterial street with 45' of pavement within an 80' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Farm and single family dwelling  
**Surrounding Land Use:**  
**Proposed Use:** Retail businesses                      **Density:**  
**Sector Plan:** North County                      **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This site is on a section of Maynardville Pike that includes both commercial and residential uses, as well as vacant land zoned A, CA, and PC.

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

**Street:** 7720 Maynardville Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural) and F (Floodway)  
**Former Zoning:**  
**Requested Zoning:** CB (Business and Manufacturing) and F (Floodway)  
**Previous Requests:** None noted  
**Extension of Zone:** No  
**History of Zoning:** None noted for this site, but other property to the southeast was zoned CA in February, 2003.

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential) and STP (Stream Protection)  
**Requested Plan Category:** C (Commercial) and STP (Stream Protection)

## **SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

Surveyor:

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: Ken Pruitt

Staff Recomm. (Abbr.): APPROVE C (Commercial) designation for these parcels

Staff Recomm. (Full): A commercial designation at this location will allow commercial zoning of these parcels and continue the commercial infill trend along Maynardville Pike, between E Emory Rd. and Quarry Rd. The sector plan proposes low density residential use for the parcels in this area.

Comments: The staff held a sector plan amendment meeting at the Beaver Dam Baptist Church on July 1, 2003, to hear public comments on these requests. There were 20 people in attendance. Those attending generally acknowledged that this commercial proposal was a reasonable use for this site and the other property south of Quarry Rd along this section of Maynardville Pike. Several persons, however, expressed reservations about drainage issues, stream pollution, and increased traffic.

### NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The scheduled five-laning of this section of Maynardville Pike, coupled with the shallow depth of the land from the right-of-way to the streams running along either side of the roadway, make these properties less desirable for the low density residential subdivision development proposed by the sector plan
2. Commercial use of these parcels would continue a commercial development trend along this portion of Maynardville Pike, between E. Emory Rd. and Quarry Rd.
3. The State Department of Transportation predicts that average daily traffic volumes will reach 20,000 vehicles per day by 2010 on this section of highway, which suggests that the property may be better suited for more intense development than low density residential.

### THE EFFECTS OF THE PROPOSAL

1. Commercial designation and PC (or CB) zoning on these parcels will increase traffic volumes and turning movements in this area, more than low density residential development.
2. Commercial lighting and noise will increase in the area, but will be buffered from established residential development to the east by the floodway and associated vegetation located along the southeast property line. Additional mitigation of impacts can be required through planned commercial zoning by MPC as part of the use on review development approval process.
3. Public water and sewer are available to the site.
4. Commercial designation and zoning are consistent with the commercial zoning and uses found to the north and south of this site along Maynardville Pike, and are appropriate along this section of highway.
5. The Floodway extending along the southeast side of the parcels cannot be developed and will provide a natural buffer for the property to the southeast of this site. The Knox County Engineering Department will monitor the protection of this stream and its flood carrying capacity.
6. A traffic impact study will be required with any significant retail proposal for this site to address its impact and how it will be mitigated.
7. Additional properties can be expected to be requested for commercial or office rezonings in the future, if these requests are approved.

### CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Knoxville / Knox County Growth Policy Plan designates these parcels as Planned Growth.
2. The sector plan proposes low density uses of these parcels and surrounding property along both sides of Maynardville Pike in this area. The requested amendment would show the property for C (Commercial) use.
3. PC commercial uses developed along this section of Maynardville Pike would be consistent with established commercial zoning and uses found to the north and south of these parcels.

4. Commercial use of these parcels would be compatible with the scale and intensity of nearby commercial development and the zoning pattern found along this highway.

**MPC Action:** Approved **MPC Meeting Date:** 7/10/2003

**Details of MPC action:**

**Summary of MPC action:** APPROVE C (Commercial) and STP (Stream Protection)

**Date of MPC Approval:** 7/10/2003 **Date of Denial:** **Postponements:** 5/8/2003-7/10/2003

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

***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** County Commission

**Date of Legislative Action:** 8/25/2003

**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:**