# **CASE SUMMARY**

APPLICATION TYPE: REZONING



File Number: 5-C-20-RZ Related File Number:

**Application Filed:** 3/10/2020 **Date of Revision:** 

Applicant: BENJAMIN C. MULLINS O/B/O KADUNZA LTD, LLC

#### PROPERTY INFORMATION

General Location: Northeast corner of intersection of Schaad Rd and Johnson Rd.

Other Parcel Info.:

Tax ID Number: 92 01201 Jurisdiction: County

Size of Tract: 2.69 acres

Access is via Johnson Road, a local street, with a pavement width of 15.5' within a right-of-way width of

50' feet. Access is also via Schaad Road, a 4-lane median seperated minor arterial with a pavement

width of 100' feet within a right of way width of 112' feet.

#### **GENERAL LAND USE INFORMATION**

Existing Land Use: Rural residential

**Surrounding Land Use:** 

Proposed Use: Density:

Sector Plan: Northwest County Sector Plan Designation: NC (Neighborhood Commercial)

Growth Policy Plan: Urban Growth Area

Neighborhood Context: This area is primarily single family residential, rural residential and agriculture/forestry/vacant lands. It

is in close proximity to Amherst Elementary School and identified as a neighborhood commercial node

on the sector plan.

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

Street: 3216 Johnson 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Previous Requests: 6-L-19-RZ / 6-D-19-SP denied - appealed to County Commsion but appeal withdrawn

Extension of Zone: No.

**History of Zoning:** 6-L-19-RZ: Withdrawn

### PLAN INFORMATION (where applicable)

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**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: Liz Albertson

Staff Recomm. (Abbr.): Staff recommends approval of CN (Neighborhood Commercial) because it is consistent with the NC

(Neighborhood Commercial) sector plan designation for this intersection on the recently improved

Schaad Road.

Staff Recomm. (Full):

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 Area of the Growth Policy Plan.
- 2. The area is located near Amherst Elementary School at an intersection designated for NC (Neighborhood Commercial) on the sector plan.
- 3. Residential growth is occurring in this area due in part to the improvements on Schaad Road. Opportunities for limited neighborhood commercial activities at this location are warranted to service the nearby residential properties.

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

1. The (CN) Neighborhood Commercial zone is intended to provide for 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 use

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. The NC zone district allows limited commercial activities compatible with neighboring residential properties. More intensive neighborhood commercial uses provided in the zone require a use-on-review process to address potential impacts through the design review process.
- 2. Access to the property will likely be restricted to Johnson Road during the use-on-review process.

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. This rezoning is consistent with the NC (Neighborhood Commercial) designation for the Northwest County Sector Plan.
- 2. This request is not in conflict with the General Plan or any other adopted plans.

Action: Approved Meeting Date: 5/14/2020

**Details of Action:** 

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Summary of Action: Approve CN (Neighborhood Commercial) because it is consistent with the NC (Neighborhood

Commercial) sector plan designation for this intersection on the recently improved Schaad Road.

Date of Approval: 5/14/2020 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: 6/22/2020 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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