

# CASE SUMMARY

**APPLICATION TYPE: REZONING**

**NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

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-D-16-RZ

**Related File Number:** 5-B-16-SP

**Application Filed:** 3/23/2016

**Date of Revision:**

**Applicant:** FIRAS MISHU

## PROPERTY INFORMATION

**General Location:** South side Oak Ridge Hwy., east side Byington Solway Rd.

**Other Parcel Info.:**

**Tax ID Number:** 90 PT. OF 050 OTHER: PORTION ZONED A ONLY **Jurisdiction:** County

**Size of Tract:** 2.63 acres

**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Gravel parking for adjacent business

**Surrounding Land Use:**

**Proposed Use:** Expansion of adjacent business

**Density:**

**Sector Plan:** Northwest County **Sector Plan Designation:** LDR & SLPA

**Growth Policy Plan:** Planned Growth Area

**Neighborhood Context:**

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

**Street:** 8321 Oak Ridge Hwy

**Location:**

**Proposed Street Name:**

**Department-Utility Report:**

**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** A (Agricultural) and CA (General Business)

**Former Zoning:**

**Requested Zoning:** CA (General Business)

**Previous Requests:** None noted

**Extension of Zone:**

**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential) & SLPA (Slope Protection Area)

**Requested Plan Category:** C (Commercial) & SLPA (Slope 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.:

**MPC ACTION AND DISPOSITION**

**Planner In Charge:** Michael Brusseau

**Staff Recomm. (Abbr.):** RECOMMEND that County Commission APPROVE CA (General Business) zoning.

**Staff Recomm. (Full):** The zoning recommendation is consistent with the recommended sector plan amendment to C for the entire parcel. The C plan designation is recommended for the entire parcel owned by the applicant, most of which is already zoned CA commercial. CA is a logical extension of zoning from the west. The commercial use of the site is already established.

**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. CA is a logical extension of commercial zoning from the west and will allow compatible uses to the surrounding development pattern.
2. The majority of the subject parcel is already zoned CA. The applicant is requesting CA zoning to establish the same and proper zoning on the entire parcel, which is entirely used for commercial purposes.

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

1. The requested CA zoning is for general retail businesses and services but not for manufacturing or for processing materials.
2. Based on the above description and intent, the remainder of this property is appropriate to be rezoned to CA, as requested.

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. CA zoning is appropriate for this site and will not adversely affect any adjacent properties or other parts of the County.
2. The extension of CA zoning over this entire site is appropriate in this small commercial node at an intersection of collector and arterial streets.

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. With the recommended plan amendment to the general commercial land use classification, CA zoning would be consistent with the Northwest County Sector Plan.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Staff has not identified any conflicts with other adopted plans.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by

majority vote and the amendment is operative.

**Action:** Approved

**Meeting Date:** 5/12/2016

**Details of Action:**

**Summary of Action:** Recommend the Knox County Commission APPROVE CA (General Business) zoning.

**Date of Approval:** 5/12/2016

**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:** 6/27/2016

**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:**