

# CASE SUMMARY

## APPLICATION TYPE: PLAN AMENDMENT SOUTHWEST COUNTY SECTOR PLAN AMENDMENT

KNOXVILLE-KNOX COUNTY

**M P C**  
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T E N N E S S E E

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**File Number:** 5-E-10-SP                      **Related File Number:** 5-H-10-RZ  
**Application Filed:** 3/29/2010              **Date of Revision:**  
**Applicant:** LAUREL INVESTMENTS, LLC

### PROPERTY INFORMATION

**General Location:** Southwest side Choto Rd., southeast side S. Northshore Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 162 M C 019                      **Jurisdiction:** County  
**Size of Tract:** 1 acres  
**Accessibility:** Access is via Choto Rd., a minor collector street with 21' of pavement width within 50' of right-of-way, or S. Northshore Dr., a minor arterial street with 21' of pavement width within 90' of right-of-way.

### GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** Commercial building                      **Density:**  
**Sector Plan:** Southwest County              **Sector Plan Designation:** Low Density Residential  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed with agricultural, rural residential and low density residential uses under A and PR zoning. There is a 15-acre site to the northeast, zoned CN with conditions, that is yet to be developed.

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

**Street:** 1615 Choto 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:** 12-D-01-RZ/12-A-01-SP and 9-C-04-RZ/9-B-04-SP  
**Extension of Zone:** Yes, extension of NC designation and CN zoning from the northeast  
**History of Zoning:** MPC denied a commercial plan designation and zoning in 2004 (9-C-04-RZ/9-B-04-SP). Similar requests were withdrawn in 2001 with heavy opposition (12-D-01-RZ/12-A-01-SP).

### PLAN INFORMATION (where applicable)

**Current Plan Category:** LDR (Low Density Residential)

Requested Plan Category: NC (Neighborhood Commercial)

**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.): DENY NC (Neighborhood Commercial) sector plan designation.

Staff Recomm. (Full): A large area (15 acres) of NC was just approved early this year to the northeast of this site. That site is early in the development stages with only a convenience store approved to be developed at this time. Establishment of additional neighborhood commercial uses is not necessary at this point in time. Additionally, this site is small and is located directly adjacent to an existing subdivision and residence. The opportunities for appropriate buffering are limited.

Comments: SECTOR PLAN REQUIREMENTS:  
CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:  
NEW ROAD OR UTILITY IMPROVEMENTS:  
No road or utility improvements have been made recently in the area.  
ERROR OR OMISSION IN CURRENT PLAN:  
The plan appropriately calls for LDR development at this location. The site is small and too close in proximity to residential use for commercial use.  
CHANGES IN GOVERNMENT POLICY:  
No changes have occurred that warrant this sector plan change. Requests for C and CA zoning were denied by MPC on September 9, 2004. With the newly established CN zoning across the street, there is less need to establish more CN zoning at this time than there was in 2004.  
CHANGE IN DEVELOPMENT, POPULATION OR TRAFFIC TRENDS:  
The major change in this area is the 15 acre site to the northeast that was recently rezoned conditional CN. This does not justify the request to designate this site for neighborhood commercial development. In fact, staff maintains that there is now no need for additional commercial development in the area, especially because the CN site is large enough to meet the commercial needs of area residents and has yet to be developed. The larger CN site also presents greater flexibility in developing the site, based on sound design and development principles.

Action: Denied Meeting Date: 6/10/2010

Details of Action:

Summary of Action: DENY NC (Neighborhood Commercial) sector plan designation.

Date of Approval: Date of Denial: 6/10/2010 Postponements: 5/13/2010

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

**LEGISLATIVE ACTION AND DISPOSITION**

Legislative Body: Knox County Commission

Date of Legislative Action: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Disposition of Case, Second Reading:

If "Other": If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance: