

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 6-A-08-RZ **Related File Number:** 6-A-08-SP
Application Filed: 4/14/2008 **Date of Revision:**
Applicant: LKM PROPERTIES, LP (REFERRED BACK TO MPC BY COUNTY COMMISSION)

PROPERTY INFORMATION

General Location: Southwest side Ellistown Rd., southeast of Millertown Pike
Other Parcel Info.:
Tax ID Number: 51 A A 017 & 018 **Jurisdiction:** County
Size of Tract: 0.8 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Residence
Surrounding Land Use:
Proposed Use: Convenience store **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context:

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

Street: 2721 Ellistown Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

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.):

APPROVE CN (Neighborhood Commercial) zoning for both the CA and the A zoned parcel. (The applicant requested CA (General Business) zoning for the A zoned parcel to expand his CA site.)

Staff Recomm. (Full):

CN zoning would restrict any commercial development on the subject property to uses supported by the adopted Northeast County Sector Plan policies for Neighborhood Commercial development at appropriate commercial intersection nodes. CN zoning would permit the proposed commercial use while ensuring that landscape buffering and other measures required for compatibility within this residential neighborhood will be satisfied.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The recommendation is compatible with the scale and intensity of the surrounding development and zoning pattern.
2. All four corners of the intersection of Millertown Pike and Ellistown Rd. are zoned CA. One is developed with a church and another is developed with a grocery and deli business.
3. CN zoning for the applicant's two parcels would allow it to be combined by subdivision to create a larger, more suitable commercial site.
4. The sector plan's proposed residential development of the surrounding area would warrant the establishment of a neighborhood commercial node around this intersection to provide convenience goods and neighborhood services to area residents; however, the site being less than a mile north of the Ellistown Rd. intersection with Rutledge Pike, a 4 lane major arterial facility, makes it unsuitable for consideration as a Community Commercial node.

THE EFFECTS OF THE PROPOSAL

1. Public water is available at the site. 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. Millertown Pike is a minor arterial street and Ellistown Rd. is a major collector street. Both streets should have the capacity to handle additional trips that would be generated by commercial development of this site.
3. The proposal is compatible with surrounding development and zoning and will have a minimal impact on adjacent properties.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the adoption of the recommended sector plan amendment to NC (Neighborhood Commercial) around this intersection, the proposed CN zoning would be consistent with the Northeast County Sector Plan proposal.
2. This site is located within the Urban Growth Area of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. The recommended sector plan amendment and approval of the CN or CA rezoning request may lead to requests for additional commercial rezonings around this intersection which will need to be reviewed on a case by case basis.

MPC Action:

Approved

MPC Meeting Date: 11/13/2008

Details of MPC action:

Summary of MPC action:

Approve CA (General Business) for Parcel 18 as originally requested

Effective as of June 13, 2008, T.C.A. 13-3-303 has been amended to require thirty (30) day publication notice prior to the adoption of any amendment to the General Plan. This request was previously acted upon by MPC after the effective date of the new rule and, as a result, the previous actions by MPC are not valid. To rectify this situation, this plan amendment and rezoning request has been readvertised consistent with the 30 day requirement for ratification and reconfirmation of the previous MPC action on 8/14/2008 and County Commission action on 8/25/2008.

Date of MPC Approval: 11/13/2008

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: 8/25/2008

Date of Legislative Action, Second Reading: 12/15/2008

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: other - Referred back to MPC

Disposition of Case, Second Reading: Approved

If "Other": Referred back to MPC

If "Other":

Amendments:

Amendments:

Parcel 17 & 18 to be considered for rezoning

Date of Legislative Appeal:

Effective Date of Ordinance: