

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT SOUTH 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: 6-A-14-SP **Related File Number:** 6-B-14-RZ
Application Filed: 4/25/2014 **Date of Revision:**
Applicant: PATRICK TRACY

PROPERTY INFORMATION

General Location: South side Topside Rd., west side Maryville Pike
Other Parcel Info.:
Tax ID Number: 147 PART OF 06701 OTHER: PORTIONS NOT ZONED **Jurisdiction:** County
Size of Tract: 3.4 acres
Accessibility: Access is via Topside Rd., a minor collector street with 17' of pavement width within 40-45' of right-of-way, or Maryville Pike, a minor arterial street with 25' of pavement width within 75' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial building
Surrounding Land Use:
Proposed Use: General commercial **Density:**
Sector Plan: South County **Sector Plan Designation:** Low Density Residential
Growth Policy Plan: Planned Growth Area
Neighborhood Context: With the exception of the small convenience store at the corner of Maryville Pike and Topside Rd., zoned CA and the nonconforming business on the subject property, the surrounding area is developed with agricultural and rural to low density residential uses under A, RA and RB zoning. An appropriate commercial node is developed to the north of the site, at Maryville Pike and W. Governor John Sevier Hwy, zoned CA and PC.

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

Street: 3106 Topside Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) & RB (General Residential)
Former Zoning:
Requested Zoning: CA (General Business)
Previous Requests: None noted
Extension of Zone: No
History of Zoning: A sector plan amendment for commercial was denied in 2005 on a portion of this property (12-B-05-SP). A rezoning to CA was denied for the small triangular property on the north side of Topside Rd. in 1990 (12-N-90-RZ). (See attached documentation.)

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: C (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 the request to amend the future land use map of the South County Sector Plan to C (Commercial) land use classification.

Staff Recomm. (Full): If the planning commission finds that a change is warranted at this location, staff recommends NC (Neighborhood Commercial) as an appropriate land use classification and recommends that MPC adopt resolution # 6-A-14-SP, amending the South County Sector Plan to NC (Neighborhood Commercial) as shown on the attached MPC staff recommendation map, and recommend that County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A.)

The applicant had requested general commercial uses, but the policies of the Knoxville-Knox County General Plan 2033 do not warrant the redesignation of this site for general business commercial uses. With the exception of a small (0.4 acre), CA-zoned convenience store to the east, the site is surrounded by residential or agricultural zoning. Placing a general commercial designation on this 3.4-acre site would allow uses that would be incompatible with the scale and intensity of surrounding development. The NC (Neighborhood Commercial) classification is appropriate for this site, considering the surrounding zoning pattern and property location. General plan policies 9.3, 9.9, 9.10 and 9.12 support NC uses at this location (see attached excerpt from the Knoxville-Knox County General Plan 2033). The NC designation is more appropriate for this site because it is intended for placement near residential uses at major intersections, while general commercial uses are not. There are several large subdivisions to the south along Maryville Pike and more houses to the west along Topside Rd., whose residents could benefit from having neighborhood-serving commercial uses nearby. The purpose of the 75 foot wide strip of land that is not recommended to be changed is to provide a buffer to adjacent established residences to the west along Topside Rd. It would remain under the current LDR plan designation and is recommended to be rezoned to RA, in order to allow it to be developed with a detached residential use, if so desired.

Comments: SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known road or utility improvements have been made recently in the area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan currently calls for low density residential (LDR) development at this location. This property is located within a large area of LDR designated and developed land. Approval of general commercial uses at this location is not appropriate. The sector plan recognizes an appropriate, general commercial node about 350 feet to the north around the intersection of Maryville Pike and W. Governor John Sevier Hwy. More intense commercial uses for this area should be concentrated at that location. Less intense neighborhood commercial uses are appropriate for this site, because of its location at the intersection of minor collector and minor arterial streets.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There have been no significant changes that have taken place to justify amendment of the sector plan, as requested. Staff maintains that general commercial uses are not appropriate at this location.

Approval of these requests could lead to additional requests for general commercial uses in the future on other nearby properties, especially to the south along Maryville Pike, further impacting surrounding residential areas. Neighborhood commercial, however, is appropriate for the site because of its location at an intersection of collector and arterial streets. A request for a general commercial plan designation was denied for a portion of this property in 2005 (12-B-05-SP). The area of the subject property considered at that time did not include frontage on Topside Rd., so it was less appropriate for neighborhood commercial uses. Also, a request for CA on a small parcel on the north side of Topside Rd. at the Maryville Pike intersection was denied in 1990 (12-N-90-RZ).

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

There are no apparent trends that warrant an amendment to the sector plan. Staff recognizes that there is a small, CA zoned area to the east that is developed with a convenience store. This commercial use is not recognized by the sector plan. This CA zoning has likely been in place for quite a long time and was rezoned prior to accompanying sector plan amendments being required along with a rezoning. The sector plan proposes that commercial uses be placed within the CA or PC zoned areas to the north. There is available land for development in that area that is already zoned for commercial uses. Less intense neighborhood commercial uses are more appropriate on the subject property.

Action: Denied **Meeting Date:** 6/12/2014

Details of Action:

Summary of Action: DENY the request to amend the future land use map of the South County Sector Plan to C (Commercial) land use classification. (Rezoning 6-B-14-RZ appeal to County Commission 8/25/14)

Date of Approval: **Date of Denial:** 6/12/2014 **Postponements:**

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

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:**