

# CASE SUMMARY

**APPLICATION TYPE: PLAN AMENDMENT**

**EAST COUNTY SECTOR PLAN AMENDMENT**



**File Number:** 6-A-18-SP                      **Related File Number:** 6-C-18-RZ  
**Application Filed:** 4/26/2018              **Date of Revision:** 6/17/2018  
**Applicant:** KEN GILREATH

## **PROPERTY INFORMATION**

**General Location:** South side Strawberry Plains Pike, east of E. Governor John Sevier Hwy.  
**Other Parcel Info.:**  
**Tax ID Number:** 84 114 OTHER: 097-00103                      **Jurisdiction:** County  
**Size of Tract:** 6.82 acres  
**Accessibility:** Access is via Strawberry Plains Pike, a major arterial street with 25' of pavement width within 40' of right-of-way.

## **GENERAL LAND USE INFORMATION**

**Existing Land Use:** Automobile sales lot  
**Surrounding Land Use:**  
**Proposed Use:** Automobile sales lot                      **Density:**  
**Sector Plan:** East County                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** This area is developed primarily with agricultural and rural residential uses under Agricultural zoning. Commercial and industrial uses are located to the west and south along E. Governor John Sevier Hwy., zoned CA, CB, PC and I.

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

**Street:** 5626 Strawberry Plains Pike  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## **ZONING INFORMATION (where applicable)**

**Current Zoning:** A (Agricultural) and F (Floodway)  
**Former Zoning:**  
**Requested Zoning:** CA (General Business) and F (Floodway)  
**Previous Requests:** None noted  
**Extension of Zone:** Yes, extension of GC sector plan designation from the west. The property to the west is zoned PC.  
**History of Zoning:** None noted

## **PLAN INFORMATION (where applicable)**

**Current Plan Category:** LDR (Low Density Residential) & SP (Stream Protection)

Requested Plan Category: GC (General Commercial) & SP (Stream Protection)

**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:** Michael Brusseau

**Staff Recomm. (Abbr.):** DENY the requested GC (General Commercial) sector plan designation.

**Staff Recomm. (Full):** General commercial uses are not appropriate or necessary at this location. There is no justification for the sector plan change, based on the below criteria that provide reasons that would warrant an amendment of the plan.

**Comments:** A portion of the subject property (about 25% of the site outside of the Floodway zone) is developed as an automobile sales lot, which is not permitted under the current Agricultural zoning of the site. It is staff's understanding that the sales lot is no longer open for business. Staff inquired to Knox County Code Administration about the status of the property. It was reported that they had no records for this address. There have been no permits issued and there have been no complaints received. Therefore, it appears that the automobile sales lot was established in violation of zoning and had continued because there were no complaints filed. The requested CA zoning would bring the automobile sales lot into compliance with zoning and would allow further, unplanned commercial development of the subject property.

The applicant requested automatic postponement at the June MPC meeting and then came in to revise the application to include a portion of the adjacent parcel to the east, which he also owns and is partially zoned CA at the present time. Another postponement, agreed to by the applicant, was necessary in order for staff to readvertise the requests, since the application was revised from the original. The original request was for only parcel 084-114. The revised request added parcel 097-00103 for consideration of CA zoning as well. With the addition of more property to the application, the public notification was readvertised and the request is now appropriate for consideration by MPC at the August 12 meeting.

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 new roads or utilities have been introduced in this area to make general commercial development more feasible.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The sector plan appropriately designates this site for low density residential uses. The East County Sector Plan was updated in 2011. Knox County Commission adopted the updated sector plan on June 27, 2011. There are no apparent errors in the plan and nothing has significantly changed in the area since the 2010 sector plan adoption to justify amending the sector plan. The current low density residential plan designation for this site is intentional and appropriate.

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

Commercial development in this area has been generally located at nodes where higher-traffic streets intersect. Non-residential uses in this area have been established to the west of this site at the intersection of Strawberry Plains Pike and E. Governor John Sevier Hwy., and to the south. This site's separation from that node make it less appropriate for commercial uses. There is an unused CA zoned property, adjacent to the east and owned by the applicant, that could be used for commercial use.

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

There are no apparent trends in this area that would warrant amending the sector plan for general commercial uses at this location.

**Action:** Approved

**Meeting Date:** 9/13/2018

**Details of Action:** ADOPT RESOLUTION #6-A-18-SP, amending the East County Sector Plan to GC (General Commercial) & SP (Stream Protection) and recommend that Knox County Commission also adopt the sector plan amendment. (See attached resolution, Exhibit A).

**Summary of Action:** ADOPT RESOLUTION #6-A-18-SP, amending the East County Sector Plan to GC (General Commercial) & SP (Stream Protection) and recommend that Knox County Commission also adopt the sector plan amendment.

**Date of Approval:** 9/13/2018

**Date of Denial:**

**Postponements:** 6/14/2018-8/9/2018

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

### ***LEGISLATIVE ACTION AND DISPOSITION***

**Legislative Body:** Knox County Commission

**Date of Legislative Action:** 10/22/2018

**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:**