

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

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: 6-B-08-SP **Related File Number:** 6-E-08-RZ
Application Filed: 5/2/2008 **Date of Revision:**
Applicant: S & E PROPERTIES, LLC

PROPERTY INFORMATION

General Location: North side Dutchtown Rd., west side Bob Kirby Rd.
Other Parcel Info.:
Tax ID Number: 118 150 & 155 **Jurisdiction:** County
Size of Tract: 2 acres
Accessibility: Access is via Dutchtown Rd., a four lane minor arterial street, and Bob Kirby Rd a two lane, minor collector street.

GENERAL LAND USE INFORMATION

Existing Land Use: Residences
Surrounding Land Use:
Proposed Use: Retail business **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR
Growth Policy Plan: Planned Growth Area
Neighborhood Context: This site is surrounded by residential development that has occurred under A, RA and RB zones.

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

Street: 9801 Dutchtown 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: No
History of Zoning: None noted

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:

Ken Pruitt

Staff Recomm. (Abbr.):

DENY C (Commercial) designation for this site

Staff Recomm. (Full):

The property is surrounded by residential uses and Agricultural, RA and RB zoning.

Comments:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. The proposed CA zoning is not compatible with the scale and intensity of the surrounding zoning pattern. Approval of CA zoning for this site would be a spot zoning on the north side of Dutchtown Rd., giving the applicant certain development rights that do not exist on any of the adjacent properties. CA zoning would allow uses that could be disruptive to the adjacent residential uses in this area with commercial traffic, noise, lights and hours of operation. The applicant has reasonable use of the property under the current Agricultural zone, or could seek RA or PR zoning, all of which are more appropriate and compatible to the surrounding residential uses.
2. The current Agricultural zoning or RA, or PR zoning, allows reasonable use of the property and is consistent with the sector plan designation for the site.
3. There are commercial zones at the intersection of Mabry Hood Rd. and Dutchtown Rd. to the west, which can meet the neighborhood commercial needs of the area.

THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are available to serve the site.
2. The proposal will have no impact on schools. Dutchtown Rd. is a minor arterial street that is currently being improved and will have the capacity to handle additional trips that would be generated by commercial development.
3. The requested CA zoning is not compatible with surrounding residential development and zoning and would have an adverse impact on adjacent properties.
4. Approval of this request will result in the location of retail uses that would set an undesirable precedent along this corridor. In addition, approval of this request could lead to future requests for CA on other available parcels along this corridor.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The Northwest County Sector Plan proposes low density residential uses for this site, consistent with the existing PR zone.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. This request may lead to future sector plan and rezoning requests for CA zoning on nearby properties.

MPC Action:

Denied

MPC Meeting Date: 7/10/2008

Details of MPC action:

Summary of MPC action:

DENY C (Commercial)

Date of MPC Approval:

Date of Denial: 7/10/2008

Postponements: 6/12/08

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?: 8/8/2008

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knox County Commission

Date of Legislative Action: 9/22/2008

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Denied (Appeal Withdrawn)

If "Other":

Amendments:

Date of Legislative Appeal:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: