

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

SOUTH COUNTY SECTOR PLAN AMENDMENT



File Number: 6-B-19-SP

Related File Number: 6-I-19-RZ

Application Filed: 4/26/2019

Date of Revision:

Applicant: ROBBIE TOOLE

PROPERTY INFORMATION

General Location: West side of East Governor John Sevier Highway, northwest of French Road and southwest of Old French Road.

Other Parcel Info.:

Tax ID Number: 111 03605 (PART OF)

Jurisdiction: County

Size of Tract: 9 acres

Accessibility: East Governor John Sevier Highway is a major arterial with a pavement width of 43' feet and a right-of-way width of 120' feet.

GENERAL LAND USE INFORMATION

Existing Land Use: Agricultural/Forestry/Vacant

Surrounding Land Use:

Proposed Use: Rural Commercial

Density:

Sector Plan: South County

Sector Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: Planned Growth Area

Neighborhood Context: The surrounding area includes a church, veteran's cemetery, large lot single family residential, and an office for Knox-Chapman Utility District. The northwestern end of the parcel borders the French Broad River. Otherwise, the area consists of large lot single family detached homes.

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

Street: 0 E Governor John Sevier Hwy

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)

Former Zoning:

Requested Zoning: CR (Rural Commercial)

Previous Requests:

Extension of Zone: No RC/CR in area.

History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category: RC (Rural 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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Liz Albertson

Staff Recomm. (Abbr.): Deny RC (Rural Commercial) sector plan amendment.

Staff Recomm. (Full): Staff recommends denial of the plan amendment to RC (Rural Commercial) because of the potential impact to neighboring properties of a lesser intense use, including large lot single family and rural residential and the nearby Veteran's Cemetery and adjacent Church. The location is also not at the intersection of two thoroughfares (arterial and/or collector streets) therefore not meeting the location criteria for Rural Commercial.

The existing land use plan classification of LDR (Low Density Residential) for the property allows for reasonable use of the land recommending several zone districts for areas designated LDR in the Planned Growth Area of Knox County. The zones recommended for LDR in this area include: RA, RAE and PR at less than 5 dwelling units per acre, A and RB zones may also be considered under the LDR land use plan classification.

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There are no changes in the surrounding area warranting an amendment to the land use plan (sector plan).
2. The surrounding land use plan notes low density residential, agricultural and civic institutional uses.
3. There has not been a change in conditions in this area of the South County Sector Plan since the plan was last updated in 2012. There hasn't been development of more intense land uses, such as commercial or office, to warrant consideration of commercial at this location.

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

1. No new roads or utilities are anticipated for this area, nor have any been proposed for this area since the 2012 South County Sector Plan was updated.
2. There do not appear to be sewer lines extended to this site yet by the Knox Chapman Utility District, however, the property is within 1000' of their offices where lines exist.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There is not an obvious or significant error or omission in the South County Sector Plan for this area.
2. The location criteria for the RC (Rural Commercial) land use classification is not met at this location because it is not located at the intersection of two thoroughfares (arterial and/or collector streets). Old French Road and French Road are classified as local streets.
3. The LDR designation for this property allows for reasonable use of the property by providing a variety of recommend zone districts that allow a range of uses.

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

1. There are no new trends in development, population or traffic that warrant reconsideration of the original plan proposal.

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the

amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.

2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Denied

Meeting Date: 10/10/2019

Details of Action:

Summary of Action: Remanded back to Planning Commission for reconsideration of the sector plan amendment to RC (Rural Commercial), Planning Commission denied RC again. Both the sector plan amendment to RC (Rural Commercial) and rezoning to CR (Rural Commercial) go back to County Commission for a vote.

Date of Approval:

Date of Denial: 10/10/2019

Postponements: 9/12/2019

Date of Withdrawal:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 1/27/2020

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Withdrawn

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: