

CASE SUMMARY

APPLICATION TYPE: REZONING

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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w w w • k n o x m p c • o r g

File Number: 6-C-11-RZ

Related File Number: 6-B-11-SP

Application Filed: 4/21/2011

Date of Revision:

Applicant: CUS, LLC

PROPERTY INFORMATION

General Location: South side Hardin Valley Rd., east of Bertelkamp Ln.

Other Parcel Info.:

Tax ID Number: 104 08602

Jurisdiction: County

Size of Tract: 1.6 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Daycare

Surrounding Land Use:

Proposed Use: Commercial development

Density:

Sector Plan: Northwest County **Sector Plan Designation:** Office and Slope Protection

Growth Policy Plan: Planned Growth Area

Neighborhood Context:

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

Street: 10238 Hardin Valley 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: O (Office) & SLPA (Slope Protection Area)

Requested Plan Category: C (Commercial) & SLPA (Slope Protection Area)

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.):

RECOMMEND that County Commission APPROVE CA (General Business) zoning to a depth of 200 feet from the right-of-way and OA (Office Park) zoning on the remainder of the site..

Staff Recomm. (Full):

CA is a logical extension of zoning from the east and west. The recommended OA zoning for the rear of the property will allow reasonable use of the steeper sloped area with less intense uses. Both recommended zones are compatible with surrounding development and zoning.

Comments:

REZONING REQUIREMENTS:

NEED BASED ON SUBSTANTIALLY CHANGED/CHANGING CONDITIONS IN THE AREA OR THE COUNTY GENERALLY:

1. Staff recommends the less intense OA zoning for the rear portion of the site, within the slope protection area. This area is characterized by steeper slopes that should not be developed with more intense commercial uses that generally require more grading for parking and building footprints. A topography map is attached showing the slopes within the rear portion of the site. The recommended OA zoning in the rear portion of the site allows the applicant reasonable use of the property.
2. The proposal is an extension of CA zoning from the east and west and is compatible with surrounding land uses.
3. This site is currently developed with a child day care facility under the current Agricultural zoning, which already generates more traffic than a standard residential use.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:

1. The requested CA zoning district is for general retail business and services, but not for manufacturing or for processing materials. The recommended OA zoning for the rear portion of the site is intended to provide for orderly development of office parks. The zone is compatible with surrounding residential areas and serves as a transitional area from residential to other less compatible land uses.
2. Based on the above descriptions of the recommended zoning districts, the subject property is appropriate to be rezoned to CA and OA zoning.

THE EFFECTS OF THIS PROPOSAL

1. Public water and sewer utilities are available to the site.
2. The proposal would have no impact on schools and a minimal impact on streets. The recommended zones are compatible with the surrounding land uses and zoning.
3. The impact to surrounding properties will be minimal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. With the recommended plan amendment to Commercial, CA zoning is consistent with the Northwest County Sector Plan. The recommended OA zoning is consistent with the sector plan proposal for the property.
2. This site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Approval of commercial zoning for this site could lead to future similar requests in the area, which would also require sector plan amendments.

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. New 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: Approved

Meeting Date: 6/9/2011

Details of Action:

Summary of Action: RECOMMEND that County Commission APPROVE CA (General Business) zoning to a depth of 200 feet from the right-of-way and OA (Office Park) zoning on the remainder of the site.

Date of Approval: 6/9/2011

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: 7/25/2011

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved as Modified

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Approved CA (k) General Business for the whole site with the condition that the applicant submit the site plan to MPC staff for approval.

Date of Legislative Appeal:

Effective Date of Ordinance: